AGENDA
MARCH 9, 2020

(Mayor Spano and Councilmember Mohamed absent)

6:30 p.m.  STUDY SESSION – Council chambers

Discussion items

1. 6:30 p.m. Parks and Recreation Advisory Commission 2020 annual work plan
2. 6:50 p.m. Crime/drug-free rental housing workgroup recommendations
3. 7:20 p.m. Food Access and Insecurity Study
4. 8:20 p.m. SLP SEEDS requests for city funding
5. 8:50 p.m. Dakota north bikeway and bridge project no. 4019-2000
6. 9:35 p.m. Future study session agenda planning and prioritization
7. 9:40 p.m. Communications/updates (verbal)

9: 45 p.m. Adjourn

Written reports

7. Body worn camera annual update
8. Application for tax increment financing assistance – The Quentin (formerly Cedar Place)
9. Mobility sharing update
10. Accessory dwelling units
11. Speed limit update
Executive summary

Title: Parks and Recreation Advisory Commission 2020 annual work plan

Recommended action: Discuss the annual work plan with representative(s) of parks and recreation advisory commission.

Policy consideration: Does the annual work plan meet the city councils’ expectations of the and parks and recreation advisory commission?

Summary: The complete parks and recreation advisory commission work plan is attached for review. There are seven initiatives identified for 2020. The new initiatives for 2020 are as follows:

- Assist with the grand opening of the Westwood Hills Nature Center new interpretive center, which will be held Monday, June 8 from 4 – 8 p.m.
- Review and provide feedback on the Historical Society’s master plan.
- Evaluate the newly renovated Access to Fun program to ensure individuals can participate in recreation activities regardless of their financial status.

Bruce Cantor, the 2020 PRAC chair will be present at the meeting. The attached work plan was also shared with the city council at the February 24, 2020 annual meeting of boards and commissions.

Financial or budget considerations: None.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Parks and recreation advisory commission annual work plan

Prepared by: Stacy Voelker, senior office assistant
Reviewed by: Cynthia S. Walsh, director of operations and recreation
Approved by: Tom Harmening, city manager
<table>
<thead>
<tr>
<th>Time Frame</th>
<th>Initiative</th>
<th>Strategic Priorities</th>
<th>Purpose (see page 2 for definitions)</th>
<th>Outcome (fill in after completed)</th>
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<tbody>
<tr>
<td>Ongoing; we meet with a different group each month</td>
<td>Invite Youth Associations and other community groups to discuss opportunities and successes.</td>
<td>☐ New Initiative ☒ New Initiative ☐ Ongoing Responsibility</td>
<td>☒ Commission Initiated Project ☐ Council Initiated Project ☐ Report Findings (council requested) ☐ Formal Recommendation (council requested)</td>
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<td>Review and provide input on Webster Park master plan process.</td>
<td>☒ New Initiative ☐ Continued Initiative ☐ Ongoing Responsibility</td>
<td>☒ Commission Initiated Project ☐ Council Initiated Project ☐ Report Findings (council requested) ☐ Formal Recommendation (council requested)</td>
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City of St. Louis Park Strategic Priorities
1. St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.
2. St. Louis Park is committed to continue to lead in environmental stewardship.
3. St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.
4. St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.
5. St. Louis Park is committed to creating opportunities to build social capital through community engagement OR Other
Purpose: definitions

**Commission Initiated Project**
- Project initiated by the board or commission

**Council Initiated Project**
- Project tasked to a board or commission by the city council

**Report Findings**
- Initiated by the city council
- Board and commission will study a specific issue or topic and report its findings or comments to the city council in writing
- No direct action is taken by the board/commission

**Formal Recommendation**
- Initiated by the city council
- Board and commission will study a specific issue or topic and makes a formal recommendation to the city council on what action to take
- A recommendation requires a majority of the commissioners' support

**Modifications:**
Work plans may be modified, to add or delete items, in one of three ways:
- Work plans can be modified by mutual agreement during a joint work session.
- If immediate approval is important, the board or commission can work with their staff liaison to present a modified work plan for city council approval at a council meeting.
- The city council can direct a change to the work plan at their discretion.
Parking Lot
Items that are being considered by the board/commission but not proposed in the annual work plan. Council approval is needed if the board/commission decides they would like to move forward with an initiative.

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<th>Initiative</th>
<th>Comments:</th>
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Executive summary

Title: Crime/drug-free rental housing workgroup recommendations

Recommended action: None at this time. The recommendations being presented are the result of a nine-month process by the crime/drug-free rental ordinance workgroup to review and assess the current crime/drug-free ordinance. The recommendations are being presented at this study session for an initial review by the council with a subsequent detailed discussion of the recommendations being held on March 23, 2020.

Policy consideration: What purpose, if any, should a crime-free, drug free rental ordinance serve?

Summary: The crime/drug-free rental housing ordinance took effect in 2008 in response to concerns from residents who lived in or adjacent to rental properties experiencing disorderly or criminal activity. Discussions were held by council on the impacts of the crime/drug-free housing ordinance in May and December 2018. At the December 17, 2018 study session, council approved a resolution suspending sending notices of violations of city code Section 8-331 to the owner or property manager of a rental property in order to allow time for further study of the ordinance.

Council approved a process to convene a group of key stakeholders to review information and data, gain input and provide recommendations to the city council on possible changes to the ordinance. The council sought applications from interested individuals and appointed 13 members to the workgroup. The workgroup included members representing rental property owner/managers, renters, community members and a legal aid attorney. The first workgroup meeting was held April 14, 2019. The workgroup subsequently met for nine meetings over the following 9 months. There are currently nine active members serving on the workgroup.

A public meeting was held seeking comment on the crime free ordinance and the workgroup’s proposed recommendations. Public comments were also accepted via the city’s web site. Following consideration of the public comments, the workgroup finalized the recommendations being presented at the study session. Per council’s direction, a follow-up discussion will be scheduled for March 23. Workgroup members will be in attendance at both meetings.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion
St. Louis Park City Code: Sec. 8-328, Sec. 8-331 - 333
Comments

Prepared by: Michele Schnitker, deputy CD director/housing supervisor
Marney Olson, assistant housing supervisor

Reviewed by: Karen Barton, community development director
Mike Harcey, police chief

Approved by: Tom Harmening, city manager
Discussion

**Background:** The city council first discussed the concept of a crime/drug-free ordinance in 2006 in response to a growing number of tenant behavior complaints. Property managers and residents in the rental community were being negatively impacted by disorderly behaviors of other tenants. The purpose of the proposed ordinance was to enhance the rental business licensing section of the city code to assist in reducing crime and improving the quality of life within the community.

After numerous discussions, the city council approved a crime-free ordinance in 2007 which took effect in 2008. The program was designed to be an effective and efficient tool in partnering with the hundreds of rental property owners to maintain crime-free and drug-free housing in the city and provide a safe, livable community for all St. Louis Park residents. When the program was first adopted in 2008 there were 8,316 rental units and the current number of units licensed is 11,000+.

At a study session in May 2018, the city council received an update on several housing related items including the crime/drug-free housing ordinance. At that time the council directed staff to schedule another meeting to discuss the ordinance in greater detail. On December 10, 2018, council continued review of the crime/drug-free ordinance. At this meeting council was in consensus to move ahead with recommendations from staff on the creation of a workgroup composed of key stakeholders to review the crime/drug-free rental housing ordinance and provide a recommendation on possible areas of modifications to the code. The city council also directed staff to prepare information on suspending certain provisions of the crime/drug-free ordinance to provide adequate time for the workgroup to conduct their review.

On December 17, 2018, the council adopted a resolution to suspend sending notices regarding violations of the ordinance to landlords. All other aspects of the ordinance remained in effect (i.e. tenants would still need to sign the lease addendum). Property owners/managers would still be able to manage their properties pursuant to the terms of the lease and as allowed by law.

**Crime/drug-free rental ordinance workgroup**

In early 2019, the city council accepted applications from individuals interested in serving on a crime/drug-free rental ordinance workgroup. The council received twenty-five applications, of which thirteen individuals were appointed to serve on the workgroup. The applicants chosen provided a balanced representation of rental owners/property managers, renters and community members. A housing advocate representing legal aid also served on the committee. The workgroup was tasked with reviewing the current ordinance and providing a recommendation to the council on possible areas of modifications to the ordinance. The workgroup’s first meeting was held April 14, 2019, and over the following nine months the workgroup held nine meetings, all of which were facilitated by an independent consultant. Topics reviewed by the workgroup included:

- Historical review of the current ordinance,
- Statistical data related to administration of the ordinance,
- Identifying areas of consensus regarding the current ordinance,
- Tenant/landlord law 101,
- Review of crime-free ordinances from other cities, and
- Community engagement.
The workgroup thoroughly evaluated every component of the crime-free, drug-free ordinance and participated in a consensus building exercises. The workgroup was not able to reach consensus on a single recommendation to present to council; however, there were several areas of agreement among workgroup members.

Early in the process the workgroup identified areas of concern related to the existing ordinance that influenced their decisions as they worked to create changes to the current ordinance. The areas identified by the workgroup include:

- **Proportionality:** The existing ordinance treats all levels of crime the same from a petty misdemeanor to a felony.
- **Due process:** The ordinance does not provide necessary due process for tenants. Tenants do not receive notices of violations from the city/police department and tenants do not have an appeal process.
- **Racial equity:** The ordinance has a disparate impact on lower income renters and people of color.
- **Overreach:** The language in the ordinance is too broad including “other person affiliated with the resident” and “near the premises”. The existing ordinance requires everyone on the lease be terminated. The workgroup members felt it is an overreach, when removing one lease holder may be sufficient.
- **Not necessary:** Public safety goals can be addressed without having the ordinance in place. Minnesota State Statute already addresses criminal behavior in rental housing and an eviction process is in place.
- **Homeowners:** The ordinance only applies to rental property holding renters to a different standard creating a power imbalance between renters and homeowners.
- **Homelessness:** The ordinance incentivizes tenant displacement which may result in homelessness, which does not make the community safer.

Although there was not consensus in how to modify the ordinance, all workgroup members agreed that changes to the existing ordinance were necessary. The majority did agree on several key principles related to the current ordinance including:

- The city should continue to require owners/property managers to attend crime-free training and enhance the training to include domestic violence and mental health and continue to include mediation and fair housing.
- Any notice sent to a landlord should also be sent to the tenant.
- Tenants should be allowed to appeal violation notices.
- Existing ordinance has too broad of a reach. Violations should be limited to activity that occurs on the premises. Most workgroup members stated “other person affiliated with the resident” was an overreach.
- The majority agreed that compulsory lease termination should be removed from the ordinance; however, one workgroup member disagreed.

The areas of concern and consensus above are reflected in the recommendations the workgroup is proposing. The workgroup discussed three possible proposals: 1) keep the ordinance but address due process issues; 2) modify the ordinance; or 3) repeal the ordinance. Following significant discussion, the workgroup identified two options that reflected the views of most of the workgroup members. The majority of workgroup members supported presenting Option A and Option B to the community to get input, as outlined below. One
workgroup member strongly supported keeping the ordinance as-is but addressing due process issues; however, that workgroup member conceded to support the presentation of Option A and Option B to the community. The two options being recommended by the workgroup are as follows:

**Option A, amend existing ordinance:**

1. Require rental licensing.
2. Require training every three years with updates on new/modified information provided through the quarterly SPARC (St. Louis Park Area Rental Coalition) newsletters or in meetings, or when there is a change in management/ownership.
3. Enhance training to include information related to domestic violence, mental illness, tenant resources and mediation services.
4. Require crime-free addendum for all leases.
5. Modify definitions to clarify who and where incidents apply.
6. Remove the compulsory lease terminations components of the ordinance.
7. When an incident is documented by the police department, put in place an internal review process to ensure the incident warrants a notice.
8. Any notice of an incident must be sent to both the landlord and tenant.
9. Consider options for the notice of incidents to come from a representative of the city other than the police department.
10. Detailed records of all incidents are maintained by the city and reviewed with the landlords upon renewal of rental license.
11. If it is determined that incidents are not being addressed at the property, require an action plan be prepared and approved by the city prior to license renewal, and if necessary, utilize the authority provided in the provisional license ordinance to ensure that criminal, drug and safety issues are resolved.

**Option B, repeal existing ordinances:**

1. Require rental licensing.
2. Require training every three years with updates on new/modified information provided through the quarterly SPARC (St. Louis Park Area Rental Coalition) newsletters or in meetings, or when there is a change in management/ownership.
3. Enhance training to include information related to domestic violence, mental illness, tenant resources and mediation service.
4. Repeal sections 8-331 and 8-332 requiring crime-free, drug-free lease addendum, notices of violations and termination of tenancy for violation of the ordinance in their entirety.
5. Revise Provisional License Ordinance 8-333 to:
   - Allow the city to downgrade a rental license to provisional status upon determination of ongoing public safety concerns, without regard to the number of reported incidents.
   - Allow landlords and involved tenants to appeal this decision before the provisional license takes effect.

A public meeting was held February 4, 2020 to seek public comment on the crime/drug-free ordinance and the recommendations being proposed by the workgroup. Public comments
were also accepted through the city’s web site from January 28 – February 11. Following consideration of the public comments, the workgroup finalized the recommendations to be presented to the council. The comments from the community input meeting and the online comments are summarized below. The comments in their entirety are attached to the report.

**Community input meeting:** Six individuals made a comment to the workgroup. All of the comments received at the community input meeting supported Option B, repealing the ordinance. The reasons given for supporting the repeal option include:

- The ordinance unfairly targets renters and holds renters to a different standard than homeowners.
- Ordinance disproportionately impacts people of color.
- Racial equity concerns. The ordinance is viewed as racist, divisive and discriminatory.
- Ordinance has due process issues and removes rights of tenants.
- Drugs and crime are already illegal.
- Concerns about fair housing and HUD has issued a warning against these types of ordinances.
- Laws already exist for evicting tenants.
- Concerns about safety implications with tenants afraid to call the police even when they need emergency assistance.

**Online comments:** 46 comments were submitted online which include comments from three of the six individuals that commented at the community input meeting. The Police Advisory Commission (PAC) also submitted a comment. The majority of comments support Option B and their reasons were similar to the comments heard at the community input meeting and include:

- Fair housing concerns.
- Repealing the ordinance will make St. Louis Park a more welcoming rental community.
- Landlords should deal with tenants, the police should deal with crime and drug issues.
- Existing eviction laws are sufficient.
- The ordinance grants too much power to the city and local law enforcement and interferes with housing contracts between tenants and landlords.
- Unfairly targets low income individuals for what are mostly nonviolent actions.
- Unconscious bias disproportionately affects people of color. Not equitable.
- Due process concerns.
- Most lease agreements already have standard language around not using the premises for illegal activity and how violations will be handled.
- Ordinance is overly broad and creates an imbalance of power between the renter and the owner and police.
- Undermines public safety by silencing crime victims.
- Places the city in the middle of private disputes between landlords and tenants.
- Not proven to be effective in reducing crime.
- Concern about the ordinance legislating people into homelessness.
- Opposition to police and/or city officials ordering terminations or evictions.

There were comments submitted in support of Option A, modifying the ordinance, but to a much lesser extent. Commenters in favor of Option A noted the following:

- Like the elimination of automatic lease termination.
Possession of small amounts of marijuana shouldn’t be considered a violation.

Support regulations that promote fairness in notices and evictions, but that also support landlords in the ability to remove tenants that violate crime and drug free policies.

Holds people accountable.

Like the appeal process for tenants.

Four rental property owners/managers commented on-line and they consistently noted they do not support the changes in requiring training every three years. Concerns about increasing the frequency of the training included the requirement to take time off work to attend the training and that the training would be redundant. Three of the four commenters stated they would like to see an online training option if the city does require training every three years.

Only a few commenters expressed support for keeping the ordinance as-is, and the PAC made their own recommendations for modifying the existing ordinance. All of the written comments received are attached to this report in their entirety. Many of the workgroup members were at the community input meeting and an audio recording was provided to all workgroup members to review. All written comments were also provided to workgroup members prior to making a final recommendation to council.

**Workgroup recommendation:** The workgroup members did not reach a unanimous decision on a recommendation to council. Workgroup members considered all of the comments from the community and eight workgroup members stated the option they support. The majority of workgroup members support Option B, repealing the ordinance and revising the provisional license. Two workgroup members support Option A and one workgroup member continues to support keeping the current ordinance with the compulsory lease termination but addressing due process issues. In general, the community members, housing advocates and tenants on the workgroup support repealing the ordinance and the property owners/managers support modifications to the ordinance.

**Next Steps:** The recommendations of the workgroup are being presented for council’s initial review. Per the council’s direction, to provide adequate time for the council to review the recommendations presented and the public comments received, the crime-free ordinance will be brought back for a detailed discussion at the council’s March 23 study session. Workgroup members will be present to respond to questions and comments from the council at the March 23 study session.
St. Louis Park City Code

BUSINESSES AND LICENSES

Subdivision VIII. Rental Housing

Sec. 8-328. Crime Free/Drug Free Training.

The owner or property manager must have attended an approved training program in The Minnesota Crime Free Multi-Housing Program before any rental license is issued. A Provisional License may be issued for six months to accommodate the training schedule. An owner whose only rental housing is either unoccupied or a dwelling unit homesteaded by a relative is exempted from the training program.

(Ord. No. 2334-07, 08-10-2007; Ord. No. 2361-08, 1-1-2009)

Sec. 8-331. Crime Free/Drug Free and Disorderly Use Lease Requirements.

(a) All tenant leases, except for state licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following Crime Free/Drug Free and Disorderly Use language:


1. Resident, any members of the resident’s household or a guest or other person affiliated with resident shall not engage in criminal activity, including drug-related criminal activity, on or near the premises.

2. Resident, any member of the resident’s household or a guest or other person affiliated with resident shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity, on or near the premises.

3. Resident 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. Resident, any member of the resident’s household or a guest, or other person affiliated with the resident 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.

5. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY.

(2) Disorderly Use.

1. Resident, members of the resident’s household, guests, or other persons under the resident’s control shall not engage in the following Disorderly Use activities: violations of state law relating to alcoholic beverages, trespassing or disorderly conduct; and violation of the St. Louis Park City Code relating to zoning, nuisance and prohibited noise.

2. THREE DISORDERLY USE VIOLATIONS INVOLVING THE SAME TENANCY WITHIN A CONTINUOUS TWELVE MONTH PERIOD SHALL BE A
SUBSTANTIAL AND MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR TERMINATION OF THE TENANCY.

(3) Definitions.

1. The term “criminal activity” means prostitution, criminal street gang activity, threatening, intimidating or assaultive behavior, the unlawful discharge of firearms, or any other criminal activity on or near the premises that jeopardizes the health, safety and welfare of the landlord, his agent, other resident, neighbor or other third party, or involving imminent or actual serious property damage.

2. The term “drug related criminal activity” means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance or any substance represented to be drugs (as defined in Section 102 of the Controlled Substance Act [21 U.S.C. 802]).

(4) Non-Exclusive Remedies. The Crime Free/Drug Free and Disorderly Use provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.

(b) These lease provisions shall be incorporated into every new lease for a tenancy beginning January 1, 2008 and all renewed leases by January 1, 2009.

(c) Upon determination by the Police Department that a licensed premises or unit within a licensed premise was used in violation of the Crime Free/Drug Free provisions of Subsection (a) (1) herein, the Police Department shall cause notice to be made to the owner and property manager of the violation. The owner or property manager shall notify the tenant or tenants within ten days of the notice of violation of the Crime Free/Drug Free lease language and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.

(d) Upon determination by the Police Department that a licensed premises or unit within a licensed premises was used for Disorderly Use activities as set forth in Subsection (a)(2) herein, the Police Department shall cause notice to be made to the owner and property manager of the violation and direct the owner and property manager to take steps to prevent further Disorderly Use violations.

(e) If a second Disorderly Use violation as determined by the Police Department occurs within a continuous twelve month period involving the same tenancy, the Police Department shall cause notice to be made to the owner and property manager of the second violation. The owner or property manager shall respond in writing within ten (10) days of receipt of the notice with an action plan to prevent further Disorderly Use violations.

(f) If a third Disorderly Use violation as determined by the Police Department occurs within a continuous twelve month period involving the same tenancy, the Police Department shall cause notice to be made to the owner and property manager of the third violation. The owner or property manager shall notify the tenant or tenants within ten days of the Notice of Disorderly Use violation of the Crime Free/Drug Free lease language within the lease and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.

(g) The provisions of Subsections (c), (d), (e), and (f) herein do not apply if the determination that the premises have been used in violation of the Crime Free/Drug Free provisions of Subsections (a)(1) and (a)(2) herein originates from a call from or at the request of one or more of the tenants occupying the premises for police or emergency assistance, or in the case of domestic abuse, from a call for assistance from any source. The term “domestic abuse” has the meaning given in Minn. Stat. § 518B.01, subd. 2.
The owner may appeal the Notice of Violation of the Subsection (c) Crime Free/Drug Free lease language or the Subsection (f) Notice of Disorderly Use Violation by making a written request to the City Manager for a hearing within ten (10) days of receipt of the Notice. The owner shall have the right to appear at the hearing and present any relevant evidence, including the right to challenge the validity of all three incidents forming the basis for a disorderly use notice pursuant to Subsection (f). The City Manager or designee shall promptly conduct the hearing and issue the decision either affirming or reversing the Notice of Violation. If the Notice of Violation is affirmed, the owner will have ten (10) days from receipt of the decision to proceed with termination of the tenancy as required by Subsection (c) or (f).


Sec. 8-332. Administrative License Violation Fee.

An owner failing to proceed with an action to terminate the tenancy after Police Department notification in accordance with a Crime Free/Drug Free violation or the third Disorderly Use violation shall pay an administrative license violation fee of $750.00 for each calendar month that the owner fails to proceed. Any outstanding fees must be paid prior to the city renewing a rental license for the licensed premises. The owner may appeal the imposition of the fee to the City Manager or designee by making a written request for a hearing within ten (10) days of receipt of the Notice of Imposition of the administrative fee.


Sec. 8-333. Provisional Licenses.

(a) A licensed premises is only eligible for a provisional license under the following circumstances:

(1) a licensed premises with between three and eleven dwelling units has generated an average of 1.0 or more police contacts per dwelling unit in the preceding twelve (12) month period; or

(2) a licensed premises with twelve or more dwelling units that has generated an average of 0.7 or more police contacts per dwelling unit in the preceding twelve (12) month period; or

(3) the existence of substantial on-going public safety concerns; or

(4) licensee’s consistent failure to maintain compliance with property maintenance and other City Code requirements.

(b) Police contacts counted to determine whether a provisional license is required include disorderly use activities, criminal activity and drug related criminal activity defined in Section 8-331. The police contact shall be counted if it involves an incident that occurs anywhere on the licensed premises regardless of who is involved, or near the licensed premises if the contact involves tenants or guests of the licensed premises and the incident is connected to the licensed premises.

(c) Police contacts will not be counted for purposes of determining whether a provisional license is required where the victim and suspect are “family or household members” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of “Domestic Abuse” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

(d) The period of time used to determine whether a provisional license is required based upon the number of police contacts is the twelve (12) month period ending two months before the expiration
of the existing license. Additionally, upon sixty (60) days notice to the licensee, a regular license may be converted to a provisional license if substantial on-going public safety concerns exist.

(e) The existence of substantial on-going public safety concerns that make a licensed premises only eligible for a provisional license even though the number of police calls does not meet the above threshold shall be determined by the Chief of Police. Factors that will be considered include the nature and severity of the incidents giving rise to the police contacts, any evidence that tenants are being discouraged or intimidated from making police contacts, the level of community policing activity compared to similar properties, the number of unauthorized guests and other non-tenants at the premises and the licensee’s timeliness and diligence in evicting or otherwise addressing public safety concerns.

(f) If a licensee is determined to be only eligible for a provisional license, the licensee must submit to the City manager or designee for review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police contacts and public safety concerns to a level that qualifies for a regular license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct and security personnel. If there has been a consistent failure to promptly meet property maintenance and other code requirements, the mitigation plan shall describe the steps to eliminate the problem.

(g) In addition to an approved mitigation plan, a provisional license will only be issued if the following conditions are also met:

1. Owner and manager or managers have all successfully completed, or will promptly complete, a training program provided or specified by the City.

2. Managers must be resident managers or on-site managers who are on site or available 24 hours a day.

3. The licensee must provide the City with a current Certificate of Insurance providing proof of property and general liability coverage. The City may notify the insurer of the license status of the property.

(h) After giving the applicant an opportunity to be heard, the City Manager or designee shall approve, disapprove, or approve with conditions the application and the mitigation plan. In evaluating a mitigation plan, the City Manager or designee will consider, among other things, the facility, its management practices, the nature and seriousness of the causes for police contacts and general public safety concerns, and the expected effectiveness of measures identified in the plan to reduce the number of police contacts or incidents of property maintenance and other code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the City Manager or designee will also consider the effectiveness of measures identified in any previous mitigation plan and the need for different or additional measures to reduce police contacts, address overall public safety concerns or reduce property maintenance and other code violations.

(i) The licensee shall comply with the mitigation plan as approved or modified by the City Manager or designee. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager or designee a written report describing all steps taken in furtherance of the mitigation plan during the preceding month. A provisional license will be issued for up to a maximum of twelve months.

(j) The fee for a provisional license shall be established by ordinance. The licensee having a regular license converted to a provisional license within the regular license term must pay the license fee difference.

(Ord. No. 2393-10, 11-12-10)
Crime-free, drug-free comments received online

Comments accepted January 28 - February 11, 2020

Renter/tenant comments

- Many people use marijuana medicinally these days - whether they are prescribed it officially or not, it DOES help with MANY medical conditions as well as depression and anxiety. Why include marijuana as a banned substance in this housing How does that help anyone? I get banning hard drugs - I do NOT get banning marijuana. It is a stupid and backwards policy that helps nobody and will only harm people who get a real benefit to their health from marijuana. I dislike this policy - I am not saying don't ban hard drugs - but marijuana is far less dangerous than alcohol. Is alcohol banned in this housing? Than why is marijuana banned? Thank you

- I am a Renter/tenant. Yet, I am also a "Community Member!" This community is important to me; I have lived in The Park for at least 20 years. Option B 4.Repeal sections 8-331 and 8-332 in their entirety. WHAT ARE THESE SECTIONS? Staff responded and pointed out link to current ordinance. Second response from same person: I am a twenty-plus year renter AND I am a community member. The language "violation as determined by the Police Department" is concerning, to me. What about the right to a judge? No, I don't want crime. But this sounds as though the Police Department becomes judge and jury. This needs to be fixed.

- I prefer Option B. I think it is unreasonably punitive to deny housing to those, disproportionately poor and minority, who are arrested for drug use and varied minor violations and do have the ability to challenge these arrests and subsequent legal proceedings with hired lawyers. Do we fool ourselves into thinking that there are not many such people? Where are the many to go who experience these problems? Will we only retain in SLP those who are able to own and find a way to quash convictions? Landlords should deal with renters based on violations that affect life in the rental property, not based on other considerations. The police should deal with laws that are broken, not residential matters. Entangling the two is unfair and, I am sure, in practice racist.

Rental property owner/manager comments

- I own one single family home that I rent out. I also have a full time job as a self employed chiropractor. Requiring me to take an 8 hour class offered only during the week every three years is ridiculous. I could understand if it were available online or even in two sessions. However, it is not. Plus, when I bought the house, the requirement was take the class ONCE. Not every three years. To take this class to rent my home out, I have to hire a doctor to substitute in my clinic for the day or close my business for the day to take this class and ignore my patients. All for a couple hundred dollars of profit per month....this is ridiculous.

- If this much training is going to be required of landlords I am hoping the city will offer it on nights and weekends or online so people won't miss time off work attending these trainings.

- Of the two options, I prefer Option A. However, I don't think it is necessary to attend a training every 3 years, it would get redundant and difficult to attend. Have you considered an on -line training session for ease of access? Have you considered having a relationship with companies that do background checks? This is key to finding information on potential
renters. Number 5 in Option A (Modify definitions to clarify who and where incidents apply to.) Needs to be more specific.

- Either option might work, as long as there are external reviews, and landlords as well as renters get to appeal to an independent entity, not one identical with or closely related to the entity issuing the notice. In addition, all evictions, downgrades of rental licenses and rental license revocations based on police involvement should be reviewed annually by an outside agency hired by, and directly reporting to, the city council.

**Housing Advocate comments**

- It appears that appropriate changes have been made to ensure that a tenant will not be penalized for a domestic abuse police call. This was a major concern for me. My other concern is for a tenant who has an uninvited person come to the property who possesses illegal drugs or commits a crime. Even after reading the new language, I feel uncertain how well this individual would be protected from having his/her lease terminated. I have always viewed St. Louis Park as a welcoming community. To me, this feels more restrictive than most communities. It is just another "hurdle" for renters that homeowners are not subjected to.

- I am the President of the Housing Justice Center, a nonprofit legal and policy advocacy organization dedicated to the preservation and production of affordable housing and the protection of the rights of people who need affordable places to call home. Based on our expertise in the area of Fair Housing, we strongly recommend that the task force adopt Option B and repeal the crime-free/drug-free ordinance in its entirety. It is our position that anything short of a repeal of the ordinance, even with the proposed modifications under Option A, will result in fair housing and due process violations that will disproportionately impact people of color, people with disabilities, and families with children. The proposed changes under Option A do not go far enough to address the harmful unintended consequences of the ordinance. Incremental change is not enough to address the injustices caused by this policy. Instead, the city should adopt Option B and create a new policy that better reflects the values of St. Louis Park.

**Other/no response comments**

- I am responding to the current SLP Crime-Free Drug-Free Ordinance. I do NOT want to see the current ordinance continue because it can be unfair to tenants. They can be evicted for incidents and crimes committed by others (non-tenant friends and family) and, in many cases, without due process. I support Option B, which repeals sections 8-331 and 2 and revises the provisional license ordinance 8-333. This is more fair and will make St. Louis Park a more welcoming rental community. Option B will also lead to more rental stability and thus more committed community citizens. In addition, Option B will build better relationships between the police and renters-allies rather than adversaries.

- I am in favor of Option B, repealing the ordinance. Option A remains plainly discriminatory toward renters.

**Community member comments**

- I strongly support Option B. I feel any crimes or drug issues can be dealt with by the police department without involving landlords (many are absentee) and tenant leases. A landlord can deal with tenants, but it's the police department that deals with crimes or
911 calls. A tenant or family should not be evicted from their home because of domestic violence, mental illness, or behavior of visitors. Police can do their job without involving landlords.

- Option A is closer to my thinking. I think there are enough benefits to the ordinance to keep it. I like the elimination of automatic lease termination. I also like minimizing the role of the police in the process. I would like to see some more specificity in what constitutes a violation. For example, possession of small amounts of pot shouldn’t be considered a violation for the purposes of this ordinance. Also, I would like to see strict limits of situations where the tenant can be held responsible for the behavior of their guests. That part needs some more detail too. In the end I think we should put the most weight on what renters themselves think about this ordinance as they have the most to gain and to lose.

- I am for regulations and policies that promote fairness in notices and evictions but that also support landlords in the ability to remove tenants that violate crime and drug-free policies. Option A sounds best to me but I didn’t understand what the 4th bullet meant when it comes to repealing codes. Would need to understand option B more completely.

- The problem is getting property management teams and owners of condo buildings in the city to "get on board" and govern and police these rules/policies at the individual properties. Example: I live in a condo building and about 21 percent of our units are rentals. I would say for the most part the owners of the rentals in our building live out of state and do not adhere to St Louis Park ordinances such as attending a class before they rent. Our property manager or our board of directors do not ask for the certificate to rent from the owners. There are a few drug users in our building and I know it because I see it and smell marijuana in around our building. The owners also get around this by continuing to homestead their condo units so they cannot be identified as rentals. Didn’t mean to go on and on but this is what as a community and as property owners in multi-unit buildings deal with and it will be challenging in the very least to manage new ordinances for Crime-Free and Drug-Free rentals. My thoughts are that it should be mandatory to post at all entrances to multi-unit buildings that they are Crime and Drug-Free and although it will be cumbersome representatives from the city would follow-up with Management companies and the Board of Directors at individual building to ensure that the properties are in compliance of the ordinances that are in the city of St. Louis Park. I am not try to be negative but again know how challenging this will be. Thank you

- Keep the ordinance as it is. The renters are responsible for those they allow in the apartment. If they can’t be responsible, then they should be evicted.

