

September 18, 2023

TO: Transportation & General Government Policy Committee Members
FROM: Michael Thompson, Public Works Director, City of Plymouth
SUBJECT: Meeting Notice and Agenda

Monday, September 25, 2023
9:00 am – 11:30 am
Hybrid Meeting: Lake
Superior Room/LMC Building
Or
Join Zoom Meeting:

♦ Thank you for agreeing to be a policy committee member!

Attached are the materials for the third Transportation & General Government Policy Committee meeting. Please take the time to review the policies and come with your ideas and suggestions.

AGENDA

1. Call to order. (Michael Thompson, Chair)
2. Approval of minutes for the August 28, 2023 meeting.
3. Review policy Committee Memo (Mike Lund, Metro Cities Staff)
4. Discussion of policies and suggested modifications.
 - a. Policies with no recommended changes.
 - b. Policies with suggested changes from staff or committee members.
5. Discuss additional suggestions for policies, and issues for future consideration.
6. Other business.
7. Adjourn. (11:30 a.m.)

Minutes for Transportation & General Government Committee Meeting of August 28, 2023

Present in-person: Michael Thompson, Steve Huser, Tom Fletcher, Hannah Pallmeyer, Luther Wynder, Patricia Nauman, Mike Lund, Ania McDonnell, Jennifer Dorn. Present online: Gary Hansen, Kari Niedfeldt Thomas, Deb Heiser, Mike Huang, Josh Berg, Brad Larson, Alex Hassel, Brent Mareck, Brooke Bordson, Dan Kealey, Craig Johnson, Daniel Lightfoot, Dave Shoger, Erik Hansen, Heidi Nelson, Hugo McPhee, Jesse Farrell, Katie Rodriguez, Loren Olson, Amada Marquez Simula, Ernest Morales, Nick Thompson, Sean Hayford Oleary, Wally Wysopal, Nyle Zikmund, Lesley Kandaras, Patrick Trudgeon, Anne Finn, Eric Petersen.

Chair Thompson called the meeting to order at 9:02 am.

Motion by Dan Keeley, seconded by Steve Huser to approve meeting minutes from July 24, 2023. Motion adopted.

John Dukich, MnDOT Legislative Affairs Manager, presented a legislative update that outlined new revenues for transportation. Discussion followed on traffic levels since the pandemic. Mr. Kealey asked about drone delivery of fast food and drone management. Mr. Dukich discussed a driverless delivery working group and said he will on the status of the working group.

Lesley Kandaras, General Manager, Metro Transit, presented year to date highlights with ridership, legislative outcomes, a 2023 strategic plan, and other updates. Nick Thompson presented on expanding the transit network and Metro Transit Chief Ernest Morales presented on the agency's Safety & Security Action Plan, and ongoing recruitment efforts.

Mr. Kealey asked about the Metro Area Transit Tax and funding for suburban providers. Ms. Kandaras said they are analyzing sales tax revenue and provider funding. Mr. Wynder added that there is money for capital but not operating. Mr. Thompson added that there are lines are being considered based on current ridership numbers. Ms. Marquez Simula stated she was glad to hear crime is down and congratulated Metro Transit on its work in this area.

Mr. Wynder, CEO, MN Valley Transit Authority, presented on the vision to provide reliable transit service that meets identified customer needs, market drivers, micro transit, and express service. Mr. Huang discussed legislative session impacts on fleet modernization and hours of operation.

Mr. Mareck asked about the primary source of operating funds for suburban providers. Mr. Wynder replied a snapshot showing 2021 data. Mr. Hayford Oleary asked whether the Metropolitan Council prefers that opt-outs remain "designated" recipients and said he would like to understand the tradeoffs of this position, and the definition of 'fair share'. Mr. Wynder noted that the Metropolitan Council makes the policy. Mr. Huang stated that the opt-outs' share has remained the same and has not kept up with inflation. Chair Thompson added this is a significant policy discussion and matter. Mr. Wynder added that with 20% of the population, we deserve a conversation with having the fair share. Mr. Fletcher asked about the proceeds of the sales tax. Ms. Rodriguez asked about transit dependent populations in Duluth and St Cloud versus those

populations served by suburban providers and the costs of micro transit versus express or BRT. Discussion.

Chair Thompson moved to a brief break. Once the meeting resumed, Mr. Lund discussed policies without recommended changes in Transportation; 5-E, 5-F, 5-G, 5-H, 5-I, 5-L, 5-M, 5-N, 5-O, 5-P. Motion by Fletcher, seconded by Huser to approve the policies as written. Motion adopted.

Mr. Lund discussed policies with recommended changes. Mr. Huang reviewed his proposed language on funding. Discussion. Mr. Kealey noted there are similar models that do not need any special legislation. Mr. Hayford O'Leary asked for clarification on items in the proposal. Discussion. Ms. Niedfeldt Thomas added New Brighton has a similar model, referred to as a Debt-free Streets Program. Mr. Fletcher asked if this would be a tough lift in the legislature. Mr. Huser added that this may be looked at as a rebranded idea, and suggested consideration of a wheelage tax. Mr. Huang added that he would like a more formal tool to the toolbox. Discussion followed regarding the staff suggested change to policy 5A. Motion by Fletcher, seconded by Hansen to approve this change to the policy. Motion adopted.

Ms. Rodriguez reviewed a proposal by the city for language regarding cost sharing for cities. Ms. Nelson said she appreciated the concern but has a concern that the modification could impede projects from proceeding. Discussion. Mr. Huser stated he has concerns about projects involving multiple cities, under the language. Chair Thompson said he likes the first sentence about putting entities on notice but limits on the cost share could be challenging to include in the policy.

Mr. Lund discussed Policy 5B and staff suggested changes. Mr. Fletcher requested this change be held over.

Mr. Lund reviewed Policy 5C and staff changes. Mr. Huser asked about additional language suggested on line 140, and an amendment to add "local infrastructure needs." Chair Thompson asked about whether this refers to the county share; Mr. Huser stated it was not his intent to spell this out. Mr. Hansen asked about the regional sales tax and a suggestion for language regarding planning efforts but said he has not received language from transit providers as of yet.

Chair Thompson adjourned the meeting at 11:32am.

September 18, 2023

To: Metro Cities Transportation and General Government Policy Committee
From: Mike Lund, Government Relations Specialist
Re: September 25th Policy Committee Memo

Enclosed are materials for the third meeting of the Transportation and General Government Policy Committee on **Monday, September 25th at 9:00 AM**. There are no scheduled speakers for our final meeting. Below are policies with suggested draft language for the committee to consider. Also noted are policies without proposed changes at this time that may be considered for approval if committee members so choose. Staff has also provided draft language for new policies regarding adult-use cannabis and emergency medical services. The city of Saint Paul is also proposing new policies related to copper wire theft and the open meeting law.

