

CITY OF FALCON HEIGHTS
City Council Workshop
City Hall
2077 West Larpenteur Avenue

AGENDA
Wednesday, November 5, 2025
6:30 P.M.

A. CALL TO ORDER:

B. ROLL CALL: GUSTAFSON___ LEEHY___
MEYER___ MIELKE___ WASSENBERG___

STAFF PRESENT: LINEHAN___ CITY ATTORNEY___

C. POLICY ITEMS:

1. Rental Rights
 - a. Just Cause Evictions
 - b. Review of Proposed Crime Free Housing
2. Gun Violence Prevention Ordinances
3. Budget Workshop #4
 - a. 2026 Capital Improvement Plan Budget
4. 2026 City Calendar Draft

D. ADJOURNMENT:

DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to mail@falconheights.org prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.

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REQUEST FOR COUNCIL ACTION (RCA)

Meeting Date	November 5, 2025
Agenda Item	Policy C1A
Attachment(s)	HF 997
Submitted By	Jack Linehan, City Administrator

Item	Rental Rights: Just Cause Evictions Ordinance
Description	<p>This request item was submitted by a Council Member. The request is for the City to consider a “Just Cause Evictions Ordinance”. The proposed ordinance would be based on 2025-2026 HF Bill 997, which was read in the Housing Finance and Policy committee this past session but did not receive further consideration.</p> <p>The draft language spells out the process for removal of tenants by a landlord, with the primary change being a change in the ability of a landlord to not renew a lease without just cause.</p> <p>St. Paul’s S.A.F.E. Housing Tenant protections provides some similar tenant protections, and cities such as Minneapolis and St. Louis Park have adopted ordinances to address eviction notice periods and other tenant support.</p> <p>A representative of HOME Line will be in attendance to discuss the ordinance.</p>
Budget Impact	N/ A
Attachment(s)	<ul style="list-style-type: none"> • HF 997 Language
Action(s) Requested	The City Council is requested to discuss and provide guidance to Staff.

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. **997**

02/17/2025

Authored by Agbaje and Kozlowski

The bill was read for the first time and referred to the Committee on Housing Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to civil law; requiring landlords to provide just cause for terminating
- 1.3 tenancy; proposing coding for new law in Minnesota Statutes, chapter 504B.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. **[504B.277] TERMINATING THE TENANCY; JUST CAUSE REQUIRED.**
- 1.6 Subdivision 1. **Just cause required.** A landlord must not issue a notice terminating a
- 1.7 tenancy or refuse to renew a lease unless the landlord establishes one or more of the grounds
- 1.8 for termination described in subdivisions 2 to 10. The landlord must provide the tenant with
- 1.9 sufficient written notice consistent with the lease requirements but not less than a full rental
- 1.10 period or in compliance with section 504B.135, describing the reason for terminating the
- 1.11 tenancy.
- 1.12 Subd. 2. **Nonpayment of rent.** The tenant fails to cure the deficiency after receiving a
- 1.13 nonpayment notice from the landlord, and the landlord does not pursue a valid nonpayment
- 1.14 eviction action under section 504B.291, subdivision 1, paragraph (a), but decides to terminate
- 1.15 the tenancy at the end of the lease.
- 1.16 Subd. 3. **Repeated late payment of rent.** The tenant repeatedly makes late payments
- 1.17 of rent, at least five times in a 12-month period. The landlord must provide the tenant with
- 1.18 notice following a late payment that a subsequent late payment may be grounds for
- 1.19 termination of the tenancy.
- 1.20 Subd. 4. **Material breach.** After receiving a written notice from the landlord, the tenant
- 1.21 fails to stop the action that is a material breach of the lease or fails to take action that would
- 1.22 cure the deficiency.

2.1 Subd. 5. **Refusal to renew.** The tenant refuses to renew or extend the lease after the
2.2 landlord requests in writing that the tenant renew or extend the lease.

2.3 Subd. 6. **Occupancy by landlord or family member.** The landlord, in good faith, seeks
2.4 to recover possession of the rental unit so that the landlord or a family member may occupy
2.5 the unit as the landlord's or the family member's principal residence.

2.6 Subd. 7. **Withdrawal from market; building demolition and dwelling unit**
2.7 **conversion.** (a) The landlord seeks to withdraw the rental property from the residential
2.8 rental market for the following reasons:

2.9 (1) to demolish the property; convert the property into a cooperative, provided the
2.10 landlord complies with the provisions of chapter 515B; or convert the property into a
2.11 nonresidential use, provided the landlord obtains the necessary permits before terminating
2.12 the tenancy;

2.13 (2) to, in good faith, recover the unit to sell it in accordance with a condominium
2.14 conversion, provided the landlord complies with the provisions of chapter 515B; or

2.15 (3) to convert the unit into a subsidized unit under a local, state, or federal housing
2.16 program and the tenant does not qualify to rent the unit under that program.

2.17 (b) A landlord who wishes to withdraw a rental property must:

2.18 (1) file a notice of intent to withdraw with the commissioner of the Minnesota Housing
2.19 Finance Agency;

2.20 (2) provide tenants with 180-day notice prior to the termination of the tenancy; and

2.21 (3) provide one month's rent as a relocation fee to the tenant 30 days prior to withdrawal.

2.22 (c) If the landlord offers units for rent in the withdrawn rental property within five years
2.23 following the withdrawal, the commissioner, the attorney general, or a tenant that was
2.24 removed from the rental property may sue for damages and attorney fees on behalf of
2.25 removed residents.

