

City Council/Manager

September 8, 2020 – 6:30 pm
Virtual WebEx Meeting

REGULAR MEETING MINUTES

The meeting began at 6:30 pm.

Present: Mayor Harris and Council Members; Rosenquist, Fonneist, Sanberg and Harris.

Staff present: City Manager Cruikshank, City Attorney Cisneros, Human Resources Director Santelices, Police Chief Sturgis, Physical Development Director Nevinski, Physical Development Assistant Schwalbe and Finance Director Virnig.

1. **Creation of Planning Taskforce for the New Police Commission**

City Manager Cruikshank presented the staff report. He said this item is a direct response to the discussion held by Council at its prior Council Manager Meeting in July, where the City Council directed staff to begin studying how the City might replace the existing Civil Service Commission with a new Police Commission. This action step is a strategic planning action meant to make the hiring process for the Golden Valley Police Department (GVPD) more efficient and equitable.

City staff is proposing the City Council create a Task Force to assist with the creation of the new Police Commission. The creation of this commission will benefit from community input through an advisory Task Force. The purpose of the Task Force is to develop a recommendation regarding the name, membership composition, and duties of a new commission on policing. The Task Force would consist of 13 members from various groups. Its mission and responsibilities, membership, meeting, timeframe, reporting and liaisons are detailed in the supporting documents of this packet (the draft resolution and staff report).

The Council discussed hosting public meetings for residents to speak directly to the task force and have their voices heard as a part of the public input process once the task force is created. In the topic of selection process, Council also said they would like to broaden the criteria to include: experience in law enforcement, public safety, criminal justice and social service or related fields. Council stressed on advertising and promoting the development of the Task Force to reach the broader community possible, exploring non-traditional outreach routes to get a diverse pool of candidates. The Council also discussed allowing volunteer members of the Crime Prevention Fund to apply to serve on the Task Force.

Staff explained information on the Task Force will be made available on the next City News Letter, on the City website and social media outlets in the next coming days.

2. Police Policies Discussion

Police Chief Sturgis presented the staff report as part of the City's regular review of department policies to ensure compliance with state and federal laws as well as best practices. The City of Golden Valley Police Department (GVPD) General Policy Manual is organized by Policy No., date (last updated or issued), and type of authority (ordinance, or statute). Sturgis explained there are model policies for cities issued by the state or by the MN Post Board. The Council discussed various items with staff.

Councilmember Fonnest asked to get an overview of the Use of Force and Firearms Policy (GP. 8.09) and about physical restraint of subjects by officers. Sturgis explained officers do not use force unless it is absolutely necessary and, in such cases, only use the minimum amount of force needed. Sturgis explained there are different levels of force. The first level has to do with using hands to control somebody, the second level has to do with utilizing intermediate tools such as: mace, pepper spray, baton, taser, spray, etc. Officers are required to carry these non-lethal tools on their belt or duty gear. Chief Sturgis commented that sanctity of human life is paramount, and when an officer is confronted with circumstances that would permit the use of deadly force, they would give warnings prior to doing so. Fonnest asked if GVPD officers trained in use of force and de-escalation techniques. Sturgis explained that officers do train both of these skills, going through classroom and field training. Among other things, officers have hands-on skills base training on handcuffing escorting and controlling subjects. Officers also go through scenario based training where their skills are tested, as well as their decision making and processing of different scenes. Officers have classroom training where they analyze video footage of different incidents to discuss how the different law enforcement response fit the policies and statutes.

Councilmember Harris asked about an officer's duty to intervene. Councilmember Sanberg asked what happens when an officer does not intervene in one of those situations. Sturgis explained that the duty to intervene is part of the professional conduct of Golden Valley peace officers in accordance with MN Statute and is listed in the GVPD Policy Manual. If an officer, when in a position to do so, does not intervene in an excessive use of force situation, this would be considered as a policy violation as it gets reviewed as a use of force incident. In such case, action would be taken as a policy violation would have occurred and there would be an internal investigation.

Councilmember Sanberg referred to the Body Worn Camera Policy GP. 1.28. She explained how on the definitions section, citizens who while in an encounter demand to be recorded or initiate recording on their own are deemed adversarial. Sanberg expressed her concerns with this consideration, since under the same definition, adversarial also means "a law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting"¹. Sanberg said that considering a person who demands to be recorded or initiates a recording on their own, adversarial, might escalate the encounter.

¹ Golden Valley Police Department. General Policies. G.P. 1.28 Body Worn Camera Policy. Definitions: F.

City Manager Cruikshank said that this meeting is a good opportunity to give staff input on changes that could be made. Changes in wording of the policy could be made and brought back to the Council on the next meeting for adoption.

Councilmember Rosenquist asked about current dispatch services and directing calls for service. Sturgis explained that currently, Hennepin County dispatches for Golden Valley. At times, the county does not have sufficient resources to give cities as precise details as it might be needed for certain calls (i.e. medical calls for service). Sturgis explained that switching to a new model would be significantly more expensive than the current model with Hennepin County.