Transportation (Policies <u>without</u> recommended changes at this time.)	
5-E	Highway and Bridge Turn Backs & Funding – <i>Adopted</i>
5-F	“3C” Transportation Planning Process: Elected Officials’ Role – <i>Adopted</i>
5-G	Electronic Imaging for Enforcement of Traffic Laws – <i>Adopted</i>
5-H	Transportation Network Companies and Alternative Transportation Modes – <i>Adopted</i>
5-I	Airport Noise Mitigation – <i>Adopted</i>
5-L	Municipal Input/Consent for Trunk Highways and County Roads – <i>Adopted</i>
5-M	Plat Authority – <i>Adopted</i>
5-N	MnDOT Maintenance Budget – <i>Adopted</i>
5-O	Transit Taxing District – <i>Adopted</i>
5-P	Complete Streets – <i>Adopted</i>

Transportation (Policies <u>with</u> suggested changes.)	
5-A	Road and Bridge Funding: <ul style="list-style-type: none">• <i>Staff suggested changes.</i>• <i>Language suggested by city of Richfield.</i>• <i>City of Chaska has removed its proposal from consideration.</i>
5-B	Regional Transit System: <ul style="list-style-type: none">• <i>Staff suggested changes.</i>• <i>Language suggested by city of Greenwood.</i>
5-C	Transit Financing: <ul style="list-style-type: none">• <i>Staff suggested change acknowledging new regional sales tax.</i>• <i>Language suggested by city of Minneapolis.</i>• <i>Language suggested by city of Eagan.</i>
5-D	Street Improvement Districts: <i>Staff suggested changes.</i>
5-J	Funding for Non-Municipal State Aid (MSAS) City Streets: <i>Staff suggested changes.</i>
5-K	County State Aid Highway (CSAH) Distribution Formula: <i>Staff suggested changes.</i>

General Government (Policies without recommended changes at this time.)	
2-A	Mandates, Zoning & Local Authority
2-B	City Enterprise Activities
2-D	911 Telephone Tax
2-E	800 MHz Radio System
2-F	Building Codes
2-H	Residential Programs
2-I	Annexation
2-J	Statewide Funding Sources for Local Issues with Regional Impact
2-M	Regulation of Harmful Substances and Products
2-N	Private Well Drilling Restriction Authority
2-O	Organized Waste Collection
2-Q	Utility Franchise Fees, Accountability and Cost Transparency
2-R	Water Supply
2-S	Regulation of Massage Therapists
2-T	Peace Officer Arbitration Reform
2-W	Street Racing

General Government (Policies with suggested changes.)	
2-C	Firearms on City Property: <i>Language suggested by city of Saint Paul.</i>
2-G	Administrative Fines: <i>Staff suggested change.</i>
2-K	Urban Forest Management Funding: <i>Staff suggested changes.</i>
2-L	Pollinator Habitat Resources: <i>Staff suggested changes.</i>
2-P	Election Administration: <i>Staff suggested changes.</i>
2-U	Public Safety Training and Resources: <ul style="list-style-type: none"> • <i>Language suggested by city of Minneapolis.</i> • <i>Language suggested by city of Saint Paul.</i>
2-V	Race Equity: <i>Staff suggested change.</i>
2-X	Carjacking: <i>Language suggested by city of Saint Paul.</i>
2-Y	Catalytic Converter Theft: <i>Staff suggests deleting this policy following legislative action taken during the 2023 session.</i>
NEW	Adult-Use Cannabis: <i>Staff suggested policy for committee discussion.</i> <ul style="list-style-type: none"> • <i>Additional language suggested by city of Saint Paul.</i>
NEW	Emergency Medical Services: <i>Drafted by staff based on committee discussion.</i>
NEW	Copper Wire Theft: <i>Language suggested by city of Saint Paul.</i>
NEW	Open Meeting Law: <i>Language suggested by city of Saint Paul.</i>

We look forward to seeing you on the 25th.

Transportation Policies and Funding Introduction

Metro Cities supports a comprehensive transportation system as a vital component in planning for and meeting the physical, social, and economic needs of the state and metropolitan region.

A comprehensive transportation system includes streets and bridges, transit, and multi-modal solutions that work cohesively to best meet state, regional and local transportation needs.

Adequate and stable sources of funding are necessary to ensure the development and maintenance of a high quality, efficient and safe transportation system that meets these needs and that will position the state and region to be economically competitive in the years ahead. Failure to maintain a functional transportation system will have adverse effects on the state's ability to attract and retain businesses and create jobs.

Transportation funding and planning must be a high priority for state, regional and local policymakers so that the transportation system can meet the needs of the state's residents and businesses as well as projected population growth. Funding and planning for regional and statewide systems must be coordinated at the federal, state, regional and local levels to optimally achieve long-term needs and goals.

5-A Road and Bridge Funding

Under current financing structures that rely primarily on local property taxes and fees as well as the cities' share of the Highway User Tax Distribution (HUTD) Fund ~~motor vehicle sales tax (MVST) receipts,~~ road and bridge needs in the metropolitan region continue to be underfunded. *(Edit suggested by staff)*
Metro Cities strongly supports stable, sufficient, and sustainable statewide transportation funding and expanded local tools to meet the transportation system needs of the region and local municipal systems. Consideration should be given to using new, expanded, and existing resources to meet these needs. **Metro Cities supports the use of dedicated taxes and fees to fund transportation infrastructure.**

In addition, cities lack adequate tools and resources for the maintenance and improvement of municipal street systems, with resources restricted to property taxes and special assessments. It is imperative that alternative revenue generating authority be granted to municipalities and that state resources be made available for this purpose to aid local communities and relieve the burden on the property tax system.

Metro Cities supports Municipal State Aid Street (MSAS) funding. MSAS provides an important but limited revenue source that assists eligible cities with street infrastructure needs and is limited to twenty percent of a city's street system.

Metro Cities supports state funding to assist cities over-burdened by cost participation responsibilities from improvement projects on ~~the state's arterial system and county state aid highway (CSAH) systems, state or county highways.~~ Metro Cities supports flexibility in cost participation policies, especially for those cities with a disproportionate number of state or county highways in and around their local boundaries. *(Language suggested by city of Richfield)*

Metro Cities supports state funding for state highway projects, including congestion, bottleneck and safety improvements. Metro Cities also supports state financial assistance, as well as innovations in

design and construction, to offset the impacts of regional transportation construction projects on businesses.

Metro Cities opposes statutory changes restricting the use of local funds for transportation projects. Metro Cities opposes restrictions on aesthetic related components of transportation projects, as these components often provide important safety and other benefits to projects.

Metro Cities supports further research into the policy implications for electric and automated vehicles on roadways, transit, and other components of transportation systems. Metro Cities encourages the state to study the impact of electric and automated vehicles on transportation related funding and policies.

5-B Regional Transit System

The Twin Cities Metropolitan Area needs a multi-modal regional transit system as part of a comprehensive transportation strategy that serves all users, including commuters and the transit dependent. The transit system should be composed of a mix of high occupancy vehicle (HOV) lanes, high occupancy toll (HOT) lanes, a network of bike and pedestrian trails, bus rapid transit, express and regular route bus service, exclusive transit ways, light rail transit, streetcars, and commuter rail corridors designed to connect residential, employment, retail, and entertainment centers. **The system should be regularly monitored and adjusted to ensure that routes of service correspond to current and forecasted changes in the region's transit service needs and priorities. Metro Cities supports strategic expansion of the regional transit system.**

Current congestion levels and forecasted population growth require a stable, reliable, and growing source of revenue for transit construction and operations so that our metropolitan region can meet its transportation needs to remain economically competitive. **Metro Cities supports an effective, efficient, and comprehensive regional transit system as an invaluable component in meeting the multimodal transportation needs of the metropolitan region and to the region's economic vibrancy and quality of life.**

Metro Cities recognizes that transit service connects residents to jobs, schools, health care, and activity centers. Transit access and service frequency levels should recognize the role of public transit in addressing equity, including but not limited to racial and economic disparities, people with disabilities and the elderly. **Metro Cities supports efforts to transition the fleets of transit providers in the metropolitan region to low or zero emission buses and supports using equity and environmental criteria identified in transit providers' zero emission bus transition plans to prioritize the deployment of zero or low-emission buses.**

Metro Cities opposes statutory changes restricting the use of local funds for planning or construction of transit projects. Restricting local planning and funding limits the ability of cities to participate in transit corridor planning and development. State and regional policymakers must coordinate with local units of government as decisions are made at the state level on transit projects that also involve municipal planning, funding, and policy decisions.