2.26 Subd. 8. **Rehabilitation and renovation.** The landlord seeks, in good faith, to recover
2.27 possession of the dwelling unit to complete rehabilitation or renovation work that would
2.28 render the unit uninhabitable for the duration of the rehabilitation or renovation.

2.29 Subd. 9. **Complying with government order to vacate.** The landlord is complying
2.30 with a government agency's order to vacate, order to abate, or any other order that necessitates
2.31 vacating the dwelling unit.

3.1 Subd. 10. **Occupancy conditioned on employment.** The tenant's occupancy in the
3.2 dwelling unit is conditioned upon employment on the rental property and the employment
3.3 relationship is terminated.

3.4 Subd. 11. **Lease amendments.** Nothing in this section alters the landlord and tenant's
3.5 ability to amend the terms of a lease as otherwise allowed by law.

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ITEM FOR DISCUSSION

Meeting Date	November 5, 2025
Agenda Item	Policy C1b
Attachment	See Below
Submitted By	Kelly Nelson, Administrative Services Director/Deputy Clerk

Item	Rental Rights - Crime-Free Housing
Description	<p>City Code frequently needs updates as issues are raised and Staff enforces code. To reflect practices similar to those in neighboring cities and to help protect renters' rights, Council previously discussed proposed changes to Chapter 105 of City Code during the December 4, 2024 City Council Workshop. At that time, suggestions were made to update multiple portions of Chapter 105, including the rental inspection process and to Sec. 105-96 Crime free/criminal activity lease requirements.</p> <p>The majority of the proposed changes to Sec. 105-96 were then tabled until further discussion and review could take place so that the primary focus became updates to the rental inspection process prior to 2026 rental licensing period.</p> <p>Staff reviewed the City's current practices regarding rental properties and have made updates to the crime-free housing section. The proposed changes made to Sec. 105-96 of City Code are attached for review and discussion by City Council.</p> <p>Council is asked now to look again at Sec. 105-96, incorporating the recommended changes suggested in December 2024, and to make any additional suggestions now.</p> <p>Changes of Note Would Include: Sec. 105-96 Crime free/criminal activity lease requirements Crime free housing program</p> <p>In December 2024, the City Council reviewed the proposed modifications to the Crime Free Housing Program. Two changes from that meeting have been incorporated into the final draft version proposed:</p> <ul style="list-style-type: none"> Lookback Period – Council recommended a longer lookback period to review criminal and drug-related activity, proposing increasing the lookback period from 12 months to 36 months, since convictions can take time to prosecute.

	<ul style="list-style-type: none"> • Appeals Body – During the December 2024 workshop, rather than having City Council act as an appeals body, Council favored forming a separate body consisting of the compliance official and two members of City Council to act as an appeals body if a tenant receives a third violation notice and wishes to appeal. <p>Council is asked to review the draft and provide comments before it is brought for approval at an upcoming city council meeting.</p>
Budget Impact	None.
Attachment(s)	<ul style="list-style-type: none"> • Crime Free Housing Draft
Action(s) Requested	Staff requests City Council discuss these potential amendments to City Code, and provide direction in how to proceed with their implementation.

Sec. 105-96 - Crime free/~~criminal activity lease requirements~~ housing program

(a) Purpose. The purpose of the crime free housing program is to mitigate the burden of repeated instances of disorderly conduct and criminal activity in rental properties on law enforcement resources and public safety and welfare. The city council finds that landlords are best positioned to address this activity before it escalates to warrant law enforcement intervention. The city council also finds that putting conditions on the use of disorderly conduct and criminal activity in housing determinations will protect and encourage individuals seeking legitimate law enforcement support to seek assistance without fear of housing retaliation.

(b) Program Overview.

(1) An owner, agent, or property manager of rental dwelling(s) in the city is encouraged, but not required, to conduct a criminal background check of all prospective tenants eighteen (18) years and older. If an owner, agent, or property manager chooses to conduct a criminal background check, they must do so in compliance with this Section.

(2) Owners, agents, or property managers must comply with the following requirements prior to conducting any criminal background checks on prospective tenants or enforcing the crime-free/drug-free lease provisions provided in this Section:

a. Attend an eight-hour crime free housing course certified by the Minnesota Crime Prevention Association and offered either by the city or another municipality in the State of Minnesota, which course must include training on compliance with the Fair Housing Act. The rental dwelling licensee is responsible for the cost of training. Proof of completion must be provided to the city compliance official before a license may conduct criminal background checks. Failure to provide proof of completion of a training within two (2) years before conducting criminal background checks may result in revocation, suspension, nonrenewal, or nonissuance of a license;

b. Use a written lease that contains the crime-free/drug-free lease provisions in this Section; and

c. Actively pursue the eviction of tenants or termination of the lease for tenants who violate the terms of the lease and/or the crime-free/drug-free lease provisions. Nothing in this Section restricts rental dwelling licensees from entering into leases with applicants possessing a criminal history, except as noted in Section 105-96(f)(3)(e).