- WOW why not just follow Swifts suggestions for dealing with the poor? https://en.wikipedia.org/wiki/A_Modest_Proposal  Termination of ALL the tenants? The police department issues a notice of violation to the owner or property manager to proceed with termination of the tenancy of ALL tenants occupying the unit following one violation of the crime-free, drug-free provisions of the ordinance. This is legislating with a hammer: The police department issues a notice to the property owner or manager to proceed with termination of the tenancy of ALL tenants occupying the unit following a third disorderly use violation in a 12-month period. I’m almost speechless. Those are just two parts. I take you are all lucky to own a home. And what about issues with private homeowners? You going to evict them under the same conditions.
constitutes disorderly use? You guys need to calm down Much of this reads as simply paranoia. Go with 3.

- I support Option B. The housing market in the Twin Cities is already tight, and landlords have a natural incentive to minimize crime and drug use on their properties. I believe existing eviction laws are sufficient.

- I encourage the City to go with Option B (repeal). Although I certainly want housing to be crime-free and drug-free, this ordinance grants too much power to the City and local law enforcement to interfere with residents’ housing contracts, has been abused by the City Manager, staff, and law enforcement resulting in egregious injustices—e.g., evictions based on off-site incidents, leading to years of subsequent homelessness for resident)—and has reinforced St. Louis Park's reputation as intolerant and discriminatory in its housing.

- My daughter has is disabled, low income, and she has a non-violent offense on her record. She also has 4 children. She was denied housing in St. Louis Park because of her record. This leaves her no choice but to continue to live with me in a 2 bedroom apartment. Her only other choice is a homeless shelter. I think that people should be able to have a chance to turn their lives around and housing is a key factor. People who continue to show poor behavior should be counseled and be evicted if bad behavior continues.

- I believe Option B: Repeal the existing crime-free, drug-free rental housing ordinance is the better approach. Most lease agreements already have standard language around not using the premises for illegal activity and how violations will be handled. I would rather see our city invest in transparency of criminal and safety data with landlords (and business owners) to proactively partner (i.e., throughout the year) on proven strategies to make our city a welcoming and safe place for everyone. Evidence of action/inaction of landlords from this proactive partnership could be then used as input to rental license renewals and if a provisional license is warranted. I do not think there is evidence that crime free ordinances work in an equitable way, and any refinement and administration of such a program seems like time and money that could have been used elsewhere (such as programs to encourage opportunities for everyone that have been proven to lead to reduced crime because more people are able to thrive in our community).

- Option B header should say REPEAL AND REPLACE with Option B. As it reads, it is confusing. I don’t believe it was meant to repeal all items #1-3, and #5; only Sections 8-331 and 8-332 in the original ordinance. I hope is that the City does adopt Option B as it is fair to tenants and landlords. Thank you, especially to all the Work Group members who gave of the time and work.

- 1. The enforcement of this ordinance should be taken from the hands of the police. The one session I sat in with this group, all I heard was police bashing. There have been many references to the police regarding this ordinance, and none pleasant. Police respond to call at property and determine violation. Report of that violation is provided to a new source of enforcement, such as housing committee, and letters and all other communications should be sent by Housing Authorities. 2. Marijuana is no longer a violation of this ordinance. 3. A watchdog committee should be formed to make sure the ordinance is properly enforced. Perhaps, if this ordinance fell under housing, as I believe it should fall under housing and perhaps the Housing Committee can be the watchdog; or give the Police Advisory Commission something substantial to do and let them be the watch dog.
I am homeowner in St Louis Park since 1995 and a prior renter in St Louis Park since 1989. I have seen my neighborhood become unsafe in the last 2 years. Eliot. We have had several houses in the two block radius each direction that have become "rental houses". I have watched drug deals go down right in the front of my home. Police have been called, yes. The people are from the rental houses. I do not know who they are. Who owns the home! We have a rumored "safe house" one block over. What is a "safe house" and how does that get addressed? I would like to see that if a PERSON who is living in a rental unit and is dealing drugs for instance be accountable for themselves and be removed from the neighborhood. I would not like to see a whole family being evicted because of one person in the family. Can it be person tenant specific only? I would like to see same restriction type but more of a person tenant only restriction. EXP. 3 room mates in the home are three tenants. one is a bad one? out they go! Not all of them. Is there a way for a homeowner to get a list of the properties that are rentals and a contact for the homeOWNER? As far as renting? I believe that a felon should be able to rent IF they have had no crimes etc within a certain amount of time.

I believe of the two options on the table A or B, option B would be my choice. Also, shouldn't the title be changed to: Repeal and replace? It's not a total repeal but replacing the current plan with new language.

If a choice has to be made between the two proposals I would vote for choice A. Actually, I fully support the current ordinance. Why is that? The current ordinance was thoughtfully created to protect all residents of rental property along with St Louis Park neighborhoods and the whole city. When this issue first came up, an article in the Sun Sailor written by a women who I think helped write the ordinance eloquently described the reasoning behind the ordinance and the importance of keeping it in tact. If this article has not been read by all on the task force and city council I would encourage you do so. The City manager was quoted in the article and could probably help locate the article. It seems to me objections to the ordinance center around people thinking the existing ordinance is overly harsh. I would like to remind the decision makers the problems of Brooklyn Park and Brooklyn Center where entire apartments have been razed because of every imaginable social problems. I do want to see anything close to that in St Louis Park. As rules become more lax, under the guise of being kind to people, problems develop that law enforcement can’t do anything about. There needs to be consequences for behavior and actions. There is a significant portion of the population who have not grown up with consequences. My take is that some people think if a guest, relative or boyfriend are creating the problems the person whose name on the lease should be given a pass. I vehemently disagree. My mother taught me “Careful of the company you keep”. The statement is as true today as it was when I was a little girl. Please do not water down the rental ordinance.

Reasons I oppose the CF/DF ordinance: - It degrades the civil rights of economically disadvantaged and vulnerable citizens in relation to non-renters. - It puts police in the middle of a commercial tenant-landlord relationship in excess of normal governmental/police responsibility. Reasons I oppose the CF/DF ordinance:
- It degrades the civil rights of economically disadvantaged and vulnerable citizens in relation to non-renters.
- It puts police in the middle of a commercial tenant-landlord relationship in excess of normal governmental/police responsibility.
- It does not have proper oversight, is not transparent and has been poorly managed.
It is heavy-handed, lacking in compassion and is not conducive to efforts to reduce homelessness. Reasons in favor of the ordinance: - It provides the city with some additional control over landlords that seems otherwise difficult to attain. However, seems like it reduces landlord responsibility by putting the city in decision-making role regarding evicting tenants. - It provides the city with the ability to control who lives in the city, but at the expense of civil rights (see first point above.) On the whole, I do not believe the ordinance and the way it is used benefits the city sufficiently to offset its flaws.

- This ordinance should be repealed. This unfairly targets low income individuals for what is mostly nonviolent actions. If the courts determine that an offense warrants jail time so be it. But we don't need more laws impacting low income individuals and their families. Let do our part to fight homelessness by repealing this misguided ordinance.

- I am both a community member and on the SLP JCA Affordable Housing Team. I support option B. I am concerned about the current CFO for the following reasons. I don't want to have the police to have the power to tell a landlord to evict a renter. The landlord has little recourse and it seems it will be easier to evict than deal with the fines etc for not evicting. Because of unconscious bias that effects us all including police and because renters are more likely to be folks of color and of less financial means than the owner population the ordinance negatively impacts our citizens of color than those of us from Norther European ancestry so it is racially bias. People can be evicted without do process and because of complaints of neighbors. If you own a home and your neighbors are upset with you it doesn't result in lose of your ability to stay in your home. There are legal ways to address illegal activity in apartments. The police can inform the city of the concerns and the city can approach the landlord to support their addressing the problems in their property. The city has nonprofit community support to help the tenants address their issues if needed.

- I am in favor of Option B. Option A remains plainly discriminatory toward renters.

- I am in favor of Option B, repealing the ordinance.

- Thank you for considering input from residents of SLP on the Crime-Free, Drug-free Rental Ordinance. I am a 20+ year home-owner in SLP & support safe housing for all in SLP. You would, please share the findings of the workgroup for the 1st & 2nd items that the City Council tasked them? 1. Effectiveness of CFDF Ordinance? 2. Unintended consequences of CFDF Ordinance? 3. It appears that the Workgroup is addressing the 3rd task of identifying improving the Ordinance. I am particularly interested to see the data & statistics research to show if/how the Ordinance has been “effective” as well as any unintended consequences. I imagine that the City Council members want this data as well. No one wants to act upon opinions alone.

- To Whom it May Concern, I am a long time resident and home owner in St Louis Park. I am writing to express my support for the repeal of the current Crime Free Drug Free Ordinance and adoption of version B. The two main reasons that I support the repeal of this ordinance are: The ordinance is overly broad and creates an imbalance of power between the renter and the police/owner and provides no due process for the renter. The second major reason that I support the repeal of the ordinance is that during the Crime Free Drug Free task force meetings the city did not provide convincing evidence of the ordinance’s success in reducing crime in SLP. We all want to live in a city that has low crime. The police and the landlords have the legal system to rely on to remove tenants that are engaged in illegal behavior. Many studies exist that outline the
unintended consequences of Crime Free Drug Free Ordinances. -Research on the CFO’s
-In August 2013, the Shriver Center published a report on the spread of crime-free and
nuisance property ordinances throughout the country. That Report, titled “The Cost of
Being ‘Crime Free’: Legal and Practical Consequences of Crime Free Rental Housing and
Nuisance Property Ordinances”, detailed the problems these ordinances are causing for
tenants, landlords, and communities throughout the country. These problems include:
-Undermining public safety by silencing crime victims and others who need to seek
emergency aid or report crime;  -Increasing levels of housing instability and
homelessness for low-income tenants, including victims of domestic and sexual
violence, individuals with disabilities, racial and ethnic minorities, and families with
children;       -Reducing the availability of desperately needed affordable rental housing;
and      -Perpetuating segregation and inequality in access to opportunity.

• Thank you for requesting comments from the public. I am a community member who
sat in on a few of the workgroup meetings in 2019---June 26, July 24, and August 28.
First: I was deeply impressed by their careful attention to the ordinance, by the focus,
the intelligence, and the courtesy shown by all members of the group. I feel lucky and
more than a little awed to have such dedicated neighbors.   I was impressed also by the
information I learned about our community and about the issue. I understand that CF-
DF Ordinances are the current favorite fix-it response to social problems in rental
properties. Suburbs like Plymouth have adopted them. I am aware from the comments
from landlords and property managers that keeping safe properties can be difficult. I
heard from one landlord how useful the training (CF-DF) was for her. But I also heard
from the attorneys who commented that the ordinance is unnecessary, since the
language already exists elsewhere (for example, one workgroup participant pointed out
that her lease already had a crime-free provision, separate from this ordinance); puts
the city and the police in the middle of private disputes between landlords and tenants,
and as written, is unconstitutional because of the lack of due process for the tenant. All
good reasons to be skeptical, but it was the information from our local police that raised
my eyebrows. The officer (Jon?) had been assigned to the Meadowbrook Project (1999
or so to about 2007, maybe?) which was a response to the problems in that apartment
complex. He described the success of the "cop shop" on campus, the collaboration
between school district and social services to address endemic problems, and the 7 year
decrease in reported crimes that followed.   Sounds like we did something smart that
worked and then stopped when the problems were no longer acute. (Workgroup
observers like me couldn’t ask questions.) Or maybe the financial crisis of 2008 ended
the funding: does anyone know? I also heard that these CF-DF Ordinances have been
enacted by other local cities, and in some cases have had opposite effect, that crime
goes up. This happens despite the exclusion of domestic violence calls from actionable
reasons for putting the ordinance steps in process: many renters won’t call the police
for help for fear of eviction, and criminal activities can escalate. Finally, I heard that only
25% of our police calls are to rental properties and 75% to homeowners, and the focus
of the ordinance on renters over homeowners raised questions about the equal
protection clause in our constitution.   I may have remembered things poorly, but I did
take notes, so I am spelling out my thought process to the best of my ability. I think I
support NOT having a CF-DF Ordinance at all, but I do think the city would do well to
require landlords to go through the training for crime-free housing. If St. Louis Park
wants to continue to be the diverse, inclusive community it is, I think we need to look
Study session meeting of March 9, 2020 (Item No. 2)  
Title: Crime/drug-free rental housing workgroup recommendations

beyond pass-a-law quick fixes and continue our proven strategies of thinking long term and investing in collaborations within our micro-communities. Thank you for listening.

• I am a concerned citizen of St. Louis Park, as well as a member of the St. Louis Park affordable housing team. We need to do away with the crime free drug free ordinance. It is questionably legal under non discrimination laws, and it has unintended negative consequences. It unfairly targets renters as opposed to homeowners. It disproportionately affects people of color due to the fact that most POC residing in St. Louis Park are renters. It removes rights to due process, and it holds renters accountable for actions taken by others over whom they have no control, if those actions occur in or near their residences. Drugs and other crimes are already illegal, so having a separate ordinance which singles out renters is not necessary. We also already have a criminal justice system. The proper role of the police in such a system is to respond to calls, issue citations or make arrests, and to file formal charges. The crime free drug free ordinance takes away the assumption of innocence until proven guilty. It appoints the police and landlord as judge and jury. When notified by the police that a tenant has been accused of certain crimes, the landlord may lose their license if they do not evict immediately. The emphasis here is on accused - In some cases the accused were never charged with anything, much less convicted, and there is no provision for appeal on the part of the tenants regarding these accusations. As a home owner, there is no ordinance that allows anyone to remove me from my home if I am accused of a crime. How can it possibly be just or right to hold renters to a different standard? How can it possibly be just or right to take away the presumption of innocence until proven guilty?

n 2016, The US Department of Housing and Urban Development issued a warning that enforcement of these types of local policies could be a violation of the fair housing act. More recently, the ACLU is challenging a similar ordinance in Faribault MN. We all would like to live where there is no crime and where we feel safe. Evicting people who may have done nothing wrong - eviction without conviction - is not how we get there. I want to see my community lead the way on this. I urge the city council to have the courage to take the next logical step and to retire this outdated ordinance by voting for option B.

• The ordinance should be repealed, not modified. Option B seems reasonable, since it includes the opportunity for landlords and tenants to appeal the determination.

• Plan A would be a good alternative to the current ordinance. People need to be held accountable. Instead of thinking it targets people of color, consider how much safer some housing has become because of the ordinance. I would definitely remove the police from enforcement of ordinance. My mom was originally on the work group, but there was so much police bashing and arrogance (I also heard this from two others), she quit. There are many self-serving groups of people who think they know what people need and want - and those groups tout whatever are the common themes of the moment (diversity, police brutality, and so on). They bring their special interests to a group, and that serves no one... but their own egos.

• The current "crime-free, drug-free" ordinance does not align with the values of SLP. I support Option B - repealing the existing ordinance; I especially support #3: Enhance training to include information related to domestic violence, mental illness, tenant resources and mediation service. Evicting people that are struggling with drugs and violence does not help them become more successful and overcome those issues; it just passes the problem on to some other area. SLP can do better and form ways to support
people and families that are in these situations, the first one being not taking away housing. We also know that children are often involved and they should not lose their housing and access to the school they attend.

- I write regarding the crime-free, drug-free housing ordinance. I support Option B, because Option B repeals the ordinance. The City of St. Louis Park should not be legislating its residents into homelessness. That is what the ordinance, even under the proposed modifications in Option A, does. The city should repeal the ordinance legislating city residents into homelessness for at least two reasons. First, the ordinance is discriminatory. The city cannot, of course, force people who have the means to own their homes to lose their homes because of the kind of behavior covered by the ordinance. Only those people who do not have the means to own their homes are affected by the ordinance. Those without the means to own a house are much more likely to be people of color. By disparately impacting residents of limited economic means and residents of color, the ordinance is discriminatory. Second, by legislating people into homelessness, the ordinance makes problems of crime worse, not better. Being forced into homelessness is trauma that decimates families. Increased homelessness will inexorably lead to more of the behavior the ordinance seeks to deter.

At absolute best, legislating families into homelessness will only move down the road whatever problems may exist; it will not solve those problems. Forcing St. Louis Park families into homelessness makes crime worse, not better. Option A is insufficient to protect St. Louis Park families from this discriminatory and unjust ordinance for several reasons. If such an ordinance is to exist in any form (and, to be clear, it should not), it should be triggered only by the actions of the leaseholder in the rental unit at issue. It is the leaseholder and her family who will suffer the consequences of the ordinance; she should not have to suffer such consequences based on the actions of someone else at some location other than the specific apartment she stands to lose. Option A claims to "clarify" the scope of the ordinance, but does not explain the details of such clarification. Unless the ordinance is narrowed to cover only the actions of the leaseholder inside the apartment the leaseholder stands to lose, St. Louis Park families will still unjustly be legislated into homelessness because of the actions of third parties in places other than the home the family will lose. Second, although Option A purports to "remove the compulsory lease terminations components of the ordinance," the option also maintains that a "crime-free addendum" must be a part of all leases. This implies that a revamped ordinance will still allow, if not require (ie, not make compulsory), the city to require a landlord to force into homelessness a family involved in alleged ordinance violations. This does nothing to remove the unjust nature and discriminatory impact of the ordinance. Third, Option A maintains that the police department or other city employees may determine for themselves when conduct allegedly violating the ordinance has occurred. This too is unjust, and contrary to basic notions of due process and fairness. Neither the tenant nor the person allegedly engaged in criminal conduct has any ability to be heard by a decision-maker, to challenge the allegation of criminal conduct, or to otherwise participate in the process that could force the tenant and the tenant’s family into homelessness. Instead, only the owner of the building can so participate, and even that participation is limited to a brief "appeal" in which only the owner, not the tenant or other affected people, can be present and present evidence. If the city is going to legislate a family into homelessness because of a person's alleged criminal conduct, that alleged conduct should be proven
in court beyond a reasonable doubt. Under that process, the person whose conduct is at issue will have a full and fair chance to defend him- or herself, and the truth of any allegation of criminal conduct can be determined. In addition, the tenant who is about to be forced into homelessness should be able to fully and fairly participate in any process the city uses that could ultimately result in the tenant losing her home. None of that is true under the ordinance or under Option A. The City of St. Louis Park should not legislate St. Louis Park families into homelessness. The city should repeal the ordinance.

- I am a 40+ year resident of St. Louis Park who cares deeply about my neighbors and our community. For over a year I have been deeply concerned about the Crime Free Drug Free Housing Ordinance since becoming aware about the ways it could be harmful to my neighbors who are renters. This ordinance punishes renters outside of the criminal justice system, and is unfair because it doesn't apply to homeowners. Since a majority of communities of color in our city are renters, while most white people in our city own homes, this law clearly is extra punitive to people of color. Even the proposed modifications to the ordinance in option A do not allow for renters to make their case appeal or before a neutral judge. I support fully repealing the ordinance under Option B.

- Both of these plans are friendly to criminals and burdensome on city resources and property owners. Leave the ordinance as is. Keep SLP a nice place to live and let the criminals go somewhere else.

- I’m ok with an ordinance that holds tenants accountable for the behaviors they allow in their home as long as they have a pathway to appeal and both the city and landlords are fair.

- I haven’t been able to attend any of the public meetings/study sessions about this; however, based on what I believe I understand, I would like to express my support for changing the ordinance. By that, I mean that I support repealing / removing the the part of the ordinance that says a tenant can be evicted if they or anyone on their property even once unlawfully has or uses a controlled substance. No one should be evicted without due process. People cannot control what visitors bring to their apartments (especially if they have teenaged kids and those kids have friends). This law seems skewed towards catching people using "visible" drugs, but what about those quietly abusing (aka "unlawfully using") opioids or other pills, which also are controlled substances? Is the law really being applied fairly if those people (the invisible opioid abusers) aren't subject to the same scrutiny as someone unlawfully using a drug you can see or smell? Also, if I was mad at someone, could I bring drugs to their apartment for the sole purpose of getting them evicted? And if we’re talking safety here... what about guns? But, I digress. Obviously, keeping buildings, residents, and children safe is a huge priority, but this does not seem to be the right way to do it. Evictions do great and lasting harm to children and families and should not be undertaken without due process. The way the law is currently written (and enforced?), it seems that innocent and/or non-dangerous people stand to have their lives ruined. It doesn't seem right. And--MOST IMPORTANTLY-- the fact that people can be evicted for something "unlawful" without having even been charged or found guilty in a court of law is frankly terrifying -- and should be to all of us. These are a few reasons why I support changing the ordinance to repeal sections 8-331 and 8-332 in their entirety. I know it isn’t easy, but surely we can find a better way to help create safe places for people to live. Those are my comments. I appreciate the opportunity to provide them. Thank you.
• I am a 40 year homeowner with 2 apartment buildings nearby. Yes, there are some problem tenets that need to be dealt with. We need a fair process that does not inadvertently punish innocents. 1 I definitely oppose police or city officials ordering landlords to evict tenants. That is not basic due process and vulnerable tenants become victims twice. Eviction has tremendous implications, like moving expenses, effectively being blacklisted, loss of deposits, rent increases, disruption of school, homelessness, etc. 2 I recommended that a different process of eviction be added to the successor of the current regulation. Eviction would require a court, or court appointed hearing officer, for due process. The tenant would have the right to be heard and legal representation. Even without an attorney, a judge or hearing officer is obligated to protect the tenant’s rights. My reasoning is that some vulnerable tenants like senior citizens or parents with small children can be victims of abusive spouses, partners, children or grandchildren, etc. The court, or court hearing officer, could order the problem abuser or problem party to leave.

• I am a resident of St. Louis Park and I have volunteered for years with Perspectives, located in SLP. In this work I have seen first hand how difficult it is for low income people to find adequate housing. I believe that the Crime Free Drug Free Housing Ordinance makes this even more difficult. This ordinance punishes renters outside of the criminal justice system, and is unfair because it doesn’t apply to homeowners. Since a majority of communities of color in our city are renters, while most white people in our city own homes, this law clearly appears to impact negatively people of color. We can do better than this.

• I support Option B to repeal the existing crime-free, drug-free rental housing ordinance and some reasons why I have this position.

Some points I will cover are:
- Purpose of workgroup
- Rental housing units
- Renter voices
- Public input
- Background of “chronic nuisance” or “crime free” ordinances
- Research CFOs
- Domestic Abuse
- 2040 Comprehensive Plan
- Other mechanisms than a CFO
- Residents impacted by our CFO
- Option B components
- Being black in America

Purpose of workgroup
The ordinance workgroup’s purpose as outlined on the city’s website
- Conduct a comprehensive review and evaluation of the effect of the crime-free, drug-free rental housing ordinance
- Determine the effectiveness of the ordinance
- Identify any unintended consequences or concerns
- Make recommendations to the city council on possible modifications to the ordinance
Effectiveness
The workgroup did not determine if the ordinance is effective.
-SLP Police Department presented data showing there was a decrease in crime in the city's rental housing due to the CFO to the Council and the Workgroup.
-Ann Mavity stated the following about their data at a council study session. Crime has decreased 17 percent in Hennepin County between 2009 and 2017 and 30 percent in Ramsey County. These are area trends. There’s no proof that these (police data) are caused by our crime-free ordinance. There’s no causation. What was presented (by police) is not compelling.
-There is no evidence in local and/or national research that CFO’s make any city safer or more orderly. One source, “I’m not aware of any study that shows these ordinances have a positive effect,” said Illinois ACLU lawyer Emily Werth in an interview. Werth wrote a 2013 report on the issue for the Sargent Shriver National Center on Poverty Law.
-Good data makes good rental housing practices and there is none, I am aware of, to support CFOs

Unintended consequences or concerns
-I did not observe the workgroup establish a list of unintended consequences and then agree and/or prioritize them and then use this data to evaluate their two options.

Recommendations to the council
-The workgroup is in the process of doing this. What I observed at their sessions is that there is no agreement amongst the workgroup members on one set of recommendations so the reason for two options.

Rental Housing Units
The focus I have noticed by the city is directed to multi-housing units but the CFO states it is for all rental units in the existing ordinance. Rental units include single dwelling houses, condominiums and multi-housing units. Option B includes all rental units. In SLP there are more than 11,000 rental units and that represents nearly half of the total SLP households. There is an imbalance of power between renters and homeowners no matter the type of housing renters live in. One example is homeowners calling police on their renter neighbors that live in houses. I observed this imbalance when going door to door for conversations with residents about our CFO organized by Jewish Community Action. There were two neighborhoods where I went door to door where I was surprised at the number of both homeowners and renters knowing about this ordinance. In one situation, one homeowner shared that he used it to call the police about his neighbor, the renter. Then I talked to his neighbor, a renter, and he shared about his neighbor calling the police about him. Other neighborhoods where I had conversations about the CFO there was no awareness of this ordinance.

Renter voices
I have heard some SLP rental voices both directly and indirectly but not enough for me to know a broad range of renter thoughts and ideas on how to advance safety, security and quality of life for renters in SLP. Judith, Liz and Sigrid, renters, brought their
personal experiences to the workgroup. They brought invaluable information to the table. Renter voices need to be amplified to get a clear picture of what it is like to live in rental properties in SLP and how to make it better. I believe renters have the answers to advance equity in our community that is fair and just for both renters and landlords. What I see in SLP is minimal engagement of renters in council decisions that affect their lives. I am concerned the council will receive limited input from renters and they are responsible for deciding what will happen with our CFO. How can they make a thoughtful and balanced decision when a small number of renters are giving input? They will receive input from landlords and the community also, how will they fairly evaluate all the public input they receive?

Public input
The public input phase was set up to get minimal input by having a short time to give input. The first time I knew about the public input period was on January 27th and the last day being February 11th. That is sixteen days. Maybe it started before the 27th but if so it was not prominently obvious on the SLP website. How many people are paying attention to the SLP website? I believe it is the people deeply engaged about what happens in SLP and by what I know it is not the renters and others in our community. The two ways to give public input was by giving it online to the city or at a community input meeting. Having a place to live is most important for anyone so there are renters that feel telling their truth could cause them to lose their housing. For the risk of losing their home they will not give input. There was no mechanism to give public input anonymously.

Background of “chronic nuisance” or “crime free” ordinances
Since the 1980s, cities across America have created nuisance and crime-free ordinances as a means of decreasing illegal and dangerous activities from taking place in rental properties. Over time, the laws proliferated and evolved, and today, police departments have wide latitude to choose when and where to enforce the ordinances. A troubling aspect of these “chronic nuisance” or “crime free” ordinances is the entanglement with societal assumptions about the criminality of non-white and poor people. Criminalization has been defined as the criminalization of relatively nonserious behavior or activities in a multiple of ways. Racism is present in all these areas of criminalization, whether through out-and-out discrimination, structural and institutional racism, or implicit bias. Joined together, poverty and racism have created a toxic mixture.

Now the trend is to repeal or amend these ordinances
The SLP “crime-free, drug-free rental housing ordinance” started in 2008. It served needs in 2008 and now is the time to repeal it because of what has been discovered locally and nationally about these CFOs.

Research CFOs
In August 2013, the Shriver Center published a report on the spread of crime-free and nuisance property ordinances throughout the country. That Report, titled “The Cost of Being ‘Crime Free’: Legal and Practical Consequences of Crime Free Rental Housing and Nuisance Property Ordinances”, detailed the problems these ordinances are causing for tenants, landlords, and communities throughout the country. These problems include:
-Undermining public safety by silencing crime victims and others who need to seek emergency aid or report crime;
-Increasing levels of housing instability and homelessness for low-income tenants, including victims of domestic and sexual violence, individuals with disabilities, racial and ethnic minorities, and families with children;
-Reducing the availability of desperately needed affordable rental housing; and
-Perpetuating segregation and inequality in access to opportunity.

Domestic Violence
It is my view, exceptions for domestic violence in our CFO is not an effective solution because many domestic violence incidents do not appear that way at first, and all tenants should be able to seek emergency aid.

2040 Comprehensive Plan
Our 2040 Comprehensive Plan includes a vision of racial equity to commit to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.
I heard some workgroup members bring up the 2040 Comprehensive Plan but I did not observe them evaluate the impact of the two options through a racial equity lens. My view that doing this would be a valuable process for the workgroup and/or the council to end up with a change that has long lasting value for our community.

Other mechanisms than a CFO
SLP rental property owners do have existing laws to terminate leases. Use the formal eviction process within the court system and/or state and federal landlord-tenant laws and regulations. Police have laws within the criminal justice system to address criminal behavior in our community.

Residents impacted by our CFO
National studies done by the Shriver Foundation have shown “crime-free, drug-free” ordinances disparately impact low-income communities and communities of color.
-The City has not kept any data on the race of people who lost their home due to our CFO ordinance.
-SLP renter occupied units by race SLP owner occupied units by race
  -White 34% 66%
  -Black 88% 12%
  -Native American 72% 28%
  -Hispanic or Latino 63% 37%
  -Asian 60% 40%
  -Mixed Race 60% 40%
  -Other 59% 41%

-SLP population living in poverty by race
  -White 5%
  -Black 40%
  -Native American 1%
  -Hispanic or Latino 3%
-Asian 10%
-Mixed Race 19%
-Other 7%
Source: American Fact Finder, US Census Bureau 2014
-It is highly likely due to these SLP statistics that in SLP, our low-income and non-white residents are impacted the most by our CFO.

Option B components
This is some information about option B.
-Renter cannot appeal the decision. There is no due process for the renter. Due process is through the normal judicial system.
-Option B states, modify definitions to clarify who and where incidents apply to. It does not state how the definitions will change. For example, use of illegal drugs, nuisance noise, on or near the property, who engages in an activity, etc. “Modify” provides no information about what the council will identify as “criminal activity”, “drug related activity” and “disorderly use activity” in this option. At the workgroup sessions there were discussions about the existing CFO being vague. Is it to modify the existing definitions so they are not vague?
-The police are determining if it is a violation of the CFO. It does not require them to seek criminal charges in any of the cases or prove the allegation in court. This is the same as the existing CFO.
-How worded the internal review would be done by city staff. For this to work for all it would need to be set up so all parties (renters, landlords, police, council and the community) know it is being done in a transparent and just way.
-It removes the compulsory lease termination component that is in the existing ordinance.
-The existing CFO only had the police notices going to the landlord and with option B it would go to both the landlord and the tenant.
-Some of these components are vague and/or retain components of the existing CFO that have been identified as problematic.

Being black in America
Majorities of black and white adults say blacks are treated less fairly than whites in dealing with police and by the criminal justice system.
-In a recent Pew Research Center survey, around nine-in-ten black adults (87%) said blacks are generally treated less fairly by the criminal justice system than whites, a view shared by a much smaller majority of white adults (61%) and in dealing with police (84% vs. 63%, respectively)
-A positive way for SLP police to build and promote trust with SLP’s black renters is for the SLP Council to repeal the CFO. The repeal eliminates the police involvement with the renter and property owner relationship.

We all want to live in a safe, secure and stable community. It can happen by laws, policies and procedures that are equitable. I want SLP to be a progressive leader by repealing our CFO. The eyes are on SLP both locally and nationally.
Police Advisory Commission Comment
ST. LOUIS PARK POLICE ADVISORY COMMISSION
Review and Recommendations of Change to Crime Free Multi-Housing Ordinance

Background
Although we are aware that the city council established a work group to study this ordinance, the PAC has elected to review the ordinance independent of that work group. We sought input from each commissioner and gathered all of the input into this report.