In the interest of including all potential options in the pursuit of a regionally balanced transit system, Metro Cities ~~supports the repeal of the gag order on the Dan Patch Commuter Rail Line and opposes~~ the imposition of legislative moratoriums on the study, planning, design, or construction of specific transit projects. *(Edit suggested by staff. This gag order was repealed during the 2023 session)*

Metro Cities supports a regional governance structure that ensures a measurably reliable and efficient system, recognizes the diverse transit needs of our region and addresses funding needs for all components of the system. These structures must work with and be responsive to the needs of the communities they serve.

Metro Cities supports an open and collaborative regional transportation planning process that fully engages all public transit providers as partners in ongoing policy development to achieve desired outcomes, including establishment of transit project criteria that promote fair and equitable selection of projects throughout the region and transparent regional distribution of available funding.

Metro Cities recognizes the need for flexibility in transit systems for cities that border the edges of the seven-county metropolitan area to ensure users can get to destinations outside of the seven-county area. Metro Cities encourages the Metropolitan Council to coordinate with collar counties so that riders can get to and from destinations beyond the boundaries of the region.

Metro Cities is opposed to legislative or Metropolitan Council directives that constrain the ability of metropolitan transit providers to provide a full range of transit services, including reverse commute routes, suburb-to-suburb routes, transit hub feeder services or new, experimental services that may show a low rate of operating cost recovery from the fare box.

Metro Cities strongly supports the autonomy of suburban transit providers to conduct operations to meet demonstrated and unique needs in their designated service areas independent from the operations of other regional transit providers. Metro Cities supports the ability of cities to opt out of Metro Transit to either partner with or join an existing suburban transit provider or to establish their own transit service. *(Language suggested by city of Greenwood)*

~~The COVID-19 crisis has had dramatic effects on public transit service, including changing business practices that are likely to substantially reduce transit demand for the foreseeable future. Adverse economic effects threaten revenues available to fund transit operations.~~ *(Edit suggested by staff).*

Suburban transit providers are concerned that funding challenges may be used to attempt to justify a repeal of their authorizing legislation and to consolidate transit services into a single regional entity. This would result in reverting to conditions existing nearly 40 years ago when inadequate service caused twelve suburbs to elect not to be part of the traditional transit system.

In the interest of safety and traffic management, Metro Cities supports further study of rail safety issues relating to water quality protections, public safety concerns relating to derailments, traffic implications from longer and more frequent trains and the sensitive balance between rail commerce and the quality-of-life impacts on the communities through which they pass.

(Reorganization of paragraphs to keep related pieces next to one another, suggested by staff)

5-C Transit Financing

Shifting demographics in the metropolitan region will mean increased demand for various modes of transit in areas with and without current transit service. MVST revenue projections are unpredictable, and the Legislature has repeatedly reduced general fund support for Metro Transit, which contributes to persistent operating deficits for regional transit providers.

Operating subsidies necessary to support a regional system should come from regional and statewide funding sources and not local taxpayers. ~~In recent years~~ Until recently, state and regional resources for transit ~~have had~~ diminished, with costs shifting to local taxpayers in the metropolitan area. A system of transit provides significant economic benefits to the state and metropolitan region and must be supported with state and regional revenue sources. In addition, capital costs for the expansion of the regional transit system should be supported through state and regional sources, and not the sole responsibility of local units of government. In 2023, a 0.75% regional sales and use tax in the seven county metropolitan area was established to provide funding for transit operations, maintenance, capital projects.
(Edit suggested by staff)

Metro Cities supports stable and predictable state and regional revenue sources to fund operating and capital expenses for all regional transit providers and Metro Mobility at a level sufficient to meet the growing operational and capital transit needs of the region and to expand the system to areas that lack sufficient transit service options.

Metro Cities continues to support an advisory role for municipal officials in decisions associated with local transit projects. Metro Cities supports the early engagement of local governments in transit project planning and development including project scoping, cost estimating, funding requests and coordination with overlapping initiatives to achieve successful corridor-based projects.

Metro Cities supports the creation of a city allocation from the Regional Transportation Sales Tax to aid cities with local transportation infrastructure. (Language suggested by city of Minneapolis)

To promote stable and predictable distribution of Regional Transportation Sales and Use Tax receipts, Metro Cities supports a collaborative process by which the Metropolitan Council includes stakeholders in the creation of policy guiding the distribution of funds. (Language suggested by city of Eagan)

5-D Street Improvement Districts

Funding sources for local transportation projects are limited to the use of Municipal State Aid Street Program (MSAS), property taxes and special assessments. ~~In addition, cities under 5,000 in population are not eligible for MSA.~~ With increasing pressures on city budgets and limited tools and resources, cities are finding it increasingly difficult to maintain aging streets.

Street improvement districts allow cities in developed and developing areas to fund new construction as well as reconstruction and maintenance efforts.

The street improvement district is designed to allow cities, through a fair and objective fee structure, to create a district or districts within the city in which fees are raised on properties in the district and spent within the boundaries of the district. ~~Street improvement districts would also aid cities under 5,000 with an alternative to the property tax system and special assessments. (Edits suggested by staff)~~

Metro Cities supports the authority of local units of government to establish street improvement districts. Metro Cities also supports changes to special assessment laws to make assessing state-owned property a more predictable process with uniformity in the payment of assessments across the state.

5-E Highway and Bridge Turn Backs & Funding

ADOPTED

Cities do not have the financial capacity and in many cities the technical expertise other than through significant property tax increases, to absorb additional roadway or bridge infrastructure responsibilities without new funding sources. The existing municipal turnback fund is not adequate based on contemplated turn backs.

Metro Cities supports jurisdictional reassignment or turnback of roads (Minn. Stat. § 161.16, subd. 4) on a phased basis using functional classifications and other appropriate criteria subject to a corresponding mechanism for adequate funding of roadway improvements and continued maintenance.

Metro Cities does not support a wholesale turnback of county or state roads or bridges without the consent of the municipality and the total cost, agreed to by the municipality, being reimbursed to the city in a timely manner. The process for establishing state policies to assign a shared cost participation for newly constructed or rebuilt bridges over trunk highways to local officials, must include input by the local municipalities affected, and any assigned shared costs and responsibilities must be agreed to by the municipalities.

5-F “3C” Transportation Planning Process: Elected Officials’ Role

ADOPTED

The Transportation Advisory Board (TAB) was developed to meet federal requirements, designating the Metropolitan Council as the organization that is responsible for a continuous, comprehensive, and cooperative (3C) transportation planning process to allocate federal funds among metropolitan area projects. Input by local officials into the planning and prioritization of transportation investments in the region is a vital component of these processes.

Metro Cities supports continuation of the TAB with a majority of locally elected municipal officials as members and participating in the process.

5-G Electronic Imaging for Enforcement of Traffic Laws

ADOPTED

Enforcement of traffic laws with cameras and other motion imaging technology has been demonstrated to improve driver compliance and safety.

Metro Cities supports cities having the authority to use such technology, including photos and videos, to enforce traffic laws.

5-H Transportation Network Companies and Alternative Transportation Modes

ADOPTED

The introduction of transportation network companies (TNC) such as Lyft and Uber, vehicle sharing and other wheeled transportation modes such as bicycles and scooters, require the need for local officials to determine licensing and inspection requirements for these modes, and to address issues concerning management over public rights-of-way. Cities have the authority to license rideshare companies, inspect vehicles, license drivers, and regulate access to sidewalks and streets. The use of autonomous delivery robots and aerial drones in public rights-of-way is also becoming more prevalent and cities must maintain and enhance the authority necessary to regulate the use of these vehicles to ensure safe use of the public right of way.