(c) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them here, except where the context clearly indicates a different meaning:

- (1) Criminal activity means conviction of a misdemeanor or higher for any of the following offenses:
- a. Minn. Stats. §§ 609.75 through 609.76, which prohibit gambling;
 - b. Minn. Stats. §§ 609.321 through 609.324, which prohibit prostitution and related acts;
 - c. Minn. Stat. § 243.166 relating to violation of the state’s predatory offender registration requirement, provided that a individual has not committed criminal activity simply because they are required to register and properly do register;
 - d. Minn. Stat. § 340A.401, which prohibits the unlawful sale of alcoholic beverages;
 - e. Minn. Stat. § 340A.503, subd. 1(2), which prohibits the underage use of alcoholic beverages except within the household of and with the permission of the underage individual’s parent or guardian, and provided there is no violation of Chapter 30, Article II of the Falcon Heights City Code, the City’s Social Hosts ordinances;
 - f. Minn. Stats. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and Section 30-3 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;
 - g. Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter, unless an individual was acting in self-defense or in defense of others;
 - h. Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault, unless an individual was acting in self-defense or in defense of others;
 - i. Minn. Stat. § 609.226 relating to great or substantial bodily harm caused by dangerous dogs and the negligent confinement of dangerous dogs;
 - j. Minn. Stat. § 609.255 which prohibits false imprisonment;
 - k. Minn. Stat. § 609.25 which prohibits kidnapping;
 - l. Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct;
 - m. Minn. Stat. § 609.50 which prohibits interference with a peace officer, firefighter, or member of an ambulance service in the performance of their official duties;

- n. Minn. Stat. § 609.52 which prohibits theft, as long as the acts constituting theft occur in a dwelling unit;
 - o. Minn. Stat. § 609.53 which prohibits receiving stolen property, but only if the value of the property is no less than \$1,000 such that the underlying theft would qualify as a felony;
 - p. Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;
 - q. Minn. Stat. § 609.582 which prohibits burglary, but which shall not apply to acts that could also be considered shoplifting;
 - r. Minn. Stat. § 609.595 which prohibits damage to property;
 - s. Minn. Stat. § 609.71 which prohibits riot;
 - t. Minn. Stat. § 609.713 which prohibits threatening to commit a violent crime with the intent to terrorize another or to cause the evacuation of a building;
 - u. Minn. Stat. § 609.72, which prohibits disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other nearby premises, other than the unit occupied by the person(s) committing the violation;
 - v. Minn. Stat. § 609.78 which prohibits intentional interference with “911” phone calls;
 - w. Minn. Stat. § 609.903 which prohibits racketeering; and
 - x. Section 30-3 of the Falcon Heights City Code which prohibits the discharge of a firearm, unless the individual was acting in self-defense or in defense of others.
- (2) It shall not be considered criminal activity for an individual to seek emergency assistance on their own behalf or on behalf of another, including through making an “emergency call” as defined by Minn. Stat. § 609.78. “Emergency assistance” that is not considered criminal activity includes the following situations:
- a. Any individual who seeks emergency assistance as or on behalf of a victim of criminal activity, including but not limited to domestic abuse as defined in Minn. Stat. § 518B.01, subd. 2;
 - b. Any individual who seeks emergency assistance for their own or another’s mental health, disability-related, or substance abuse issues; and

Commented [PA1]: This section includes some language from VAWA’s right to report crime and emergencies, 34 U.S.C. 12495 and incorporates recommendations from HUD and DOJ guidance.

c. Any individual seeking emergency assistance who is not a health care professional and acts in good faith in administering an opiate antagonist to another person whom the person believes in good faith to be suffering a drug overdose.

(3) Drug-related criminal activity means conviction of a misdemeanor or higher for illegal possession, manufacture, sale, distribution, purchase, use or possession with intent to manufacture, sell or distributed a “controlled substance” as defined in Minnesota Statutes, Section 152.01, subdivision 4, in violation of Minn. Stat. §§ 152.01 through 152.025, and 152.027, subd. 1-2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802.

(d) Prospective Tenant Background Check Procedure.

(1) All licensees must provide a written copy of the following two-step criminal background check policy in a format provided by the city, to any prospective tenants before accepting an application or application fee.

(2) Step One: Limited criminal background screening. A licensee may conduct a limited criminal background screening either for the applicant or for all individuals age eighteen (18) and older who will reside in the rental dwelling. A licensee’s choice to screen either the applicant or all individuals age eighteen (18) and older must be applied consistently for all rental applications. The limited background screening will consider only:

1. Criminal activity within the ~~twelve (12)~~ thirty-six (36) months prior to the anticipated start-date of the lease;
2. Drug-related criminal activity within ~~twelve (12)~~ thirty-six (36) months prior to the anticipated start-date of the lease;

(3) Step Two: Individual assessment. If an individual is identified as having criminal activity or drug-related criminal activity within the last ~~twelve~~ thirty six (36) months through the limited criminal background screening, the licensee shall provide an individual assessment of the individual’s current situation. The purpose of this assessment is to determine whether the individual is able to fulfill the obligations of tenancy at the property.

a. The licensee will send a written notice to each applicant for whom the applicant or a prospective ~~resident~~ tenant is identified as having activity covered by the limited criminal background screening. The notice shall inform the applicant of the covered criminal conduct identified and invite the applicant an opportunity to provide additional information within ten (10) days of receipt of the written notice.

b. An applicant may respond to the notice with a description of the reasons why the covered criminal conduct should not disqualify their application for rental housing, such as rehabilitation efforts or responsible conduct by

Commented [KN2]: During the 12/4/24 City Council Workshop, Council favored a 36-month lookback, as convictions often taken more than 12 months to prosecute.