PAC Recommendations
The Police Advisory Commission has reviewed the Crime Free Ordinance and recommends that the ordinance be reinstated after the following concerns are carefully reviewed and addressed:

1. The St. Louis Park Police Department should be removed from any role regarding the enforcement or implementation of the role outside their normal duties in response to requests for service.
2. The ordinance should be reviewed to increase transparency:
   a. Prompt notification of any violations
   b. Translations for the ordinance into Minnesota commonly used languages.
   c. Require owners/managers to provide a thorough review of the ordinance to the tenant(s) as part of the leasing process, including protections for those who make emergency 911 calls.
3. The consequences of the ordinance should match the severity of the tenant’s behavior.
4. The ordinance should include “due process” to ensure the tenant’s side of the story is heard.
5. There should be more education on this ordinance with landlords and tenants.
6. Data on the ordinance’s implementation should be collected and regularly reviewed to ensure the ordinance is having the desired impact without undue unintended negative consequences.
Executive summary

Title: Food Access and Insecurity Study

Recommended action: None at this time.

Policy consideration: What is the city’s role in addressing food access and security issues as identified in the study?

Summary: Wilder Research consultants will present information on the Food Access and Insecurity study. The summary from the study is attached; the full document can be found here.

The Food Access and Insecurity Study was undertaken by Wilder Research for the city. The study looked at to what extent residents experience food insecurity or lack access to food; what resources and services are available; what are the gaps in access; and what could be the city’s role in addressing the issue.

Study process: Researchers collected information from key informants at several local agencies, conducted three focus groups, and surveyed local youth. They also conducted significant secondary research on food access and security issues.

Findings: While it is difficult to estimate the number of residents who experience food insecurity, survey data from other agencies shows between 6-12% of the population may experience food access or insecurity issues. Other findings include:
- Food insecurity can be a hidden issue.
- Those most at risk are lower-income households, children, older adults, and immigrants.
- Barriers to obtaining food include transportation; housing costs and financial instability; lack of knowledge of resources; and stigma that deters people from seeking help.

The main recommendation from the study suggests establishing a cross-sector task force of community members to consider ways to address the above identified barriers to food access and promotion of available services and resources.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion
Food Access and Security Study Summary
Food Access and Security Study – also available for review in the Community Development Department.

Prepared by: Meg McMonigal, principal planner
Laura Smith, wellness & volunteer coordinator

Reviewed by: Karen Barton, community development director

Approved by: Tom Harmening, city manager
Discussion

**Background/study process**
Wilder Research collected information from key informants, including staff from the following local agencies:

- STEP
- Hennepin County Human Services
- Park Nicollet Community Relations
- Aging Services Director, Jewish Family and Children Services (JFCS)
- Food Security Program Coordinator, JFCS
- SEEDs
- HIP volunteer, Cooking Matters
- Hunger Impact Partnership
- Fare For All
- Park Nicollet Creekside Clinic
- Hennepin County Public Health
- Park Nicollet Executive Director
- Cub Foods
- Fire Department
- Westwood Church
- School nutrition department
- Perspectives Kids Café
- Twin Cities Mobile Market

Wilder researchers also conducted three focus groups of residents most likely to be impacted by food insecurity including residents at an affordable housing complex, food shelf clients and parents in a supportive housing program.

To gain information from community youth, a survey was conducted with participants in a youth program.

Wilder Research also reviewed local demographic data and reviewed current literature about food access and insecurity, and ways it is being addressed.

**Resources in St. Louis Park**
Wilder identified many resources in St. Louis Park, including:

- 10 grocery stores, many of which provide delivery service options
- 9 convenience/drug stores/gas stations
- STEP Food Shelf
- 14 other food-related resources including: SNAP, School programs, Twin Cities Mobile Market, Fare for All, SEEDs and others.

**Barriers**
Wilder identified the following barriers to food security and access:

- Limited transportation options
- Housing costs and financial insecurity
- Lack of awareness of local resources
- Programs may not be accessible or fully meet needs
- Stigma, especially among older adults
Study recommendations
Wilder Research offers the following recommendations:
- Establish a cross-sector task force to establish priorities and strategies and address the barriers pointed out in the report
- Identify creative strategies to increase transportation options
- Increase awareness of existing resources, programs and services
- Assess the feasibility of options to increase access to healthy, affordable food
- Identify local data sources that can be used to track changes in who is experiencing food insecurity in St. Louis Park.

What the city is currently doing
The city has a number of programs and efforts related to food issues. These include:
- Annual financial support of STEP
- Five farmer’s markets to be piloted around the city in 2020
- The city owns and maintains five community gardens with 110 garden plots available to residents, and six edible gardens. The community gardens are not currently fully utilized; usage is continuously monitored to gauge needs.
- The City offers the Healthy Living Grant program to support community members and organizations in healthy living initiatives. Since 2017, it has funded several programs related to food, including:
  - Plant-based eating promotion and education at Union Congregational United Church of Christ.
  - Four yearly Cooking Matters Classes that focus on healthy, affordable and attainable meals for teens and tweens, hosted by SEEDS.
  - Vegan cooking club at the St. Louis Park Highschool
  - Cooking classes that support women in recovery at Wayside House.
- Supporting the Twin Cities Mobile Market at Hamilton House and advertising it to the surrounding neighborhoods.
- Continuing to work with Metro Transit on additional bus service. Service was increased last year on Cedar Lake Road, which provided more convenience to reaching Cub Foods at the West End.

Next steps: There are several items for consideration in the study, and these need further discussion among those involved in providing the services and programs in St. Louis Park. Staff recommends establishing a cross-sector task force of the various agencies with residents in the community to review the barriers identified in the report and determine the next steps for both the city and the various agencies and groups providing programs and services related to food access and insecurity.
KEY DEFINITIONS IN THIS STUDY

— **Food security** is having reliable and sufficient amounts of safe, nutritious food.

— **Food access** is the extent to which nutritious, affordable food is at a manageable distance and easy to get to using personal or public transportation.

— **Food insecurity** occurs when individuals do not have sufficient amounts of safe, nutritious food. This can be a temporary issue or chronic problem. Families experiencing some degree of food insecurity may reduce the quality or variety of food, or forgo spending money on other essentials in order to buy food. Hunger is the result of chronic or more extreme levels of food insecurity.

According to the United States Department of Agriculture (USDA), nearly 1 in 8 Minnesotans experienced food insecurity in 2018, meaning they did not have reliable access to and sufficient amounts of safe, nutritious food. As greater attention has been brought to the issue of food insecurity, a growing number of municipalities in Minnesota and nationally have taken steps to better understand the needs of residents and the potential role municipalities can play in increasing food access and food stability. The purpose of this study was to assess issues of food access and food insecurity in St. Louis Park, Minnesota, identify the resources currently available in the community and key gaps, and consider what role the City of St. Louis Park can have in supporting greater food access and food security among residents.

About the assessment

In 2019, the city contracted with Wilder Research to complete a community needs assessment about food access and insecurity. To provide a more complete picture of the landscape of food access and insecurity in the city, a multi-method evaluation approach was used. Researchers developed GIS maps and reviewed existing population-level data, current literature about promising city-level approaches to address food insecurity, and city documents and program materials.

Wilder Research also completed interviews with 19 community stakeholders with experience in this area. To hear from residents most likely to be impacted by food insecurity, researchers conducted three focus groups with residents of an affordable housing complex, food shelf clients, and parents in a supportive housing program and did a survey of participants in a youth program. A detailed description of the methods and study limitations can be found in the full report.
Key findings

Food insecurity is a problem impacting some St. Louis Park residents. The number of residents who experience food insecurity is difficult to estimate, and there is not a data source that offers a precise number of St. Louis Park residents experiencing food insecurity, but local data sources do provide some rough estimates. Available data sources suggest that 6-12% of St. Louis Park residents experience some degree of food insecurity, in line with state-level estimates (8.6%). According to the Minnesota Student Survey, 6% of St. Louis Park ninth-grade students reported missing one or more meals because their family didn’t have money to buy food. The Hennepin County SHAPE survey estimates that nearly 12% of St. Louis Park and Hopkins residents experience food insecurity. Food insecurity can be a hidden problem. Embarrassment or shame can keep residents from identifying food as a need. This presents challenges in how to assess need and impacts the degree to which residents access services.

Lower-income households, children, older adults, and immigrant communities are among the populations most at risk for experiencing food insecurity. Food insecurity is closely tied to poverty, but also occurs among middle class households that are experiencing financial instability due to high housing or medical costs, unemployment, or other sources of financial stress. Local stakeholders identified children, older adults, and immigrant communities as populations in St. Louis Park who may experience food insecurity in different ways. Students who receive nutritious meals through school breakfast and lunch programs may not have access to adequate amounts of food on weekends or during summer months. Among older adults with limited incomes and reduced mobility or who rely on public transit, the physical location of stores and accessibility is particularly important. As St. Louis Park has become increasingly culturally diverse, food shelf representatives have noticed an increase in immigrant families seeking food support.

Available resources

St. Louis Park has a number of resources available to help residents access food. Ten grocery stores are located within the city limits and a number of additional stores are located in neighboring cities. Gas stations and convenience stores are located in closer proximity to some lower-income neighborhoods. A number of addition food programs are available to residents. Some programs are focused on specific populations, such as students, or are most accessible to residents who live in a specific geographic area. The full report includes additional information about the resources highlighted below, who they serve, and associated costs:

- **Low-cost food retailers.** Within the past year, the Twin Cities Mobile Market (an affordable grocery store on wheels) added a stop in St. Louis Park at Hamilton House. Fare for All is a local nonprofit that buys food in bulk to sell to residents at below-market price. In addition,
there are two farmers markets open during the summer months at Park Nicollet Clinic and Specialty Center and Methodist Hospital.

- **Food shelves and food programs.** STEP (the St. Louis Park Emergency Program) is the main food shelf in St. Louis Park. There are multiple school-based programs in place, including school food shelves, a backpack programs where students can bring nutritious food home on weekends, and a summer meal program. Additional programs include Meals on Wheels, community meals at Westwood Church, and food box programs provided by Park Nicollet clinics and the local police and fire departments.

- **Community gardens and urban agriculture.** There are 20 community gardens with over 100 individual plots in St. Louis Park, including city-owned spaces, gardens at housing developments, spaces run by non-profit organizations, and edible playgrounds at three neighborhood parks. SLP SEEDS is a local nonprofit organization that has championed a number of local urban agriculture initiatives in the city.

**Factors that contribute to food insecurity**

There are a number of factors that contribute to food insecurity among residents and that should be addressed through any future strategy to increase access to food.

- **Limited transportation options** was identified one of the most prominent barriers to food access in St. Louis Park by key informants and focus group participants. Residents had particular concerns about the hours and frequency of the Metro Transit routes and limited number of feeder lines. Creative approaches, including delivery services, volunteer drivers, and dial-a-ride programs do not address the concerns of all residents and have been difficult to financially sustain.

- **Housing costs, financial insecurity, and the costs of goods and services all contribute to food insecurity.** When residents do not have enough money to meet their basic needs, they face difficult choices about what to prioritize and what to go without. Residents who experience unemployment, work part-time or low-wage jobs, have high medical expenses, or who experience some other type of short-term financial crisis are among those at risk of experiencing food insecurity.

- **Some residents are unaware of available food resources or do not receive benefits they may be eligible for.** Representatives from local food programs noted not all lower-income families report receiving benefits that, based on income, they are likely eligible for (e.g., SNAP, WIC, free and reduced price school meal programs, summer meal programs) Residents also reported limited awareness of many of the food resources in the community beyond the food shelf.
• **Existing programs may not be accessible or fully meet the needs and expectations of residents.** Food shelves and food programs rely on food donations, financial support, and volunteers to continually improve food access and meet the needs of residents experiencing food insecurity. For some residents, food resources located in the city are not accessible because of their location or limitations on who is served by the program (e.g., food box programs that serve only clinic patients). Some focus group participants also had concerns about the quality of food available at the food shelf, but recognized that food shelves can only offer what they receive through donations. STEP has policies in place to ensure food offered is safe and good to eat, but this study did not include an assessment of the quality of food available at the food shelf.

• **Stigma, especially among older adults, may impact the extent to which residents experiencing food insecurity seek help and resources.** At any age, there can be embarrassment about receiving food support or other benefits, which impacts how services are marketed and accessed.
Strategies other municipalities have used to address food insecurity

There is not a single best practice approach that municipalities should use to increase access to affordable, healthy food. In selecting the most appropriate local option, it is important for municipalities to consider the time, resources, and staffing necessary to support both policy and program work. This assessment is not a feasibility study focused on fully weighing the advantages and disadvantages of each potential option. The following strategies are highlighted as approached that have worked in other cities to address the most significant challenges, identified in the study, which impact food access, affordability, and availability.

<table>
<thead>
<tr>
<th>Potential strategy</th>
<th>Relevance to St. Louis Park</th>
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<tbody>
<tr>
<td>Food policy councils</td>
<td>Food Policy Councils (FPCs) are cross-sector groups representing diverse perspectives and interests which can help establish community priorities, coordinate aligned efforts, and increase community awareness of existing resources. Municipalities can support FPCs in a variety of ways (e.g., as participants of a community-led FPC, as a convener, or by providing staff support)</td>
</tr>
<tr>
<td>Farmers markets</td>
<td>Farmers markets can be a way to increase the availability of fresh produce and, depending on location, can mitigate transportation barriers. Currently, there are two farmers markets in the city.</td>
</tr>
<tr>
<td>Healthier food outlets</td>
<td>In some areas of St. Louis Park, including lower-income neighborhoods, convenience stores and small food outlets are more accessible to residents than large grocery stores. Some municipalities, including the City of Minneapolis, have developed programs to incentivize these small businesses to sell fresh produce and other nutritious food items.</td>
</tr>
<tr>
<td>Healthy food shelf policies</td>
<td>St. Louis Park has one food shelf that has been working to respond to an increased demand for food. To improve the variety and quality of food available, some food shelves have established clearer guidelines and policies regarding donations and healthy food options, or they have developed new practices to receive fresh produce donations from local growers.</td>
</tr>
<tr>
<td>Working with local growers</td>
<td>The City of St. Louis Park has encouraged community gardening through local plans and policies; local nonprofit organizations also provide training to residents interested gardening. Municipalities have developed creative partnerships with local growers to distribute produce in a number of ways, including community supported agriculture (CSA), farm to institution initiatives, and urban agriculture programs.</td>
</tr>
<tr>
<td>Partnerships</td>
<td>There are a number of existing programs in St. Louis Park focused on increasing access to healthy, affordable food. Strong cross-sector partnerships occur in many communities to help ensure that resources are available to residents in locations that are easily accessible.</td>
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Potential next steps for the City of St. Louis Park

Among stakeholders, many saw opportunities for the City of St. Louis Park to play a stronger role in increasing awareness of available local food resources and improving collaboration among schools, health care, nonprofit organizations, local businesses, faith-based organizations, and community members. Although transportation, cost of living, awareness of resources, quality and selection of food at different resources, and access to meals during times when school is not in session were all elevated as key barriers, there was not strong consensus on the specific actions that were most important to take in order to increase food security in the community.

The City of St. Louis Park does have a number of programs and food resources in place to increase access to affordable, high-quality food. In addition, the city’s 2040 Comprehensive Plan includes a number of principles that support mixed-use and transit-oriented development to improve transportation and increase access to healthy foods. With any future strategy, the city will need to consider how to address access to resources, develop strategies to ensure all residents can access and receive services they are eligible for, and ensure that strategies to increase the availability of food are complemented by activities that increase consumer demand.

Recommendations

The following recommendations, informed by local data and current research, provide the City of St. Louis Park with approaches that can be used to build on existing resources and address barriers identified by local residents and community stakeholders. Recognizing the association between economic instability and food access, the city is also encouraged to continue to explore approaches to reduce the cost of living through efforts such as expanding affordable housing or establishing a citywide minimum wage.

- Establish and support a cross-sector task force to establish priorities and strategies, increase community awareness, and guide collaborative actions.
- Identify creative strategies to increase transportation options, including expanding volunteer driver programs, and continue to advocate for Metro Transit to expand transit routes.
- Increase awareness of existing food resources, particularly programs and services reaching youth, older adults, immigrant and refugee communities, and residents experiencing economic insecurity.
- Assess the feasibility of the options identified in this report to expand existing programs or develop new strategies to increase access to healthy, affordable food.
- Identify local data sources that can be used to track changes in who is experiencing food insecurity in St. Louis Park.
For more information

This summary presents highlights of the Food Access and Insecurity in St. Louis Park. For more information about this report, contact Amanda Hane at Wilder Research, 651-280-2708.

Authors: Melanie Ferris and Amanda Hane

JANUARY 2020
Executive summary

Title: SLP SEEDS requests for city funding

Recommended action: None at this time. The purpose of this study session item is to discuss SEEDS requests for staff time and funding for several items. This item is ranked P6 of the council study session priority discussions.

Policy consideration: Does the city council wish to fund several items for SEEDS including a food action plan, sponsoring a USDA grant for $25,000/yr over four years for SEEDS tiny mobile farm, and funding of publicly owned and maintained greenhouse/educational community center?

Summary: SEEDS representatives will make a presentation at the meeting giving the background on its non-profit work and discussing the following requests of the city:

- SEEDS Feeds! Sponsorship
  - SEEDS requests $25,000 per year for 4 years for a USDA grant for SEEDS tiny mobile farm
  - SEEDS requests the city participate in U of M Resilient Communities Projects (RCP) at $5,000 per project for 12-18 months; projects to be determined
- SEEDS requests the city update the 2014 Community Center Study with one that focuses on a Community Education Center for SEEDS for a year-round greenhouse
  - A site is not determined
  - Facility would be owned and maintained by the city
- SEEDS is requesting city staff time be dedicated to these projects

Financial or budget considerations: $100,000 is being request for sponsorship for the tiny mobile farm ($25,000 per year for four years). There is not currently a project or projects defined for RCP; the cost for RCP would be $5,000 per project. Site and budget for owning and maintaining a public greenhouse/educational community center have not been provided. Staff time has been requested from several departments to support the SEEDS FEEDS Tiny Farm events. There are no funds currently budgeted to support these requests.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion
  SLP SEEDS executive summary

Prepared by: Meg J McMonigal, principal planner
             Laura Smith, wellness and volunteer coordinator
Reviewed by: Karen Barton, community development director
Approved by: Tom Harmening, city manager
Discussion

**Background:** SEEDS has four requests for council discussion:

1. **Food Council and Action Plan** – city to work with SLP SEEDS, and others to support creation of a city- and district-wide Food Action Plan.
2. **SEEDS Feeds! Sponsorship**
   a. SEEDS requests $25,000 per year for 4 years for a USDA grant for SEEDS tiny mobile farm
   b. SEEDS requests the city participate in UofM Resilient Communities Projects (RPC) at $5,000 per project for 12-18 months; projects to be determined;
3. **SEEDS requests the city update the 2014 Community Center Study with one that focuses on a Community Education Center for SEEDS for a year-round greenhouse**
   a. Site to be determined
   b. Facility would be owned and maintained by the city
4. **SEEDS is requesting city staff time be dedicated to these projects**

**Present considerations:**

1. **Food Council and Action Plan** - Based on the Food Access and Insecurity Study, staff recommends moving forward with a multi-jurisdictional task force to determine next steps. Items such as a food action plan may or may not be an outcome of the task force, however having the various service and program providers work together to determine the next steps forward would be a prudent first step.

2. **SEEDS Feeds! Sponsorship** – Staff recommends that efforts be put toward addressing the barriers identified in the Food Study including transportation options, housing costs, and increasing knowledge of available resource. The task force can further discuss specifics related to these items and provide recommendations for actions prior to deciding what projects would be effective to fund.

3. **Community Education Center for SEEDS with a year-round greenhouse** – This was not identified as a strategy in the Food Study, nor is it identified in any city long-range plans.

**Next steps:** As a part of the Food Access and Insecurity Study recommended strategies, staff recommends creating a multi-jurisdictional task force to discuss identified barriers to access and security to determine appropriate next steps. Staff recommends that the SEEDS funding proposals be considered by the task force as part of the process.
City Council Executive Summary SLP SEEDS 3/9/2020

Title: SLP SEEDS 2017-2020 Petition(s) Requests

Recommended Action: Motion to approve requests.

Policy Consideration:

Is the trajectory of a Food Action Plan in line with the priorities of Racial Equity, Leading Environmental Stewardship, providing Neighborhood Oriented Development, and creating opportunities to Build Social Capital through Community Engagement?

Is the concept of SLP SEEDS conducive to supporting youth and the community in positive and beneficial ways that grow wellbeing and resilience through life-skills and job training for all ages, races, genders and abilities? Does it apply to the Vision 3.0 value “Preparing our Next Generation”?

SUMMARY: Healthy food, it’s what nourishes our bodies and sustains us. However, our current industrial agricultural and food systems, plus persistent social inequities that exist within our cities, have created issues of healthy food access. This tends to be especially true for people with lower income levels, immigrants and people of color who are often times marginalized and disenfranchised by those in power.

In an ideal world, something as basic and necessary for life as nutritious foods should not only be available to those with the most power, privilege and economic means, but rather accessible to everyone regardless of their race, age, sex, ethnicity or income level.

SLP SEEDS, a St. Louis Park based food and social justice nonprofit, has emerged in St. Louis Park to take on the task of addressing food insecurity in the city. We ask for City Council and Staff support in this endeavor.

FINANCIAL OR BUDGET CONSIDERATION: Two components of financial and budget consideration are being requested:

1. Dedicated staff time from May, 2020 through December 2023, equal to 3.5hrs/wk COMBINED between Community and Police Outreach Liaisons, Health in the Park, Equity, Park and Rec, Communications, Economic Development or otherwise to support the SEEDS FEEDS Tiny Farm engagement events at affordable housing complexes or other community events, as well as supporting the UMN studies and GreenCorps member in collecting, entering and analyzing data per community surveys and interviews.

2. SEEDS Feeds! Sponsorship Agreement in the amount of $25,000/year for four years to support matching funds toward the USDA Community Food Project grant requirement. This yearly funding may be used to pay the $5,000/study fee to fund one or more UMN Resilient Communities Small Scale Studies.

VISION CONSIDERATION:

● St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.
● St. Louis Park is committed to continue to lead in environmental stewardship.
● St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.
● St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.
● St. Louis Park is committed to creating opportunities to build social capital through community engagement.
SUPPORTING DOCUMENTS:

APPENDIX INSERTS COMING:

- SPONSORSHIP LETTER, LEVELS, AGREEMENT
- PROJECTS-PARTNERS 2020 Draft
- MPCA SLP Environmental Justice Map
- CYCLE OF FOOD INSECURITY
- DISRUPT GENTRIFICATION
- FOOD SOVEREIGNTY DEFINITION
- UNITED NATIONS 2030 SUSTAINABLE DEVELOPMENT GOALS
- ATLANTA CREATES FIRST FOOD FOREST IN GEORGIA, LARGEST IN U.S.
- Petition for Food Security in the Comprehensive Plan
- ALL Previous PETITION VERSIONS:
DISCUSSIONS

BACKGROUND:
Eight years ago, Founder of SLP SEEDS, Julie Rappaport, first presented for the League of Women Voters a proposal to city and district to create ways to support our children’s nutrition and combat diseases like diabetes due to poor nutrition. The presentation also addressed Closing the Achievement Gap through Environmental Learning that included how to grow, use, store and repurpose unused food.

Lisa Abernathy and five others were invited to attend the first UMN Schoolyard Gardens Conference and from that, Edible Playgrounds were planted at four Park and Rec playground and two community centers. Since 2013:

- Over 5,000 SLP children of all ages have learned about nutrition, sustainable food practices and skills.
- Over 20,000 hours of volunteer time have been achieved.
- Over 12,000 lbs of food has been grown by students and volunteers, interns, apprentices and staff, distributing the food for free to their families and the community.
- Over 45 interns and apprentices have been trained in basic job skills and specific urban agriculture sustainable practices and food justice topics, including earning an accredited internship through the district College and Career Office.
- Over 40 teachers, parents and community members have been sent to the UMN Schoolyard Garden Conference on scholarship from SLP SEEDS.
- Over 16 youth have presented to City Council and School Board requesting collaboration on a Food Action Plan (FAP).
- Over 40 community-led visioning sessions about food justice in SLP have been led and recruitment of stakeholders network has grown to over 100 invested in food systems change for racial equity and climate adaptation and resilience.
  - These findings are currently being compiled by a UMN Humphrey School of Public Affairs, Center for Urban and Regional Affairs Master's Capstone Project, due April 27th, 2020.
- Over 1,000 signatures have been collected by community members to:
  - Over 8 years, variations of the petition have evolved with numerous community visioning sessions informing SLP SEEDS of the unheard voices’ needs and desires. SLP SEEDS is grateful to achieve this study session, but with 30 minutes to present and answer questions, this must be left to present to a dedicated Task Force for Food Security that will take action on the recommendations by Wilder and SLP SEEDS.

PRESENT CONSIDERATIONS: For 2020, SLP SEEDS has achieved the MN Dept of Ag (MDA) Urban Agriculture grant for a “Tiny Mobile Greenhouse Farm”, called SEEDS Feeds! This project will be able to bring the same Lunch and Learn and weekly food distributions as Oak Park Village has benefitted from these past two summers. The Oak Park Village community garden materials were supplied by a donation from the MN Horticulture Society, and doubled the next year per the success of the first year.

Many complexes have asked for similar programs and services but capacity has kept that expansion at bay. This MDA grant allows the farm to go to the affordable housing apartments. Another benefit of the farm going to apartment complexes, besides serving lunch and offering nutrition education, is the ability to gather surveys and opinions from many unheard voices who will give input on their needs and to the creation of the Food Action Plan.

SLP SEEDS is poised currently to bring multiple sectors together for the creation of a city and districtwide Food Action Plan.
It is extremely important for Council to understand that while City Administration tells District Administration they are NOT working with SLP SEEDS on a Food Action Plan and Food Security is NOT a priority for the city, even though it is now written in the Comprehensive Plan, that statement underlies the response from School Administration that they will support the Food Action Plan ONLY if the City Administration will do so.

We request City Council to charge the City Administration with re-addressing that statement of non-collaboration to one of support and agree to collaborate by not only sponsoring the community engagement work, but by dedicating 3.5hrs/week starting mid-May, 2020 through December, 2023 to support the work of the UMN Capstones (free); Resilient Communities Projects (paid for through the SEEDS Feeds sponsorship) and the GreenCorps Member (free).

Many departments within the city already work with SLP SEEDS on strategies that do work to support Food Security, including the Fire Dept, Police Dept, Park and Rec, Equity and Community Engagement, plus Commissions ESC and HR both signed the petition unanimously to support a Food Action Plan in 2018 as part of the petitions turned in.

SLP SEEDS is working with the UMN Capstone project this semester to help us carve our next 3-5yr Business Plan. We welcome the city’s Economic Development to advise and assist this effort.

OFTENTIMES, THE BEST WAY TO UNDERSTAND A FOOD SYSTEM IS TO SEE IT IN ACTION. THAT'S ONE GOAL of the SEEDS FEEDS! Tiny Farm.

Time is of the essence in responding to our requests for several reasons.

1. The deadline for a UMN Summer Semester Community-Based Research Project with 270 graduate research hours, is March 16, 2020.
   - SUMMER: Kris Nelson (270 hrs UMN student) & NPI(Nhood Partnership Initiative) at Humphrey School of Public Affairs
2. The deadline for the MN PCA GreenCorps Host Site Application is March 17, 2020.
   - FALL-SUMMER 2020-2021 (1700hrs) GreenCorps: 2 deliverables, mobilize recruited activists from Summer to take leadership roles in decision making on the Food Action Plan
3. The School District Superintendent will collaborate on the Food Action Plan ONLY if the City Staff is involved.
4. We have waited three years to present our stakeholders visioning to City Council.
5. We are told there are no future times to return to address Food Security as many important things are on the docket.

NEXT STEPS:

1. Consider and respond to requests
   a. Food Action Plan: Work with SLP SEEDS, School District #283, UMN Resilient Cities Project, MN PCA GreenCorps Members, STEP, Park Nicollet Food Security Team and others to support creation of a city- and district-wide Food Action Plan (FAP). Studies of hundreds of other cities’ FAP’s would be included in a literacy review to finish with best practices suggested for SLP’s specific needs per community engagement. An example of a Food Action Plan can be seen at
      i. We invite the City to fully participate, support and benefit from the research studies, reports and recommendations that will be provided by future UMN capstones towards a Food Action Plan for the City. We ask the City to collaborate on and with SLP SEEDS
and the UMN Resilient Communities Small Scale Projects ($5,000 per study over 12-15 months), as well as through a cooperative application for a GreenCorps member to be hosted by SLP SEEDS to work on community engagement and mobilization for 11 months full time work.

ii. The city’s commitment would simply be the Community Engagement Liaison work of 3.5 hours a week with both entities to develop the plan of action, starting with the summer of 2020. **SEEDS Feeds!** Neighborhood events, on which Darius Gray is already assisting!

b. **SEEDS Feeds! Sponsorship** The city logo would be included on the trailer and all marketing as a lead Sponsor, plus many other benefits. (see attached sponsorship information) This proposal for sponsorship will cover the costs of two Resilient Communities Projects per year for four years, plus cover the costs and coordination of the community engagement meals, transportation and childcare, and incidentals. This sponsorship would contract for **four years at $25,000 per year.** (4-Year Sponsor on SEEDS Feeds assures City logo seen all around the city, neighboring cities and at State Fair!)

i. Pays workforce development & entrepreneurial training  
ii. Supports education, engagement and action on the ground  
iii. Pays 1-2 studies of a RCP for impact of **SEEDS Feeds!** on affordable housing residents’ fresh food consumption and policy advice based on community engagementCollect and analyze qualitative and quantitative surveys to study impact of SEEDS Feeds  
   1. Numbers of people fed and pounds used and/or distributed to the community  
   2. Number of recruited activists taking leadership roles and receiving training  

iv. END GOAL Dec, 2021 FOOD COUNCIL & Food Action Plan  
v. END GOAL Dec, 2023 Multi-Use Educational Community Center and Affordable Housing “Farmer Lofts”

c. **Update the 2014 Community Center Study** with one that focuses on an educational center addressing food insecurity and job training, and which includes the previously unheard voices through outreach into their neighborhoods and communities.

i. City Council revisited the study which can be found in the city document, labelled 190804_SLP Council Community Center Report study session, starting on page 10.  
   ● “See 2014 study notation on what voices were included in the study that eventually led to $23 million for Connect the Park as trails and walking paths came out on top in votes of those surveyed.”  
   ○ Page 17 “Whereas all residents were given the opportunity to respond, keep in mind that respondents to an open survey are typically those that are most involved and interested in the subject.”  
   ○ Page 16 shows where the survey was advertised and that “only 13 of 1055 responded on paper.”

**ATTACHMENTS:**
See above list and combine PDF’s
Executive summary

Title: Dakota north bikeway and bridge project no. 4019-2000

Recommended action: No action at this time. Final plan approval and authorization to bid is currently scheduled to be brought to council on March 16, 2020.

Policy consideration: Does the city council wish staff to continue to pursue the installation of the bikeway, bridge, and trail segments identified in the Connect the Park Capital Improvement Program?

Summary: Connect the Park is the city's 10-year Capital Improvement Plan (CIP) to add bikeways, sidewalks, and trails throughout the community. The primary goal of Connect the Park is to develop a comprehensive, city-wide network of bikeways, sidewalks, and trails that provide local and regional connectivity, improve safety and accessibility, and enhance overall community livability.

This project is included in the Connect the Park plan and includes the following segments:

- 0.20 miles of enhancements to the pedestrian and bicycle trails in Dakota Park from 26th Street to the North Cedar Lake Trail.
- 0.30 miles of pedestrian and bicycle bridge over the BNSF Railroad connecting Dakota Park to Edgewood Avenue.
- 0.35 miles of multiuse trail along the east side of Edgewood Avenue between the BNSF railroad right of way and Cedar Lake Road.

This report is intended to update council on project cost increases, the revised anticipated construction schedule, review the art components, and staff recommended staircase location. Dakota Avenue from 26th Street to Lake Street is not discussed in this report. It is a separate project, and final design will be brought to council later this year.