Metro Cities supports the authority of local officials to regulate and establish fees on these transportation modes. Emerging and future transportation technologies have potentially significant implications for local public safety and local public service levels, the needs and impacts of which vary by community.

5-I Airport Noise Mitigation

ADOPTED

Communities closest to MSP and reliever airports are significantly impacted by noise, traffic, and other numerous expansion-related issues.

Metro Cities supports the broad goal of providing MSP-impacted communities greater representation on the Metropolitan Airports Commission (MAC). Metro Cities encourages continued communication between MAC commissioners and the cities they represent. Balancing the needs of the MAC, the business community, and the airport host cities and their residents requires open communication, planning and coordination. Cities must be viewed as partners with the MAC in resolving differences that arise out of airport projects and the development of adjacent parcels. Regular contact between the MAC and cities throughout a project proposal process will enhance communication and problem solving. The MAC should provide full funding for noise mitigation for all structures in communities impacted by flights in and out of MSP.

Metro Cities supports noise abatement programs and expenditures and the work of the Noise Oversight Committee to minimize the impacts of MAC operated facilities on neighboring communities. The MAC should determine the design and geographic reach of these programs only after a thorough public input process that considers the priorities and concerns of impacted cities and their residents. The MAC should provide full funding for noise mitigation for all structures in communities impacted by flights in and out of MSP.

5-J Funding for Non-Municipal State Aid (MSAS) City Streets

Cities under 5,000 in population are not eligible for Municipal State Aid ~~do not directly receive non-property tax funds for collector and arterial streets~~. Cities over 5,000 residents have limited eligibility for dedicated Highway User Tax Distribution Fund dollars, which are capped by the state constitution as

being available for up to twenty percent of streets. Current County State Aid Highway (CSAH) distributions to metropolitan counties are inadequate to provide for the needs of smaller cities in the metropolitan area. Possible funding sources include the five percent set-aside account in the Highway User Tax Distribution Fund, modification to county municipal accounts, street improvement districts, and/or state general funds.

The 2015 Legislature created a Small Cities Assistance Account that is distributed through a formula to cities with populations under 5,000. The Account has received periodic one-time appropriations, but no stable or dedicated source of funding.

Cities need long-term, stable, funding for street improvements and maintenance. In 2023, the Legislature established the Transportation Advancement Account which distributes revenue from the retail delivery fee and the auto parts sales tax to counties, cities, townships, and a food delivery support account. Specifically, this account will distribute 27 percent of the revenue collected to cities under 5,000 in population and 15 percent to cities over 5,000 in population.

Metro Cities also supported the distribution of revenue deposited into the Transportation Advancement Account to cities, providing sustainable state funding sources for non-MSAS city streets, including funding for the Small Cities Assistance Account as well as support for the creation and funding of a Large Cities Assistance Account. Metro Cities supports additional resources and flexible policies to meet local infrastructure needs and increased demands on city streets.

(Edits suggested by staff)

5-K County State Aid Highway (CSAH) Distribution Formula

Significant resource needs remain in the metropolitan area CSAH system. Revenues provided by the Legislature for the CSAH system have resulted in a higher number of projects being completed. However, greater pressure is being placed on municipalities to participate in cost sharing activities, encumbering an already over-burdened local funding system. When the alternative is not building or maintaining roads, cities bear not only the costs of their local systems but also as much as fifty percent of county road projects. **Metro Cities supports special or additional funding for cities that have burdens of additional cost participation in projects involving county roads.**

CSAH eligible roads were designated by county engineers in 1956 and Although only 10 5 percent of the CSAH roads are in the metropolitan area, they account for nearly 50 37 percent of the vehicle miles traveled. The CSAH formula passed by the Legislature in 2008 increased the amount of CSAH funding for the metropolitan area from 18 percent in 2007 to 21 percent in 2011. The formula helped to better account for needs in the metropolitan region but is only the first step in addressing needs for additional resources for the region are needed. **Metro Cities supports a new CSAH formula more equitably designed to fund the needs of our metropolitan region.** *(Edits suggested by staff)*

5-L Municipal Input/Consent for Trunk Highways and County Roads

ADOPTED

265 State statutes direct the Minnesota Department of Transportation (MnDOT) to submit detailed plans,
266 with city cost estimates, at a point one-and-a-half to two years prior to bid letting, at which time public
267 hearings are held for community input. If MnDOT does not concur with requested changes, it may
268 appeal. Currently, that process would take a maximum of three and a half months and the results of the
269 appeals board are binding on both the city and MnDOT.

270 **Metro Cities supports the municipal consent process and opposes changes to weaken municipal**
271 **consent or adding another level of government to the consent process. Metro Cities opposes changes**
272 **to current statutes that would allow MnDOT to disregard the appeals board ruling for state trunk**
273 **highways.** Such a change would significantly minimize MnDOT's need to negotiate in good faith with
274 cities for appropriate project access and alignment and would render the public hearing and appeals
275 process meaningless. **Metro Cities also opposes the elimination of the county road municipal consent**
276 **and appeal process for these reasons.**

277

278 **5-M Plat Authority** **ADOPTED**

279 Current law grants counties review and comment authority for access and drainage issues for city plats
280 abutting county roads.

281 **Metro Cities opposes any statutory change that would grant counties veto power or that would**
282 **shorten the 120-day review and permit process time.**

283

284 **5-N MnDOT Maintenance Budget** **ADOPTED**

285 The state has failed in its responsibility for maintaining major roads throughout the state by requiring,
286 through omission, that cities bear the burden of maintaining major state roads.

287 MnDOT should be required to meet standards adopted by cities through local ordinances, or reimburse
288 cities for labor, equipment and material used on the state's behalf to improve public safety or meet local
289 standards. Furthermore, if a city performs maintenance, the city should be fully reimbursed.

290 **Metro Cities supports MnDOT taking full responsibility for maintaining state-owned infrastructure and**
291 **property, including, but not limited to, sound walls and right of way within city limits. Metro Cities**
292 **supports cooperative agreements between cities and MnDOT, which have proven to be effective in**
293 **other parts of the state. Metro Cities supports adequate state funding for the maintenance of state**
294 **rights-of-way.**

295

296 **5-O Transit Taxing District** **ADOPTED**

297 The transit taxing district, which funds the capital cost of transit service in the Metropolitan Area
298 through the property tax system, is inequitable. Because the boundaries of the transit taxing district do
299 not correspond with any rational service line nor is being within the boundaries a guarantee to receive
300 service, cities within and outside of the taxing district are contributing unequally to the transit service in
301 the metropolitan area. This inequity should be corrected.

302 **Metro Cities supports a stable revenue source to fund both the capital and operating costs for transit**
303 **at the Metropolitan Council. However, Metro Cities does not support the expansion of the transit**
304 **taxing district without a corresponding increase in service and an overall increase in operational funds.**
305 **To do so would create additional property taxes without a corresponding benefit.**

306

307 **5-P Complete Streets** **ADOPTED**

308 A complete street may include sidewalks, bike lanes (or wide paved shoulders), special bus lanes,
309 comfortable and accessible public transportation stops, frequent and safe crossing opportunities,
310 median islands, accessible pedestrian signals, curb extensions, narrower travel lanes and more.