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the applicant or individual with the criminal conduct history. The applicant may include supporting documentation such as letters from parole officers, case workers, counselors, family members, or community organizations.

c. Based on the information received from the applicant and the limited criminal background screening, the licensee will conduct an individual assessment of the individual's risk to the safety and welfare of the property's current ~~residents~~ tenants, employees, or visitors within twenty (20) days after receipt of an applicant's response to a notice of covered conduct. All individual assessments must be conducted consistently across applicants for all rental dwelling units of the licensee. The licensee shall consider only the following factors in determining whether to approve or reject the application:

1. The facts or circumstances surrounding the covered conduct;
2. The age of the applicant at the time of occurrence of the covered conduct;
3. Evidence of good tenant or employment history before or after the occurrence of the covered conduct;
4. Evidence of rehabilitation efforts;
5. The time that has elapsed since the occurrence of the conduct;
6. Any information about the applicant that indicates good conduct since the covered conduct occurred;
7. Whether the covered conduct arose from the individual's status as a survivor of domestic violence, sexual assault, stalking, or dating violence;
8. Whether the covered conduct arose from an individual's disability, including mental illness and substance abuse; and
9. Any other information related to whether the individual's specific covered conduct creates the potential that the property's current ~~residents~~ tenants, employees, or visitors will be exposed to a heightened risk of criminal activity or drug-related criminal activity.

d. If an applicant does not provide information to the licensee within ten (10) days of receipt of the notice of covered conduct, the licensee will assess the applicant under the factors in Section 105-96(d)(3)(c) based on the information available to the licensee, including information received from credit screenings and the limited criminal background screening.

e. In no event may a licensee take action against any ~~resident~~ tenant that

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would constitute a violation of Minn. Stat. § 504B.225, or that would penalize an individual who sought emergency assistance that is not considered criminal activity under this section.

f. If a licensee decides to reject an application following an individual assessment, then the licensee shall send to the applicant a written notice outlining the reasons for rejecting the application on the date of the decision to reject.

(c) *Crime-free/drug-free lease provisions.* All licensees desiring to use criminal background checks during the rental housing application process or the term of any lease shall include the following provisions in all new and renewed leases, in addition to all other terms of the lease, using contractually and legally equivalent language:

- (1) Tenant, any members of tenant's household or any individual under tenant's control shall not engage in drug-related criminal activity on the rental premises, as defined in Falcon Heights City Code Section 105-96(c).
- (2) Tenant, any members of tenant's household or any individual under tenant's control shall not permit the rental premises to be used for, or to facilitate drug-related activity.
- (3) Tenant, any member of tenant's household or any individual under tenant's control shall not engage in conduct which would constitute a crime of violence, as defined in Minn. Stat. § 624.712, subd. 5, except for offenses falling under Minn. Stat. Ch. 152, regardless of whether a charge or conviction is obtained.
- (4) Tenant, any members of tenant's household or any individual under tenant's control shall not engage in criminal activity on the rental premises, as defined in the Falcon Heights City Code Section 105-96(c).
- (5) Three instances of a violation of any of the above provisions within a continuous 1236-month period shall be a substantial and material violation of the lease and good cause for termination of tenancy. One instance of criminal activity or crime of violence that jeopardizes the health, safety, and welfare of any individual lawfully on the premises, or involving imminent or actual serious property damage on the premises, shall be a substantial and material violation of the lease and good cause for termination of tenancy.
- (6) Tenant shall have the right to contest any determination that they have violated the above provisions by following the procedure outlined in the Falcon Heights City Code Section 105-96(f).
- (7) In no event may Landlord take action against Tenant that would constitute a violation of Minn. Stat. § 504B.225, or that would penalize an individual who sought emergency assistance as defined in Falcon Heights City Code

Section 105-96(c)(2).

- (8) The above provisions are in addition to all other terms of the lease and do not limit or replace any other provisions or limit a tenant's rights or remedies under the terms of this lease or other applicable law. If any portion of these provisions is found to be invalid or unenforceable by a court of competent jurisdiction, that portion shall be severed and the remaining provisions remain in effect.

(f) Procedure for violations of crime-free/drug-free lease provisions. The following procedures shall govern the enforcement of crime-free/drug-free lease provisions:

(1) First violation.

- a. If the licensee determines for the first time by a preponderance of the evidence that there has been a violation of the crime-free/drug-free lease provisions for a particular tenancy, the licensee shall make all reasonable efforts to provide the tenant with written notice of the violation. Licensee shall also provide a copy of this notice to the city.
- b. The tenant may appeal the licensee's determination within ten (10) days of receipt of the notice by providing a written explanation and any evidence demonstrating why the violation does not constitute a substantial and material violation of the crime-free/drug-free lease provisions. Tenant shall send their appeal to the licensee and provide a copy to the city.
- c. The licensee shall evaluate a tenant's appeal using the factors outlined in Section 105-96(d)(3)(c). The licensee must provide the tenant and the city with a written final determination on the appeal no later than twenty (20) days after receipt of tenant's appeal.

(2) Second violation.

- a. If the licensee determines by a preponderance of the evidence that there has been a second violation of the crime-free/drug-free lease provisions within a continuous 12-month period for a particular tenancy, the licensee shall make all reasonable efforts to provide tenant with written notice of this second violation. Licensee shall also provide a copy of this notice to the city.
- b. The tenant may appeal the licensee's determination following the same procedure as a first violation. A licensee shall evaluate a tenant's appeal and provide a written final determination following the same procedure as a first violation.
- c. If a second violation is not appealed or the appeal affirms the finding of a violation, the landlord and tenant must confer within fourteen (14) days of the final determination to develop an action plan to mitigate further

Commented [PA3]: Requiring the tenant and landlord to jointly develop an action plan would be one option to make the ordinance less heavy-handed and cooperative between landlords/tenants, but it would take longer to resolve the situation than the alternative of just requiring the landlord to make and implement an action plan. Either way, cities have used the action plan model to take a proactive approach to prevent third violations that are preventable and minimize the likelihood of evictions.

violations. Such action plan must be submitted to the city within seven (7) days of the meeting for approval as appropriate for mitigating further violations and fairly balancing the interests of the tenant and landlord.