Financial or budget considerations: This project is included in the city’s capital improvement plan (CIP) for 2019 with an estimated cost of $8,306,000. The current engineer’s estimate for the project is $9,089,261. The project will be paid for using general obligation bonds and $2,918,400 in federal funds. Additional information on project cost and funding can be found in the attached report.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Discussion
Project map and illustrations
- April 8, 2019 study session report (pp. 219-227)
- April 15, 2019 public hearing report (pp. 136-152)
- May 6, 2019 council meeting (pp. 132-136)

Prepared by: Jack Sullivan, senior engineering project manager
Reviewed by: Debra Heiser, engineering director
Approved by: Tom Harmening, city manager
**Discussion**

**Background:** The Dakota Avenue bikeway and bridge corridor was first identified as a part of the *Active Living: Sidewalk and Trails Plan* in 2007 and was then integrated into the Connect the Park capital improvement plan (CIP) in 2012. The Dakota Avenue corridor is centrally located and is key to enhancing walking and biking in the city by connecting destinations such as parks, schools, businesses, regional trails, and the future Southwest Light Rail Transit (SWLRT).

Information regarding this project was shared with the city council at the April 8, 2019 study session. The public hearing was held on April 15, 2019. The council passed a resolution on May 6, 2019 to approve the staff recommended layout for the corridor. At that time, the estimated cost estimate for the entire project was $8,237,500. The costs estimate for this project has increased to $9,08,261. The capital improvement program (CIP) for this project was updated in 2019 to reflect the estimate from April. Additional information on the cost increase is in the finance section of the report.

The project has progressed through final design and nearing federal aid approval within the next few months. The plans are substantially complete and will be ready for advertisement for bid once council gives authorization to bid, the land acquisition is wrapping up, and all the federal requirements and permits are finalized.

**Present considerations:** This report is intended to update council on the cost increases to the project, revisions to the construction schedule, staff recommended staircase location, and review of the art components associated with the bridge.

**Project cost**

The development of final plans has identified areas of signification cost changes. Areas where the cost of the project have increased include:

- Additional soil borings and analysis indicate that there are large areas of unsuitable soils. A switch from more traditional spread footings to more expensive steel pile supported foundation was needed to properly support the bridge. These have resulted in the increase of bridge foundation costs of approximately $625,000.

- Contaminated soils were anticipated during this project scoping; however, the amount of material that needs to be removed from the site due to contamination has increased by approximately $335,000. The contaminated soils are affecting the quantity of topsoil to be removed, the way dewatering is handled during construction, and the amount of soil removed in preparation for installations of the bridge foundations.

  The removal of trees north of the existing baseball fields in Dakota Park essentially increases the usable size of the Dakota Park by 0.7 acres. The project is removing the existing contaminated topsoil and is replacing it with clean topsoil.

- Although this area of the park is not excessively wet, there is existing floodplain in the area. The construction and grading to blend the new bridge into the park and adjacent properties result in some floodplain fill. Therefore, there is an additional $50,000 needed for excavation of adjacent areas for compensatory flood storage.
• Utility crossing under or over a railroad can be difficult to get approved by the railroad; therefore, the bridge has been designed to include a conduit that could accept fiber communications at a later date with minimal additional work. The cost to install this conduit on the underside of the bridge is approximately $23,250.

• There has been ongoing refinement to the project where possible to reduce the overall project cost. However, there is a significant amount of bridge structures being built in the southwest suburbs in 2020 and 2021 as part of the Southwest Light Rail and other large projects across the metro. Therefore, the estimated overall construction cost assumes higher anticipated unit costs for materials and labor. The project will continue to track upcoming project bids to gauge the bidding climate as we progress toward bid authorization.

Stairs
The current design includes stairs on the south side of the bridge (figure 2). A set of stairs for the bridge would look like the stairs on the CSAH 25 bridge near Skippy Field and the future Southwest Light Rail pedestrian bridge over the Beltline Boulevard. The cost estimate for these stairs has increased from $60-80,000 to approximately $150,000 due to the need to address the unsuitable and contaminated soils identified in the bridge foundations. These stairs are recommended to be included in the project.

Through feedback from the community, the feasibility of stairs on the north side of the bridge were explored (see figures 7 and 8). Stairs are more difficult to install on the north side due to the limited amount of space requiring a more complicated support structure and would have similarly unsuitable and contaminated soils. The stairs on the north are estimated to add an additional $200,000 to the project’s costs. Staff does not recommend the installation of the stairs on the north side of the project. If council would like to add the second set of stairs the costs would be added to the overall project budget.

Public art
The project scope as approved in 2019 included a construction cost of $125,000 for public art. At the public hearing, staff was requested to see what could be done to elevate the level of the public art in the bridge design. Over the last year, four main art elements have been developed for potential inclusion into this project. These art elements are:

1. Student art: A panel on the bridge pier near the regional trail includes a space for art created by students of Peter Hobart Elementary School. This is suggested to be switched out every few years as new students move through the school (see figure 4). Art cost: $8,000.

2. Decorative concrete: It is proposed to include a stamped concrete area adjacent to the student art installation discussed in item number 1. The artist for the stainless steel lattice (see below) will collaborate with a local artist Angela Two Stars, an enrolled member of the Sisseton Wahpeton Sioux Tribe. Art cost: $10,942.

3. Southside arch: An art installation of stainless-steel tubes in a lattice pattern is proposed to be integrated into the bridge at the trail connection to create a gateway from Dakota Park to the North Cedar Lake Regional Trail (see figure 3). Base project cost: $99,606. Art cost: $60,000.
4. North side: The north side of the bridge near Edgewood Avenue is proposed to have a similar but smaller stainless-steel tube installation to mirror the south side of the bridge (see figure 6). Base project cost: $49,803. Art cost: $37,000.

During the development of these art components, it was determined that, if the additional art were approved, the bridge would be constructed as “art ready”, and the public art would be installed after the bridge project was complete.

Public art cost

With the public art developed over the summer, the construction cost for art increases from $125,000 to $265,351. The majority of the cost is for the stainless-steel art on the north and south side of the bridge.

To install the stainless-steel art, the concrete bridge piers need to be oversized to safely accommodate the anchoring of these elements to the bridge. This oversizing of the pier elements must be done at the time of the bridge construction and is estimated to cost $149,409 to prepare the bridge to accept the art. This is about $49,803 each.

The student art and decorative concrete can be installed at any time and do not have to be included in the construction project.

During the development of the public art, the group agreed that if the bridge could be made “art ready”, outside funding sources could be sought to install the art at a later date.

Summary of public art construction cost (does not include engineering and administration)

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student art</td>
<td>$8,000</td>
</tr>
<tr>
<td>Decorative concrete</td>
<td>$10,942</td>
</tr>
<tr>
<td>Stainless steel art on south side of bridge (including lighting of the art)</td>
<td>$60,000</td>
</tr>
<tr>
<td>Stainless steel art on the north side of bridge (including lighting of the art)</td>
<td>$37,000</td>
</tr>
<tr>
<td>Upsizing of the bridge piers to accommodate the stainless steel tubes</td>
<td>$149,409</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$265,351</strong></td>
</tr>
</tbody>
</table>

**Schedule**

In order to avoid conflicts with the nesting birds, bats, and bees to meet our federal grant obligations, the trees identified for removal as part of the bridge construction must be removed prior to March 31 or after Oct. 31. The project most likely will not be able to complete the tree removal before the March 31 deadline. Therefore, the project is expected to start mid-summer of 2020. The following is the anticipated schedule:

<table>
<thead>
<tr>
<th>Task</th>
<th>Time Frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relocation of private utilities (Xcel, CenterPoint, CenturyLink)</td>
<td>Summer 2020</td>
</tr>
<tr>
<td>Construction of Edgewood Trail, Dakota Park Trail and construction staging area</td>
<td>Fall 2020</td>
</tr>
<tr>
<td>Tree removal and bridge construction</td>
<td>Nov. 2020 – Spring 2021</td>
</tr>
<tr>
<td>Project restoration</td>
<td>Summer 2021</td>
</tr>
</tbody>
</table>

**Estimated project costs:** The CIP estimate is based on 30-percent preliminary plans. Since that time, there has been considerable design work completed to refine the project scope and understand the project liabilities. The updated cost of the project is now estimated at $9,089,261. The anticipated increase in overall project costs is directly attributed to the items
detailed in the previous segment of this report. The following table outlines the current
construction estimates for the various elements of the project.

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated construction costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edgewood multiuse trail</td>
<td>$719,154</td>
</tr>
<tr>
<td>Bridge over BNSF</td>
<td>$5,259,265</td>
</tr>
<tr>
<td>Dakota Park trails and access</td>
<td>$454,837</td>
</tr>
<tr>
<td>“Art ready” bridge</td>
<td>$149,409</td>
</tr>
<tr>
<td><strong>Construction Total</strong></td>
<td><strong>$6,582,664</strong></td>
</tr>
</tbody>
</table>

The city was successful at securing $2,918,400 of federal funds from the Transportation Advisory Board of the Metropolitan Council to help fund portions of the project.

The project budget includes construction costs and ancillary costs to deliver the project. These additional project costs and funding sources for the project are shown below in the table below.

<table>
<thead>
<tr>
<th>Description</th>
<th>2020 CIP</th>
<th>Engineer’s estimate</th>
<th>Project estimate delta</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction cost</td>
<td>$5,395,000</td>
<td>$6,582,664</td>
<td>$1,187,664</td>
</tr>
<tr>
<td>Engineering and administration (25%)</td>
<td>$1,686,000</td>
<td>$1,648,401</td>
<td>$2,831</td>
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<tr>
<td>Project contingency (5%)</td>
<td>$0</td>
<td>$337,766</td>
<td>$337,766</td>
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<tr>
<td>Land acquisition/ right of way</td>
<td>$1,000,000</td>
<td>$275,000</td>
<td>($725,000)</td>
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<tr>
<td>Utility relocation</td>
<td>$225,000</td>
<td>$70,000</td>
<td>($155,000)</td>
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<tr>
<td>Tree replacement</td>
<td>$0</td>
<td>$135,000</td>
<td>$135,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$8,306,000</strong></td>
<td><strong>$9,089,261</strong></td>
<td><strong>$783,261</strong></td>
</tr>
</tbody>
</table>

**Funding sources**

<table>
<thead>
<tr>
<th>Description</th>
<th>2020 CIP</th>
<th>Engineer’s estimate</th>
<th>Project estimate delta</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridge and bikeways (GO Bonds)</td>
<td>$5,387,600</td>
<td>$6,170,861</td>
<td>$783,261</td>
</tr>
<tr>
<td>Federal Aid</td>
<td>$2,918,400</td>
<td>$2,918,400</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$8,306,000</strong></td>
<td><strong>$9,089,261</strong></td>
<td><strong>$783,261</strong></td>
</tr>
</tbody>
</table>

GO bonds are expected to be used to fund the bikeway and bridge construction. The CIP estimate included $5,387,600 of GO bonds. The debt service levy for this amount was approximately $630,000/yr over a ten-year period.

The updated engineer’s estimate identifies $6,170,861 of GO bonds to fund the bikeway and bridge construction. The debt service levy for this amount will be approximately $728,000, starting in 2020 or 2021 for ten years, or $98,000 more per year than the original assumption.

The additional project costs for the procurement and installation of the art segments 1-4 outlined in the previous sections is estimated to be $150,725. Outside funding sources are expected to be used if these segments are to be installed on/near the bridge in the future.
### Additional Art Elements not included in Bridge project

<table>
<thead>
<tr>
<th></th>
<th>Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction cost</td>
<td>$115,942</td>
</tr>
<tr>
<td>Engineering and administration (25%)</td>
<td>$28,986</td>
</tr>
<tr>
<td>Contingency (5%)</td>
<td>$5,797</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$150,725</strong></td>
</tr>
</tbody>
</table>

**Operation and maintenance costs:** This project creates new city infrastructure, including the bridge, trails, and art. With new infrastructure, there will be operation and maintenance costs. Annual operational efforts include snow removal, trail sweeping, and general upkeep of the bridge and art components. In addition, there are long term costs associated with keeping the bridge in good standing.

The addition of 0.65 miles of multiuse trail on the bridge and along Edgewood Avenue will require approximately $1,000 in snow removal and general maintenance per year. This project is in an area that is already plowed by city forces (Dakota Park, Cedar Lake Road, and the North Cedar Lake Regional Trail), making it straightforward to add to an existing plow route. The city is not expecting to remove snow on the proposed bridge staircase. This is consistent with the bridge over CSAH 25 near Skippy Field and Nordicware.

The bridge itself and the art proposed on the bridge have minimal yearly maintenance costs. However, there are long term maintenance costs when a large structure such as this bridge is constructed. Most likely, any needs associated with repairs would be 20 years or longer after construction. Historically costs associated with these repairs would be identified and scoped during regular bridge inspections.

We are working with our partner agencies such as Three Rivers Park District who currently owns and maintains many of these types of bridges around the metro area to understand the future maintenance costs such as repainting railings or repair of the bridge surface. Since many of the bridges are relatively new, there is not available data for comparison. It is expected that these types of repairs would be more significant in cost and that the project should consider budgeting approximately $10,000 a year for long term repairs.

**Proposed schedule:** The project schedule to facilitate meeting federal project deadlines are shown below. More details on the construction schedule can be found in the previous segments of this report.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public hearing</td>
<td>April 15, 2019</td>
</tr>
<tr>
<td>Approve preliminary layout</td>
<td>May 6, 2019</td>
</tr>
<tr>
<td>City council - Approve final plans</td>
<td>March 16, 2020</td>
</tr>
<tr>
<td>Bids awarded</td>
<td>June 2020</td>
</tr>
<tr>
<td>Construction</td>
<td>July 2020 –summer 2021</td>
</tr>
</tbody>
</table>

**Next steps:** Council will be asked to approve the final plans and authorization to bid at the March 16, 2020 council meeting.
Figure ALT-1
Recommended Alternative - Pedestrian Bridge Alternative 1 (60% Design)
for City of St. Louis Park
in St. Louis Park, MN
Figure 1: South bridge approach looking
Figure 2: South approach stairs and gateway art looking
Figure 3: Gateway art looking
Figure 4: Art inset panel, gateway art, and south approach stairs looking southeast
Figure 5: North approach looking
Figure 6: North approach and art looking southwest
FIGURE 7: North staircase looking west
Figure 8: North staircase looking east
Executive summary

Title: Future study session agenda planning and prioritization

Recommended action: The city council and city manager to set the agenda for the regularly scheduled study session on March 23, 2020.

Policy consideration: Not applicable.

Summary: This report summarizes the proposed agenda for the regularly scheduled study session on March 23, 2020.

Also attached to this report is:
- Study session discussion topics and timeline

Financial or budget considerations: Not applicable.

Strategic priority consideration: Not applicable.

Supporting documents: Tentative agenda – March 23, 2020
Study session discussion topics and timeline

Prepared by: Debbie Fischer, administrative services office assistant
Reviewed by: Maria Solano, senior management analyst
Approved by: Tom Harmening, city manager
March 23, 2020

6:30 p.m. Study session – Community room

Tentative discussion items

1. **Crime free workgroup recommendation** – Community development (60 minutes)
   Discuss the recommendations from the crime free/drug free rental ordinance workgroup regarding possible changes to the ordinance presented to city council on March 9, 2020.

2. **Human Rights Commission update** – Administrative services (30 minutes)
   Annual workplan update from the Human Rights Commission.

3. **2020 assessed market value** – Administrative services (45 minutes)
   The property tax system and the 2020 assessment of market value are important for council to understand as they focus on overall governance of the community. This review will give council additional information on how the community’s real estate is reacting to the significant evolution of the housing stock, market demand trends for commercial-industrial space, and the current market cycle.

4. **Future study session agenda planning** – Administrative services (5 minutes)
   Communications/meeting check-in – Administrative services (5 minutes)
   Time for communications between staff and council will be set aside on every study session agenda for the purposes of information sharing.

Written reports

5. February 2020 monthly financial report
6. 6th amendment to PLACE purchase development contract
8. 2019 housing activity report
### Study session discussion topics and timeline

<table>
<thead>
<tr>
<th>Priority</th>
<th>Discussion topic</th>
<th>Comments</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Prioritizing transit options thru investments, and engineering and operations decisions</td>
<td>SS discussion 10/21/19. Next steps: staff reach out to Metro Transit, bench company, and Met Council rep. Update – staff met with Metro Transit Dec., 2019</td>
<td>In process</td>
</tr>
<tr>
<td>2</td>
<td>Climate crisis</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>3</td>
<td>Discuss public process expectations and outcomes</td>
<td>Staff is working on the approach for undertaking this discussion.</td>
<td>June 8, 2020</td>
</tr>
<tr>
<td>4</td>
<td>Revisit housing setback, FRA, &amp; more to maintain and create more affordable housing</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>5</td>
<td>Home-based businesses</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>6</td>
<td>Public forums at council mtgs</td>
<td>9/23/19 SS. Staff is doing research of other cities.</td>
<td>TBD</td>
</tr>
<tr>
<td>7</td>
<td>STEP discussion: facilities</td>
<td>Discussed on 1/14/19; city, STEP &amp; school toured Central Community Ctr and continuing discussions</td>
<td>TBD</td>
</tr>
<tr>
<td>8</td>
<td>Community and neighborhood sidewalk designations</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>9</td>
<td>Remove mint &amp; menthol exemption from existing flavored tobacco policy</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>10</td>
<td>Easy access to nature, across city, starting w/ low-income neighborhoods</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>11</td>
<td>Conversion therapy ban</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>12</td>
<td>Changes to sign ordinance</td>
<td></td>
<td>TBD</td>
</tr>
<tr>
<td>13</td>
<td>WHNC Access Fund                                                                 *On hold pending direction from school district.</td>
<td>*On hold</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SEED’s community greenhouse /resilient cities initiative</td>
<td>On hold until Food Access and Security study is complete, and recommendations have been made.</td>
<td>March 9, 2020</td>
</tr>
<tr>
<td></td>
<td>Revitalization of Walker Lake area</td>
<td>Part of preserving Walker building reports: 8/28/17, 9/25/17, 1/22/18, design study 2/12/18, update 4/23/18, design study updates 8/27/18; SS report 2/11/19; SS discussion 5/28/19, planning commission to review ordinances for implementation Qtr. 3 &amp; 4 2019; parking ord. in process of council approval; construction of phase 1 completed; Planning for 2020 phase 2 construction work underway</td>
<td>In process</td>
</tr>
<tr>
<td></td>
<td>Crime free ordinance/affordable housing strategies</td>
<td>Discussed 5/14/18. 1st reading housing trust fund 10/1/18; Other affordable housing strategies/Crime Free Ordinance – Nov/Dec, 12/10 &amp; 12/17/18 &amp; 1/14/19 council discussion; Certain provisions of crime free ord. suspended; Work group formed; CFO work group discussed on 3/25/19; Work group had 1st mtg in May, two meetings in June, one in July and August. Meetings on Sept 26, Oct 9, Oct 30, Nov 13, Dec 4.</td>
<td>March 9 and 23, 2020</td>
</tr>
</tbody>
</table>
Executive summary

Title: Body worn camera annual update

Recommended action: Review the body worn camera program and revisions to the policy.

Policy consideration: Does council have questions or concerns about the direction of the body worn camera program and revisions to the policy?

Summary: Council affirmed the police department body worn camera (BWC) policy on September 4th, 2018 and passed Resolution 18-134 directing the City Manager/Chief Harcey to report back to council in six months, and annually thereafter regarding:

1. General reflections and learnings from the police department on the implementation and use of BWC’s.
2. Criteria tracked to include, at a minimum; hours of utilization, officer compliance, how often reports are filed to document when cameras are not turned on, how often and under what circumstances officers review footage prior to writing reports, requests to view footage and police department response.
3. Any police department proposed changes or updates to the use of BWC’s policy.
4. Other information that would be useful to the city council and the public to help understand and evaluate this initial trial and implementation.

The report includes information requested by council in Resolution 18-134, based upon the use of the body worn cameras since implementation, April 10, 2019 through December 31, 2019. Future reports will be presented to council using the established calendar year.

Financial or budget considerations: None at this time.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Discussion
   Body worn camera policy dated 01-08-19
   In-car camera policy
   Resolution 18-134

Prepared by: Mike Harcey, police chief
Approved by: Tom Harmening, city manager
Discussion

**Background:** The police department researched and sought community input to develop a body worn camera (BWC) policy that reflects the needs of the community. Council affirmed the body worn camera policy on September 4th, 2018 and passed Resolution 18-134 directing Chief Harcey to report back to council in six months and annually thereafter. The police department BWC program went live on April 10, 2019 utilizing 60 body worn cameras and 19 fleet cameras. The information provided in the following section is based upon the use of the body worn cameras since implementation (April 10, 2019 through December 31, 2019) and corresponds to the information requested by council in Resolution 18-134.

1. General reflections and learnings from the police department on the implementation and use of BWC’s.

Since implementation, police department staff noted the following reflections and learnings while utilizing the body worn and fleet cameras:

- **Policy** – the comprehensive policy covering in-car cameras (i.e., fleet is working well and supports the program’s three primary purposes; capturing evidence, assisting with report writing, and allowing for transparency and accountability in policing and protect the civil rights of the community. (See Attached)
- **Use** – Officers are erring on the side of caution and using body worn cameras more often than required by policy.
- **Records management** – The current records management system on evidence.com has simplified our information sharing between partner agencies and county prosecutors. There has been no impact to date from public data requests.
- **Internal compliance audits** – The trimester supervisory audits have proven to be an effective tool to ensure compliance with policy as well as comprehension of training.

2. Criteria tracked to include, at a minimum; hours of utilization, officer compliance, how often reports are filed to document when cameras are not turned on, how often and under what circumstances officers review footage prior to writing reports, requests to view footage and police department response.

Since implementation, officers utilized the body worn and fleet cameras for 8,330 hours, collecting 14,167 evidence items - equaling 14.93 TB of data. Officers responded to 36,161 calls for service and wrote 5,885 reports during that same time period. Officers self-reported their failures to activate their body worn cameras when required 27 times by completing the report required by policy. Supervisors conducted 127 individual audits covering 1,270 random videos and found 17 additional, unreported times that officers failed to activate their body worn cameras when required by policy (1.3% failure rate). In total, when compared to the number of body worn and fleet videos for the time period, officers were in compliance with policy 99.7% of the time. Officers reported they reviewed their video 297 times (2%) prior to completing their police reports. The police department received only one public request to review video since implementation. That request was fulfilled by viewing on-site.
3. Any police department proposed changes or updates to the use of BWC's policy.

After utilizing the body worn and fleet camera systems department-wide, there were a few minor policy changes needed to reflect workflow and hardware capabilities. The first item removes the requirement to write a report for malfunctioning hardware. Officers can obtain replacement hardware, if needed, and submit the malfunctioning equipment to the program administrator for repair. The second item removes boilerplate safeguard language from the policy. With our current hardware/software configuration, these unauthorized connections and edits are not possible. Lastly, the third item reworks language to more accurately follow state records retention guidelines. These changes have been highlighted on the attached updated policy.

- Page 3 item C – The requirement to write a report for malfunctioning hardware removed.
- Page 10 item A – Unnecessary safeguard language removed.
- Page 11 item B – Language reworked to reflect state guidelines.
Purpose
The primary purpose of using body-worn-cameras (BWCs) is to:

A. Capture evidence arising from a police-citizen contact.
B. Assist with accurate report writing.
C. Allow for transparency and accountability in policing and protect the civil rights of the community.

This policy sets forth guidelines governing the use of BWCs and administering the data that results. Compliance with these guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving.

Objectives
The St. Louis Park Police Department has adopted the use of portable audio/video recorders to accomplish the following objectives:

A. To enhance officer safety.
B. To document statements and events during the course of an incident.
C. To enhance the officer’s ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
D. To preserve audio and visual information for use in current and future investigations.
E. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of audio-video recording.
F. To promote the civility of police-civilian encounters
G. To provide objective evidence to help resolve civilian complaints against police officers and the City of St. Louis Park.
H. To protect the civil rights of the community.
I. To assist with training and evaluation of officers.

Policy
It is the policy of this department to authorize and require the use of department-issued BWCs as set forth below, and to administer BWC data as provided by law.

Scope
This policy governs the use of BWCs in the course of official duties. It does not apply to the use of squad-based (dash-cam) recording systems. The Chief of Police or the chief’s designee may supersede this policy by providing specific instructions for BWC use to individual officers, or providing specific instructions pertaining to particular events or classes of events, including but not limited to political rallies and demonstrations where their use might be perceived as a form of political or viewpoint-based surveillance. The chief or designee may also provide specific instructions or standard operating procedures for BWC use to officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities. In the event the chief does supersede policy by providing specific instructions for use, a written report will be submitted to the City Manager.

**Definitions**

The following phrases have special meanings as used in this policy:

A. **MGDPA or Data Practices Act** refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.

B. **Records Retention Schedule** refers to the General Records Retention Schedule for Minnesota Cities.

C. **Law enforcement-related information** means information captured or available for capture by use of a BWC that has evidentiary value because it documents events with respect to a stop, arrest, search, citation, or charging decision.

D. **Evidentiary Value** means that the information may be useful as proof in a prosecution or defense of a criminal action, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer.

E. **General Citizen Contact** means an informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Examples include, but are not limited to, assisting a motorist with directions, summoning a wrecker tow truck, or receiving generalized concerns from a citizen about crime trends in his or her neighborhood.

F. **Adversarial** means a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

G. **Unintentionally recorded footage** is a video recording that results from an officer’s inadvertence or neglect in operating the officer’s BWC, provided that no portion of the
resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.

H. **Official duties**, for purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this agency.

**Training**
All users of a BWC will be trained on the cameras operation and this policy prior to deploying one.

**Use and Documentation**

A. Officers may use only department-issued BWCs in the performance of official duties for this agency or when otherwise performing authorized law enforcement services as an employee of this department.

B. All officers working uniform patrol, uniform special details, traffic duties, and uniform school resource officer duties shall use a BWC unless permission has been granted by a supervisor to deviate from this clause. Plain clothes investigators/officers and administrators are allowed to use BWC when interacting with citizens, when appropriate.

C. Officers who have deployed a BWC shall operate and use them consistent with this policy. Officers shall conduct a function test of their issued BWCs at the beginning of each shift to make sure the devices are operating properly. Officers noting a malfunction during testing or at any other time shall promptly report the malfunction to the officer’s supervisor and shall document the report in writing. As soon as is practical, the malfunctioning BWC shall be put down for service and the officer should deploy a working BWC. If a BWC malfunctions while recording, is lost, or damaged the circumstances shall be documented in a police report and a supervisor shall be notified. Supervisors shall take prompt action to address malfunctions and document the steps taken in writing.

D. Officers should wear their BWC in a conspicuous manner at the location on their body and manner specified in training.

E. Officers must document BWC use and non-use as follows:

1. Whenever an officer makes a recording, the existence of the recording shall be documented in the records management system, an incident report, or a citation if completed.

2. Whenever an officer fails to record an activity that is required to be recorded under this policy or captures only a part of the activity, the officer must document the circumstances and reasons for not recording in the records management system or...
incident report. Supervisors shall review these reports and initiate any corrective action deemed necessary.

F. The department will maintain the following records and documents relating to BWC use, which are classified as public data:

1. The total number of BWCs owned or maintained by the agency;

2. A daily record of the total number of BWCs actually deployed and used by officers and, if applicable, the precincts in which they were used;

3. The total amount of recorded BWC data collected and maintained; and

4. This policy, together with the Records Retention Schedule.

General Guidelines for Recording

A. This policy is not intended to describe every possible situation in which the BWC should be activated, although there are many situations where use of the BWC is appropriate. Officers should activate the BWC any time the user believes it would be appropriate or valuable to record an incident.

B. Officers shall activate their BWCs when anticipating that they will be involved in, become involved in, or witness other officers of this agency involved in a pursuit, Terry frisks, a traffic stop of a motorist, an investigative stop of a pedestrian, searches, seizures, arrests, response to resistance incidents, any encounter that becomes in any way hostile, or confrontational, (also known as) or adversarial contact, and during other activities likely to yield information having evidentiary value. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be documented as specified in the Use and Documentation guidelines, part (E)(2) (above).

C. Officers have discretion to record or not record general citizen contacts.

D. Officers will wear their camera in a conspicuous manner as specified in training. Officers have no affirmative duty to inform people that a BWC is being operated or that the individuals are being recorded. Officers may make an announcement that BWCs are being used.

E. Once activated, the BWC should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. The supervisor having charge of a scene shall likewise direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, officers shall state the reasons for ceasing the recording on camera before deactivating their BWC. If circumstances change,
officers shall reactivate their cameras as required by this policy to capture information having evidentiary value. Any decision to discontinue recording shall be made with respect to the seven nine policy objectives.

F. Officers shall not intentionally block the BWC’s audio or visual recording functionality to defeat the purposes of this policy. This does not prevent an officer from temporarily blocking the visual recording while ensuring audio data is collected during an encounter with persons who are nude or when sensitive human areas are exposed.

G. Notwithstanding any other provision in this policy, officers shall not use their BWCs or any other device to record other agency personnel during non-enforcement related activities, such as during pre- and post-shift time in locker rooms, during meal breaks, or during other private conversations, unless recording is authorized as part of a criminal investigation.

**Special Guidelines for Recording**

Officers may, in the exercise of sound discretion, determine:

A. To use their BWCs to record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value, unless such recording is otherwise expressly prohibited.

B. To use their BWCs to take recorded statements from persons believed to be victims of and witnesses to crimes, and persons suspected of committing crimes, considering the needs of the investigation and the circumstances pertaining to the victim, witness, or suspect. The preferred method of recording a formal statement from a victim, witness or suspect is using currently approved audio recording devices/software compatible with records management dictation software.

In addition,

C. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, BWCs shall be activated as necessary to document any response to resistance and the basis for it, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.

D. Officers should use their BWC and/or squad-based audio/video systems to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or response to resistance incident.
School Resource Officers

The St. Louis Park Police Department recognizes that the duties and working environment for School Resource Officers (SRO) are unique within policing. It recognizes the SROs are required to maintain school safety while keeping the sanctity of the learning environment that the school provides. SROs are expected to continuously build trusting relationships with students and staff. SROs often have impromptu interventions with students to deescalate arguments and/or conflicts. It is with this understanding that the St. Louis Park Police Department provide special guidelines for SROs and their BWC.

The BWC should be activated in any of the following situations:

(a) When summoned by any individual to respond to an incident where it is likely that law enforcement action will occur when you arrive.
(b) Any self-initiated activity where it is previously known that you will make a custodial arrest.
(c) Any self-initiated activity where it is previously known that you’re questioning / investigation will be used later in a criminal charge.
(d) When feasible an SRO shall activate the BWC when the contact becomes adversarial or the subject exhibits unusual behaviors.

Nothing in the policy undermines the fact that in many instances SROs are suddenly forced to take law enforcement action and have no opportunity to activate the BWC. It is also recognized that SROs have private (confidential) conversations with juveniles. It is not always appropriate to record these conversations as it diminishes the trust between the individual and the SRO.

Downloading and Categorizing Data

A. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from their camera to the BWC server by the end of that officer’s shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer’s BWC and consult with their supervisor.

B. Officers shall categorize the BWC data files of each video capture and should consult with a supervisor if in doubt as to the appropriate category. The selected category(ies) shall determine the retention times per the general records retention schedule established by the Minnesota Clerks and Finance Officers Association (MCFOA).

C. In addition, officers shall categorize each file appropriately, in the manner specified in training, with the appropriate category to indicate the information it contains. Some data subjects may have rights under the MGDPA limiting disclosure of information about them. These individuals include:
1. Victims and alleged victims of criminal sexual conduct and sex trafficking.

2. Victims of child abuse or neglect.

3. Vulnerable adults who are victims of maltreatment.

4. Undercover officers.

5. Informants.

6. When the video is clearly offensive to common sensitivities.

7. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.

8. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.


10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.

11. Juveniles who are or may be delinquent or engaged in criminal acts.

12. Individuals who make complaints about violations with respect to the use of real property.

13. Officers and employees who are the subject of a complaint related to the events captured on video.

14. Other individuals whose identities the officer believes may be legally protected from public disclosure.

D. Category and flag designations may be corrected or amended based on additional information.

**Administering Access to BWC Data**

A. **Data subjects.** Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:

1. Any person or entity whose image or voice is documented in the data.

2. The officer who collected the data.
3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

B. **BWC data is presumptively private.** BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

1. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.