311 A complete street in a rural area will differ from a complete street in a highly urban area, but both are
312 designed to balance safety and convenience for everyone using the road.

313 **Metro Cities supports options in state design guidelines for complete streets that would give cities**
314 **greater flexibility to:**

- 315 • **Safely accommodate all modes of travel.**
- 316
- 317 • **Lower traveling speeds on local streets.**
- 318
- 319 • **Address city infrastructure needs.**
- 320
- 321 • **Ensure livability in the appropriate context for each city.**

322 **Metro Cities opposes state-imposed mandates that would increase street infrastructure improvement**
323 **costs in locations and instances where providing access for alternative modes including cycling and**
324 **walking are deemed unnecessary or inappropriate as determined by local jurisdictions.**

General Government

2-A Mandates, Zoning & Local Authority

To serve their local citizens and communities, city officials must have sufficient local control and decision-making authority. **Metro Cities supports local decision-making authority and opposes statutory changes that erode local authority and decision making.**

Minn. Stat. § 462.357, subd. 1, provide cities authority to regulate and set local ordinances for zoning. Metro Cities supports existing state laws that provide for this authority.

Metro Cities supports statutory changes that give local officials greater authority to approve or deny variances to allow flexibility in responding to the needs of the community. Metro Cities also supports the removal of statutory barriers to uniform zoning ordinance amendment processes for all cities, regardless of city size classification.

Metro Cities opposes the imposition of legislative mandates that increase local costs without a corresponding state appropriation or funding mechanism. Unfunded mandates potentially increase property taxes and impede cities' ability to fund traditional service needs.

To allow for greater collaboration and flexibility in providing local services, Metro Cities encourages the removal of barriers to coordination between cities and other units of government or entities.

2-B City Enterprise Activities

Creation of an enterprise operation allows a city to provide a desired service while maintaining financial and management control. The state should refrain from infringing on this ability to provide and manage services for the benefit of a local community and residents.

Metro Cities supports cities having authority to establish city enterprise operations in response to community needs, local preferences, or state mandates, or that help ensure residents' quality of life.

2-C Firearms on City Property

Cities should be allowed to prohibit handguns and other weapons in city-owned buildings, facilities, and parks and to determine whether to allow permit-holders to bring guns into municipal buildings, liquor stores, city council chambers and city sponsored youth activities. It is not Metro Cities' intention for cities to have the authority to prohibit legal weapons in parking lots, on city streets, city sidewalks or on locally approved hunting land.

~~Metro Cities supports local control to allow or prohibit handguns and other weapons on city-owned property.~~

Metro Cities supports local control to prohibit or restrict the possession of dangerous weapons, ammunition, or explosives on local government-owned or leased buildings and land. (Language suggested by city of Saint Paul)

2-D 911 Telephone Tax

Public safety answering points (PSAPs) must be able to continue to rely on state 911 revenues to pay for upgrades and modifications to local 911 systems, maintenance and operational support, and dispatcher training.

Metro Cities supports state funding for technology and training necessary to provide the number and location of wireless and voice over internet protocol (VoIP) calls to 911 on computer screens and transmit that data to police, fire and first responders.

2-E 800 MHz Radio System

Metro Cities urges the Legislature to provide cities with the financial means to obtain required infrastructure and subscriber equipment (portable and mobile radios) as well as provide funding for operating costs, since the prime purpose of this system is to allow public safety agencies and other units of government the ability to communicate effectively.

Metro Cities supports the work of the Metropolitan Emergency Services Board (previously the Metropolitan Radio Board) in implementing and maintaining the 800 MHz radio system so long as cities are not forced to modify their current systems or become a part of the 800 MHz Radio System unless they so choose.

2-F Building Codes

Thousands of new housing units as well as commercial and industrial buildings are constructed annually in the metropolitan area. The State Building Code (SBC) sets statewide standards for the construction, reconstruction, alteration, and repair of buildings and other structures governed by the code. A building code provides many benefits, including uniformity of construction standards in the building industry, consistency in code interpretation and enforcement, and life- safety guidance.

Metro Cities supports an equitable distribution of fees from the Construction Code Fund, with proportional distribution based on the area of enforcement where fees were received. Metro Cities further supports efforts by the state, cities, and builders to collectively identify appropriate uses for the fund, including education, analysis of new materials and construction techniques, building code updating, building inspector training, and development of performance standards and identification of construction “best practices.”

Metro Cities supports including the International Green Construction Code as an optional appendix to the State Building Code to allow cities to utilize appropriate parts of those guidelines in their communities. Metro Cities also supports adopting the international energy conservation code to the

71 state building code without amendments. Metro Cities does not support legislative solutions that fail
72 to recognize the interrelationships among builders, state building codes and cities.

73 Metro Cities supports efforts to increase awareness of the potential impacts and benefits of requiring
74 sprinklers in new homes and townhouses. Metro Cities supports discussion and the dissemination of
75 information on these impacts via the code adoption process through the Department of Labor and
76 Industry. Metro Cities supports adopting and amending the State Building Code through the
77 rulemaking process and opposes legislative changes to building codes absent unusual or extraordinary
78 circumstances.

79 As energy costs continue to rise, more attention must be paid to the poor energy efficiency of much of
80 the existing housing stock as well as commercial and industrial buildings. Homes and other buildings that
81 are energy inefficient are more costly to maintain and create added cost to ownership and occupancy.
82 Making homes and buildings more energy efficient will make them more affordable to operate and will
83 help the state achieve energy demand goals and will reduce greenhouse gas emissions. This includes
84 supporting legislation to increase the efficiency of buildings on a pathway toward net zero energy.

85 Metro Cities supports state funding and technical support for programs that provide support for
86 property owners for weatherization and energy efficiency improvements, including programs available
87 for local governments.

88 While a single set of coordinated codes helps provide consistency in code administration and
89 enforcement, implementation of sustainable building design, construction, and operation does not
90 readily integrate with the existing state building and energy code system. As a result, many cities are
91 interested in adopting stronger local standards for sustainable development and conservation.

92 Metro Cities supports authorizing cities to employ stronger local standards for sustainable
93 development and conservation that will help inform the state code development process.

94 The state should include an optional sustainable appendix to the State Building Code to allow cities to
95 utilize appropriate parts of guidelines in their communities. Metro Cities also supports the state
96 adopting an advanced energy building standard for buildings within the State Building Code and
97 allowing cities to adopt their own enhanced standards.

99 **2-G Administrative Fines**

100 Traditional methods of citation, enforcement and prosecution have met with increasing costs to local
101 units of government. The use of administrative fines is a tool to moderate those costs.

102 Administrative fines can be used to moderate local costs associated with traditional methods of citation,
103 enforcement, and prosecution. (Edit suggested by staff) Metro Cities supports the administrative fine
104 authority that allows cities to issue administrative fines for defined local traffic offenses and supports
105 further modifications to enhance functionality of this authority. Metro Cities continues to support
106 cities' authority to use administrative fines for regulatory ordinances such as building codes, zoning
107 codes, health codes, and public safety and nuisance ordinances.

Metro Cities supports the use of city administrative fines, at a minimum, for regulatory matters that are not duplicative of misdemeanor or higher-level state traffic and criminal offenses. Metro Cities also endorses a fair hearing process before a disinterested third party.

2-H Residential Programs

Sufficient funding and oversight is needed to ensure that residents living in residential programs have appropriate care and supervision and that neighborhoods are not disproportionately impacted by high concentrations of residential programs. Historically, federal and state laws have discouraged the concentration of residential group homes so as not to promote areas that reinforce institutional quality settings.