(3) Third violation.

a. If the licensee determines by a preponderance of the evidence that there has been a third violation of the crime-free/drug-free lease provisions within a continuous 4224-month period for a particular tenancy, the licensee shall make all reasonable efforts to provide tenant with a written notice of this third violation and that the landlord will proceed with terminating the tenancy and/or evicting those individuals who are in violation if the tenant does not appeal within ten (10) days of receipt of the notice. Licensee shall also provide a copy of this notice to the city.

b. The tenant may appeal the licensee's determination directly to the City Council Appeals Body, consisting of the compliance official and two members of City Council, by providing the compliance official and licensee written notice of appeal within ten (10) days of receipt of the licensee's notice of a violation. Upon filing an appeal, a licensee may take no action against a tenant or the individuals in violation while the appeal remains pending, except where such stay of action would cause imminent peril to life, health, or property.

c. The City Council Appeals Body will hear the tenant's appeal at the next regularly scheduled public meeting that is at least five (5) days subsequent to receipt of the appeal. The tenant has the right to present evidence, testimony, and arguments at such hearing. The licensee also has the right to present evidence and arguments at such hearing, including regarding the licensee's compliance with any applicable action plan.

d. The City Council Appeals Body shall make a determination on the tenant's appeal within 20 days of the appeal hearing. The City Council Appeals Body may reverse, modify, or affirm, in whole or in part, a finding of a violation and direct the licensee to evict the tenant, if applicable, and/or take any other appropriate action, including but not limited to mitigation measures to deter future criminal activity. The City Council Appeals Body shall consider the factors outlined in Section 105-96(d)(3)(c), whether the individual failed to comply with any applicable action plan, and whether the individual in violation still poses a risk to the health, safety, and welfare of any individuals on the premises.

e. If an individual is evicted or their lease terminated under this section, a licensee shall not enter into a new lease with the evicted individual for a period of twelve (12) months after the eviction or lease termination at any of licensee's rental dwelling units in the City.

Commented [PA4]: Alternatively, the City could create a board to review these appeals that includes the compliance official. That would streamline the appeals process since the compliance official should be kept updated with all notices relating to each tenancy prior to an appeal being taken. Additionally, it would allow for landlords and tenants to resolve their disputes in a setting that isn't publicly in front of the entire community along with regular council agenda items.

Commented [KN5R4]: Council favors creating an Appeals Board consisting of the compliance official and two members of City Council.

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Commented [PA6]: These factors are similar to those noted in the HUD's 2016 and 2022 guidance.

f. Additionally, if the City Council Appeals Body finds that a licensee failed to comply with their responsibilities under an action plan that addressed mitigation measures for the particular prohibited activity or location where the prohibited activity occurred, regardless of the tenant's compliance with such plan, the licensee is in violation of this Section and their license may be revoked, suspended, or not renewed. Nothing in this section prevents the City Council Appeals Body from permitting the compliance official to establish an action plan with the licensee to remedy the violation in lieu of revocation, suspension, or nonrenewal of the license, provided that such remedies may be reinstated upon noncompliance with the action plan.

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(4) In no event may a licensee take action against any resident tenant that would constitute a violation of Minn. Stat. § 504B.225, or that would penalize an individual who sought emergency assistance as defined in this section. Licensees who have knowledge that a violation of the crime-free/drug-free lease provisions constitutes an instance of an individual seeking emergency assistance shall not make a determination that the violation constitutes a substantial and material violation of the lease.

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(5) Enforcement of the crime-free/drug-free provisions provided in this section shall not be exclusive, and the City may take any action with respect to a licensee or individual on the licensed premises as is authorized by this Code or state or federal law.

(g) *Form of Notices.* The compliance official shall maintain template notices for all notices that a licensee is required to provide under this section. All notices a licensee is required to provide under this section shall contain substantially the same form and language as the template notices.

Commented [PA7]: Faribault has some template notices we can repurpose. We may not want to include those notices in the ordinance itself since the ordinance is rather lengthy to begin with, but they could be added as an appendix to the ordinance.

(h) *Record-keeping.*

(1) Licensee shall retain for three (3) years after receipt of an application for rental housing the following records: all rental applications, criminal background screening records, communications between landlords and applicants relating to criminal background screening, and any rental determination made, including the basis for that determination, to the extent allowed by state and federal law.

(2) Licensee shall retain a copy of each lease for three (3) years after the expiration of the lease term or renewed lease term.

(3) Licensee shall retain a copy of all records related to enforcement of the crime-free/drug-free lease provisions for three (3) years after a final determination in the enforcement action.

(4) Licensee shall provide any of these records to the city upon request.

(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/criminal activity language:

~~(1) — Drug-related activity:~~

- ~~a. — Resident, any members of the resident's household or a guest or other person affiliated with resident shall not engage in drug-related criminal activity, on or near the premises.~~
- ~~b. — 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 drug-related criminal activity on or near the premises.~~
- ~~c. — Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.~~
- ~~d. — 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.~~
- ~~e. — Violation of the above provisions shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.~~

~~(2) — Criminal activity:~~

- ~~a. — Resident, members of the resident's household, guests, or other persons under the resident's control shall not engage in criminal activity, engage in any act intended to facilitate criminal activity, or permit the dwelling unit to be used for or facilitate criminal activity on or near the premises.~~
- ~~b. — Three criminal activity violations involving the same tenancy within a continuous 12 month period shall be a substantial and material violation of the lease and good cause for termination of the tenancy.~~
- ~~a. — Notwithstanding the above provision, criminal activity that jeopardizes the health, safety, and welfare of the landlord, his or her agent, other residents, neighbors or other third party, or involving imminent or actual serious property damage, shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.~~

