

**CITY OF FALCON HEIGHTS**  
City Council Workshop

City Hall  
2077 West Larpenteur Avenue

**AGENDA**

Wednesday, January 28, 2026  
6:00 P.M.

A. CALL TO ORDER:

B. ROLL CALL: GUSTAFSON\_\_\_ MAY\_\_\_  
MIELKE\_\_\_ MOGEN \_\_\_ WASSENBERG\_\_\_

STAFF PRESENT: LINEHAN\_\_\_

C. POLICY ITEMS:

1. Consideration of Resolution 26-12 Affirming Community Values and City Action  
Related to Immigration Enforcement and Responsible Stewardship of City Resources
2. Direction on Designating an Acting Mayor for 2026

CI. 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](mailto: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)

<b>Meeting Date</b>	January 18, 2025
<b>Agenda Item</b>	Policy C1
<b>Attachment(s)</b>	Draft Resolution, Ordinance
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Immigration Enforcement – Stewardship of City Resources and Use of City Property
<b>Description</b>	<p>As federal immigration enforcement activities have increased locally, the City Council has continued to receive questions regarding the potential use of City-owned property for federal immigration enforcement staging activities and the City’s role, authority, and responsibilities related to immigration enforcement.</p> <p>In August 2020, the City Council adopted amendments to the City’s Administrative Manual clarifying that the City does not operate its programs or services for the purpose of enforcing federal immigration laws.</p> <p>During the January 14<sup>th</sup> City Council meeting, in consultation with the City Attorney, the Council directed staff and attorneys to provide a resolution and ordinance for consideration at the January 28<sup>th</sup> Workshop</p> <p>For the January 28, 2026 City Council workshop, staff is bringing forward a draft resolution and a draft ordinance for Council discussion. These were prepared by the City Attorney. The resolution affirms the City’s community values, clarifies the City’s limited role in civil immigration enforcement, and establishes clear expectations regarding the stewardship of City resources, including City-owned property. The ordinance would codify these principles into the City Code by prohibiting the use of City resources for federal immigration enforcement staging activities, except where legally required.</p> <p>Following the workshop discussion, the City Council will be asked to consider approval of the resolution at the January 28, 2026 regular City Council meeting. The City Council is also asked to provide staff direction on whether to proceed with consideration of the ordinance at the February 11, 2026 regular City Council meeting, following the required ten-day posting period.</p> <p>If adopted, enforcement of the ordinance would be administrative in nature and handled by the City Attorney’s Office of Campbell Knutson, primarily through the issuance of cease-and-desist letters where prohibited use of City resources is</p>

	<p>identified.</p> <p>The City Attorney has flagged a few considerations for the City Council to weigh. First, there is the funding risk that the federal government may block future grants or financial support the City of Falcon Heights receives if policies or ordinances are deemed to qualify the city as a “sanctuary jurisdiction”. Additionally, there are operational and implementation considerations as well. Namely, signs restricting city property use may be difficult to enforce as the use of city property may cease naturally long before the legal notices can be issued.</p> <p>The resolution is intended to provide clarity for City staff, elected officials, residents, and law enforcement partners regarding permissible uses of City property, while reinforcing the City’s commitment to public safety, nondiscrimination, and responsible stewardship of public resources. The ordinance would codify these expectations in to city code.</p>
<b>Budget Impact</b>	No direct budget impact is anticipated. Any enforcement actions would be handled within existing City Attorney services.
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Draft Resolution: A Resolution Affirming Community Values and City Action Related to Immigration Enforcement and Responsible Stewardship of City Resources</li> <li>• Draft Ordinance: An Ordinance Amending Chapter 2 of the Falcon Heights City Code Concerning Stewardship of City Resources</li> </ul>
<b>Action(s) Requested</b>	<ol style="list-style-type: none"> <li>1. Workshop: <ul style="list-style-type: none"> <li>○ Discuss the draft resolution and draft ordinance.</li> <li>○ Provide staff guidance on whether to schedule the ordinance for consideration at the February 11, 2026 City Council regular meeting.</li> </ul> </li> <li>2. Regular Meeting (January 28, 2026): <ul style="list-style-type: none"> <li>○ Consider approval of the resolution affirming community values and City action related to immigration enforcement and stewardship of City resources.</li> </ul> </li> </ol>

**CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION**

January 28, 2026

No. 26-12

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**A RESOLUTION AFFIRMING COMMUNITY VALUES AND CITY ACTION  
RELATED TO IMMIGRATION ENFORCEMENT AND RESPONSIBLE  
STEWARDSHIP OF CITY RESOURCES**