Under current law, operators of certain residential programs are not required to notify cities when they intend to purchase single-family housing for this purpose. Cities do not have the authority to regulate the locations of residential programs. Cities have reasonable concerns about high concentrations of these facilities in residential neighborhoods, and additional traffic and service deliveries surrounding these facilities when they are grouped closely together. Municipalities recognize and support the services residential programs provide. However, cities also have an interest in preserving balance between residential programs and other uses in residential neighborhoods.

Providers applying to operate residential programs should be required to notify the city when applying for licensure to be informed of local ordinance requirements as a part of the application process. Licensing agencies should be required to notify the city of properties receiving licensure to be operated as residential programs.

Metro Cities supports changes to Minn. Stat. § 245A.11, subd. 4, to allow for appropriate non-concentration standards for all types of cities to prevent clustering. Metro Cities supports statutory modifications to require licensed agencies and licensed providers that operate residential programs to notify the city of properties being operated as residential programs. Metro Cities also supports the establishment of appropriate non-concentration standards for residential programs, to prevent clustering, and supports enforcement of these rules by the appropriate county agencies.

2-I Annexation

Attempts have been made in recent years to reduce tensions between cities and townships in annexations. A Municipal Boundary Adjustment Task Force worked to develop recommendations regarding best practices annexation training for city and township officials to better communicate and jointly plan potential annexations. While the task force defined differences between cities and townships, no significant advancements were made in creating best practices.

Metro Cities supports continued legislative efforts to develop recommendations regarding best practices and annexation training for city and township officials to better communicate and plan for potential annexations. Further, Metro Cities supports substantive changes to the state's annexation laws that will lead to better land use planning, energy conservation, greater environmental protection,

fairer tax bases, clarification of fee reimbursement and fewer conflicts between townships and cities.
Metro Cities also supports technical annexation changes that are agreed to by cities and townships.

2-J Statewide Funding Sources for Local Issues with Regional Impact

Many issues including, but not limited to, a metropolitan area groundwater monitoring network, emerald ash borer management, perfluoroalkyl and polyfluoroalkyl substances (PFAS/PFOS), and the cleanup of storm-water retention ponds, come with significant local costs, and have effects that reach beyond municipal boundaries.

Metro Cities supports the availability of statewide funding sources to address local issues that have regional or statewide significance or are caused by state or regional actions.

Metro Cities opposes any requirement to enact ordinances more restrictive than state law in exchange for access to these funds.

2-K Urban Forest Management Funding

Urban forests are an essential local infrastructure component. Dutch elm disease, oak wilt disease, drought, storms, and emerald ash borer threaten public investments in trees and controlling these issues can be greatly consequential for city budgets. The Minnesota Department of Natural Resources, through its Urban and Community Forestry program, and the Minnesota Department of Agriculture, through its Shade Tree and Invasive Species program, have regulatory authority to direct tree sanitation and control programs. Although these programs allow for addressing some tree disease, pest, and other problems, funding has been inadequate to meet the need of cities to build capacity for tree programs and respond to catastrophic problems.

Cities share the goal of the state's ReLeaf Program – promoting and funding the inventory, planning, planting, maintenance, and improvement of trees in cities throughout the state. In addition, economic and environmental gains for storm water management, climate change mitigation, air quality management, tourism, recreation, and other benefits must be protected from tree loss. A lack of timely investment in urban forests costs cities significantly more in the long run.

Metro Cities supports continued funding for a state ~~matching grant~~ programs to assist cities with building and increasing capacity for urban forest management, meeting the costs of preparing for, and responding to, catastrophic urban forest problems and preventing further loss and increasing canopy coverage. Specifically, direct grants to cities are desperately needed for the identification, removal, replacement, and treatment of trees related to management of emerald ash borer (EAB). ~~The state should establish an ongoing grant program with annual funding that is usable for those activities.~~ *(Edits suggested by staff)*

2-L Pollinator Habitat Resources

Recent declines in the abundance of pollinator insects, such as bees and butterflies, have been identified by the United Nations Food and Agriculture Organization as a threat to food security, as these insects are an important method of plant pollination. According to the US Fish and Wildlife Service, the main threats facing pollinators are habitat loss, degradation and fragmentation. Pollinators lose food and nesting sites they need to survive when native vegetation is replaced by roadways, manicured lawns, crops and non-native gardens. This can have added detriment to pollinators that migrate. Research has shown that providing these insects with more habitat can create the conditions for these insect populations to recover. Converting traditional grass lawns has been identified as way to increase pollinator habitat.

The Minnesota Legislature created the Lawns to Legumes program, which provides grants to private homeowners to convert traditional lawns to pollinator friendly landscape. The program also funds demonstration neighborhoods, which are pollinator programs run by local governments and nonprofit organizations. ~~Metro Cities supports state funding for the Lawns to Legumes program and supports expanding eligibility of this program to cities.~~ **Metro Cities supports state funding to programs such as Lawns to Legumes that create pollinator habitat on both public and private lands.** *(Edits suggested by staff)*

2-M Regulation of Harmful Substances and Products

In metropolitan regions where most cities share boundaries with other cities, local bans of harmful drugs and substances such as synthetic drugs, which have been found to be dangerous, do not eliminate access to these products unless all cities take the same regulatory action.

Metro Cities supports statewide regulation and prohibition of products or substances in circumstances where there is evidence that products present a danger to anyone who uses them, where there is broad local support for a ban and where corresponding regulatory issues have regional or statewide significance.

In addition, the Legislature should provide for the regulation of products that are known to damage water quality, sewer collection, and storm and wastewater treatment systems, not just at the treatment and infrastructure maintenance levels, but at the consumer and manufacturing levels, through accurate labeling of products, public education, and recycling and re-use programs.

2-N Private Well Drilling Restriction Authority

Cities are authorized to enact ordinances that disallow the placement of private wells within city limits to ensure both water safety and availability for residents and businesses. This authority is important for the appropriate management of local water supply conservation efforts. Municipal water systems are financially dependent upon users to operate and maintain the system. A loss of significant rate payers resulting from unregulated private well drilling would economically destabilize water systems and could lead to contamination of the water supply.

Metro Cities supports current law authorizing cities to regulate and prohibit the placement of private wells within municipal utility service boundaries and opposes any attempt to remove or alter that authority. Metro Cities supports funding that can be used to cap private wells.

2-O Organized Waste Collection

Cities over 1,000 in population are required by law to ensure all residents have solid waste collection available to them. A city can meet the statutory requirement by licensing haulers to operate in an open collection system, authorize city employees to collect waste, or implement organized collection through one or multiple haulers to increase efficiency, reduce truck traffic and control costs to residents.

Metro Cities supports current laws that allow cities to work with existing haulers to achieve the benefits of organized collection or investigate the merits of organized collection without the pressure of a rigid timeline and requirement to pass ‘an intent to organize’ at the beginning of the discussion process. Metro Cities opposes any legislation that would further increase the cost or further complicate the process cities are required to follow to organize waste collection or prohibit cities from implementing, expanding or using organized waste collection. Metro Cities supports state funding to local governments to increase the availability of material and organic recycling.

2-P Election Administration

Cities play a critical role in managing and ensuring the integrity of elections. Any changes made to election laws should not place undue financial or administrative burdens on local governments. **Metro Cities supports reimbursement by the state to local units of government for any costs associated with changes to election laws.**

State laws that allow the filling of municipal vacancies by special election on one of four days specified in law, can create logistical and financial challenges for municipalities. **Metro Cities supports changes to state laws that allow sufficient flexibility for municipalities in addressing vacancies in municipal offices.** *(Policy rearranged, suggested by staff)*

Metro Cities supports laws to increase efficiencies in administering absentee ballots and early voting, to reduce the potential for errors, and to improve absentee balloting and early voting processes.