~~(3) — Definitions:~~

- ~~a. — The term "criminal activity" means the violation of the following:~~
 - ~~1. — Minn. Stats. §§ 609.75 through 609.76, which prohibit gambling;~~
 - ~~2. — Minn. Stats. §§ 609.321 through 609.324, which prohibit prostitution and acts relating thereto;~~
 - ~~3. — Minn. Stats. § 340A.401, which prohibit the unlawful sale of~~

alcoholic beverages;

4. ~~Minn. Stats. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 30.3 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;~~
5. ~~Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;~~
6. ~~Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;~~
7. ~~Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which~~
8. ~~prohibit criminal sexual conduct;~~
9. ~~Minn. Stats. §§ 609.52 which prohibit theft;~~
10. ~~Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;~~
11. ~~Minn. Stats. § 609.582 which prohibit burglary;~~
12. ~~Minn. Stats. § 609.595 which prohibit damage to property;~~
13. ~~Chapter 22, article III of this Code, which prohibits nuisances;~~
14. ~~Minn. Stats. § 609.72, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation; and~~
15. ~~Section 30.3 of the Falcon Heights City Code which prohibits the discharge of a firearm.~~

- b. ~~The term "drug related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of controlled substance or any substance represented to be drugs in violation of Minn. Stats. §§ 152.01 through 152.025, and 152.027, subds. 1 and 2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802).~~

(4)(5) *Non-exclusive remedies.* The crime free/criminal activity provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.

- a. ~~These lease provisions shall be incorporated into every new lease for a tenancy beginning January 1, 2009 and all renewed leases thereafter.~~
- b.a. ~~Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used in violation of the drug related activity provision of subsection (a)(1) or criminal activity provision of subsection (a)(2)(c), the city 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/criminal activity 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.~~

- ~~c. Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used for criminal activity as set forth in subsection (a)(2) herein, the city 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 criminal activity violations.~~
- ~~d. If a second criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city 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 days of receipt of the notice with an action plan to prevent further criminal activity violations.~~
- ~~e.b. If a third criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city 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 violation of the crime free/criminal activity 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.~~
- ~~f.c. 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/criminal activity 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.~~

(Ord. No. 13-06, § 1, 12-11-2013)

Sec. 105-97 - Revocation, suspension, and civil fines

- (a) *Violations.* The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this article shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant rental unit, or any units that become vacant during license injunction.
- (b) *Basis for sanctions.* The compliance official may revoke, suspend, deny or

decline to renew any license issued under this article for part or all of a rental dwelling/multifamily rental dwelling upon any of the following grounds:

- (1) *Leasing without a license.* Leasing residential units without a license is subject to license suspension or revocation;
- (2) *Violation of codes.* Violation of the city maintenance code, building code, or fire code;
- (3) *Hazardous or uninhabitable units.* Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
- ~~(4)~~ *Commission of a felony.* Commission of a felony related to the licensed activity by the property owner or manager;
- ~~(4)(5)~~ *Crime free housing. Violation of the crime free housing provisions of the city code or failure to actively pursue eviction of tenants in accordance with those provisions;*
- ~~(5)(6)~~ *Consideration of suspension or revocation.* At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
- ~~(6)(7)~~ *Updated application requirement.* Failure to provide an updated application with current information within 30 days of application renewal request from the city;
- ~~(7)(8)~~ *False statements.* False statements on any application or other information or report required by this article to be given by the applicant or licensee;
- ~~(8)(9)~~ *Fees.* Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
- ~~(9)(10)~~ *Correction of deficiencies.* Failure to correct dwelling deficiencies in the time specified in a compliance order;
- ~~(10)(11)~~ *Inspection.* Failure to schedule an inspection within 90 days of application filed and/or allow an authorized inspection of a rental dwelling/multifamily rental dwelling;
- ~~(11)(12)~~ *Violation of statute.* Violation of an owner's duties under Minn. Stats. §§ 299C.66 to 299C.71 ("Kari Koskinen Manager Background Check Act");
- (13) *Delinquent taxes or fines.* Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines.
- ~~(12)(14)~~ *Violation of other applicable law. Violation of the Fair Housing Act, Violence Against Women Act, American with Disabilities Act, and any other applicable federal, state, or local law.*

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REQUEST FOR COUNCIL ACTION (RCA)

Meeting Date	November 5, 2025
Agenda Item	Policy C2
Attachment(s)	St. Paul Ordinance
Submitted By	Jack Linehan, City Administrator

Item	Minnesota Cities Gun Violence Prevention Discussion
Description	<p>The City Council discussed a Gun Violence Prevention Ordinance at the October 22nd special workshop, and wanted to continue discussion. Staff have continued to review materials and the progress of other cities discussing the topics. Other city actions include:</p> <p>Saint Paul</p> <ul style="list-style-type: none"> October 22, 2025: The City Council introduced a proposed ordinance aiming to: <ul style="list-style-type: none"> Ban public possession of assault-style weapons and high-capacity magazines. Prohibit untraceable "ghost guns" by mandating serial numbers on all firearms. Restrict firearms in sensitive public spaces like parks, libraries, and city buildings. Require clear signage in public facilities to inform residents of these restrictions. Define enforcement authority and penalties, contingent upon changes to state preemption laws. <p>A second reading and public hearing is scheduled for November 5, 2025, with third reading and passage scheduled November 12th. (stpaul.gov)</p> <p>Edina</p> <ul style="list-style-type: none"> October 22, 2025: The City Council directed staff to draft local measures aimed at reducing gun violence and passed a resolution calling on the Minnesota Legislature to lift state preemption laws that limit local firearm regulation. (edinamn.com)
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> St. Paul Ordinance 25-65