2. Some BWC data is classified as confidential (see C. below).

3. Some BWC data is classified as public (see D. below).

C. **Confidential data.** BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the “private” classification listed above and the “public” classifications listed below.

D. **Public data.** The following BWC data is public:

1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.

2. Data that documents the use of force by a peace officer that results in substantial bodily harm.

3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted [if practicable]. In addition, any data on undercover officers must be redacted.

4. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

E. **Access to BWC data by non-employees.** Officers shall refer members of the media or public seeking access to BWC data to the administrative lieutenant or their designee, who shall process the request in accordance with the St. Louis Park Police Department’s applicable processes and policies and other governing laws. In particular:
1. An individual shall be allowed to review recorded BWC data about themselves and other data subjects in the recording, but access shall not be granted:
   
a. If the data was collected or created as part of an active investigation.

b. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.

2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:
   
a. Data on other individuals in the recording who do not consent to the release must be redacted.

b. Data that would identify undercover officers must be redacted.

c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.

F. **Access by peace officers and law enforcement employees.** No employee may have access to the department’s BWC data except for legitimate law enforcement or data administration purposes:

1. Officers may access and view stored BWC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident. Officers shall not use the fact that a recording was made as a reason to write a less detailed report.

2. Supervisors may view recordings at any time they are making inquiry into an alleged complaint, performance issue, or policy violation.

3. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC data recorded or maintained by this agency to public and social media websites. All incidents of access to BWC data are digitally logged. Allegations of inappropriate access to BWC data will be investigated and based on the finding, discipline may result.

4. Employees seeking access to BWC data for non-business reasons may make a request for it in the same manner as any member of the public.
G. **Other authorized disclosures of data.** Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. These displays will generally be limited in order to protect against the incidental disclosure of individuals whose identities are not public. Any displays will take place at the St. Louis Park Police Department with the approval of a supervisor. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition,

1. An officer may request a supervisor respond to the scene and request approval for a display to take place outside the St. Louis Park Police Department.

2. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.

3. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

**Data Security Safeguards**

A. Personally owned devices, including but not limited to computers and mobile devices, shall not be programmed or used to access or view agency BWC data.

B. Officers Department members shall not intentionally edit, alter, or erase any BWC recording unless otherwise expressly authorized by the Chief of Police or the Chief’s designee.

C. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

**Agency Use of Data**

A. To ensure compliance with this policy and to identify any performance areas in which additional training or guidance is required supervisors will review each officer’s BWC recordings during each officer’s trimester evaluation or more frequently if there is reason to do so.

B. In addition, supervisors and other assigned personnel may access BWC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.

C. When a video is accessed or reviewed via Evidence.com, a notation shall be entered into the “Notes” section of the screen stating the reason for access.
D. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.

E. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered by the chief of Police on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainees’ performance.

**Data Retention**

A. All BWC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.

B. Data documenting the following incidents discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous, must be maintained for a minimum period of one year:

C. Certain kinds of BWC data must be retained for six years:

1. Discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured or dangerous.

   1. Data that documents the use of deadly force by a peace officer, or force of a sufficient type or degree to require a response to resistance report or supervisory review.

   2. Circumstances that have given rise to a formal complaint against an officer.

D. Other data having evidentiary value shall be retained for the period specified in the Records Retention Schedule. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.

E. Subject to Part F (below), all other BWC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days.

F. Upon written request by a BWC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 1 year. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.

G. The department shall maintain an inventory of BWC recordings having evidentiary value.
H-G. The department will post this policy, together with a link to its Records Retention Schedule, on its website.

I.H. In the event that a BWC data file is inaccurately categorized by an officer, or additional information is gained that suggests a data file category should be changed, the officer shall notify their immediate supervisor of the required change(s).

Compliance
Supervisors shall monitor for compliance with this policy. Depending on the circumstances, violations of the policy may result in coaching and counseling, oral reprimand, written reprimand, suspension or termination. The unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.
Purpose
The primary purpose of using body-worn-cameras (ICCs) is to:

A. Capture evidence arising from a police-citizen contact.
B. Assist with accurate report writing.
C. Allow for transparency and accountability in policing and protect the civil rights of the community.

This policy sets forth guidelines governing the use of ICCs and administering the data that results. Compliance with these guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving.

Objectives
The St. Louis Park Police Department has adopted the use of portable audio/video recorders to accomplish the following objectives:

A. To enhance officer safety.
B. To document statements and events during the course of an incident.
C. To enhance the officer’s ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
D. To preserve audio and visual information for use in current and future investigations.
E. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of audio-video recording.
F. To promote the civility of police-civilian encounters
G. To provide objective evidence to help resolve civilian complaints against police officers and the City of St. Louis Park.
H. To protect the civil rights of the community.
I. To assist with training and evaluation of officers.

Policy
It is the policy of this department to authorize and require the use of department-issued ICCs as set forth below, and to administer ICC data as provided by law.

Scope
This policy governs the use of ICCs in the course of official duties. The Chief of Police or the chief’s designee may supersede this policy by providing specific instructions for ICC use to
individual officers, or providing specific instructions pertaining to particular events or classes of events, including but not limited to political rallies and demonstrations where their use might be perceived as a form of political or viewpoint-based surveillance. The chief or designee may also provide specific instructions or standard operating procedures for ICC use to officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities. In the event the chief does supersede policy by providing specific instructions for use, a written report will be submitted to the City Manager.

Definitions
The following phrases have special meanings as used in this policy:

A. **MGDPA or Data Practices Act** refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.

B. **Records Retention Schedule** refers to the General Records Retention Schedule for Minnesota Cities.

C. **Law enforcement-related information** means information captured or available for capture by use of an ICC that has evidentiary value because it documents events with respect to a stop, arrest, search, citation, or charging decision.

D. **Evidentiary Value** means that the information may be useful as proof in a prosecution or defense of a criminal action, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or in considering an allegation against a law enforcement agency or officer.

E. **General Citizen Contact** means an informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Examples include, but are not limited to, assisting a motorist with directions, summoning a tow truck, or receiving generalized concerns from a citizen about crime trends in his or her neighborhood.

F. **Adversarial** means a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

G. **Unintentionally recorded footage** is a video recording that results from an officer’s inadventure or neglect in operating the officer’s ICC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.
H. **Official duties**, for purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this agency.

**Training**
All users of an ICC will be trained on the cameras operation and this policy prior to deploying one.

**Use and Documentation**

A. Officers may use only department-issued ICCs in the performance of official duties for this agency or when otherwise performing authorized law enforcement services as an employee of this department.

B. All officers working uniform patrol, uniform special details, traffic duties, and uniform school resource officer duties shall use an ICC unless permission has been granted by a supervisor to deviate from this clause. Plain clothes investigators/officers and administrators are allowed to use ICC when interacting with citizens, when appropriate.

C. Officers who have deployed an ICC shall operate and use them consistent with this policy. Officers shall conduct a function test of their ICCs at the beginning of each shift to make sure the devices are operating properly. Officers noting a malfunction during testing or at any other time shall promptly report the malfunction to the officer’s supervisor. As soon as is practical, the malfunctioning ICC shall be put down for service and the officer should deploy a vehicle with a working ICC. If an ICC malfunctions while recording or is damaged the circumstances shall be documented in a police report and a supervisor shall be notified. Supervisors shall take prompt action to address malfunctions and document the steps taken in writing.

D. Officers must document ICC use and non-use as follows:

1. Whenever an officer makes a recording, the existence of the recording shall be documented in the records management system, an incident report, or a citation if completed.

2. Whenever an officer fails to record an activity that is required to be recorded under this policy or captures only a part of the activity, the officer must document the circumstances and reasons for not recording in the records management system or incident report. Supervisors shall review these reports and initiate any corrective action deemed necessary.
General Guidelines for Recording

A. This policy is not intended to describe every possible situation in which the ICC should be activated, although there are many situations where use of the ICC is appropriate. Officers should activate the ICC any time the user believes it would be appropriate or valuable to record an incident.

B. Officers shall activate their ICCs when anticipating that they will be involved in, become involved in, or witness other officers of this agency involved in a pursuit, Terry frisks, a traffic stop of a motorist, an investigative stop of a pedestrian, searches, seizures, arrests, response to resistance incidents, any encounter that becomes in any way hostile, confrontational, or adversarial, and during other activities likely to yield information having evidentiary value. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be documented as specified in the Use and Documentation guidelines, part (D)(2) (above).

C. When it is reasonable to expect that the citizen contact will occur outside the camera’s field of view, such as in a home or building or other location distant from the patrol car, officers need not activate their ICCs if the officer is using a BWC to document the event.

D. Officers have discretion to record or not record general citizen contacts.

E. Officers have no affirmative duty to inform people that an ICC is being operated or that the individuals are being recorded. Officers may make an announcement that ICCs are being used.

F. Once activated, the ICC should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. The supervisor having charge of a scene shall likewise direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, officers shall state the reasons for ceasing the recording on camera before deactivating their ICC. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value. Any decision to discontinue recording shall be made with respect to the nine policy objectives.

G. Officers shall not intentionally block the ICC’s visual recording functionality to defeat the purposes of this policy. This does not prevent an officer from temporarily blocking the visual recording during an encounter with persons who are nude or when sensitive human areas are exposed.

H. Notwithstanding any other provision in this policy, officers shall not use their ICCs or any other device to record other agency personnel during non-enforcement related activities, such as during pre- and post-shift time in locker rooms, during meal breaks, or...
during other private conversations, unless recording is authorized as part of a criminal investigation.

**Special Guidelines for Recording**

Officers may, in the exercise of sound discretion, determine:

A. To use their ICCs to record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value, unless such recording is otherwise expressly prohibited.

In addition,

B. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, ICCs shall be activated as necessary to document any response to resistance and the basis for it, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.

C. Officers should use their BWC and ICC to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or response to resistance incident.

**Downloading and Categorizing Data**

A. Each officer using an ICC is responsible for transferring or assuring the proper transfer of the data from their camera to the ICC server by the end of that officer’s shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer’s ICC system and consult with their supervisor.

B. Officers shall categorize the ICC data files of each video capture and should consult with a supervisor if in doubt as to the appropriate category. The selected category(ies) shall determine the retention times per the general records retention schedule established by the Minnesota Clerks and Finance Officers Association (MCFOA).

C. In addition, officers shall categorize each file appropriately, in the manner specified in training, with the appropriate category to indicate the information it contains. Some data
subjects may have rights under the MGDPA limiting disclosure of information about them. These individuals include:

1. Victims and alleged victims of criminal sexual conduct and sex trafficking.
2. Victims of child abuse or neglect.
3. Vulnerable adults who are victims of maltreatment.
4. Undercover officers.
5. Informants.
6. When the video is clearly offensive to common sensitivities.
7. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.
8. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
11. Juveniles who are or may be delinquent or engaged in criminal acts.
12. Individuals who make complaints about violations with respect to the use of real property.
13. Officers and employees who are the subject of a complaint related to the events captured on video.
14. Other individuals whose identities the officer believes may be legally protected from public disclosure.

D. Category and flag designations may be corrected or amended based on additional information.

Administering Access to ICC Data

A. Data subjects. Under Minnesota law, the following are considered data subjects for purposes of administering access to ICC data:
1. Any person or entity whose image or voice is documented in the data.

2. The officer who collected the data.

3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

B. **ICC data is presumptively private.** ICC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

1. ICC data pertaining to people is presumed private, as is ICC data pertaining to businesses or other entities.

2. Some ICC data is classified as confidential (see C. below).

3. Some ICC data is classified as public (see D. below).

C. **Confidential data.** ICC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the “private” classification listed above and the “public” classifications listed below.

D. **Public data.** The following ICC data is public:

1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.

2. Data that documents the use of force by a peace officer that results in substantial bodily harm.

3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted [if practicable]. In addition, any data on undercover officers must be redacted.

4. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

E. **Access to ICC data by non-employees.** Officers shall refer members of the media or public seeking access to ICC data to the administrative lieutenant or their designee, who
shall process the request in accordance with the St. Louis Park Police Department’s applicable processes and policies and other governing laws. In particular:

1. An individual shall be allowed to review recorded ICC data about themselves and other data subjects in the recording, but access shall not be granted:
   a. If the data was collected or created as part of an active investigation.
   b. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.

2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:
   a. Data on other individuals in the recording who do not consent to the release must be redacted.
   b. Data that would identify undercover officers must be redacted.
   c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.

F. **Access by peace officers and law enforcement employees.** No employee may have access to the department’s ICC data except for legitimate law enforcement or data administration purposes:

1. Officers may access and view stored ICC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident. Officers shall not use the fact that a recording was made as a reason to write a less detailed report.

2. Supervisors may view recordings at any time they are making inquiry into an alleged complaint, performance issue, or policy violation.

3. Agency personnel are prohibited from accessing ICC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading ICC data recorded or maintained by this agency to public and social media websites. All incidents of access to ICC data are digitally logged. Allegations of inappropriate access to ICC data will be investigated and based on the finding, discipline may result.
4. Employees seeking access to ICC data for non-business reasons may make a request for it in the same manner as any member of the public.

G. **Other authorized disclosures of data.** Officers may display portions of ICC footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. These displays will generally be limited in order to protect against the incidental disclosure of individuals whose identities are not public. Any displays will take place at the St. Louis Park Police Department with the approval of a supervisor. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition,

1. An officer may request a supervisor respond to the scene and request approval for a display to take place outside the St. Louis Park Police Department.

2. ICC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.

3. ICC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

**Data Security Safeguards**

A. Department members shall not intentionally edit, alter, or erase any BWC recording unless otherwise expressly authorized by the Chief of Police or the Chief’s designee.

B. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its ICC program.

**Agency Use of Data**

A. To ensure compliance with this policy and to identify any performance areas in which additional training or guidance is required supervisors will review each officer’s ICC recordings during each officer’s trimester evaluation or more frequently if there is reason to do so.

B. In addition, supervisors and other assigned personnel may access ICC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.

C. When a video is accessed or reviewed via Evidence.com, a notation shall be entered into the “Notes” section of the screen stating the reason for access.
D. Nothing in this policy limits or prohibits the use of ICC data as evidence of misconduct or as a basis for discipline.

E. Officers should contact their supervisors to discuss retaining and using ICC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered by the chief of Police on a case-by-case basis. Field training officers may utilize ICC data with trainees for the purpose of providing coaching and feedback on the trainees’ performance.

Data Retention

A. All ICC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.

B. Data documenting the following incidents must be maintained for a minimum period of one year:

1. Discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured or dangerous.

2. The use of deadly force by a peace officer, or force of a sufficient type or degree to require a response to resistance report or supervisory review.

3. Circumstances that have given rise to a formal complaint against an officer.

C. Other data having evidentiary value shall be retained for the period specified in the Records Retention Schedule. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.

D. Subject to Part F (below), all other ICC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days.

E. Upon written request by a ICC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 1 year. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.

F. The department shall maintain an inventory of ICC recordings having evidentiary value.

G. In the event that a ICC data file is inaccurately categorized by an officer, or additional information is gained that suggests a data file category should be changed, the officer shall notify their immediate supervisor of the required change(s).
Compliance
Supervisors shall monitor for compliance with this policy. Depending on the circumstances, violations of the policy may result in coaching and counseling, oral reprimand, written reprimand, suspension or termination. The unauthorized access to or disclosure of ICC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.
Resolution No. 18-134

Resolution prescribing the reporting requirements of the city manager to the city council regarding the St. Louis Park police departments use of body worn cameras

Whereas, on September 4, 2018 the city council affirmed the body worn camera (BWC) policy and directed staff to continue to move forward with the implementation of the BWC initiative; and

Whereas, transparency and accountability regarding the police departments use of BWC’s is important in order to help maintain the public’s trust in the department; and

Whereas, the city of St. Louis Park values continuous learning and improvement as it goes about providing services to the community.

Now therefore be it resolved by the city council of the city of St. Louis Park that in addition to the audit and reporting requirements required by state statute for an agencies use of BWC’s, the city manager, with the assistance of the police chief, is directed to provide a report to the city council within six months of the city council’s affirmation of the BWC policy and annually thereafter that includes, but is not limited to, the following:

- General reflections and learnings from the police department on the implementation and use of BWC’s;
- Criteria tracked to include, at a minimum, hours of utilization, officer compliance, how often reports are filed to document when cameras are not turned on, how often and under what circumstances officers review footage prior to writing reports, requests to view footage and police department response;
- Any police department proposed changes or updates to the "Use of BWC's Policy";
- Other information that would be useful to the city council and the public to help understand and evaluate this initial trial and implementation.”

Reviewed for administration: 

Thomas K. Harmening, City Manager

Adopted by the City Council September 4, 2018

Jake Spano, Mayor

Attest:

Melissa Kennedy, City Clerk
Executive summary

Title: Application for tax increment financing assistance – The Quentin (formerly Cedar Place)

Recommended action: Review and provide feedback on the Cedar Partners LLC’s application for Tax Increment Financing (TIF) in connection with its proposed project called The Quentin.

Policy consideration: Does the EDA continue to support Cedar Partners’ proposed project, The Quentin, along Cedar Lake Road? Is the EDA willing to consider entering into a redevelopment contract to reimburse the Developer for up to $500,000 in extraordinary site preparation costs through pooled tax increments to enable the proposed project to achieve financial feasibility?

Summary: Cedar Partners LLC (“Developer”) is proposing a new development called The Quentin (originally called Cedar Place) in the Cedarhurst neighborhood along Cedar Lake Road and Quentin Ave South to the east of the FIAT dealership. The proposed $21.3 million redevelopment entails the removal of three existing buildings and construction of a five-story, 79-unit apartment building that includes two levels of structured parking. In compliance with the city’s inclusionary housing policy, 10% (8) of the units would be affordable to households at or below 50% Area Median Income (AMI).

Financial or budget considerations: There are extraordinary costs associated with preparing the project site for redevelopment, including building demolition, site preparation, soil corrections, asbestos abatement, and environmental assessment. Together, these expenses are estimated to exceed $500,000 and preclude the project from being financially feasible without financial assistance. For the proposed redevelopment to achieve a market rate of return, the Developer applied to the EDA for Tax Increment Financing (TIF) assistance. Ehlers, the EDA’s financial consultant, reviewed the project’s pro forma (including sources and uses, revenue and cost projections and 15-year operating budget) to determine the appropriate level of assistance the project would require to achieve a market rate of return. Ehlers subsequently determined that approximately $500,000 in TIF assistance is warranted to enable the project to proceed. Given the relatively modest amount of assistance required and to save the time and expense of creating a TIF district, it is recommended that such assistance derive from pooled tax increments from the Ellipse and Eliot Park TIF districts. Such assistance does not impact the TIF pooling earmarked for affordable housing through the city’s affordable housing trust fund and could be dispersed upon the Developer’s submission of evidence of qualified costs.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion

Prepared by: Julie Grove, economic development specialist
Greg Hunt, economic development coordinator

Reviewed by: Karen Barton, community development director

Approved by: Tom Harmening, EDA executive director and city manager
Discussion

**Background:** The site of the proposed project, The Quentin (previously Cedar Place), is comprised of three properties currently consisting of two office buildings and a single-family home along Quentin Avenue South between Old Cedar Lake Road and Cedar Lake Road in the Cedarhurst Neighborhood.

- 4900 Cedar Lake Road contains a small one-story office building and surface parking.
- 4905 Old Cedar Lake Road contains a single-family home.
- 5005 Old Cedar Lake Road is an office building.

The buildings range in age from 58 to 69 years old. City inspection staff is scheduled to inspect the existing buildings to verify that the buildings are structurally substandard to a degree requiring substantial renovation or clearance. The site is surrounded by a FIAT / Alfa Romeo dealership to the west, a 25-unit apartment building to the east, a vacant parcel and single-family homes to the north and an office building to the south.

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**Proposed Project:** Cedar Partners, LLC’s proposed redevelopment entails the removal of three existing buildings, as noted above, and construction of a new 79-unit, five-story multi-family apartment building. The total size of the properties to be redeveloped is 1.05 acres. This project requires a comprehensive plan amendment, preliminary and final plat and a PUD which will be formally presented to the council in April under the name Cedar Place. The developer has recently informed staff that going forward, the apartment complex will be marketed as The Quentin.

The site will feature a new pedestrian trail connection from Cedar Lake Road along Quentin Ave and a bicycle hub and scooter parking for residents. It is expected that market demand will support the project given its location near the SE corner of the Hwy 100/394 interchange and proximity to employment offered by The West End and downtown Minneapolis. The site is also
well served by transit with service to downtown via a 10-15 minute bus ride and is within 1/3-miles of the Cedar Lake Trail.

The developer plans to start construction in the spring of 2020 and complete it by the end of 2021.

Rendering looking NW from Cedar Lake Road

**Affordable Housing:** The proposed redevelopment will include 10% (8) of the units affordable to households at or below 50% area median income, in compliance with the city’s Inclusionary Housing Policy. The mix of units has yet to be determined and will be provided in the land-use planning documents to be presented to council in April.

**Green Building Compliance:** The Quentin will be designed to meet or exceed the requirements of the city’s Green Building Policy and Efficient Building Ordinance. Notably the project will include a green roof on the east side of the parking pedestal; no-mow, native plants and drought/salt-tolerant landscaping; electric vehicle charging stations for residents and guests; and a solar array on the roof to offset common area electricity use. Internal building systems will include all LED lighting with motion sensors in low-use common and parking areas, smart thermostats, high-efficiency HVAC, Low-E glass, ventless dryers, low-flow showers, dual flush toilets, reflective blinds, and energy star appliances. Additional project details will be provided in the land-use planning documents to be presented to council in April.

**Job Retention and Creation:** Cedar Partners expects to create approximately 2 full-time equivalent (FTE) positions upon completion of the proposed project.
The Developer: Cedar Partners LLC is owned and operated by Patrick Crowe, a real estate developer and general contractor with his family’s Crowe Construction Management. The St. Paul-based firm has engaged in award-winning projects ranging in cost from $500,000-$50 million. He is also an owner representative for three apartment buildings ranging in size from $20-$90 million. Additionally, Mr. Crowe has worked with Collaborative Design on six residential housing projects, most notably The Northstar apartments in Dinkytown, and The Lowry and The Rossmar in St. Paul.

Application for Tax Increment Financing Assistance: According to the Developer, the extraordinary costs of redeveloping the subject site adversely impact the proposed project’s pro forma to the point that it cannot achieve a reasonable market rate of return, rendering it financially infeasible without financial assistance. Consequently, the Developer submitted an application for tax increment financing (TIF) assistance to mitigate the project’s financial gap. Generally, tax increment financing uses most of the increased future property taxes generated by a new development to finance certain qualified costs incurred by that project (such as those noted below) for a limited period of time, which enables the redevelopment to move forward.

Overview of Proposed Project’s Sources and Uses: Ehlers conducted a thorough review of the proposed project based on general industry standards for land, construction, and project costs; rents; operating expenses; fees; underwriting and financing criteria; project cash flow, and investor rate of return (ROR). Based on this detailed analysis, Ehlers collaborated with staff to determine to what extent the proposed project exhibits a financial gap justifying the use of TIF assistance.

The estimated total development cost (TDC) to construct the proposed housing development is approximately $21.3 million. The project’s anticipated sources and uses are summarized in the tables below along with their respective percentage of the total development cost.

Project Financing Sources: Financing sources for the new construction of the proposed project are as follows:

<table>
<thead>
<tr>
<th>SOURCES</th>
<th>AMOUNT ($)</th>
<th>% of TDC</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Mortgage Debt</td>
<td>$17,018,331</td>
<td>80%</td>
</tr>
<tr>
<td>Developer Equity</td>
<td>3,754,583</td>
<td>18%</td>
</tr>
<tr>
<td>City of St. Louis Park TIF (proposed)</td>
<td>500,000</td>
<td>2%</td>
</tr>
<tr>
<td>TOTAL Project Sources</td>
<td>$21,272,914</td>
<td>100%</td>
</tr>
</tbody>
</table>
**Project Uses:** Uses for the new construction of the proposed project are summarized as follows:

<table>
<thead>
<tr>
<th>USES</th>
<th>AMOUNT ($)</th>
<th>Per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>$1,640,000</td>
<td>$20,759</td>
</tr>
<tr>
<td>Construction Costs</td>
<td>15,778,594</td>
<td>$199,729</td>
</tr>
<tr>
<td>Contractor fees</td>
<td>558,588</td>
<td>$7,071</td>
</tr>
<tr>
<td>Environmental Abatement</td>
<td>448,000</td>
<td>$5,671</td>
</tr>
<tr>
<td>Professional Services</td>
<td>1,331,625</td>
<td>$16,856</td>
</tr>
<tr>
<td>Financing Costs</td>
<td>951,107</td>
<td>$12,039</td>
</tr>
<tr>
<td>Developer Fee</td>
<td>500,000</td>
<td>$6,329</td>
</tr>
<tr>
<td>Cash Accounts/Escrows/Reserves</td>
<td>65,000</td>
<td>$823</td>
</tr>
<tr>
<td><strong>TOTAL Project Costs</strong></td>
<td><strong>$21,272,914</strong></td>
<td><strong>$269,277</strong></td>
</tr>
</tbody>
</table>

**Construction/Extraordinary Costs:** The combined construction and site preparation costs were found to be on the higher side of the range found in other multifamily housing developments, as the subject site will require soil correction, excavation, shoring and grading work as well as two levels of structured parking. It is estimated that the development will incur more than $500,000 in extraordinary site preparation costs* as shown below and over $3 million in structured parking.

<table>
<thead>
<tr>
<th>Extraordinary Cost Estimates</th>
<th>AMOUNT ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building demolition</td>
<td>$153,000</td>
</tr>
<tr>
<td>Soil correction</td>
<td>308,000</td>
</tr>
<tr>
<td>Asbestos abatement</td>
<td>55,000</td>
</tr>
<tr>
<td>Environmental assessment report</td>
<td>8,000</td>
</tr>
<tr>
<td><strong>TOTAL Extraordinary Costs</strong></td>
<td><strong>$524,000</strong></td>
</tr>
</tbody>
</table>

*Extraordinary costs are expenses encountered over and above those which a developer would typically expect to incur in a suburban development (e.g. asbestos removal, building demolition, contaminated soil removal and disposal, storage tank removal and disposal, excavating, shoring, utility replacement, specialized stormwater management, etc.). Under the TIF Act, these types of costs are eligible for reimbursement through tax increment originating from officially established TIF Districts.

**Proposed Level of Assistance:** For a multifamily housing development such as the one proposed, the rate of return in the stabilized year is slightly below what developments need to attract the necessary equity capital to obtain financing. Therefore, the proposed project would not reasonably be expected to occur solely through private investment within the reasonably near future.

For the proposed project to attract the necessary investment, it is estimated that a total of $500,000 in tax increment assistance is required. That level of assistance would offset enough of the extraordinary site costs described above to allow the proposed project to proceed. By law, the proposed tax increment assistance could only be applied toward the project’s qualified costs. The assistance would be provided to the Developer once the Developer supplied...
statements and evidence that it had incurred sufficient qualified costs, which would be defined in the redevelopment agreement. The Developer has indicated the recommended level of assistance is acceptable.

Consistent with previous EDA redevelopment agreements, a "lookback" provision would be incorporated into the redevelopment agreement with the Developer. The Developer would be required to submit final project costs and reports detailing the actual financial performance of the project. The lookback provision establishes a benchmark return based on industry standards for similar projects. The lookback provision ensures that if the project’s total development costs are lower than the estimates provided, the EDA will share economically in the success of the project by reducing the amount of TIF assistance provided.

**TIF Pooling:** Given the relatively modest amount of assistance needed to make the proposed project financially feasible, and in order to save the time and expense of creating a TIF district, it is recommended that pooled increments from two of the city’s existing redevelopment TIF districts be utilized to address the Developer’s extraordinary costs. Specifically, the EDA would use $330,000 from the Eliot Park TIF District and $170,000 from the Ellipse TIF District. This approach allows the full value of the redevelopment to be placed on the tax rolls upon its completion, for the immediate benefit of all underlying taxing jurisdictions.

The term "pooling" refers to the use of tax increment for activities located outside the boundaries of the TIF district from which it is collected. The TIF plans for both the Ellipse and Eliot Park TIF Districts provide that up to 35 percent of tax increments collected from these TIF Districts may be pooled and used outside the boundaries of the TIF district for specified redevelopment and/or affordable housing purposes.

In reviewing the city’s current TIF districts, Ehlers segregated the amounts of pooling available for redevelopment and affordable housing purposes and determined that the use of pooling for The Quentin project will not impact the amount of pooling funds available for affordable housing elsewhere in the city.

**Property Value and Taxes:** The current combined assessed market value of the three subject redevelopment parcels is approximately $1,228,600. The combined estimated market value of these sites upon the proposed project’s completion (for TIF estimation purposes) is approximately $21,330,000. Upon full project completion and occupancy, it is estimated that The Quentin would generate approximately $359,000 in total property taxes annually.

**Analysis of Conformity with the City’s TIF Policy:** As proposed, The Quentin project meets the following Minimum Qualifications as outlined in the city’s TIF Policy:

- Promotes neighborhood stabilization and revitalization by the removal of blight and the upgrading of existing housing stock.
- Provides a balanced and sustainable housing stock to meet diverse needs both today and in the future.
- The project is consistent with the city’s Comprehensive Plan and zoning ordinances.
- The Developer has demonstrated that the proposed project is not financially feasible “but-for” the use of tax increment financing.
• The Developer has a proven track record of successful real estate development performance and has demonstrated the capability to fully complete the project as proposed.

The proposed project meets the following “Desired Qualifications” as outlined in the TIF Policy:
• Creates a substantially higher ratio of property taxes paid before and after redevelopment and provides a significant increase in taxable market value.
• Facilitates new construction on a site which would not likely be redeveloped to its optimal use without such assistance.
• Redevelops underutilized property.
• Creates a high-quality building (e.g. sound architectural design, quality construction and materials) with public features and sustainable elements.

In addition to the above, the proposed project would have the following benefits:
• Intensifies the subject site and makes optimal use of the property with a cohesive and attractive multi-family development that is human-scale.
• Complements, integrates with, and invigorates the surrounding neighborhood.
• Helps stabilize the commercial businesses in the area by increasing the potential customer base.
• Incorporates Green Building design and features.
• Is located in proximity to a Priority Redevelopment Study Area identified in the city’s Comprehensive Plan.
• Incorporates Livable Communities and Transit Oriented Design principles.
• Provides convenient pedestrian and bicycle access to two planned SWLRT transit stations located within a half mile.
• Provides affordable housing options.

Grading under Project Report Card: Cedar Partners’ TIF application for its proposed multi-family residential development was graded according to the Project Report Card within the city’s TIF Policy. The project report card measures the unit sizes, integration and level of affordable units, project cost and financing ratios and proposed increase in market value. Bonus points are given for the incorporation of sustainable features, livable communities principles, positive community impacts, and consistency with the city’s Comprehensive Plan and Vision.

Upon calculation of all applicable factors and bonus points, The Quentin project received a final grade of “C” according to the Project Report Card within the TIF Policy. This rating is partially reflective of the project’s smaller scale and limited impact. A score of “C” or better is typical of projects receiving TIF assistance and indicates that the project is meeting the city’s requirements including the city’s Inclusionary Housing Policy.

Conformance with the City’s Business Subsidy Policy: Any TIF assistance provided to Cedar Partners for the proposed redevelopment would be exempt from state business subsidy requirements as it relates to housing (Section 116J.993, Subdivision 3(7)). Therefore, no public subsidy hearing would be required; however, the EDA would still be subject to TIF reporting requirements.
Summary and Recommendation: The estimated total cost to construct The Quentin project exceeds $21 million. Upon completion, the project’s total taxable market value is estimated at $21.3 million. Based upon its analysis of the project’s proforma, Ehlers determined that the proposed multi-family housing development has a verified financial gap and is not financially feasible but/for the provision of tax increment financing. To offset this gap, it is proposed that the EDA consider reimbursing the Developer up to $500,000 in pooled tax increment derived from the Ellipse and Eliot Park redevelopment TIF districts upon the Developer’s submission of evidence of qualified costs.