Metro Cities further supports:

- **Laws allowing in-person absentee voters to place their ballots in a secure tabulator, and statutory changes to allow this for the duration of absentee voting.**
- **Establishing an earlier deadline for ending in-person absentee voting.**
- **Revising absentee ballot regulations to allow any person 18 and older to witness the absentee process and sign the envelope as a witness.**
- **Authorizing cities with health care facilities to schedule election judges to conduct absentee voting at an earlier date in health care facilities.**
- **Additional funding and flexibility for cities that administer absentee balloting and early voting given the extended early voting period and required hours of operation during evenings and weekends. *(Edit suggested by staff)***

2-Q Utility Franchise Fees, Accountability and Cost Transparency

Minnesota cities are authorized by Minn. Stat. 216B and Minn. Stat. § 301B.01 to require a public utility (gas or electric) that provides services to the city or occupies the public right of way within a city to obtain a franchise. Several metro area cities have entered agreements that require the utility to pay a fee to help offset costs of maintaining the right of way.

Cities are also adopting energy policies that use renewable energy resources to light or heat public facilities. Policies and programs have also been instituted in cooperation with the public utility franchisee to increase energy efficiency for all users. Cities also contract, at city expense, with public utilities to “underground” wires. State laws also require energy companies to provide more electric energy from renewable sources. The specific amounts vary by type of utility.

Metro Cities supports state policies adopted by legislation or through rules of the Public Utility Commission that provide cities with the authority to include city energy policies and priorities in a franchise or similar agreement with a franchisee.

Metro Cities supports greater accountability and transparency for city paid costs associated with underground utility and similar work performed by electric utilities as part of a local project.

2-R Water Supply

Municipal water suppliers are charged with meeting the water supply needs of their communities and work to do so with safe, reliable, and cost-effective systems that are sustainable both for established cities and for all future growth.

The aquifers in the metropolitan area cross municipal boundaries and therefore require a coordinated regional approach to planning for their future availability. Currently, approximately 75% of municipal water supply in the metropolitan area comes from groundwater. With proper management of the resource, the current water supply in the region is adequate; however, Metropolitan Council projections predict localized declines in aquifer availability due to population growth estimates if current usage levels are maintained.

Regulation of water is complex and compartmentalized. Various agencies permit its use, plan for its availability, regulate stormwater, treat wastewater and protect the safety of water. To ensure that water supply remains adequate and sustainable across the region, we must understand how much water can be sustainably drawn from the aquifers and what effect increases in re-use, conservation and recharge can have on the sustainability and availability of both groundwater and surface water. Many of these strategies cross agency jurisdictions and will require improved coordination and cooperation.

Municipal water suppliers have made significant infrastructure investments in their systems based on calculated water availability and DNR permits. Proposals to reduce the reliance on groundwater by switching municipal water systems from groundwater to surface water supplies will come with significant costs that could place excessive burdens on local resources.

The outcomes and benefits of re-balancing the mix of groundwater and surface water use for specific municipalities and the region must be identifiable before any projects are undertaken. The sustainability

299 of our water supply is an issue of regional and statewide significance and the expense of any necessary
300 projects that benefit the region should not fall on individual cities. Any attempts to address water supply
301 sustainability must also take into account all water users, including municipal water suppliers, industry,
302 private wells, agriculture and contamination containment.

303 The metropolitan region must consider the effects of groundwater use beyond the borders of the
304 metropolitan area on the region's groundwater availability and the cost of treating contaminants in
305 surface water that comes into the metropolitan area for use.

306 **Metro Cities supports the removal of barriers to wastewater and storm water re-use, improved inter-**
307 **agency coordination, clarifying the appropriate roles of local, regional and state governments with**
308 **respect to water, streamlining and consolidating permit approval processes and the availability of**
309 **statewide resources to plan for and ensure the future sustainability of water supply in the**
310 **metropolitan area.** Metro Cities also encourages the Metropolitan Council, in consultation with
311 municipalities, to find ways to re-use wastewater and to develop other strategies to improve
312 conservation.

313 **Metro Cities supports state funding for costs associated with converting water supply from**
314 **groundwater to surface water and funds to encourage and promote water conservation as a strategy**
315 **to improve water sustainability and to improve and protect water quality.**

316

317 **2-S Regulation of Massage Therapists**

318 In the absence of statewide regulation for massage therapy practitioners, many cities have enacted local
319 ordinances that require massage therapists to obtain a local professional license to assist law
320 enforcement in differentiating between legitimate providers and illegitimate businesses fronting as
321 massage therapy establishments.

322 **Metro Cities supports statewide registration or licensure of massage therapists to aid local law**
323 **enforcement efforts in this area. Metro Cities supports cities' ability to continue to license massage**
324 **therapy businesses.**

325

326 **2-T Peace Officer Arbitration Reform**

327 Many municipalities in the metropolitan area provide law enforcement services and employ licensed
328 peace officers. To ensure the public's safety and trust, and to strengthen collaboration between citizens
329 and peace officers, cities must have the authority to effectively govern local law enforcement agencies.
330 City officials are ultimately responsible for the safety and protection of the local community.

331 **Metro Cities supports statutory arbitration reforms to allow for the discipline, including removal, of**
332 **law enforcement officers who have been found to have violated local law enforcement agency**
333 **policies.**

334 **Metro Cities further supports a reasonable standard of review in law enforcement arbitration cases,**
335 **which would limit the determination of arbitrators to whether the actions of an employer were**

reasonable and consistent with city and agency policies. Metro Cities further supports using administrative law judges (ALJs) or arbitration to address grievances and discipline related to police misconduct.

2-U Public Safety Training and Resources

Metro Cities acknowledges that the tasks public safety responders have been asked to address are increasingly the result of inadequate social services and programs. Metro Cities recognizes the need for adequate resources for social service and mental health services and programs to help reduce the need for public safety responders to perform these services.

Metro Cities supports state ongoing funding for public safety responders training, including training for crisis management, cultural awareness and implicit bias, mental health and de-escalation, and supports ongoing funding for equipment such as body cameras.

Metro Cities supports state ongoing funding for public safety innovation at the local level. This could include funding for imbedded social workers or mental health crisis response. (Language suggested by city of Minneapolis)

Metro Cities supports resources for the Department of Public Safety to acquire and store with a third party vendor anti-scale fencing, pedestrian doors, and vehicle gates for local government facilities to improve equitable access to these de-escalation and safety tools. (Language suggested by city of Saint Paul)

2-V Race Equity

In the seven-county metropolitan region, people of color represent 28% of the population, and this percentage is expected to grow to 44% by 2050, according to the current population forecast from the Metropolitan Council. As racial and ethnic diversity increases in the region, people of color continue to experience significant barriers in housing, employment, criminal justice, public infrastructure, health, and education, and disparities are becoming more apparent. ~~with the COVID-19 pandemic and civil unrest that is occurring in many communities.~~ (*Edit suggested by staff*)

Across the metropolitan region, many cities are working to examine local policies and systems, to revise the delivery of public services, and to allocate resources to help advance race equity. All levels of government as well as the nonprofit and business sectors have roles to play in addressing race inequities and must work collaboratively to ensure that services and resources are considered, designed and implemented in a comprehensive, purposeful, informed and inclusive way to achieve race equity.