Action(s) Requested	The City Council is requested to discuss and provide guidance to Staff.
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STPAUL.GOV

CITY OF SAINT PAUL

Gun Violence Prevention Ordinance 25-65

Staff Report to City Council – October 22, 2025



TIMELINE

Planned timeline for the ordinance process

- October 22: First reading and staff report
- November 5: Second reading and public hearing
- November 12: Third reading and final passage



BACKGROUND

Preemption Law prohibits local governments from creating their own regulations on various subjects, most notably firearms, to ensure consistent statewide rules.

- Regarding firearms, state law completely preempts local authority over regulating firearms, ammunition, and their components.

Response to inaction at the state level to implement policies that address the epidemic of gun violence.

Cities from across Minnesota are united in calling for either:

1. Repeal preemption and allow cities to lead; OR
2. Implement more robust State policies



BACKGROUND

Ordinance 25-65 builds on Saint Paul's **Safe Storage** ordinance

- Adopted in May 2023 – Unanimous Passage
- Requires gun owners to store firearms unloaded and secured in a locked container or with a locking device
- Marked a critical step toward reducing accidental shootings and preventing unauthorized access to firearms—especially by children



LOCAL ORDINANCE

Mayor Carter's proposed Ordinance 25-65 seeks to:

- Ban public possession of assault weapons within city limits
- Ban large-capacity magazines and binary triggers within city limits
- Require all firearms to have a serial number and prohibit untraceable ghost guns
- Restrict firearms in sensitive public City-owned, leased, or controlled spaces including parks, libraries, and recreation centers
- Ensure clear signage at City-owned, leased, and controlled facilities to inform residents and encourage compliance
- Establish penalties for violations and authorize enforcement by local public safety officials upon the contingent enactment



EXEMPTIONS

The following individuals have been identified as exempt from the proposed ordinance:

- ☐ Active-duty law enforcement and military personnel
- ☐ Licensed federal firearms curators
- ☐ Transport through the city (if unloaded, locked, and legally compliant)
- ☐ Disposal or transfer to authorized agencies



COALITION

Coalition members include mayors, city officials, and leaders from:

- Saint Paul
- Minneapolis
- Bloomington
- Brooklyn Center
- Columbia Heights
- Eden Prairie
- Golden Valley
- Hopkins
- Minnetonka
- Mounds View
- Richfield
- Rochester
- Shoreview
- Saint Louis Park
- Stillwater
- West Saint Paul
- UMN Law Gun Violence Prevention Clinic
- Minnesota Moms Demand Action
- Protect MN
- Everytown
- Giffords
- Goals Not Guns coalition schools





PROHIBITED WEAPONS & DEVICES

Ordinance 25-65 will ban the following within City limits:

- Public possession of **assault weapons** as defined in Minnesota State Law
- **Large-capacity magazines** that hold 20 or more rounds of ammunition
- **Binary triggers** – Devices that cause a firearm to discharge more than one round when the trigger is pulled



GHOST GUNS

Ordinance 25-65 prohibits **Ghost Guns** in Saint Paul

A **Ghost gun** is:

- A firearm that does not have a serial number
- A firearm built from a kit or 3D printed parts that do not have a serial number
- A frame or receiver without a serial number that is designed or marketed to be readily assembled into a functional firearm

Ghost guns do not include firearms manufactured prior to 1968, antique firearms, or firearms rendered “permanently inoperable”



GUNS PROHIBITED IN SENSITIVE SPACES

Ordinance 25-65 bans possession of any firearm in any **Sensitive place** within the City of Saint Paul.

Sensitive place means any City-owned, -leased, or -controlled building or property that is open to the public for governmental, educational, recreational, cultural, or civic purposes, including but not limited to City Hall and City offices, libraries, recreation centers, indoor and outdoor park spaces and park buildings, playgrounds, athletic facilities, arenas, and zoos.

Exceptions include:

- City personnel in the course of their official duties
- Persons who are otherwise expressly authorized by state law to possess firearms on premises notwithstanding municipal prohibition
- Situations where possession of a firearm is necessary to render medical aid or address another imminent emergency, provided the person notifies facility staff or law enforcement as soon as practicable



SIGNAGE

Ordinance 25-65 requires the City to post signage to promote voluntary compliance.

The City must:

- Post a sign at each public entrance to Sensitive places with notice of all applicable firearm prohibitions
- Post additional signs in important interior locations including customer service desks, gymnasium entry points, and additional activity entry points

Each sign shall state: “THE CITY OF SAINT PAUL BANS FIREARMS ON THESE PREMISES” and include citation to the applicable section of Saint Paul Legislative Code.



CONTINGENCY & ENFORCEMENT

Once passed, Ordinance 25-65 is contingent and will not be effective until one or both of the following happens:

1. Repeal of the State Preemption Law (MN Statute 471.633)
 2. Passage of any Minnesota law substantially the same as any part of the ordinance or that authorizes cities to enact and enforce such regulations
- The Ordinance will be enforced by Saint Paul Police only **after** becoming effective.
 - All violations, once effective, will be subject to a misdemeanor.



Thank you!