Providing tax increment financing assistance to the proposed redevelopment makes it possible to construct a high-quality, multi-family apartment building consistent with the Comprehensive Plan, to bring the subject properties to optimal market value, and provide the community with additional market rate and affordable housing units with numerous energy efficient features. The proposed amount of TIF assistance is in-line with other developments the EDA has previously assisted. The tax increment would only be provided to the Developer once the Developer supplied evidence that it had incurred sufficient specified qualified costs.

The Quentin development meets the city’s objectives for the provision of tax increment financing as specified in the city’s TIF Policy. As noted above, the project meets all the Minimum and Desired Qualifications for providing TIF assistance and received a final qualifying grade of “C” according to the Project Report Card within the TIF Policy. Furthermore, it has been demonstrated that the proposed project is not financially feasible but/for the provision of tax increment financing. Given these findings, staff supports reimbursing the Developer for qualified site preparation costs up to a total of $500,000 in pooled tax increment derived from the Ellipse and Eliot Park TIF districts to enable the proposed redevelopment to proceed.

Next steps: As with all such TIF applications, the EDA has discretion to decide whether it wishes to provide the proposed financial assistance at the recommended level. Should the EDA support providing financial assistance to The Quentin project as proposed, staff will begin negotiating the business terms for the financial assistance. The EDA will be asked to review the proposed business terms of the Redevelopment Contract and subsequently consider the formal contract.
Executive summary

Title: Mobility sharing update

Recommended action: None at this time. This report is intended to provide an overview of staff’s progress on mobility sharing.

Policy consideration: Does the city council wish staff to continue providing mobility sharing services for St. Louis Park?

Summary: This past summer, Spin provided mobility sharing services in the city in the form of scooter share. Their operations went from late July to early November. About 5,000 trips were taken during this time, with an average of 50 trips per day. There were few complaints raised to the city nor Spin during the pilot, as well as no reported injuries or crashes attributed to the scooters.

On Feb. 12, an online survey (attached) was sent to the community, asking for feedback on the shared mobility pilot program. Although city-wide there were mixed reviews, many users also enjoyed the service. Roughly half of scooter users found they used their personal vehicle or Uber/Lyft less often. Scooter use was most often used to connect to entertainment or for recreation. The most cited reason preventing scooter users from using them more was lack of availability. For non-scooter users, they did not feel safe riding in the street or bike lane.

It is expected that scooters will be operational in Minneapolis and St. Paul this spring. Edina will not renew its pilot program. Unless directed otherwise, staff plans to hold a similar Request for Proposals process that occurred last year in the hopes to have mobility sharing vendors operational by early summer. A report would be brought to council with any pilot program changes, RFP results, and approval for new mobility sharing licenses.

Financial or budget considerations: The vendor paid a license fee to help cover staff time and infrastructure costs. Any other costs related to this policy are negligible and would come from the general operating budget.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Discussion
Spin pilot recap presentation
Overall mobility sharing survey results
Study session report March 25, 2019 (page 71 – 94)
Council report June 17, 2019 (page 400 – 418)

Prepared by: Ben Manibog, transportation engineer
Reviewed by: Debra Heiser, engineering director
Approved by: Tom Harmening, city manager
Discussion

Background: On June 17, 2019, the council adopted a resolution approving a mobility sharing license for Skinny Labs Inc. (aka Spin scooters). The approval of the license was the end of a long fact finding and learning process regarding mobility sharing dating back to early 2018.

This summer, Spin was the only vendor operating mobility sharing services in the city. The attached presentation excerpt from Spin outlines some initial ridership data for the season. Spin ended their services on Nov. 3 due to colder temperatures and snow in the weather forecast.

Initial pilot stats: According to Spin, over 5,000 scooter trips were taken by about 4,800 unique users. On average, 50 trips were completed per day, with an average trip distance of 2.4 miles. St. Louis Park had its highest usage on Fridays and Saturdays, averaging 72 and 63 rides per day, respectively. Ridership was highest in the afternoon hours. Although this can be a result of more recreation-based rides, Spin also did not set out many scooters until the late morning. This can hinder use for morning commutes and connections to transit.

Spin received 11 relocation requests from residents. Staff received 6 complaints asking for scooter relocations. About 5 other complaints were called-in primarily relating to Spin’s general presence in the city. Both Spin and the city are not aware of any injuries attributed to Spin scooter use during the pilot season.

Mobility sharing survey: On Feb. 12, a survey looking for feedback regarding mobility sharing was released. In the two weeks it was open, the city received 130 responses. To note, 70 percent of respondents had not ridden a scooter during the pilot’s duration. The results are attached to this report. When noted, some of the metrics used in this report filtered out responses who did not ride scooters for clarity in data.

For those who did ride scooters, they rode on average five times per month. About a third of the scooter rides replaced vehicle trips, and about ten percent connected people to transit stops. For scooter riders, roughly half found they used their personal car and Uber/Lyft less often.

The most cited reason preventing scooter users from riding more often was the lack of availability. For non-scooter users, the most cited was that they don’t feel safe riding in the street or bike lane. Roughly a quarter of all people were unaware that riding electric scooters on the sidewalk is illegal, meaning a more focused approach on communication may be necessary.

Scooters were most often used for connecting to entertainment (dinner, movie, concert) or for recreation, with about a third of people doing so multiple times per month. Most trips started at users’ homes and ended at either entertainment or with no destination at all. Users cited that if the scooters weren’t available, they would have used either their personal vehicle or Uber/Lyft.

Most scooter users had at least two cars in their household. Also, over half of scooter users had a household income of over $100,000. Forty percent of all responses had similar high incomes. Scooter users skewed younger, with the majority being between 25 – 44 though in overall
responses, a third were over 55. Mobility sharing user responses were almost exclusively white (97%). Note that overall responses were roughly 20% BIPOC (Black, Indigenous or People of Color). A majority of scooter users identified as male (60%), while overall survey responses were mostly female (55%).

Specific feedback from residents varied widely. Some were very happy with its presence within the community, while others asked for its immediate removal or an outright ban. Many cited how they look negatively when left on or near sidewalks. Others mentioned near misses or complaints that scooter users don’t follow traffic rules. Some cited their lack of availability prevented from using them more often and that they provide another good option for travel.

Overall opinion of scooters in St. Louis Park was very mixed with many equally supporting, opposing, and having no opinion on it.

Financial considerations: As part of gaining license to operate, Spin had to pay a fee of $100 per mobility sharing device in the city. The fee was intended to help cover staff time costs. It was also intended for infrastructure supporting mobility sharing use. Staff has not yet identified how the remaining balance will be used to support mobility sharing infrastructure. See table below for financial specifics.

<table>
<thead>
<tr>
<th>Funding source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobility sharing device fees</td>
<td>$11,600</td>
</tr>
<tr>
<td>Remaining balance</td>
<td>$6,770</td>
</tr>
</tbody>
</table>

Next steps: It is expected that scooters will be operational in Minneapolis and St. Paul this spring. Edina will not renew its pilot program. Unless directed otherwise, staff plans to hold a similar Request for Proposals (RFP) process that occurred last year in the hopes to have mobility sharing vendors operational by early summer. A report would be brought to council with any pilot program changes and approval for new mobility sharing licenses.
Golden Valley & St. Louis Park 2019 Recap
Agenda

1. Intro’s
2. Events
3. Metrics Review
4. Takeaways from the Season
5. Q&A
MEET THE TEAM

1. Antonio Yanez - RGM Midwest
2. Max Paletz - Sr. Operations Manager
3. Matt Hardee - Operations Lead
Study session meeting of March 9, 2020 (Item No. 9)
Title: Mobility sharing update

Event Participation:
Market in the Valley
Golden Valley Taste & Tour
Kelly Drive Pumpkin Fest
Community Link 2019 St. Louis Park
Golden Valley

- 2,994 trips taken by 2,462 unique users.
- On average, GV saw 29 daily completed trips, with 1.36 trips per rider per day. On average, each day there were 11 first time riders.
- The average trip distance was 2.59 miles, and the average trip time was 12 minutes.

St. Louis Park

- 5,088 trips taken by 4,829 unique users.
- On average, SLP saw 50 daily completed trips, with 1.37 trips per rider per day. On average, each day there were 17 first time riders.
- The average trip distance was 2.41 miles, and the average trip time was 11.1 minutes.
July
Initial Launch lead to excitement and high initial use, especially in St. Louis Park. The busiest weeks of the season for SLP were the first 4 weeks after we launched. SLP saw 567 trips per week, or 81 trips per day.

August
Usage peaked in August for Golden Valley, averaging 320 trips a week, or 45 trips per day.

September
Demand decreased in September in both GV and SLP, where we saw 197(GV) & 345(SLP) trips per week.
GV Trips per week
SLP Trips per week
Golden Valley Trips by day of the week

Trips by day of the week (AVG)

Monday: 27
Tuesday: 19
Wednesday: 27
Thursday: 28
Friday: 29
Saturday: 39
Sunday: 33
St. Louis Park Trips by day of the week

Trips by day of the Week (AVG)

- Monday: 37
- Tuesday: 42
- Wednesday: 49
- Thursday: 52
- Friday: 72
- Saturday: 63
- Sunday: 36
Golden Valley Trips by Hour & Day

Trips by Hour & Day

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday
- Saturday
- Sunday
St. Louis Park Trips by Hour & Day
GV Daily Unique Users
SLP Daily Unique Users
Heatmap of Trip Demand - GV
Heatmap of Trip Demand - SLP
Issues/Incidents

Golden Valley:
Over the course of the season, we only received 4 relocation requests from residents of Golden Valley.

St. Louis Park:
Over the course of the season, we received 11 relocation requests from residents of St. Louis Park.

Safety:
We are happy to report that we received 0 reports of injury in both St. Louis Park and Golden Valley over the course of the season.
Takeaways from the Season

Weekday demand was strong compared to the weekends.

We had expected there to be less trips on the weekdays, and more trips on the weekends.

Peak demand was in the evenings.

We would like to see more use during the morning commute and think we could better optimize here. More deployments in neighborhoods, near apartments, and Spin Spaces could help. Also, changes like swappable batteries could make scooters more available at earlier hours.

We’d like to do more events.

Next year, we'd like to do more to get with more local groups, neighborhood associations, and business groups (chambers of commerce).
Recommendations for next year

Spin Spaces
We think there could be several areas that a Spin Space could be a good fit. West End, Golden Valley Commons, Hello Apartments, hotels.

Leaving scooters out overnight in priority areas
We think leaving scooters out overnight in certain areas would help boost the morning commute usage vs. this season where we picked up all scooters every night.

Starting earlier in the year
We’d like to target late April/Early May for a launch in 2020. Given how our weather was this year, it’d be great to add on a few more months of good weather to the front end of the season.
Q&A and open discussion
THANK YOU.

For more info, contact max.palez@spin.pm
Q1: Did you ride a scooter in St. Louis Park in 2019?

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>38</td>
<td>29%</td>
</tr>
<tr>
<td>No</td>
<td>91</td>
<td>70%</td>
</tr>
</tbody>
</table>
Q2: How many scooter rides did you take on average per month in St. Louis Park?

Value

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Min.</td>
<td>0</td>
</tr>
<tr>
<td>Max.</td>
<td>26</td>
</tr>
<tr>
<td>Avg.</td>
<td>2.149425</td>
</tr>
</tbody>
</table>
Q3: Approximately what percent of those scooter rides replaced the use of a personal car, Uber/Lyft or taxi?

value

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Min.</td>
<td>0</td>
</tr>
<tr>
<td>Max.</td>
<td>100</td>
</tr>
</tbody>
</table>
Q4: Approximately what percent of those scooter rides were used to connect to or from transit stops?

![Bar chart showing the distribution of scooter rides as a percentage of those connecting to or from transit stops. The chart indicates that a significant portion of rides fall into the 0-20% category, with lesser percentages in other categories.]

**Value**

| Min. | 0 |
Q5: How has access to scooters changed your use of the following modes of transportation?

- **Walking**
<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>14</td>
<td>11%</td>
</tr>
<tr>
<td>Less often</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>About the same</td>
<td>70</td>
<td>54%</td>
</tr>
<tr>
<td>I don't use this mode</td>
<td>12</td>
<td>9%</td>
</tr>
</tbody>
</table>

Answered: 101  Skipped: 29

- Personal bike
More often 10 8%
Less often 86%
About the same 52 40%
I don't use this mode 31 24%

Answered: 101  Skipped: 29
Nice Ride

- More often: 75%
- Less often: 11%
- About the same: 17%
- I don't use this mode: 55%

Answers

<table>
<thead>
<tr>
<th></th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>7</td>
<td>5%</td>
</tr>
<tr>
<td>Less often</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>About the same</td>
<td>17</td>
<td>13%</td>
</tr>
<tr>
<td>I don't use this mode</td>
<td>72</td>
<td>55%</td>
</tr>
</tbody>
</table>

Answered: 97  Skipped: 33
### Personal car

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>13</td>
<td>10%</td>
</tr>
<tr>
<td>Less often</td>
<td>17</td>
<td>13%</td>
</tr>
<tr>
<td>About the same</td>
<td>65</td>
<td>50%</td>
</tr>
<tr>
<td>I don't use this mode</td>
<td>5</td>
<td>4%</td>
</tr>
</tbody>
</table>
Study session meeting of March 9, 2020 (Item No. 9)
Title: Mobility sharing update

- **Uber/Lyft**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percentage</th>
<th>Tally</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Less often</td>
<td>20</td>
<td>15%</td>
</tr>
<tr>
<td>About the same</td>
<td>47</td>
<td>36%</td>
</tr>
<tr>
<td>I don't use them</td>
<td>32</td>
<td>32%</td>
</tr>
</tbody>
</table>

Note: 100 responses were answered, 30 were skipped.
<table>
<thead>
<tr>
<th>I don't use this mode</th>
<th>Answered: 101 Skipped: 29</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>31 24%</td>
</tr>
<tr>
<td>Less often</td>
<td>10 8%</td>
</tr>
<tr>
<td>About the same</td>
<td>2 2%</td>
</tr>
<tr>
<td>I don't use this mode</td>
<td>2 2%</td>
</tr>
</tbody>
</table>

### Percentage

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>2</td>
</tr>
<tr>
<td>Less often</td>
<td>10</td>
</tr>
</tbody>
</table>

**Taxi**

![Bar chart showing the percentage of responses to whether respondents use taxis more often, less often, or about the same.]
<table>
<thead>
<tr>
<th>Category</th>
<th>Answered</th>
<th>Skipped</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>About the same</td>
<td>17</td>
<td>13%</td>
<td></td>
</tr>
<tr>
<td>I don't use this mode</td>
<td>73</td>
<td>56%</td>
<td></td>
</tr>
</tbody>
</table>

### Transit

#### Percentage

<table>
<thead>
<tr>
<th>Mode</th>
<th>Answered</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>More often</td>
<td>8</td>
<td>6%</td>
</tr>
<tr>
<td>Less often</td>
<td></td>
<td></td>
</tr>
<tr>
<td>About the same</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I don't use this mode</td>
<td>45</td>
<td></td>
</tr>
</tbody>
</table>
Q6: What prevents you from riding scooters more often?

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scooter availability</td>
<td>28%</td>
</tr>
<tr>
<td>I don't feel safe</td>
<td>39%</td>
</tr>
<tr>
<td>Lack of bike lane</td>
<td>28%</td>
</tr>
<tr>
<td>Weather</td>
<td>5%</td>
</tr>
<tr>
<td>Price</td>
<td>3%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>4%</td>
</tr>
</tbody>
</table>

Answered: 100  Skipped: 30
### Scooter Availability

<table>
<thead>
<tr>
<th>Reason</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scooter availability</td>
<td>25</td>
<td>19%</td>
</tr>
<tr>
<td>I don't feel safe riding them in the street/bike lane</td>
<td>40</td>
<td>31%</td>
</tr>
<tr>
<td>Lack of bike lanes where I want to ride</td>
<td>7</td>
<td>5%</td>
</tr>
<tr>
<td>Weather</td>
<td>7</td>
<td>5%</td>
</tr>
<tr>
<td>Price</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>35</td>
<td>27%</td>
</tr>
</tbody>
</table>

Answered: 119  Skipped: 11

---

**Q7: Where do you most often ride a scooter?**
### Answers

<table>
<thead>
<tr>
<th>Options</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bike lane/path/trail</td>
<td>23</td>
<td>18%</td>
</tr>
<tr>
<td>Sidewalk</td>
<td>9</td>
<td>7%</td>
</tr>
<tr>
<td>Street/driving lane</td>
<td>12</td>
<td>9%</td>
</tr>
<tr>
<td>I don't currently use scooters</td>
<td>73</td>
<td>56%</td>
</tr>
</tbody>
</table>

Answered: 117  Skipped: 13
Q8: Are you aware that riding an electric scooter on the sidewalk is illegal?

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>92</td>
<td>71%</td>
</tr>
<tr>
<td>No</td>
<td>33</td>
<td>25%</td>
</tr>
</tbody>
</table>

Answered: 125  Skipped: 5

Q9: Are you aware that mobility sharing companies offer discounts for people with limited incomes?
Q10: Would you have qualified for discounted or free scooter trips?

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>20</td>
<td>15%</td>
</tr>
<tr>
<td>No</td>
<td>105</td>
<td>81%</td>
</tr>
</tbody>
</table>

Answered: 125  Skipped: 5
Q10b: What was the main reason that prevented you from enrolling in the discounted or free scooter trip program?

The word cloud requires at least 20 answers to show.
<table>
<thead>
<tr>
<th>Response</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Didn't know about it</td>
<td>2</td>
</tr>
<tr>
<td>Didnt know about it</td>
<td>1</td>
</tr>
<tr>
<td>Don't think they are safe, and the injury/insurance mess that can come up should have been thought of by sane adults.</td>
<td>1</td>
</tr>
<tr>
<td>I did not know about it until this survey</td>
<td>1</td>
</tr>
<tr>
<td>I do not want to ride a scooter</td>
<td>1</td>
</tr>
<tr>
<td>Was not aware</td>
<td>1</td>
</tr>
</tbody>
</table>

Q11: Have you ever fallen off or crashed a scooter?
Q12: How often do you wear a helmet when riding a scooter?
Study session meeting of March 9, 2020 (Item No. 9)
Title: Mobility sharing update

Answered: 126  Skipped: 4

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Always</td>
<td>8</td>
<td>6%</td>
</tr>
<tr>
<td>Sometimes</td>
<td>9</td>
<td>7%</td>
</tr>
<tr>
<td>Never</td>
<td>27</td>
<td>21%</td>
</tr>
<tr>
<td>I don't own a helmet</td>
<td>11</td>
<td>8%</td>
</tr>
<tr>
<td>I don't currently use scooters</td>
<td>71</td>
<td>55%</td>
</tr>
</tbody>
</table>
Q13: Choose the answer that best describes how often you typically use scooters for the following purposes.

- Lunch break

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>95</td>
<td>73%</td>
</tr>
<tr>
<td>Once per month</td>
<td>6</td>
<td>5%</td>
</tr>
<tr>
<td>Multiple times per month</td>
<td>2</td>
<td>2%</td>
</tr>
<tr>
<td>Daily</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>
**Errands**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percentage</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>85</td>
<td>65%</td>
</tr>
<tr>
<td>Once per month</td>
<td>9</td>
<td>7%</td>
</tr>
<tr>
<td>Multiple times per month</td>
<td>8</td>
<td>6%</td>
</tr>
</tbody>
</table>
Commute to work/school

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percentage</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>94</td>
<td>72%</td>
</tr>
<tr>
<td>Once per month</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Daily</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>
To access public transit

- Never: 96 (74%)
- Once per month: 4 (3%)
- Multiple times per month: 1 (1%)
- Daily: 0

Answered: 103  Skipped: 27
<table>
<thead>
<tr>
<th>Frequency</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Once per month</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Multiple times per month</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>Daily</td>
<td>1</td>
<td>1%</td>
</tr>
</tbody>
</table>

○ **Work use (meetings, site visit, etc.)**

The percentage distribution for work use is as follows:

- Never: 90%
- Once per month: 0%
- Multiple times per month: 0%
- Daily: 0%
### Mobility sharing update

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>95</td>
<td>73%</td>
</tr>
<tr>
<td>Once per month</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>Multiple times per month</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Daily</td>
<td>1</td>
<td>1%</td>
</tr>
</tbody>
</table>

Answered: 102  Skipped: 28

#### Entertainment (dinner, movie, concert, etc.)

- **Never**
- **Once per month**
- **Multiple times...**
- **Daily**
### Answers

<table>
<thead>
<tr>
<th></th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>70</td>
<td>54%</td>
</tr>
<tr>
<td>Once per month</td>
<td>19</td>
<td>15%</td>
</tr>
<tr>
<td>Multiple times per month</td>
<td>13</td>
<td>10%</td>
</tr>
<tr>
<td>Daily</td>
<td>2</td>
<td>2%</td>
</tr>
</tbody>
</table>

Answered: 104  Skipped: 26

- **Leisure (no destination, just to ride)**
Study session meeting of March 9, 2020 (Item No. 9)
Title: Mobility sharing update

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never</td>
<td>65</td>
<td>50%</td>
</tr>
<tr>
<td>Once per month</td>
<td>19</td>
<td>15%</td>
</tr>
<tr>
<td>Multiple times per month</td>
<td>14</td>
<td>11%</td>
</tr>
<tr>
<td>Daily</td>
<td>4</td>
<td>3%</td>
</tr>
</tbody>
</table>

Answered: 102  Skipped: 28
Q14: Thinking about your most recent scooter ride, where did you come from?

<table>
<thead>
<tr>
<th>Location</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home</td>
<td>23</td>
</tr>
<tr>
<td>Work</td>
<td>2</td>
</tr>
<tr>
<td>School</td>
<td>0</td>
</tr>
<tr>
<td>Shopping/errands</td>
<td>3</td>
</tr>
<tr>
<td>Dining/entertainment</td>
<td></td>
</tr>
<tr>
<td>Visiting family</td>
<td></td>
</tr>
<tr>
<td>Public transit</td>
<td></td>
</tr>
<tr>
<td>I don't currently scooter</td>
<td></td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
</tr>
</tbody>
</table>
### Q15: Thinking about your most recent scooter ride, where were you going to?

<table>
<thead>
<tr>
<th>Destination</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dining/entertainment</td>
<td>11</td>
<td>8%</td>
</tr>
<tr>
<td>Visiting family/friends</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Public transit stop</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>I don’t currently use scooters</td>
<td>68</td>
<td>52%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>2</td>
<td>2%</td>
</tr>
</tbody>
</table>

Answered: 113  Skipped: 17
<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home</td>
<td>7</td>
<td>5%</td>
</tr>
<tr>
<td>Work</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>School</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Shopping/errands</td>
<td>8</td>
<td>6%</td>
</tr>
<tr>
<td>Dining/entertainment</td>
<td>15</td>
<td>12%</td>
</tr>
<tr>
<td>Visiting family/friends</td>
<td>2</td>
<td>2%</td>
</tr>
<tr>
<td>Public transit stop</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>No destination, just for a ride</td>
<td>13</td>
<td>10%</td>
</tr>
<tr>
<td>I don't currently use scooters</td>
<td>66</td>
<td>51%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

**Q16: How would you have gotten to your destination if a scooter wasn't available?**
### Percentage

<table>
<thead>
<tr>
<th>Mode</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal vehicle</td>
<td>46</td>
<td>35%</td>
</tr>
<tr>
<td>Uber/Lyft</td>
<td>15</td>
<td>12%</td>
</tr>
<tr>
<td>Taxi</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Public transit</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Personal bike</td>
<td>9</td>
<td>7%</td>
</tr>
<tr>
<td>Nice Ride</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Wouldn't have ...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (please ...</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Q17: Which scooter company have you used most often in St. Louis Park?

- Lime: 70%
- Lyft: 10%
- Spin: 20%
- I did not use: 0%
Q18: What about the company you identified in the previous question influences you to use them most often?

<table>
<thead>
<tr>
<th>Company</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lime</td>
<td>11</td>
<td>8%</td>
</tr>
<tr>
<td>Lyft</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>Spin</td>
<td>28</td>
<td>22%</td>
</tr>
<tr>
<td>I did not use scooters</td>
<td>75</td>
<td>58%</td>
</tr>
<tr>
<td>Answers</td>
<td>Count</td>
<td>Percentage</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------</td>
<td>------------</td>
</tr>
<tr>
<td>Availability</td>
<td>38</td>
<td>29%</td>
</tr>
<tr>
<td>Ease of use</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Comfort</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Safety</td>
<td>2</td>
<td>2%</td>
</tr>
<tr>
<td>Price</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>15</td>
<td>12%</td>
</tr>
</tbody>
</table>

Answered: 64  Skipped: 66

Q19: What ZIP code do you live in?
Study session meeting of March 9, 2020 (Item No. 9)
Title: Mobility sharing update

Stats

<table>
<thead>
<tr>
<th>Stat</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min.</td>
<td>55,410</td>
</tr>
<tr>
<td>Max.</td>
<td>55,436</td>
</tr>
<tr>
<td>Avg.</td>
<td>55,421.132231</td>
</tr>
<tr>
<td>Sum.</td>
<td>6,705,957</td>
</tr>
</tbody>
</table>

Answered: 121  Skipped: 9
Q20: What ZIP code is your job/school located? (If applicable)

### Stats

<table>
<thead>
<tr>
<th></th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min.</td>
<td>55,101</td>
</tr>
<tr>
<td>Max.</td>
<td>55,526</td>
</tr>
<tr>
<td>Avg.</td>
<td>55,382.37931</td>
</tr>
<tr>
<td>Sum.</td>
<td>4,818,267</td>
</tr>
</tbody>
</table>

Answered: 87  Skipped: 43
Q21: How many cars does your household have?

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>1</td>
<td>32</td>
<td>25%</td>
</tr>
<tr>
<td>2</td>
<td>79</td>
<td>61%</td>
</tr>
<tr>
<td>3</td>
<td>8</td>
<td>6%</td>
</tr>
</tbody>
</table>
Q22: How many people live in your household?

<table>
<thead>
<tr>
<th></th>
<th>Percentage</th>
<th>tage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>19</td>
<td>15%</td>
</tr>
<tr>
<td>2</td>
<td>57</td>
<td>44%</td>
</tr>
</tbody>
</table>

Answered: 123  Skipped: 7
Q23: What is your approximate household income?

- $0 - $25,000: 3 (2%)
- $25,000 - $50,000: 17 (13%)
- $50,000 - $75,000: 28 (22%)
- $75,000 - $100,000: 41 (41%)
- Over $100,000: 5 (13%)

Answered: 121  Skipped: 9
Q24: What is your age?

<table>
<thead>
<tr>
<th>Age Range</th>
<th>Answered</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 18</td>
<td>5</td>
<td>0%</td>
</tr>
<tr>
<td>18 - 24</td>
<td>10</td>
<td>8%</td>
</tr>
<tr>
<td>25 - 34</td>
<td>15</td>
<td>12%</td>
</tr>
<tr>
<td>35 - 44</td>
<td>25</td>
<td>20%</td>
</tr>
<tr>
<td>45 - 54</td>
<td>20</td>
<td>16%</td>
</tr>
<tr>
<td>55 or older</td>
<td>20</td>
<td>16%</td>
</tr>
</tbody>
</table>

Answered: 111  Skipped: 19
<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 18</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>18 - 24</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>25 - 34</td>
<td>30</td>
<td>23%</td>
</tr>
<tr>
<td>35 - 44</td>
<td>30</td>
<td>23%</td>
</tr>
<tr>
<td>45 - 54</td>
<td>14</td>
<td>11%</td>
</tr>
<tr>
<td>55 or older</td>
<td>39</td>
<td>30%</td>
</tr>
</tbody>
</table>

Q25: With which race and ethnic group(s) do you identify? Mark all that apply
<table>
<thead>
<tr>
<th>Percentage</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian/Asian-American</td>
<td>4</td>
</tr>
<tr>
<td>Black/African-American/African</td>
<td>4</td>
</tr>
<tr>
<td>Caucasian/White-American/European-American</td>
<td>108</td>
</tr>
<tr>
<td>Hispanic/Latinx</td>
<td>4</td>
</tr>
<tr>
<td>Native American/Indigenous/First Nation</td>
<td>2</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>3</td>
</tr>
</tbody>
</table>
Q26: How do you describe your gender identity?

- Female: 62 (48%)
- Male: 49 (38%)
- Other: 3 (2%)

<table>
<thead>
<tr>
<th>Gender</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>62 (48%)</td>
</tr>
<tr>
<td>Male</td>
<td>49 (38%)</td>
</tr>
<tr>
<td>Non-binary</td>
<td></td>
</tr>
<tr>
<td>Transgender</td>
<td></td>
</tr>
<tr>
<td>A gender not listed</td>
<td></td>
</tr>
</tbody>
</table>
Q27: Please provide any other feedback you have about scooters and shared mobility.
<table>
<thead>
<tr>
<th>Count</th>
<th>Mobility sharing update</th>
</tr>
</thead>
<tbody>
<tr>
<td>A great price to get to destinations and fast and easier than any other mode.</td>
<td>1</td>
</tr>
<tr>
<td>A lot of people complain about cars and that we have to plan more for bikes. Well bike and scooter riders will get to a point in life either through aging or developing a disability or already have a disability where they cannot use a bike or scooter. Uber has a bad reputation—read the StarTrib to find out their problems and some of their untrustworthy drivers and pricing policing. We need more electric cars and charging stations and let’s hope self driving cars can be made safe.</td>
<td>1</td>
</tr>
<tr>
<td>Add more availability</td>
<td>1</td>
</tr>
<tr>
<td>Although I have not used scooters in the past, I would not rule out use in the future. I do think it’s another good option besides our other forms of transportation.</td>
<td>1</td>
</tr>
<tr>
<td>Although I haven’t used them myself, I think they are a great asset to the city, especially for visitors. I think the city should continue the program. I would love to see more scooters out and about.</td>
<td>1</td>
</tr>
<tr>
<td>An excellent alternative to vehicles and/or bicycles. Very fun to ride, easy to use, I just wish they were put out in more areas around the city!</td>
<td>1</td>
</tr>
<tr>
<td>Doesn’t feel safe.</td>
<td>1</td>
</tr>
<tr>
<td>I always feel unsafe when driving around people on scooters. People know they are not allowed on sidewalks, but then they ride on the streets without helmets and I feel nervous driving around that.</td>
<td>1</td>
</tr>
<tr>
<td>I believe scooters in St Louis Park is a wonderful addition for people to enjoy the outdoors while getting to there destination or just for a nice cruise with some friends</td>
<td>1</td>
</tr>
</tbody>
</table>
I believe they provide a useful benefit to our community. There will continue to be growing pains as people learn proper etiquette in regards to where they can ride and where best to leave after use, but strongly believe the benefits outweigh these issues. The largest factor in me not using these more often was availability near my home. My hopes are that the presence grows to a point where you can find a scooter within a few block walk of your home. In the future I see scooters as a great means to get to the light-rail stop that is too far of a walk from my home. The ability to take a scooter to the light-rail and not have to worry about locking a bike would provide a flexible, convenient alternative to using the bus system. I also support the city designating "suggested" parking areas for scooters at higher traffic intersections around the city and access points to paved trails with some form of signage that makes it easy for users to know where best to leave a scooter after use.

I can't believe SLP is putting this much energy into something that 5% of our residents care about.

I do not like seeing these things littering our streets and left all over the place. I will be happy when this fad ends. I have been to places like California where the scooters are taken to extremes and they are piled up on every corner. I don't want to see that happen here.

I do not like them- they need to have specified docking stations, they just are flopped on sidewalks or someone's lawn. They are inherently unsafe- no one ever wears a helmet.

I don't like that you can't leave the scooters in other cities. We road a spin like 2 miles to Hopkins and it was an out of area location.