**WHEREAS**, the City of Falcon Heights is committed to serving all residents and visitors with dignity, respect, and fairness, and to fostering a safe, welcoming, and inclusive community; and

**WHEREAS**, as of 2023, the U.S. Census Bureau identifies that approximately 17.6% of the resident population of the City of Falcon Heights consisted of foreign-born individuals and each of these individuals brings a unique perspective and contribution helps the City foster a safe, welcoming, and inclusive community; and

**WHEREAS**, the City operates its programs and services in compliance with all applicable federal and state laws, including 8 U.S.C. § 1373, while exercising only the authority granted to it under state and local law; and

**WHEREAS**, in August 2020, the City Council adopted an amendment to the City's Administrative Manual, Section I: *Standards Concerning Communication and Enforcement of Immigration Laws*, clarifying that the City does not operate its programs for the purpose of enforcing federal immigration laws; and

**WHEREAS**, on February 5, 2025, the City Council reviewed the City's existing policies related to immigration enforcement and the use of City resources, and on February 10, 2025, the City issued a public statement affirming its commitment to the safety and wellbeing of all community members; and

**WHEREAS**, on May 14, 2025, the City Council adopted its 2025 Goal Setting Process Report. One of the ongoing goals in that report is for the City to continue to explore options to enhance community within Falcon Heights for the purpose of reducing polarization locally through cultivating a caring community and strengthening community connections; and

**WHEREAS**, on December 5, 2025, the City issued a statement of support for its Somali and Karen residents, recognizing the importance of belonging, safety, and community trust, and the City's commitment to nondiscrimination based on race or immigration status; and

**WHEREAS**, on January 12, 2026, the City issued a statement in its weekly newsletter remembering Renee Good, recognizing the fear, anxiety, and grief of residents caused by recent

unprecedented immigration enforcement operations, connecting residents to available immigration resources through the City’s newsletter and website, and reaffirming the City’s commitment to the safety, well-being and trust of all residents, neighbors, and visitors; and

**WHEREAS**, on January 26, 2026 the City issued a statement in our weekly newsletter remembering Alex Pretti, and provided a list of community resources of ways residents can help their neighbors; and

**WHEREAS**, the City Council has discussed and invited public engagement on how to approach the potential use of City property for federal immigration enforcement staging, including City parks and other City-owned facilities, and the importance of clear communication with staff, the public, and law enforcement partners regarding permissible uses of City property; and

**WHEREAS**, the City values its partnerships with state and federal law enforcement agencies in matters involving criminal activity and public safety, while adhering to the City’s limited authority to enforce state and local laws in a nondiscriminatory manner; and

**WHEREAS**, the City Council seeks to reduce community fear and confusion, and restore community trust in the City’s commitment to public safety and welfare for all individuals, regardless of immigration status, by clearly reaffirming the City’s position regarding the stewardship of public resources, including City property.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Falcon Heights, Minnesota:

1. The City Council affirms that the City of Falcon Heights does not participate in or carry out civil immigration enforcement and does not operate its programs or services for the purpose of enforcing federal immigration laws.
2. Falcon Heights is committed to stewarding its resources for the benefit of the public as a whole in accordance with state public purpose expenditures law. No City employee, official, or agent may authorize, permit, or allow the use of City-owned property, including but not limited to parks, buildings and parking lots, facilities, personnel, or resources for the purpose of mobilizing, staging, preparing, or deploying vehicles, equipment, materials, or personnel for the purpose of enforcing federal immigration law.
3. Nothing in this resolution limits the City’s authority or obligation to enforce state and local laws in a nondiscriminatory manner, or to respond to criminal activity or public safety emergencies within the City.
4. The City Council affirms its commitment to the equal treatment of all residents and visitors in the provision of City services and access to City facilities, regardless of immigration status or national origin.
5. The City Council directs staff to continue reviewing existing policies and ordinances related to the use of City resources, to return with any recommended updates, and to provide opportunities for further community engagement as appropriate.