Metro Cities supports:

- **An examination and revision of existing state, regional, county and city laws, ordinances and policies to address racial disparities.**

- State, regional, county and city resources to assist with comprehensive data collection, disaggregation and sharing to ensure informed policy and funding decisions at all levels of government.
- Funding to assist in the development of tools and resources that advance racially equitable outcomes.
- Activating partnerships among state, regional, and local governmental institutions and other entities to advance race equity.

2-W Street Racing

Street racing is an issue of increasing concern for cities across the metropolitan region. This activity is highly mobile, is strongly associated with other illegal activity and poses significant public safety risks for participants, third-party observers, and the general public.

Metro Cities supports modifications to state laws to prohibit street racing and activities associated with promoting and undertaking the activity of street racing. Specifically, Metro Cities supports statutory changes that address the activity and associated risks posed by street racing, sliding, and drifting. These could include penalties such as license suspension, minimum impoundment periods, and vehicle forfeiture.

Metro Cities supports state funding to help prevent and respond to street racing activity. This could include funding for State Patrol air supports and funding for costs, including overtime, associated with targeted law enforcement saturations and Toward Zero Deaths initiatives. Metro Cities also supports state resources to increase the Bureau of Criminal Apprehension's intelligence gathering capabilities and to enhance existing coordination efforts among law enforcement agencies.

Metro Cities further recognizes the importance and value of diversion programs that emphasize behavior modifications, which can help curb illegal activity and minimize recidivism.

2-X Carjacking

The crime of carjacking has increased significantly in the metropolitan region, with serious consequences for individual and community public safety.

Metro Cities supports the consideration by the Legislature of statutory changes to address the severity of this crime. This includes state funding to help state and local law enforcement agencies prevent and respond to carjacking. This could include funding for State Patrol air supports and for costs, including overtime, associated with targeted law enforcement saturations. Metro Cities also supports state resources to increase the Bureau of Criminal Apprehension's intelligence gathering capabilities and to enhance existing coordination efforts among law enforcement agencies.

Metro Cities further recognizes the importance and value of diversion programs that emphasize behavior modifications, which can help curb illegal activity and minimize recidivism.

Metro Cities supports consumer protection efforts that require motor vehicle manufacturers to offer antitheft protection devices on certain vehicles that have been shown to be especially susceptible to theft. (Language suggested by city of Saint Paul)

2 Y — Catalytic Converter Theft

Catalytic converter thefts have increased significantly across the metropolitan region and state. Stolen catalytic converters are sold to scrap metal dealers because they contain precious metals like platinum, palladium, and rhodium. Catalytic converter thefts have consequences for both individual and community public safety.

~~**Metro Cities supports statutory changes making it illegal to be in possession of one or more catalytic converters unless an individual can show that it belongs to a vehicle they own, or they can provide a legal receipt of the catalytic converter from the vehicle owner. Metro Cities further supports statutory changes making it illegal for a scrap metal dealer to purchase a catalytic converter from any person other than a legitimate automobile recycling facility or an individual who can provide evidence of the catalytic converter's lawful removal.**~~

(Staff suggests deleting this policy following legislative action taken during the 2023 session)

DRAFT Adult-Use Cannabis Policy

The Minnesota Legislature legalized adult-use cannabis in 2023. The law establishes the Office of Cannabis Management, which will be responsible for licensing cannabis businesses and regulating the industry. The law includes a local registration process for cannabis business license holders where local governments are authorized to charge a registration and renewal fee. Responsible local governments are required to conduct compliance checks at cannabis businesses. Cities are authorized to establish, own, and operate a municipal cannabis store. The law also includes an optional, population-based limit on the number of retail locations in each city or county. It is vital that local governments retain the ability to suspend retail registrations for businesses that pose an immediate threat to public health or safety.

The law permits local units of government to establish reasonable restrictions on the time, place, and manner of cannabis business operations and includes a zoning compliance requirement for businesses where a local jurisdiction certifies that a business' plans are appropriate and in line with local requirements.

The law establishes a Local Cannabis Aid Account to provide aid to cities and counties. The account will receive 20% of the of the revenue from the 10% gross receipts tax on cannabis products. Half of the local cannabis aid will go to counties and half will be distributed to cities based on the number of businesses located in each city.

Metro Cities opposes any efforts to reduce cities' local control and zoning authority related to cannabis. Metro Cities supports legislation providing cities the ability to prohibit cannabis businesses within their jurisdiction.

Metro Cities expects the Office of Cannabis Management to work closely with cities as this legislation is fully implemented. This includes working with local governments to create model ordinances and providing technical assistance on cannabis-related issues.

Metro Cities supports the ongoing evaluation of costs associated with the legalization of adult-use cannabis. Funding should be made available to cities without cannabis businesses if such studies show that those communities face additional budgetary pressures because of cannabis legalization.

Metro Cities supports the distribution of tax revenue from adult-use cannabis sales to cities based on the number of products sold and not the number of stores located in each municipality. (Language suggested by city of Saint Paul)

DRAFT Emergency Medical Services Policy

The Emergency Medical Services Regulatory Board (EMSRB) is the state regulatory entity that oversees and issues ambulance licenses and also has authority to designate exclusive emergency medical services (EMS) operating areas, or primary service areas (PSAs), for ambulance providers. Once a provider has been approved to operate in a PSA, the provider is authorized to serve the area for an indefinite period of time. Currently, no other state health licensing board grants providers an exclusive operating area.

Health licensing boards play a critical role in setting professional standards and credentialing processes. However, the EMSRB has not imposed operational standards to ensure an area has adequate coverage and service levels such as response time requirements. Nor is there state oversight of ambulance billing rates. The current system does not require ambulance services to disclose the number of ambulances staffed, where an ambulance is responding from or any other important data points that would ensure a community is receiving quality ambulance services. The lack of transparency within Minnesota's ambulance industry compromises accountability by EMS providers.

Metro Cities supports allowing local units of government to designate which licensed ambulance service provider(s) serve the community and to determine the appropriate level of service. Metro Cities further supports additional tools and local authority that ensure transparency by EMS providers.

Metro Cities supports decoupling the professional standards overview role from the service area determination. Metro Cities additionally supports regional balance in the membership of the EMSRB and a requirement that includes representatives of municipal ambulance services on the EMSRB. The EMSRB should be required to submit biennial reports on EMS service delivery data points for all local governments, to appropriate legislative committees.

DRAFT Copper Wire Theft Policy

Wire theft from street lights and other public infrastructure negatively impacts communities, by reducing public safety for all transportation modes. These thefts also cost cities hundreds of thousands of dollars each year to replace and repair damaged street lights.

483 **Metro Cities supports efforts to curtail the theft of copper wires from public infrastructure. Metro**
484 **Cities supports potential solutions such as statutory changes that would limit the ability of businesses**
485 **to purchase copper wire without proof of origin and other changes that would slow down the**
486 **transaction timeline for the purchase of copper wire.**

487 *(Language suggested by city of Saint Paul)*

488

489 **DRAFT Open Meeting Law Policy**

490 Public meetings in the State of Minnesota, including city council meetings and local boards and
491 commissions, must be conducted in accordance with the Open Meeting Law under Minnesota Statute
492 13D. In response to the COVID-19 pandemic, cities successfully pivoted to working remotely while
493 maintaining and even increasing transparency and accessibility.

494 **Metro Cities supports amending the Open Meeting Law to allow city councilmembers and city board**
495 **and/or commission members to participate remotely in meetings without making their location open**
496 **and accessible to the public as otherwise required under Minn. Stat. § 13D.02, subd. 1. Metro Cities**
497 **also supports amending the Open Meeting Law to remove the three-times-per-year cap for medical**
498 **and military exceptions.**

499 *(Language suggested by city of Saint Paul)*