I don't like them parked in front of my house. I live on a main Street and think if they are going to be there we should get some tax benefit for it. I do like that people have access to them and if it keeps more cars off the road I'm okay with them wherever they are.

I don't love seeing them stationed randomly on sidewalks, where it is illegal to ride them. If there is a Nice Ride Bike rack, then the scooter isn't as obstructive. I do like seeing them on bike paths, where it is legal and safe to ride them. However, I know part of the point is to have them be easy to drop off in public without installing locking systems, so running into them on random sidewalks may be worth it. I don't think the locking machines are necessary.
<table>
<thead>
<tr>
<th>I don't use them but like that they are options. I wish they weren't just left in the middle of sidewalks/paths though. That is very frustrating for those of us running/walking/biking.</th>
</tr>
</thead>
<tbody>
<tr>
<td>I find the scooters a menace on the roads and bike lanes. There are no true laws surrounding the driving of these vehicles. There are enough accidents between autos and bikes.</td>
</tr>
<tr>
<td>I found it particularly annoying all scooter season that Spin was apparently being run out of a house across the street from us. We constantly had trailers full of scooters, usually beeping and flashing endlessly, parked on our street. Honestly, that was a huge turn off for me. If this is a program the city wants, this should not be happening in our neighborhoods, but in your parking lots or elsewhere. All that aside, I think many people love the scooters, and they do look fun. I always have a small child in tow, so they just don't work for me.</td>
</tr>
<tr>
<td>I hate that the scooters were always lying in the road or on the sidewalk when not in use. The trucks that came around to pick them up would just stop in the middle of the road. It was messy and annoying.</td>
</tr>
<tr>
<td>I have already answered this above. Although elderly, I am a bicyclist and use a bicycle for errands and getting around. It is painful enough seeing bicyclists disobey the rules of the road and endangering my space on trails. And now scooters!</td>
</tr>
<tr>
<td>I have personally almost have gotten run over in sidewalks in SLP- had to do sudden avoiding action while driving my car to avoid hitting people in scooters that were not aware of the traffic. Not fond of seeing them (scooters) scattered over areas in our city. Unseightly and dangerous.</td>
</tr>
<tr>
<td>I have witnessed many riders who do not ride safely - no helmet - don't abide by traffic rules - seem to expect car drivers to watch out for them. Seems like anyone -and without training-or license- can hop on a scooter and go. I don't think that is safe for them or those the encounter on the road</td>
</tr>
<tr>
<td>I like having them, not sure if they're a form of transportation that will last. Lots of people find them scary. Also not enough safe places to ride.</td>
</tr>
</tbody>
</table>
I like the idea if the Scott's in the community.

I like the idea of scooters as an alternative to driving or other fossil fuel means of transportation. However, I much prefer using Nice Rides as I find them more practical for running errands, and getting exercise. My concerns with scooters are: -The number of people I see riding them on the sidewalk -People riding them without helmets, crossing busy streets and semi-out of control -Scooters lying on sidewalks and corners where they create a real accessibility problem

I like the idea of shared transportation, but people are so irresponsible and disrespectful with scooters. They get left out in the middle of sidewalks often in a messy pile blocking people trying to use the sidewalk. It's especially an issue for wheelchair users or others with mobility issues. I don't have a problem with scooters, but if we are going to have them, there need to be enforced rules and strong education around safety and etiquette

I noticed scooters seemingly abandoned on the sidewalks and wondered about them. I thought people were being strangely careless. I also wonder where or how information is disseminated about them. I read nearly everything the City of SLP puts out on FB, I read the quarterly newsletters. I missed this information. Maybe in part it's because it doesn't make sense. I'd have to walk a mile to get to the scooters on Minnetonka and by the time I've walked that far, I might as well finish my trip on foot.

I observe others riding scooters around town and wish there was a helmet requirement. They are supposed to ride on the road, and because scooters are fast it can be difficult for drivers to see them approaching.

I really enjoy this option of transportation. I appreciated the pilot that was done and only wish that there were more scooters near my beginning location (apartments near Park Tavern) to continue exploring the neighborhood and going to different restaurants. I think having designated parking zones like they do in Minneapolis would be good, too. They should also be at any park since that is an easy community gathering place to access. I think they are a great option from getting off a bus if your walk to your ending location is further away. Having that option would have me ride public transportation more often. Walking is a little too far.

I think it is wonderful to have scooters available for the community.
I think it makes the city look trashy when I drive around and see the scooters just lying around and sitting in the boulevard in front of someone's house or against the curb. Some are sitting upright and others are dumped on their side. As a homeowner, I would not appreciate having one of these dumped off in my front yard, even if it is in the city's right of way. I also see many people riding them on the sidewalk illegally. Is there any enforcement regarding this?

I think scooters are great to have around. Would like to be able to ride them on sidewalks though, seems very dumb that's against the law. As long as you aren't hurting anyone, it shouldn't be an issue.

I think the program is good for some demographics - primarily students (pre- and post-secondary). People using mass transit to commute to work also seems suitable. Anyone traveling with kids or pets or packages/groceries would not benefit. There should also be some kind of docking stand to hold them upright so they aren't scattered on the boulevard.

I think they are dangerous for those riding them and for persons who encounter them either while riding a bike, walking, and driving.

I think they are good mostly. It's unfortunate that helmets are not worn more, but most people don't just have a helmet on them when they decide to ride one. I rode one a couple times downtown near work. I have not used a scooter in St. Louis Park, but I did just move here from Mpls in October. I tend to ride my bike a fair amount for trips that could maybe be a scooter ride. I don't think there are many scooters by my house.

I think they're a fun and slick way to get around town, but I am concerned about users not understanding how to safely use them in traffic. I'd also like to see some studies on the environmental benefits/liabilities.

I think they're great. I think Minnetonka Blvd is a terrible street to have a scooter on though, which is where I primarily need to use it. I can take back roads, but it's out of the way to do it.

I would love to use scooters more. I just didn't have the chance during the pilot. I would be more comfortable using them in bike lanes.
I'm concerned with "scooter pollution" Users of scooters seem to continually drop the scooter in people's front yards.

I'm personally a huge fan of bike sharing. While I have my own bike, I don't haul it with me everywhere, and I've been a member and used Nice Ride since it started. I don't have a desire for or use for scooters. However, any shared mobility plans should take a regional approach so that travel isn't interrupted at city boundaries. We should also be mindful of where and how we distribute shared mobility, locating them in places where there's the greatest need. I hope that as St. Louis Park continues experimenting with shared mobility, it keeps a regional perspective and an eye to those who will benefit most.

I'm so disappointed that SLP is ok with these scooters being left all over the city. I really wish they were not all over the place. It's obvious they are not used much. We have a fabulous bus system and an upcoming railway. Please cancel this program.

Is SLP dense enough with non-residential locations of interest to support scooters? How many trips per scooter per day were there and how many scooters did not move during a day? And how is SLP anonymizing scooter data it has regarding route points, starts, and ends before it gets into city databases and thus subject to data requests?

It drives me crazy when scooters are left in random or dangerous places.

It's quite annoying to see them scattered around the city just laying in grass. This is like modern litter. Often times they have been laying across the sidewalk as well. They are an eye sore.

I've tried scooters a couple times (not in St. Louis Park). I believe that they are not safe with our existing infrastructure. Many people ride them on the sidewalk.

Kids are riding on sidewalks and using them in an unsafe manner! I've almost gotten hit twice.

Kids are riding scooters on the sidewalks because they don't feel safe on the street or in bike lanes. Paint doesn't protect us. Also, I would like to see Nice Ride have docking stations in St Louis Park around Louisiana and Minnetonka Blvd.
<table>
<thead>
<tr>
<th>Feedback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Love seeing them around</td>
</tr>
<tr>
<td>Love the scooters! The majority of negative feedback comes from people who are not targeted to use the scooters or refuse to use them out of some sort of spite. I have even seen these people knock the scooters over or throw them and then say the scooters are the problem. Scooters provide a fun, safer alternative to cars. Yes, scooters may crash, but likely will not involve deaths or incapacitating injuries like cars. Scooters have their place in among the transportation options. I would like to see them in more areas, particularly near parks with trails. While they can be used for the &quot;last mile&quot; transit trips, riding a scooter along our trails from parks in neighborhoods to complete errands also has its place. The parks are located closer to peoples homes, making them an easier option to use to run to the grocery store or deli for a quick bite. This makes it easier to reduce car trips and reduce the ever fearing &quot;lack of parking&quot; that so many people complain about.</td>
</tr>
<tr>
<td>Love the scooters... keep them!</td>
</tr>
<tr>
<td>More often than not I witnessed scooters laying on the ground in disarray. To me they are a form of trash.</td>
</tr>
<tr>
<td>Need more options for convenient and safe use such as protected lanes along streets.</td>
</tr>
<tr>
<td>Need to keep them from blocking sidewalks when parked.</td>
</tr>
<tr>
<td>Nice to have!</td>
</tr>
<tr>
<td>Once we starting using the scooters in 2019, we LOVED them. I think they are a great option. At times, I would prefer if there were more roads with bike lanes since. We live a block off of Minnetonka boulevard and it is not ideal for that kind of transporation (dangerous). Having said that, we were able to for the most part use roads that were a couple blocks off of Minnetonka Blvd. I hope the scooters are NOT removed from the community and people learn to handle their petty grievances with them.</td>
</tr>
</tbody>
</table>
One time I saw one at Target. I thought, if I took it for a ride I might leave someone else stranded. The city keeps building high density housing. If we want people to use these things we need to flood these new housing developments with scooters. That would be ugly, I suppose.

People can purchase their own scooters and keep them in their own garages and yards. The city thinking anyone should have scooters lying around their yards or tossed on sidewalks is ridiculous. Never mind the careless use of them. Get rid of them please!

Prefer more options for call and pick up at the easier on cost. Something similar to a volunteered shared fee whether used or not for residents in SLP.

Safety is a concern as we have a personal friend who was injured badly on one—fortunately it was not a head injury. Don’t seem safe to ride on streets next to cars. They are an eyesore when they can be dumped anywhere.

Safety is a big thing and having them on the street is not safe.

Saw them laying around left in the middle of a sidewalk. No where near what're they belong. Watching people trying them Screaming cause the go so fast. Not following street laws.

Scooters are dangerous for older pedestrians.

Scooters should be OUTLAWED. They are unsafe for those who ride them and those who have to share streets and sidewalks with them. They leave them anywhere they want and they're a hazard even when they're not being used. People ride carelessly and when they're drunk or high.

Several people who utilize the scooters in the area are not what I would consider responsible users—leaving them in the middle of roads or sidewalks, not using signals to turn, going down the middle of the road etc. I’ve had to slam on my breaks because of someone doing something stupid multiple times. I feel like a grouchy old lady talking about it.
Sometimes the riders are on sidewalks and going through pedestrian traffic carelessly. Handicapped, older citizens & children shouldn't have to worry about the behavior of a few riders. Thank you.

The amount of riders doesn't justify the annoying amount of scooters in SLP but they're really cool and fun! More people should use them because SLP is the perfect size for e-scooter travel

The inability to ride scooters on sidewalks really limits the utility of scooters in western SLP

The scooter or other shared mobility is an inanimate object, the issue comes from individual riders that dump the scooters like trash in the middle of my street 2-3 times a week last summer. Or are laying across sidewalks impeding sidewalk access to wheel chairs and walkers. Our neighborhood (along Minnetonka Blvd) has many neighbors that have such a mobility issue and struggle when they come across this. Then there are the riders that bully pedestrians walking on the sidewalk by riding on the sidewalks and forcing the pedestrians to move off of the sidewalks or walking paths in parks. From what I have seen and experienced the scooters are way more of a nuisance than they are good. If people were more responsible when using and parking them then I would have a different view.

There should be mini signs on sidewalks reminding people they need to scoot on the road & with a helmet. They do this in Uptown and I appreciate seeing those signs.

They are an eye sore, littering the side walks. I only see kids racing them around

they are just an unsafe fad, I am looking forward to the companies running out of money and giving up

they are kind of a pain....not really set up to start sharing the road with bikes and scooters....the bikes are a pain in the summer time, driving in the traffic lane and not moving over.....don't need more lanes in traffic but separate bike and scooter lanes independent of car traffic
They got ditched all over the place. People ride them unsafely. Often people don't appear skilled to ride them. Not a huge fan of them.

They interfere with yard work and are a nuisance to deal with.

THEY NEED TO LEARN ABOUT THE DRIVING LAWS

They should be scraped.

They shouldn't be left just randomly. The folks who mow the lawn usually leave the grass growing around them.

This trend should be with bicycles, not scooters, and bikes should be provided to low-income neighborhoods or neighborhoods with high POC percentages if you ever want to see POC on our trails.

Unsafe to inexperienced riders. Unsafe in traffic.

We moved into our St. Louis Park home in September 2019. We saw the scooters around the neighborhood and tried it out. Loved it! When the weather gets warmer and nicer, we will definitely use them to get around the neighborhood!

**Q28: What types of interactions with scooters are you providing feedback about?**
### Study session meeting of March 9, 2020 (Item No. 9)

**Title:** Mobility sharing update

<table>
<thead>
<tr>
<th>Answers</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scooter parking</td>
<td>19</td>
<td>15%</td>
</tr>
<tr>
<td>Riding behavior</td>
<td>28</td>
<td>22%</td>
</tr>
<tr>
<td>Interactions with the companies</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Rules/regulations of city’s pilot project</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Positive experience or benefits or scooters</td>
<td>23</td>
<td>18%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>16</td>
<td>12%</td>
</tr>
</tbody>
</table>
Q30: On a scale of 1 to 5, what is your overall opinion of scooters in St. Louis Park?

<table>
<thead>
<tr>
<th>Opinion Level</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Strongly opposed</td>
<td>21%</td>
</tr>
<tr>
<td>2 - Opposed</td>
<td>16%</td>
</tr>
<tr>
<td>3 - Neutral</td>
<td>21%</td>
</tr>
<tr>
<td>Rating</td>
<td>Count</td>
</tr>
<tr>
<td>----------------</td>
<td>-------</td>
</tr>
<tr>
<td>4 - Supportive</td>
<td>21</td>
</tr>
<tr>
<td>5 - Strongly supportive</td>
<td>31</td>
</tr>
</tbody>
</table>

Answered: 127  Skipped: 3
Executive summary

Title: Accessory dwelling units

Recommended action: No formal action at this time. Please inform staff of any further questions or concerns you might have.

Policy consideration: Accessory dwelling units (ADUs) have the potential to meet some of St. Louis Park’s housing goals in the 2040 comprehensive plan, as well as help fulfill a city council strategic priority.

Summary: In February 2020 the city council received an update on the recommended direction from the planning commission pertaining to accessory dwelling units. In response to the materials provided, staff received a few questions pertaining to the recommendations. Responses to those questions are provided below. Staff would like to hold a planning commission public hearing on March 18, 2020 to solicit community input on the proposed ADU ordinance.

Financial or budget considerations: As the number of ADUs increases, increased staff time and potentially added staff may be necessary to address complaints and ensure compliance with city codes.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion
February 10, 2020 study session report
Hyperlinked documents also available in the community development department.

Prepared by: Rita Trapp, consulting planner with HKGi
Sean Walther, planning and zoning supervisor

Reviewed by: Karen Barton, community development director

Approved by: Tom Harmening, city manager
Discussion

**Background:** After reviewing the February 10, 2020 executive summary and background information city council members had a few questions about the recommended direction from the planning commission pertaining to accessory dwelling units. Additional information in response to the questions that city council members raised is provided below.

Additional building code requirements: Clarification was sought on what was meant by the statement in the previous executive summary “Also, there would be additional building code requirements when a structure has three or more units that would limit the broad implementation of ADUs to more than single-family homes.”

Response: A three-unit dwelling would be reviewed under the general building code, rather than the residential building code for one- and two-family dwellings. This results in additional requirements, such as fire sprinkling the entire building. These requirements would add more costs to construction and deter more people from building and ADU. Staff recommends that the initial ordinance to allow ADUs be focused on single-family houses.

Short-term vacation rental: Clarification was sought about whether currently a home in St. Louis Park could be rented through a website, such as AirBnB or VRBO.

Response: Residents are currently not allowed to rent their homes for a short-term stay, including through online marketing. It is recommended for clarity that the current zoning code interpretation and practices prohibiting short term vacation rentals of residential properties be specifically added to the city code as part of the proposed ordinance updates.

Size of unit: It was noted that the proposed minimum requirement of 300 square feet would exclude many “tiny houses” on the market. Staff was asked how they arrived at the proposed 300-square-foot size and if the city could consider allowing a smaller size for ADUs.

Response: This minimum size was proposed based on Family Housing Fund’s research of Twin Cities metropolitan area ADUs and ADU regulations. That research reviewed several cities’ requirements and included a research sample of 20 existing ADUs in the Twin Cities. The units in their sample ranged in size from 400 to 1,200 square feet with the average being 657 square feet and the median being 645 square feet. Staff also reviewed the 2018 Maxfield Housing Study Update to understand the sizes of apartment units in our community for comparison. The Maxfield research found that the average size of a studio unit was 519 square feet (with the smallest being 300 square feet) and the average size of a one-bedroom unit was 750 square feet (with the smallest being 500 square feet).

Staff still recommend a minimum of 300 square feet, but if through the process the city chooses to allow ADUs that are less than 300 square feet, staff suggest the minimum size should be more than 200 square feet. Staff note that many “tiny houses” that are 150-200 square feet in area are classified as recreational vehicles and built on chassis with wheels and are considered seasonal, rather than year-round dwellings. The intent of the ADU ordinance has been to allow permanent year-round, not seasonal, ADUs.
**Definition of family:** Clarification was sought relative to the city’s current definition of family and why the proposed ADU ordinance might use a different standard for ADUs.

**Response:** The city’s zoning code definition of family is as follows:

*Family means one of the following:* (1) *Any group of people living together as a single housekeeping unit, all of whom are related by blood, marriage, or adoption plus children who are under foster care.* (2) *Up to four people not so related, living together as a single housekeeping unit.* (3) *Any group of people living together as a single housekeeping unit, if no more than two adult members function as the heads of the household group and the remaining members are dependent upon them for care and direction due to age, physical disability, a mental incompetency or for other reasons.* (4) *Any individual, who is the owner, living and maintaining a common household and using a common cooking and kitchen facility.*

The planning commission supported limiting the number of occupants in an ADU because ADUs are smaller than principal dwelling units on the property and different than a principal dwelling. Staff will prepare alternative approaches to provide more clarity and simplicity. Two approaches have been identified as options.

ADUs are proposed to be allowed on single-family properties. Single-family properties can have one family and up to two boarders under today’s regulations. Staff favors maintaining consistency with our current rules in this regard for use of the single-family lot. If there is no more than one family and no more than two boarders living on the lot, the ADU rules we are proposing simply accommodate this arrangement differently and with more independent living facilities available. This also reinforces and further distinguishes an ADU as clearly being accessory to a principal dwelling and helps to limit any new externalities that may result from the introduction of ADUs.

A second option would be to explore limiting the occupancy of smaller ADUs based on the size of the ADU, and at a certain size threshold allow the city’s family definition to take over. For example, the City of White Bear Lake requires 200 square feet for the first occupant and 100 square feet for each additional occupant. One concern staff has with this approach is that you could have 4 people living in a 500 square foot unit, which is the equivalent of the smallest one-bedroom apartment in St. Louis Park.

With the second option, at some point the size of an ADU reaches parity with the sizes of existing single-family houses in the community. At that point, it is less clear that the ADU is an accessory use, and the city will be allowing the equivalent of two families on a single-family lot.

Staff would prefer to consider this second option after ADUs have been introduced in St. Louis Park, and to address these issues as part of the city’s planned discussion to allow two-family dwellings in low density residential areas. Therefore, staff will be recommending the first option to planning commission.

**Street parking:** Concern was raised about whether the proposed approach to street parking was enforceable.
Response: Staff suggests that in order to support the development of ADUs no additional parking be required. In addition, staff suggests the present off-street parking requirement for boarders be eliminated so that ADUs and boarders are treated similarly.

Recognizing that there are concerns about too many vehicles on a property, staff and the planning commission recommend that the current limits regarding the number of vehicles that can be parked outside on a private single-family property be retained. City code currently limits single-family properties to three vehicles, or a up to five vehicles if there are more licensed drivers residing on the property. It should be noted that this requirement does not preclude property owners from adding additional, enclosed parking to their property. In addition, on-street parking also may be used where public street parking is allowed.

Such off-street parking regulations are enforceable. City staff has experience enforcing these types of regulations. Also, the city council controls on-street parking regulations placed on city streets and the police department enforces these regulations.

Next steps: A planning commission public hearing to consider the draft ADU ordinance is scheduled for Wednesday, March 18, 2020.
Title: Speed limit update

Recommended action: None at this time. This report is intended to provide an overview of staff’s progress on analyzing speed limits in St. Louis Park.

Policy consideration: Does the council wish staff to continue to investigate the feasibility and impacts of changing speed limits within the city?

Summary: In Aug. 2019, two provisions passed by the Minnesota legislature gave cities increased authority to set speed limits. With an understanding that both the cities of Minneapolis and St. Paul were likely to change their speed limits, staff began initial research and fact-finding. Any change to speed limits in Minneapolis affects traffic in St. Louis Park because we share approximately 20 streets that span the city boundary. To clarify, the legislation does not grant us the ability to change speed limits on county roads or MnDOT highways, only on roads under the city’s jurisdiction.

Most city streets have a 30 mph speed limit. There are a few exceptions of certain neighborhood streets at 25 mph as well as former county or state frontage roads at 35 and 40 mph, respectively. See Figure 1 for existing speed limits in the city.

The city hired SEH to conduct research on the best practices for establishing speed limits as well as to compile and process existing speed data dating back to 2015. Their research report is attached. Initial findings are that most vehicles on city streets travel at or below the existing speed limit of 30 mph. The average speed on city streets is 23.5 mph, while the 85th percentile speed is 27.8 mph.

Unless otherwise directed, staff will continue to investigate existing speeds, safety impacts to speed limits, and develop a future city-wide speed limit policy for council consideration.

Financial or budget considerations: Financial impacts relating to changing speed limits are still under consideration and will be estimated in future reports. Possible costs include new signs, signal timing, enforcement, and public outreach. It is assumed that these costs will come out of the general operating budget.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Discussion
SEH speed limit research report
Speed limit figures 1 - 9

Prepared by: Ben Manibog, transportation engineer
Reviewed by: Debra Heiser, engineering director
Approved by: Tom Harmening, city manager
Discussion

**Background:** In May 2019, the Minnesota legislature passed two provisions that gave cities increased authority to set speed limits. They went into effect on Aug. 1, 2019. The full language of the first provision is provided below:

Minnesota Statues, Section 169.14, Subd. 5h. **Speed limits on city streets.** A city may establish speed limits for city streets under the city’s jurisdiction other than the limits provided in subdivision 2 without conducting an engineering and traffic investigation. This subdivision does not apply to town roads, county highways, or trunk highways in the city. A city that establishes speed limits pursuant to this section must implement speed limit changes in a consistent and understandable manner. The city must erect appropriate signs to display the speed limit. A city that uses the authority under this subdivision must develop procedures to set speed limits based on the city’s safety, engineering, and traffic analysis. At a minimum, the safety, engineering, and traffic analysis must consider national urban speed limit guidance and studies, local traffic crashes, and methods to effectively communicate the change to the public.

The second provision (Section 169.011, Subd. 64) expands the definition of a residential roadway to include city streets or town roads in areas zoned exclusively for housing that are not collector or arterial streets. To utilize this provision, cities are not required to do a study. Instead, the city must post speed limit signs at the beginning and end of the roadway section.

With an understanding that the cities of Minneapolis and St. Paul are likely to change their speed limits in some manner, staff wanted to understand what this could mean for St. Louis Park. We have approximately 20 streets that span the city boundary between Minneapolis and St. Louis Park. Any speed limit changes in Minneapolis will need to be considered for these streets.

**Existing speed limits:** Prior to the legislative changes in Aug. 2019, speed limits were set by the MnDOT Commissioner based on an engineering and traffic investigation. Outside of that, speed limits were set state-wide as 10 mph in alleys and 30 mph on most neighborhood and city streets. See attached Figure 1 for existing speed limits on non-highway city streets.

**Background research:** In Sept. 2019, the city hired SEH to perform research on the best practices for establishing speed limits on local roads to inform staff. In their report (attached), they detail the Minnesota legislature changes, the effectiveness of changing speed limits on vehicle speeds, nationwide speed limit precedents, and different methodologies for setting speed limits with case study examples.

To understand the state of vehicle speeds in the city, we also asked SEH to compile, process, and map existing speed data. We have data points from over 800 locations throughout the city, dating back to 2015. See attached Figure 2 for specific speed data locations in the city.

**Initial speed data:** Both average speed and 85th percentile speed will be used when talking about vehicle speeds in the city. The 85th percentile speed is the speed in which 85 percent of the vehicles are driving at or slower. In the past, the 85th percentile speed has been used in most engineering contexts in understanding speed. There are criticisms of using the 85th
percentile speed that include its emphasis on the crash risk for drivers rather than prioritizing the most vulnerable users, pedestrians, and bicyclists. An emerging alternative is to consider average or median speeds under a Safe Systems approach when assessing for speed limits. In our initial data analysis, the average and median speeds were similar.

The overall average speed on city streets is 23.5 mph. The overall 85th percentile on city streets is 27.8 mph. See figure 3 for average and figure 4 for 85th percentile speeds in the city.

On our more trafficked roads (more than 2000 vehicles per day), the average speeds are at 28.9 mph, while the 85th percentile speeds are at 33.5 mph. See figure 5 for average speeds on our busy roads.

On roads with existing bikeways, the average speeds are at 27.8 mph, while the 85th percentile speeds are at 31.9 mph. See figure 6 for average speeds on roads with existing bikeways. When looking at existing and planned Connect the Park bikeways, the average speeds are 27.2 mph, while the 85th percentile speeds are 31.6 mph. This can be seen in figure 7.

In our continued work on race equity, a race equity lens should be considered in existing speeds and speed limits as well. In figure 8, average speeds are shown on a map featuring the percentage of BIPOC (Black, Indigenous, and People of Color) per census block group. In figure 9, average speeds are shown on a map featuring the estimated Eruv boundaries.

<table>
<thead>
<tr>
<th>Category</th>
<th>Average speed</th>
<th>85th percentile speed</th>
</tr>
</thead>
<tbody>
<tr>
<td>City streets</td>
<td>23.5 mph</td>
<td>27.8 mph</td>
</tr>
<tr>
<td>High traffic roads (ADT &gt;2000)</td>
<td>28.9 mph</td>
<td>33.5 mph</td>
</tr>
<tr>
<td>Existing bikeways</td>
<td>27.8 mph</td>
<td>31.9 mph</td>
</tr>
<tr>
<td>Existing and future bikeways</td>
<td>27.2 mph</td>
<td>31.6 mph</td>
</tr>
<tr>
<td>Eruv area</td>
<td>22.4 mph</td>
<td>27.1 mph</td>
</tr>
</tbody>
</table>

**Next steps:** Staff will continue to investigate existing speeds, safety impacts to speed limit changes, and a future city-wide speed limit policy. A recommendation to council regarding a city-wide speed limit policy is expected in the summer of 2020. That recommendation would come in collaboration with the engineering, community development, operations and recreation, and police departments.
Best Practices for Establishing Speed Limits on Local Roads

September 2019
Prepared by SEH for the City of Saint Louis Park

Preface

The debate over the speed limits in urban districts and on residential roadways is not new to Minnesota. MnDOT task forces in 1993-94 and 2007-08 investigated whether the 30 mph state statutory speed limit should be lowered. The 2008 report concluded that the statutory speed limit of 30 mph should remain, but noted that several members of the task force brought differing views, several in favor of a speed limit change to 25 now, if it could be successfully achieved, or a move toward 25 in the future. Today, speed limits in urban districts remain a subject of debate.

During the MN Legislature’s special session in 2019, amendments were passed providing more power to cities to vary from statutory speed limits and changing the definition of “residential roadways”. The enabling legislation allows cities to set speed limits on city streets under their jurisdiction without conducting an engineering and traffic investigation. If a city chooses to use this authority, they are required to “…develop procedures to set speed limits based on the city’s safety, engineering, and traffic analysis. At a minimum, the safety, engineering and traffic analysis must consider national urban speed limit guidance and studies, local traffic crashes, and methods to effectively communicate the changes to the public.”

The legislation also changed the definition of “residential roadways” which have a statutory 25mph speed limit. The previous definition included city streets or town roads that were less than one-half mile in total length. The definition was amended to also include city streets or town roads in areas zoned exclusively for housing that are not collector or arterial streets.

The following report summarizes local and national urban speed limit guidance, studies and methods to effectively communicate the changes to the public. It is meant to assist the City of Saint Louis Park in the development of policies for changing speed limits on streets under the City’s jurisdiction.

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Speeding Statistics:

In 2014, 314 pedestrians and 46 bicyclists died in speeding-related crashes in the United States; 275 of these fatalities (76%) occurred in urban areas. 1

A total of 199 traffic deaths occurred in Hennepin County from 2013 to 2017, 55 (28%) of which were attributed to speeding. An additional 242 speed related crashes resulted in serious injuries.1

According to the 2015 Traffic Safety Fundamentals Handbook, the majority (61%) of serious pedestrian/bicyclist crashes occur on streets with a 30 mph speed limit and over 80% occur on roads with a 40mph or less speed limits.

1 MnDOT STUDY AND REPORT ON SPEED LIMITS, 2008
2 Chapter 3, Article 3, Sec. 35. Subd. 5h. and Sec. 32. Subd. 64
3 The original definition of “residential roadway” included only city streets that were “less than one-half mile in total length.”
Impacts of Speed on Safety

Programs such as Towards Zero Deaths (MN) and Vision Zero (National) are working across disciplines to reduce or eliminate traffic fatalities. The approach is based on the belief that even one traffic-related death is unacceptable.

In 2015, MnDOT updated The Traffic Safety Fundamentals Handbook to reflect new safety practices, policies, and research. In the report, MnDOT analyzed Minnesota’s crash data and the results led to the designation of speeding as one of the seven high-priority safety focus areas.

According to Vision Zero Network, effective strategies for managing speed fall into three categories:

- **Designing and retrofitting roadways** to calm traffic and encourage safe behavior
- **Using equitably implemented automated safety camera technology** to discourage dangerous speeds
- **Lowering speed limits** to levels where the consequence of crashes is less likely to be fatal

The following section reviews the recent research in the US regarding the effect of lowering speed limits on speeding behavior and the methods used for setting speed limits.

Effectiveness of Speed Limits in Reducing Vehicle Speeds

Research is inconclusive on the effectiveness of speed limits in reducing vehicles speeds.

Studies such as the ones conducted by FHWA in 1997, WisDOT in 2009, and the City of Minneapolis in 2015, suggest that lowering speed limits without changing the road environment has little effect on speed. The Wisconsin study predominantly focused on high speed roadways while the FHWA and Minneapolis studies looked at local roads in urban areas.

There are, however, recent studies that have found statistically significant reductions in travel speeds when speed limits were lowered from 30 to 25 mph. A study out of Boston, MA and published by the Insurance Institute for Highway Safety suggests that lowering the speed limit in urban areas is an effective countermeasure to reduce speeds and improve safety for all road users.

**IIHS Boston, MA Study Results**

When speeds were reduced from 30mph to 25 mph, the City of Boston saw a 29.3 percent decline in speeds over 35mph, an 8.5 percent decline in speeds over 30mph, and a 2.9 percent reduction in vehicles exceeding the 25mph speed limit.
A series of pilot studies out of Missouri support the Boston finding, suggesting that lowering the speed on residential streets can result in a statistically significant reduction in travel speeds. The pilot project out of Springfield, MO also found that the “benefits of reducing speed limits on residential streets were carried over to the collector streets”.

It should be noted that in each instance, the lowering of speed limits coincided with education and enforcement campaigns to increase compliance with the new speed limits.