Moved by:

Approved by: \_\_\_\_\_  
Randall C. Gustafson  
Mayor

GUSTAFSON \_\_\_\_\_ In Favor  
MAY \_\_\_\_\_  
MIELKE \_\_\_\_\_ Against  
MOGEN \_\_\_\_\_  
WASSENBERG \_\_\_\_\_

Attested by: \_\_\_\_\_  
Jack Linehan  
City Administrator

DRAFT

**ORDINANCE NO. 26-\_\_**

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE FALCON HEIGHTS CITY CODE  
CONCERNING STEWARDSHIP OF CITY RESOURCES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION I.** Chapter 2 of the City Code of Falcon Heights, Minnesota, is hereby amended to create a new Article IX as follows:

**ARTICLE IX - STEWARDSHIP OF CITY RESOURCES**

***Sec. 2-155 - Purpose and policy***

The purpose of this Chapter is to ensure that the City is stewarding its resources for the benefit of the public in accordance with state public purpose expenditures law and in a nondiscriminatory fashion compliant with the Minnesota and United States Constitutions. The City finds that this Chapter serves the public interest by ensuring the equal treatment of all residents and visitors in the provision of City resources and services, preserving the trust of the public in the integrity of the City's stewardship of public resources, and maintaining compliance with applicable local, state, and federal laws. The City's findings in Resolution No. 26-\_\_ are hereby incorporated by reference.

***Section 2-156 - Definitions***

The following words and phrases used in this Article having the meanings given in this section:

*City property.* Real property owned by the City of Falcon Heights, including City parks, buildings, parking lots and parking structures, but not including public right-of-way, public streets, and sidewalks. City Property includes property generally open to the public and not generally open to the public, such as City utilities and spaces designated as employee-only or requiring secured access for entry.

*Staging operations.* Actions taken to mobilize, prepare, or deploy vehicles, equipment, materials, or personnel for the purpose of enforcing federal immigration law.

***Section 2-157 - Prohibited uses of city resources***

- (a) No City employee or City public official may direct, permit, facilitate, or authorize the use of City resources, including but not limited to City Property or City personal property, facilities, money, or personnel:



- (1) For the purpose of enforcing federal immigration laws except as authorized by a judicial warrant or other similar lawful authorization; or
  - (2) For the purpose of discriminating against any individual on the basis of a protected class characteristic under the Minnesota or United States Constitution; or
  - (3) For personal benefit or profit.
- (b) No individual or federal, state, or local agency may use or access City Property for the purposes of staging operations, except the use of City Property authorized by a judicial warrant, subpoena or other similar lawful authorization. Federal, state, or local government entities or personnel will not receive special or enhanced access to City Property for operations enforcing federal immigrations law.

#### ***Section 2-158 - Reporting requirements***

Any City employee or City public official who observes or identifies use of City resources for one of the purposes prohibited in Section 2-157 or who denies a request to use City resources for one of those purposes, must provide a report to the City Administrator within five business days of observing, identifying, or denying use of City resources, including the following information:

- (a) The date the request for resources was received or resources were observed or identified as used for a prohibited purpose;
- (b) The identity of the individual or agency requesting use of City resources for a prohibited purpose or who was observed or identified as using City resources for a prohibited purpose;
- (c) A summary description of the City resources requested or used, which shall not include any personally identifiable information;
- (d) The prohibited purpose for which City resources were used or for which the request for City resources was denied.

#### ***Section 2-159 - Compliance with law***

Nothing in this Chapter should be construed to violate state or federal law or to prohibit City employees from providing data or services when required by state or federal law.

#### ***Section 2-160 - Severability***

If any section, clause, provision, or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, that part may be severed and shall not invalidate or effect the enforceability of the remainder of this Chapter.

**SECTION II. Effective date.** This ordinance is effective immediately upon its passage and publication.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2026 by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Randall C. Gustafson, Mayor

ATTEST:

\_\_\_\_\_  
Jack Linehan, City Administrator

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## REQUEST FOR COUNCIL ACTION (RCA)

<b>Meeting Date</b>	January 28, 2026
<b>Agenda Item</b>	Policy C2
<b>Attachment</b>	N/A
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Appointment of Acting Mayor
<b>Description</b>	<p>Periodically, the Mayor's absence requires that official duties (such as signing official documents, running City Council meetings, etc.) need to be conducted in a timely manner.</p> <p>The formal designation of an Acting Mayor allows for continuity of operations in the case of an emergency or unplanned absence.</p> <p>Appointment of the Acting Mayor has typically been based on seniority on a rotational basis, but this is an opportunity for Council to discuss whether appointment shall remain based on seniority, or on a different determination for rotation, to give others an opportunity to be appointed.</p>
<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	N/A
<b>Action(s) Requested</b>	Council should discuss how it will be determined and which Council Member shall be appointment as the 2026 Acting Mayor at the following regular meeting.