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REQUEST FOR CITY COUNCIL ACTION

Meeting Date	November 6, 2024
Agenda Item	Policy C3
Attachment	Handed out at workshop
Submitted By	Jack Linehan, City Administrator

Item	Budget Workshop #4: 2026 Capital Plan
Description	<p>Staff will present the proposed capital plan.</p> <p>1. <u>2026 Capital Plan</u> The following are the highlights of the 2026 Capital Plan:</p> <ul style="list-style-type: none"> • Community Park Finalization - \$1,400,000 <ul style="list-style-type: none"> ○ Funds included in the budget for the remaining construction of the park (\$1M spent in 2025). • Machinery & Equipment - \$265,000 to \$790,000 <ul style="list-style-type: none"> ○ Street Sweeper Replacement <ul style="list-style-type: none"> ▪ Option 1: 2017 Refurbished Pelican (diesel) - \$185,000 ▪ Option 2: Regenerative Air Sweeper with Catch Basin Hose (diesel) - \$400,000 ▪ Option 3: Hybrid Electric Pelican (hybrid) - \$700,000 ○ F-250 Replacement - \$80,000 <ul style="list-style-type: none"> ▪ F-150 Ford Lightning (electric) ▪ Upfitting / equipment • Les Bolstad Consultant - \$60,000 • City Council Chambers Upgrades - \$15,000 <ul style="list-style-type: none"> ○ Improving technology around screens, wireless connections, council display monitors • Paper-free Agenda Packets - \$5,000 <ul style="list-style-type: none"> ○ Tablets for City Council and group tablets for commissions to reduce printing • Propriety AI Solution \$10,000 (annually) <ul style="list-style-type: none"> ○ City staff already leverage AI for analysis and efficiency, but best practices are for cities to move off public AI platforms and move towards an in-house solution that doesn't take from other sources and is more secure with data.
Budget Impact	TBD
Attachment(s)	N/A
Action(s) Requested	No action required at this time.

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REQUEST FOR COUNCIL ACTION

Meeting Date	November 5, 2025
Agenda Item	Policy C4
Attachment	N/A
Submitted By	Jack Linehan, City Administrator

Item	2026 City Meeting Calendar
Description	<p>Each December, City Staff sets the upcoming annual meeting calendar based on our past practices for meeting dates and based around our city holiday schedule per our personnel policy. The calendar is then published after formal approval so that we can advertise meeting dates to the public and the media.</p> <p>The attached calendar highlights the suggested 2026 meeting dates for City Council, commissions, and our city holiday schedule. The council and the commissions still reserve the right to add special meetings or cancel meetings based on the requirements outlined in the Minnesota Open Meetings Act.</p> <p>Before Council is asked to approve the 2026 calendar in December, they should first discuss how to handle the following:</p> <ul style="list-style-type: none"> • Proactively rescheduling meetings that would otherwise be cancelled due to them occurring on an observed holiday. <ul style="list-style-type: none"> ○ January 19 is a holiday and when CEC would typically meet. ○ February 16 is a holiday and when CEC would typically meet. ○ September 7 is a holiday and when Parks and Rec would typically meet. ○ November 11 is a holiday and when City Council would typically meet. ○ November 25 is not a holiday, but a City Council meeting is scheduled the night before Thanksgiving, which is a recognized holiday. ○ December 23 is not a holiday, but a City Council meeting is scheduled the night(s) before December 24 and December 25, which are recognized holidays. • Determining work schedules for city holidays occurring on Fridays during summer hours <p>Two recognized city holidays will occur on Fridays in 2026 during the time period in which City Hall typically operates under summer hours. The holidays</p>

	<p>provided in our personnel policy are reflected as a benefit that employees receive and traditionally assume 8.0 hours of holiday provided.</p> <p>In 2026, July 4th falls on a Saturday during summer hours. If a holiday falls on a Saturday, the 8.0 hours are recognized on Friday. In this scenario, staff would only work 4 hours on Friday, July 3, from 8:00 AM to noon, and staff would lose out on 4.0 awarded hours.</p> <p>Friday, June 19 is also a recognized city holiday (Juneteenth) that will occur during summer hours when staff will only work 4 hours from 8:00 AM to noon and lose out on 4.0 awarded hours.</p> <p>When this occurred this year on July 4th, which occurred on a Friday during summer hours, Council approved Staff working until 1:00 PM the day prior so that it made up the difference in four hours of vacation time.</p> <p>Council should discuss if Staff would then work until 1:00 PM on July 2 (4 hours of vacation) and have Friday, July 3 off (4 hours of vacation) to compensate them for the holiday, July 4, occurring on a Saturday and being observed on Friday per the personnel policy.</p> <p>And, if Staff would work until 1:00 PM on June 18 (4 hours of vacation) and then have Friday, June 19 off (4 hours of vacation) to make up 8.0 total hours of vacation time.</p> <p>Upon approval in December, staff will add all of the dates to the calendar on the city website and post the dates as our official meetings.</p>
Budget Impact	N/A
Attachment(s)	2026 Calendar
Action(s) Requested	Staff recommends Council discuss the 2026 calendar to propose changes prior to approval of the calendar at an upcoming City Council meeting.

2026 CALENDAR

JANUARY						
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FEBRUARY						
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MARCH						
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APRIL						
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MAY						
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31						

JUNE						
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JULY						
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AUGUST						
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30	31					

SEPTEMBER						
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OCTOBER						
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NOVEMBER						
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29	30					

DECEMBER						
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27	28	29	30	31		

City Holidays						
City Council Meetings - 7:00 PM			Council Workshops - 6:30 PM		CE Commission - 6:30 PM	
Environment Commission - 6:30 PM			Parks Commission - 6:30 PM		Planning Commission - 7:00 PM	