**Statutory Speed Limit Precedent**

Statutory Speed Limits are set by state legislatures to provide default speed limits for specific types of roads (e.g., Interstates, rural highways, urban or city streets).

A 2010 report by the National Highway Traffic Safety Administration (NHTSA) provides a summary of state speed laws for all fifty states plus the District of Columbia and Puerto Rico. According to the study, statutory speed limits for city streets range from 20 to 45 miles per hour (mph), however, most states set speed limits of 25 or 30 mph. Of the 52 statutory speed limits for city streets:

- 40% set speed limits at 25 mph
- 29% set speed limits at 30 mph
- 19% did not set a statutory speed limit for city streets
- 6% set speed limits at 35 mph
- And 6% had a combination of 25 and 35 mph limits depending on the categorization of the road or area type

<table>
<thead>
<tr>
<th>25MPH</th>
<th>30MPH</th>
<th>35MPH</th>
<th>25/35MPH</th>
<th>N/A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>15</td>
<td>3</td>
<td>3</td>
<td>10</td>
<td>52</td>
</tr>
</tbody>
</table>

As of the date of this report, **the statutory speed limit in Minnesota is 30 mph on streets in “urban districts” and 25 miles per hour on “residential roadways” if adopted by the road authority having jurisdiction over the residential roadway**. Illinois, Indiana, Maryland and Massachusetts have similar 30 mph speed statues. Wisconsin’s statutory speed limits inside the corporate limits of a city or village are 25 mph. Michigan, Ohio, Iowa, Nebraska, North Dakota, South Dakota, also have statutory speed limits of 25 mph. See Appendix C for a full list of statutory speed limits by state.

Recent research from the National Transportation Safety Board (NTSB) points to changing trends, with states increasing speed limits on freeways and decreasing speed limits on residential and urban roads.

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9 Residential Speed Limit Reduction Case Studies – University of Missouri
11 Each state uses a different classification for setting statutory speed limits on local roads such as city or residential streets, streets in urban, residential or business districts, streets within a city or village limits, non-arterial roads, etc. For the purpose of this analysis, the term “City Streets” was used to represent all roads of similar character. A list of definitions by state can be found in Appendix A.
12 “A speed limit adopted under paragraph (a), clause (7), is not effective unless the road authority has erected signs designating the speed limit and indicating the beginning and end of the residential roadway on which the speed limit applies.” 2018 Minnesota Statutes 169.14
Authority to Set Speed Limits

Authority to set speed limits is delegated by the legislature of each state. There are generally three ways states delegate this power:

1. State DOTs maintain full power to approve speed limit changes
2. Municipalities have the power to amend speed limits on roads under their jurisdiction on the basis of an engineering or traffic investigation
3. Municipalities have the power to amend speed limits on roads under their jurisdiction without the need for an engineering or traffic investigation

Traditionally, states in the US have relied on the first two types of authority structures when it comes to delegating power for setting speed limits. More recent trends in places such as Oregon, Washington, Massachusetts and Minnesota are moving away from the requirement of an engineering or traffic investigation, paving the way for new methods for setting speed limits such as the Safe Systems approach which is more widely used in Sweden and New Zealand.

Changes to the state statutory speed limits can happen from the top-down at the city or county level, or from the bottom-up at the corridor level. The state of Massachusetts recently adopted MGL c. 90 § 17C which allows cities and towns to have the option to opt-in to reducing the statutory speed limit from 30 mph to 25 mph in “thickly settled” or business districts. They recommend city-wide reductions to avoid confusion for drivers, but do allow for a street-by-street adjustment. As of the date of this report, 42 cities have adopted the change, 37 at the city-wide level. Wisconsin on the other hand gives administrative authority to local governments to change statutory speed limits through speed zones at the street by street level.

The following section describes the different methods for setting and reevaluating speeds limits both nationally and internationally and describes agency guidance in the US.

REVIEW OF MINNESOTA AUTHORITY

Based on the 2018 amendment to 169.14 subd. 5, cities are not required to conduct an engineering and traffic investigation to change the speed limit of a road under their jurisdiction. They are however required to consider national urban speed limit guidance and studies, local traffic crashes, and methods to effectively communicate the changes to the public in their safety, engineering and traffic analysis.

Section 2B.13 of the Minnesota Manual on Uniform Traffic Control Devices (MnMUTCD), however, states that “speed zones (other than statutory speed limits) shall only be established on the basis of an engineering study that has been performed in accordance with traffic engineering practices. The engineering study shall include an analysis of the current speed distribution of free flow vehicles.”

The statute for setting “speed limit on city streets” and the MUTCD requirements appear to be in conflict as to whether an engineering study is required.
Methodology for Setting Speed Limits

According to a 2012 FHWA informational report titled “Methods and Practices for Setting Speed Limits”, there is a lack of specific guidance and procedures in the Manual on Uniform Traffic Control Devices (MUTCD) and other documents, therefore “engineers often rely on their own experiences and judgment when considering factors that affect decisions about setting appropriate speed limits. The use of subjective procedures by decision-makers with various levels of experience, and the use of different procedures across jurisdictions, may lead to inconsistencies in how speed limits are set in different jurisdictions.”

According to the report, there are four different methods for setting speed limits:

1. Engineering
2. Expert System
3. Optimization
4. Safe System or Injury Minimization Approach

Engineering, Expert Systems, and Optimization are generally used for adjusting speed limits on a corridor by corridor basis, while the Safe System Approach is more commonly applied at the city, county or state level to adjust a state statutory speed limit.

The following is a summary of each approach from the FHWA report and as well as benefits and concerns about each method.
1. Engineering

The Engineering method is typically based on the 85th percentile operating speed, and uses adjustments for different traffic, roadway, and performance characteristics. The procedure consists of two parts—a minimum study (such as documenting vehicle speeds, the design speed for the road, or other criterion) and a more detailed analysis (such as pedestrian use, median presence, etc.). The minimum study is always carried out; the detailed analysis is undertaken when unusual road or land use characteristics make the speed limit as determined by the minimum study seem inappropriate.

There are however many criticisms of using the 85th percentile operating speed. According to the FHWA report, the original research that showed that the 85th percentile speed yields the lowest crash risk for drivers is dated and “may not be valid under scrutiny”. It also emphasizes the crash risk for drivers rather than prioritizing the most vulnerable users, pedestrians and bicyclists.

Two other criticisms of this approach are related to design speeds and speed escalation. According to the 2017 NTSB Safety Study, AASHTO encourages road designers to select design speeds equal to or greater than the design speed values, which often results in roads that are overbuilt. Therefore, some roads are built to accommodate traffic flows and speeds above what was originally anticipated or recommended, resulting in a higher 85th percentile speed. The Safety Report also notes that the use of the 85th percentile leads to unintended consequences of higher operating speeds, and an undesirable cycle of speed escalation and reduced safety.

2. Expert Systems (USLIMITS2)

An expert system is typically a web-based system that uses a more structured set of decision and judgement rules for determining speed limits. The original expert system was developed by the Australian Road Research Board. It was a computer based system coded with a set of rules and data that are used to determine speed limits based on various factors such as road design, traffic volume, and accident history. In this approach, a series of rules are applied to the input parameters to determine an appropriate speed limit.

Among other policies, NTSB reviewed the history of speed setting in the U.S., and specifically, the Federal Highway Administration (FHWA) requirement outlined in the Manual on Uniform Traffic Control Devices (MUTCD) for states and local cities to use engineering studies that emphasize the use of 85th percentile speed to change speed limits. The 85th percentile is based on the free-flowing travel speed or lower of 85 percent of drivers, which according to NTSB, leads to unintended consequences of higher operating speeds, and an undesirable cycle of speed escalation and reduced safety. As a result, NTSB recommends that FHWA revise the MUTCD to incorporate the Safe System approach for urban roads to strengthen protection for road users.

Specific recommendations include:

- Revisit the MUTCD so that additional relevant factors – including crash experience, surrounding land uses, and pedestrian activity – currently listed as optional for all engineering studies, are required
- Remove the guidance that speed limits in speed zones should be within 5 mph of the 85th percentile

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14 NTSB/SS-17/01, NTSB Safety Study. 2017
of decision rules for appropriate speed limits for different types of roads and traffic conditions. In 2008, the Federal Highway Administration (FHWA) developed a knowledge-based expert system called USLIMITS for recommending speed limits in speed zones that are considered to be credible and enforceable while taking pedestrians and bicyclists into consideration.

The current version, USLIMITS2, was created in 2012 as a “user-friendly, logical, and objective tool for local communities and agencies with limited access to engineers experienced in conducting speed studies for setting appropriate speed limits. For experienced engineers, USLIMITS2 can provide an objective second opinion and increase confidence in speed limit setting decisions16. Since its development, states such as Wisconsin have created guidelines recommending that USLIMITS be used in the development of any revised speed limit recommendation17. The Wyoming Traffic Studies Manual (2011) refers engineers to USLIMITS for help in determining appropriate speed limits18.

3. Optimization

The optimum speed limit is the speed limit that yields the minimum total societal cost, which includes vehicle operation costs, crash costs, travel time costs, and other social costs. This method of setting speed limits is rarely used due to the difficulty of quantifying key variables.

“...In general, the road user perspective and the taxpayer perspective result in higher speed limits, while the residential perspective results in the lowest. In some cases, particularly for motorways (freeways), variation in the total costs of travel is found to be very small for speeds in the range of 45 to 70 mph, making the choice of an optimal speed limit in this range almost an individual agency preference.

Optimal speed limits have been explored for use on shared-use roadways in New Jersey. This method of setting speed limits seems particularly useful in situations where pedestrians, cyclists, and motorized traffic share the road, and motorists may not be fully aware of the externalities of their speed on other road users—in particular, the harm borne by pedestrians and cyclists when struck by a motor vehicle moving at a rapid speed.” - FHWA-SA-12-004

4. Safe System Approach (or Injury Minimization)

The Safe Systems Approach, or Injury Minimization, is based on the tolerance of the human body to injury during a crash. A pedestrian hit by a driver at 25 mph is nearly twice as likely to die compared to someone hit at 20 mph19. This approach prioritizes safety and takes the position that it is unethical to create a situation where fatalities are a likely outcome of a crash in order to reduce delay, fuel consumption, or other societal objectives. The FHWA report provides the following speed limits based on the Safe System Approach20.

16 FHWA-SA-12-004
17 WisDOT. Wisconsin Statewide Speed Management Guidelines. June 2009
18 https://safety.fhwa.dot.gov/uslimits
19 Tefft, 2013, Impact Speed and a Pedestrian’s Risk of Severe Injury or Death
20 Based on original research from J. Langford, “Setting Speed Limits for a Safe System,” Monash University Accident Research Centre (August 12, 2011).
This approach does not imply that crashes are caused solely by speed, but rather are a combination of many factors, therefore, a safe system approach requires that all aspects of the system work together for the safest possible outcome.

This technique is most common in Sweden and the Netherlands, but has recently been adopted in cities such as Seattle, WA and Portland, OR. In 2016, Seattle reduced speeds to 20 mph city-wide on all non-arterials and 25 mph on certain arterials in Urban Villages21. In 2018, the City of Portland followed suit reducing speeds to 20 mph on all residential streets22, equating to approximately 3,000 miles of roadway.

While in-depth studies of compliance and safety outcomes of reducing speed limits have yet to be conducted in Portland and Seattle, a study out of the UK found that reducing the speed limit to 20 mph was associated with a city-level reduction of fatal injuries of around 63%23.

Appendix D provides a more in-depth overview of the methodology for setting speed limits from the 2012 FHWA report.

**Implementation Case Studies**

Once a local government has made the decision to change the speed limit at the city-wide or corridor level and determined the appropriate speed, factors such as segment length, signage, education, enforcement, collaboration, and performance monitoring should be considered to successfully implement the change.

**Segment Lengths**

If a speed limit is going to be changed at the corridor level on a street-by-street basis, the segment length must be identified. Many states set minimum segment lengths to allow for more uniform and realistic speed limits. These generally range from 0.1 mile to 0.5 miles. The table below provides a sample of some of the minimum segment lengths by state. Minnesota does not provide regulations for minimum segment length under section 169.14 of the Minnesota Statutes.

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22 https://www.portlandoregon.gov/transportation/article/669625
23 https://injuryprevention.bmj.com/content/early/2019/07/25/injuryprev-2019-043305.full
<table>
<thead>
<tr>
<th>State</th>
<th>Minimum Segment Lengths by State Statute (Miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wisconsin</td>
<td>0.3 miles</td>
</tr>
<tr>
<td>Ohio</td>
<td>0.5 miles</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Not more than six alterations per mile</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Not more than six alterations per mile</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>0.5 miles</td>
</tr>
<tr>
<td>Florida</td>
<td>No Minimum</td>
</tr>
<tr>
<td>Alaska</td>
<td>Distance traveled in 25 seconds at the posted limit</td>
</tr>
<tr>
<td>Canada</td>
<td>0.33 miles</td>
</tr>
<tr>
<td>New Zealand</td>
<td>25mph = 0.1 miles, 30, 35 = 0.3 miles</td>
</tr>
</tbody>
</table>

**Signage**

Signage is also an important component of implementation plans and includes both required and optional signage to inform drivers of changing speeds.

According to Minnesota Statutes 169.14 Subd. 2, when a 25 mph speed limit is adopted by the road authority having jurisdiction over the residential roadway, it is not effective unless the road authority has erected signs designating the speed limit and indicating the beginning and end of the residential roadway on which the speed limit applies.

The 2009 MUTCD requires speed limit signs at points of change from one speed limit to another, beyond major intersections, at entrances to the State or other jurisdictional boundaries in urban areas, and at other locations where it is necessary to remind road users of the speed limit\(^\text{24}\).

When Seattle reduced speed limits city-wide, they installed 145 new street signs announcing the change. Portland installed over 2,100 new signs over approximately 3,000 miles of roadway.

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\(^{24}\text{Section 2B.13 of the 2009 MUTCD}\)
Education
As part of the new Minnesota law, cities that make changes to speed limits must consider “methods to effectively communicate the changes to the public”. Ad campaigns such as the ones conducted in Portland, NYC, Seattle and Boston used branding, speed feedback signs, multilingual materials and leveraged mass and social media to get the word out about the change.

Public information and education campaigns, however, appear to be of limited value unless they are closely linked with an enforcement or engineering program emphasizing public safety over citing motorists and collecting fines.25

Engagement Techniques

- Portland distributed an estimated 7,000 orange “20 is plenty signs”
- Seattle created an online, interactive speed limit map so residents can easily look up the speed limits on any road in the City.
- Boston installed 18 additional speed feedback signs around the City in 2017 to increase driver awareness and self-enforcement
- NYC staff collaborated with the NYC Police Department to conduct wide spread outreach that included:
  - Distributing 1 million educational fliers in 10 languages
  - Highlighting the news in 140+ press stories and drive-time radio ads
  - Adding the new speed limit information to the back of municipal parking receipts
  - Leading a robust social media campaign

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25 NTSB/SS-17/01
Enforcement
According to the NTSB Report, a public information and education campaign tied to targeted traffic-enforcement signs erected just prior to an enforcement period cuts speeds, improves public impressions toward law enforcement, and yields safer driving habits. Collaboration with local law enforcement officials is a crucial part of implementation. Automated enforcement can also be a useful tool in improving outcomes.

When allowed by state statute, Automated Speed Enforcement (ASE) has been proven to be a highly effective method for reduce speeding-related crashes, fatalities, and injuries. The 2017 Safety Report from NTSB provides a summary of the research and recommends specific enabling legislation to increase usage in states where legislation already exists and reverse legislation is states where it is prohibited. Minnesota does not currently allow for automated speed enforcement.

Collaboration
Cities in Dakota County, MN are currently considering a uniformity of speed limits on city streets. A collective action could help:

- Reduce costs for educating the public about the change
- Reduce signage costs at jurisdictional boundaries (though it is unclear if MUTCD guidelines would require signage at jurisdictional boundaries in urban areas if the speed was consistent between jurisdictions or only where a speed change occurs)
- Reduce driver confusion

Monitoring Performance
Monitoring of speed limit compliance, safety outcomes, and outreach techniques is recommended.

New technology such as StreetLight data and insurance safe driver data could also be useful in evaluating the effectiveness of speed limit changes.

Monitoring Precedent

- In Wisconsin, WisDOT and local authorities should collect data periodically within its speed zones to evaluate whether safety and mobility are being upheld within it. Several performance measures should be considered for comparing before-and-after conditions as well as evaluating trends in the behavior of the traveling public. These include Compliance. Speed variance, crashes by severity, crash rate, and severity rate.
- The NYC 25mph Campaign evaluated educational efforts and found that after three months, knowledge of the speed limit among New Yorkers doubled from 28% to 62%.
**Conclusion**

Based on the information provided in this report, the following conclusion have been made:

1. It is becoming increasingly more common for cities to have authority over setting speed limits and for speed limits to be reduced uniformly at the city level.
2. Cities reducing the speed limits at the city level are commonly doing so using the Safe Systems approach, without the need for an engineering and traffic investigation.
3. The most common statutory speed in the US for city streets is 25mph.
4. Recent research suggests that lowering the speed limit from 30 to 25 mph can result in a statistically significant reduction in speeds on urban and residential streets.
5. If speed limits are to be lowered on a street-by-street basis, USLIMITS2 can be used to provide an objective second opinion and increase confidence in speed limit setting decisions while taking pedestrians and bicyclists into consideration.

**Additional Resources:**

1. [NTSB - Reducing Speeding-Related Crashes Involving Passenger Vehicles, NTSB/SS-17/01](#)
2. [FHWA Webpage for USLIMITS2](#)
3. [FHWA Methods and Practices for Setting Speed Limits](#)
## Appendix A

### Sample of Defining Language for Statutory Speed Limits by State, Country or Agency Report

<table>
<thead>
<tr>
<th>State</th>
<th>Statutory Speed Limits Defining Language</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Midwest</strong></td>
<td></td>
</tr>
<tr>
<td>Minnesota</td>
<td>Urban Districts</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Inside corporate limits of a city or village</td>
</tr>
<tr>
<td>Michigan</td>
<td>residential streets and streets in business districts</td>
</tr>
<tr>
<td>Illinois</td>
<td>Urban Area</td>
</tr>
<tr>
<td>Ohio</td>
<td>Residential and Urban Districts</td>
</tr>
<tr>
<td>Indiana</td>
<td>Urban Districts</td>
</tr>
<tr>
<td>Iowa</td>
<td>Business Districts/ Residential and School Districts/Suburban Districts</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Residential District</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Residential District</td>
</tr>
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<td>South Dakota</td>
<td>City Streets</td>
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<td><strong>National</strong></td>
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<tr>
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<td>Residential District</td>
</tr>
<tr>
<td>Oregon</td>
<td>Business Districts, School Zones/ Residential Districts, Public Parks, Ocean Shores</td>
</tr>
<tr>
<td>Colorado</td>
<td>Business Districts/ Residential District</td>
</tr>
<tr>
<td>Maine</td>
<td>other built up areas</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Thickly Settled Areas</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Urban Areas</td>
</tr>
<tr>
<td>Washington</td>
<td>All Non-arterial/Arterial Roads in Seattle</td>
</tr>
<tr>
<td><strong>International / Other</strong></td>
<td></td>
</tr>
<tr>
<td>Canada</td>
<td>Residential Streets</td>
</tr>
<tr>
<td>New Zealand</td>
<td>Residential Streets</td>
</tr>
<tr>
<td>US Uniform Vehicle Code</td>
<td>Urban Districts</td>
</tr>
</tbody>
</table>
## Appendix B

### Recommended Methodology for Setting Speed Limits by US Agencies and/or Agency Report

<table>
<thead>
<tr>
<th></th>
<th>USLIMITS 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FHWA</strong></td>
<td>Recommends that agencies set speed limits within 5 mph of the 85th percentile speed of free-flowing traffic. Lists other risk factors for consideration such as geometry, pace speed, speed range, roadside development, parking practices, pedestrian activity, and crash experience, but does not provide guidance on how to account for them.</td>
</tr>
<tr>
<td><strong>MUTCD</strong></td>
<td>NTSB recommends that FHWA revise the MUTCD to incorporate the Safe Systems approach for urban roads to strengthen protection for road users.</td>
</tr>
</tbody>
</table>
# Appendix C

## Recommended Methodology for Setting Speed Limits by US Agencies and/or Agency Report

<table>
<thead>
<tr>
<th>Statutory Speed Limits for City Streets*</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>AL</td>
<td>30</td>
</tr>
<tr>
<td>AK</td>
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</tr>
<tr>
<td>AZ</td>
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<td>AR</td>
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<td>CA</td>
<td>25</td>
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<tr>
<td>CO</td>
<td>30</td>
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<td>CT</td>
<td>N/A</td>
</tr>
<tr>
<td>DE</td>
<td>25</td>
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<tr>
<td>DC</td>
<td>25</td>
</tr>
<tr>
<td>FL</td>
<td>30</td>
</tr>
<tr>
<td>GA</td>
<td>30</td>
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<td>HI</td>
<td>N/A</td>
</tr>
<tr>
<td>ID</td>
<td>35</td>
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<tr>
<td>IL</td>
<td>30</td>
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<tr>
<td>IN</td>
<td>30</td>
</tr>
<tr>
<td>IA</td>
<td>25</td>
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<td>KS</td>
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<tr>
<td>KY</td>
<td>35</td>
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<td>LA</td>
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<td>ME</td>
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<td>MD</td>
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<td>MA</td>
<td>25</td>
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<tr>
<td>MI</td>
<td>25</td>
</tr>
<tr>
<td>MN</td>
<td>30</td>
</tr>
<tr>
<td>MS</td>
<td>N/A</td>
</tr>
<tr>
<td>MO</td>
<td>N/A</td>
</tr>
<tr>
<td>MT</td>
<td>25</td>
</tr>
<tr>
<td>NE</td>
<td>25</td>
</tr>
<tr>
<td>NV</td>
<td>N/A</td>
</tr>
<tr>
<td>NH</td>
<td>30</td>
</tr>
<tr>
<td>NJ</td>
<td>25/35</td>
</tr>
<tr>
<td>NM</td>
<td>30</td>
</tr>
<tr>
<td>NY</td>
<td>N/A</td>
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<tr>
<td>NC</td>
<td>35</td>
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<tr>
<td>ND</td>
<td>25</td>
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<tr>
<td>OH</td>
<td>25</td>
</tr>
<tr>
<td>OK</td>
<td>N/A</td>
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<tr>
<td>State</td>
<td>Speed Limit</td>
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<tr>
<td>-------</td>
<td>-------------</td>
</tr>
<tr>
<td>OR</td>
<td>25</td>
</tr>
<tr>
<td>PA</td>
<td>25/35</td>
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<td>PR</td>
<td>25</td>
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<tr>
<td>RI</td>
<td>25</td>
</tr>
<tr>
<td>SC</td>
<td>30</td>
</tr>
<tr>
<td>SD</td>
<td>25</td>
</tr>
<tr>
<td>TN</td>
<td>N/A</td>
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<tr>
<td>TX</td>
<td>30</td>
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<td>UT</td>
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<td>VT</td>
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<td>VA</td>
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<td>WV</td>
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<tr>
<td>WI</td>
<td>25/35</td>
</tr>
<tr>
<td>WY</td>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Speed Limit</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>25MPH</td>
<td>21</td>
</tr>
<tr>
<td>30MPH</td>
<td>15</td>
</tr>
<tr>
<td>35MPH</td>
<td>3</td>
</tr>
<tr>
<td>25/35MPH</td>
<td>3</td>
</tr>
<tr>
<td>N/A</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>52</td>
</tr>
</tbody>
</table>


* Each state uses a different classification for setting statutory speed limits on local roads such as city or residential streets, streets in urban, residential or business districts, streets within a city or village limits, non-arterial roads, etc. For the purpose of this analysis, the term “City Streets” was used to represent all roads of similar character.
### Appendix D

**Approaches to Setting Speed Limits from FHWA-SA-12-004**

<table>
<thead>
<tr>
<th>Approach</th>
<th>Jurisdictions</th>
<th>Basic Premise</th>
<th>Data Required</th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering</td>
<td>United States</td>
<td>The speed limit is based on the 85th percentile speed, and may be slightly adjusted based on road and traffic conditions and crash history.</td>
<td>The existing speed profile as well as data on access, pedestrian/bicycle traffic, curbside parking, safety performance, etc.</td>
<td>Using the 85th percentile speed ensures that the speed limit does not place an undue burden on enforcement, and provides residents and businesses with a valid indication of actual travel speeds.</td>
<td>Drivers may not be adequate judges of the externalities of their actions, and may not be able to self-select the most appropriate travel speed. Speed limits are often set lower than the 85th percentile speed.</td>
</tr>
<tr>
<td>Engineering</td>
<td>Canada, New Zealand</td>
<td>The speed limit is based on the functional classification of the road, setting (urban/rural), surrounding land use, access, design features of the road.</td>
<td>The speed limit and the function of the road are aligned, the function of the road also dictates many of the design elements of the road, so this method aligns the speed limits with the design of the road.</td>
<td>The road risk methods may result in speed limits that are well below the 85th percentile speeds, resulting in an increased burden on enforcement if remedial measures are not employed (i.e., traffic calming, etc.).</td>
<td></td>
</tr>
<tr>
<td>Expert System</td>
<td>United States, Austria</td>
<td>Speed limits are set by a computer program that uses knowledge and inference procedures that simulate the judgment and behavior of speed limit experts.</td>
<td>Data needs depend on the system, but generally expert systems require the same data as used in the engineering approaches.</td>
<td>A systematic and consistent method of examining and weighing factors other than vehicle operating speeds in determining an appropriate speed limit. It is reproducible and provides consistency in setting speed limits within a jurisdiction.</td>
<td>Practitioners may need to rely on output from the expert system without applying a critical review of the results.</td>
</tr>
<tr>
<td>Optimal Speed Limits</td>
<td>--</td>
<td>The selected speed limit minimizes the total societal costs of transport when considering travel time, vehicle operating costs, road crashes, traffic noise, air pollution, etc.</td>
<td>Cost models and input data to account for air pollution, crashes, delay, etc.</td>
<td>Provides a balanced approach to setting speed limits that is considerable of many (if not all) of the impacts that speed has on society. Allows for the consideration of pedestrian and cyclist traffic in setting speed limits. May be particularly useful in a context sensitive situation.</td>
<td>Data collection and prediction models may be difficult to develop and are subject to controversy among professionals. Resulting speed limits may not be immediately obvious to the user.</td>
</tr>
<tr>
<td>Injury Minimization/Safe System</td>
<td>Sweden, Netherlands</td>
<td>Speed limits are set according to the crash types that are likely to occur, the impact forces that result, and the tolerance of the human body to withstand these forces.</td>
<td>Crash types and patterns for different road types, and survivability rates for different operating speeds.</td>
<td>There is a sound scientific link between speed limits and serious crash prevention. Places a high priority on road safety.</td>
<td>This method is based solely on a road safety premise and may not be accepted as appropriate in some jurisdictions.</td>
</tr>
</tbody>
</table>

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26 Portland and Seattle used this method after the FHWA report was published.
Appendix E

KEY FINDINGS FROM THE NATIONAL TRANSPORTATION SAFETY BOARD SAFETY STUDY
NTSB/SS-17/01

1. Speed increases the likelihood of serious and fatal crash involvement, although the exact relationship is complex due to many factors.

2. Speed increases the injury severity of a crash.

3. Drivers report understanding that speeding is a threat to safety but acknowledge it is a common driving behavior in the United States.

4. The Manual on Uniform Traffic Control Devices guidance for setting speed limits in speed zones is based on the 85th percentile speed, but there is not strong evidence that, within a given traffic flow, the 85th percentile speed equates to the speed with the lowest crash involvement rate on all road types.

5. Unintended consequences of the reliance on using the 85th percentile speed for changing speed limits in speed zones include higher operating speeds and new, higher 85th percentile speeds in the speed zones, and an increase in operating speeds outside the speed zones.

6. Expert systems such as USLIMITS2 can improve the setting of speed limits by allowing traffic engineers to systematically incorporate crash statistics and other factors in addition to the 85th percentile speed, and to validate their engineering studies.

7. The safe system approach to setting speed limits in urban areas is an improvement over conventional approaches because it considers the vulnerability of all road users.

8. Speeding-related performance measures are needed to determine the effectiveness of data-driven, high-visibility enforcement programs and to communicate the value of these programs to law enforcement officers and the public.

9. The involvement of speeding passenger vehicles in fatal crashes is underestimated.

10. The lack of consistent law enforcement reporting of speeding-related crashes hinders the effective implementation of data-driven speed enforcement programs.

11. Automated speed enforcement is an effective countermeasure to reduce speeding-related crashes, fatalities, and injuries.

12. The lack of state-level automated speed enforcement (ASE) enabling legislation, and restrictions on the use of ASE in states where legislation exists, have led to underuse of this effective speeding countermeasure.

13. Federal guidelines for automated speed enforcement (ASE) programs do not reflect the latest technologies and operating practices and are not very effective because their existence is not well known among the ASE program administrators.

14. Point-to-point speed enforcement has been shown to be an effective speeding countermeasure internationally, but it is not currently used in the United States.
15. Intelligent speed adaptation is an effective vehicle technology to reduce speeding.

16. New car safety ratings are effective in incentivizing consumers to purchase passenger vehicles with advanced safety systems.

17. Traffic safety campaigns that include highly publicized, increased enforcement can be an effective speeding countermeasure, but their inconsistent and infrequent use by states hinders their effectiveness.

18. The current level of emphasis on speeding as a national traffic safety issue is lower than warranted and insufficient to achieve the goal of zero traffic fatalities in the United States.

19. Current federal-aid programs do not require or incentivize states to fund speed management activities at a level commensurate with the national impact of speeding on fatalities and injuries.

20. The US Department of Transportation (DOT) Speed Management Program Plan identifies important actions to reduce speeding-related fatalities, but the DOT has not tracked or ensured the timely implementation of these actions.
Figure 1: Existing non-highway speed limits
Figure 2: Speed data locations

Legend
- Speed data locations
- Street network
- Trails and Paths
Figure 3: Average vehicle speed

Speed data locations (count)
- ≤ 20 mph - (220)
- ≤ 25 mph - (227)
- ≤ 30 mph - (179)
- ≤ 35 mph - (81)
- > 35 mph - (20)
Figure 4: 85th percentile vehicle speed

Speed data locations (count)
- ≤ 20 mph - (79)
- ≤ 25 mph - (197)
- ≤ 30 mph - (242)
- ≤ 35 mph - (204)
- > 35 mph - (89)
Fig 5: Average speed on busy roads

Speed data locations (count)
- ≤ 20 mph - (220)
- ≤ 25 mph - (227)
- ≤ 30 mph - (179)
- ≤ 35 mph - (81)
- > 35 mph - (20)

Street network
- Street ADT < 2000
- Street ADT > 2000
Fig 6: Average speeds on existing bikeways

Speed data locations (count)
- ≤ 20 mph - (220)
- ≤ 25 mph - (227)
- ≤ 30 mph - (179)
- ≤ 35 mph - (81)
- > 35 mph - (20)

Street network
- No bike infrastructure
- Existing bikeway or trail

(N)
Fig 7: Average speeds on all planned bikeways

Speed data locations (count)
- ≤ 20 mph - (220)
- ≤ 25 mph - (227)
- ≤ 30 mph - (179)
- ≤ 35 mph - (81)
- > 35 mph - (20)

Street network
- No bike infrastructure
- Existing or future bikeways
Fig 8: Average speeds and %BIPOC residents

Speed data locations (count)
- ≤ 20 mph - (220)
- ≤ 25 mph - (227)
- ≤ 30 mph - (179)
- ≤ 35 mph - (81)
- > 35 mph - (20)

% BIPOC residents
- 4% - 8%
- 9% - 14%
- 15% - 21%
- 22% - 37%
- 38% - 63%
Fig 9: Average speeds and eruv boundary

Speed data locations (count):
- ≤ 20 mph - (220)
- ≤ 25 mph - (227)
- ≤ 30 mph - (179)
- ≤ 35 mph - (81)
- > 35 mph - (20)

Approx. eruv boundary