On the topic of recruitment, Mayor Harris asked staff to give an overview of the current recruitment materials, in the context of the current state of affairs and mainstream media portrayal of law enforcement nationwide. Human Resources Director Santelices explained that job advertisements include the expectations that individuals in this position maintain law and order and build relationships and trust with community members. Santelices explained that a large obstacle to recruitment is that individuals need to be Post Board certified and the Post Board has its own requirements. This restricts the candidate pool available to all agencies. The City has certain policies in place that help get candidates interested and explore which barriers they have to be Post Board eligible. For instance, the City offers tuition reimbursement for employees for job related education courses. Also, Community Service Officer's schedules are designed with flexibility so that they are able to attend school.

3. Proposed Budgets and Capital Improvements Program

2021-2022 Other Funds Budget and 2021-2030 Capital Improvement Program

2021-2022 General Fund Budget and Levy

2021 HRA Budget and Levy

Finance Director Virnig presented the staff report which includes the 2021-2022 Proposed Biennial Budget and 2021-2030 Capital Improvement Program and a CARES Act (The Coronavirus Aid, Relief, and Economic Security Act) funding report. Discussion of these items was held.

On the topic of Police Department budget, Mayor Harris directed some resident concerns on what they referred to as shifting Police Department resources towards adding a Community Resource Officer (CRO). Chief Sturgis explained that adding a CRO would help with freeing GVPD sworn officers to do other tasks, by identifying calls which would be appropriate for a CRO to respond to (for instance certain medical or animal complaints). This model would also potentially allow for increased training and maintaining staff levels. Councilmember Fonnest asked about the part time social worker position, which would be shared with another city. Finance Director Virnig explained that this part time position would be shared with another city and that Hennepin County would remit monies to help cities pay for wages. Cities would pay \$30,000 each and Hennepin County would add \$40,000 for a total of \$100,000.

Councilmember Sanberg asked about the CRO and Community Health officer positions. Sturgis explained that the Community Health officers are currently sworn GVPD officers from the investigations division. The embedded social worker would potentially replace one Community Health officer and that the CRO would be medically trained and have report writing skills. The CROs and the embedded social worker would come in to replace the Community Health sworn officers, helping to free these officers to do other tasks. Councilmember Fonnest was curious about GVPD being able to meet current policing needs of our City, including adequate response time based on standards in the field. Sturgis said that GVPD does meet the policing needs and adequate standards. Golden Valley's COVID-19 response model includes team shifts, quarantine build-in time for officers after in between their shifts. Sturgis reported that not as many people are driving and that officers' traffic time is currently down.

On the topic of Storm Water Utility, Councilmember Rosenquist asked staff about the process. There are \$250,000 of funds allocated to this program which was created to incentivize people to invest in flood mitigation in their properties.

The Council kept discussing the proposed levy and how to mitigate tax payer impact as much as they could. The Council also discussed the 2021 proposed general fund expenditures, including the addition of critical full time position—like the Housing and Economic Development Manager position, the website redesign and the the compensation study.

Councilmember Fonnest said he believed the City has an obligation to revisit the Street Width standards discussion as a part of the Pavement Management Program (PMP). The City amended its policy and increased its standard residential street width from 26 feet to 28 feet. Staff explained the financial impact of wider streets, comparing costs between the 26- and 28-foot-wide streets. The assessments, which are based on actual bids (rather than projected) show a price increase for 28' over the 26' in both the 2020 PMP Low and Average Bids. Councilmember Rosenquist said it was important to look at the impact of assessments to individual homeowners. Councilmember Sanberg asked about the costs associated to reverting back to 26 foot wide streets. Staff explained that there would be certain costs associated to such change, including adjusting plan sheets to account for the 26' (going from a wider to a slightly narrower street). The consultant can make those adjustments. The offset of decreasing the standard of residential street width back to 26 feet is around \$200,000 saved in construction per year for streets costs only.

Mayor Harris and Councilmember Harris said that they would like to receive more feedback from residents before any formal decision would take place. The Council would like to meet again to discuss the standard residential width policy. Councilmember Harris asked that the public be notified of such discussion ahead of time so that staff can collect feedback ahead of the meeting. The Council agreed to tentatively discuss this issue at its Council/Manager meeting on Tuesday, Oct 13, 2020.

Councilmember Sanberg asked about Tax increases for 2021 on median home. Finance Director Virnig explained that those values are based on the \$ value of each home. She added that houses over \$413,000 do not get homestead credit value.

Council discussed the HRA Levy and the importance of affordable housing initiatives.

**4. Council Review of Future Draft Agendas: Special Housing and Redevelopment Authority
September 15, City Council September 15, City Council October 7, Council/Manager October 13,
City Council October 20, City Council November 4 and Council/Manager November 10, 2020**

No changes were submitted for future draft agendas.

The meeting adjourned at 11:20 pm.

Shepard M. Harris
Shepard M. Harris (Oct 8, 2020 11:40 CDT)

Shepard M. Harris, Mayor

ATTEST:



Tomas Romano, Assistant to the City Manager’s Office



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