



MEMORANDUM

To: Saint Anthony Village City Council
From: Charlie Yunker
Date: February 4, 2026
Request: Federal Immigration Enforcement Discussion

BACKGROUND

This memo outlines research and recommendations to respond to concerns related to Federal immigration enforcement. The following topics have been discussed in other cities and/or requested by members of the Saint Anthony Village community of a regulatory nature, to be discussed to consider the rationale, feasibility and recommended actions:

- Separation ordinance
- Law enforcement conduct within City limits
- Eviction and foreclosure moratorium
- Towing or towing fee moratorium

Additional requests from the community have included actions that are community support in nature, such as:

- Official statements from the City Council
- Advocacy by the City Council at higher levels of government
- Coordination with other local agencies
- Engagement with community members directly impacted by immigration enforcement activities
- "Town Hall" style programs
- Joining or supporting legal action in process by higher-level agencies (referenced in the memo)

REGULATORY TOPICS

Separation ordinance

Rationale

Many Cities are considering ordinances, policies, Executive Orders and other measures which intend to prohibit officials from enforcing immigration laws and staging in public parks and public spaces.

Feasibility

The City could consider adopting an ordinance to restrict the use of City parks and parking lots to specific related uses only. Passing and codifying an ordinance would take time. Currently, the City regulates uses of City parks and property with Special Event Permits and Community Services handles reservations to use certain park amenities. Communities have posted signage at parks and other locations noting the standard process and requirements to utilize these spaces.

While the City can regulate the uses of its parks and parking lots generally, the City has been advised against policies that would discriminate against Federal officers directly.

Staff note that any action would have limited enforceability and could result in legal risk and establishing expectations in the community that staff cannot fulfill, and the City cannot restrict access to the publicly accessible areas of public buildings to any person or agency.

Recommendation

Staff does not recommend adopting any ordinance that cannot be reasonably enforced or face a legal challenge that could not be effectively defended. It could also place St. Anthony police officers in an untenable position, and could erode public trust in the Police Department by being unable to fulfill community expectations. The City can refresh the existing signage at City parks to express that the use is intended for direct park use only.

Law enforcement conduct within City limits

Rationale

The public has observed and reported unprecedented numbers and behavior of federal law enforcement, resulting in fear and uncertainty. The public has expressed interest in efforts to hold federal law enforcement officers accountable. Common considerations include:

1. Require any law enforcement agency to notify City of their presence in our community.
2. Require any law enforcement agency to wear a body camera and have it on when conducting operations in the City when engaging with people.
3. Prohibiting law enforcement officials from wearing face masks.

Feasibility

Governmental agencies adhere to intergovernmental immunity, which prevents governments from interfering with others' functions. Intergovernmental immunity is intended to support governmental balance of powers between Federal, State and local agencies. Considerations of the City requiring other governmental agencies to inform or provide notice in advance likely interferes with intergovernmental immunity because it impacts Federal operations. While previous interactions with Federal agencies may have included notice and cooperation, those were voluntary and not required.

Similarly, requirements for Federal agents' body cameras or mask wearing would also be subject to intergovernmental immunity. Both considerations propose regulating Federal equipment, which is not allowed.

The City could consider adopting an ordinance which may or may not pass legal scrutiny. Passing and codifying an ordinance would take time. The pace of ordinance approval and codification does not match the immediacy of the concern. As of the date writing the memo, Staff has not identified other suburban Cities which have passed actions to regulate the conduct of other law enforcement agencies.

Staff note that any action would have limited enforceability and could result in legal risk and establishing expectations in the community that staff cannot fulfill.

Recommendation

Staff does not recommend adopting any ordinance that cannot be reasonably enforced or face a legal challenge that could not be effectively defended. It could also place St. Anthony police officers in an untenable position, and could erode public trust in the Police Department by being unable to fulfill community expectations.

Eviction and foreclosure moratoriums

Rationale

Many Cities and members of the public are concerned with housing evictions as some individuals are not going to work due to risk and fear. Members of the public have expressed interest in eviction

moratoriums. Eviction moratoriums protect renters, whereas foreclosure moratoriums focus on homeowners.

During the COVID-19 pandemic, the State of Minnesota had issued an Executive Order which paused most residential evictions as one component of the emergency response to the pandemic and its impact on peoples' jobs. The State of Minnesota has not declared a state of emergency related to the current increased presence of federal agents, though the public has reported notable concerns.

Feasibility

Eviction and foreclosure moratoriums are subject to private contracts, such as a renter's lease or a mortgage, which are subject to the contract clause. The contract clause prohibits local and State governments from interfering with contractual obligations. Eviction moratoriums may also be subject to Takings Clauses, which protects individual property rights. The City does not own any housing that they could regulate or enact a moratorium.

Other cities have proposed or approved signing a letter urging Governor Walz and the State of Minnesota to pass a moratorium. As of the date writing the memo, Staff has not identified any City that passed eviction or foreclosure moratoriums.

Recommendation

Staff does not recommend passing a moratorium that cannot be reasonably enforced or face a legal challenge that could not be effectively defended. The City Council could participate in advocacy at the State level to enhance protections.

Towing or Towing fee moratorium

Rationale

As a result of federal agent actions, there have been reports of an increase in abandoned cars in public right-of-way. Considerations to prohibit towing or waiving towing and towing storage fees has been proposed as a measure to avoid adding additional financial and logistical burdens on targeted individuals and families.

Feasibility

The City Code regulates parking and abandoned vehicles. An abandoned vehicle is described as follows:

- Has remained for a period of more than 48 hours on public property illegally or without vital operating component parts;
- Has remained for a period of more than 48 hours on private property without the consent of the person who controls the property;
- Remains on private property, is not in a garage, and is in such an inoperable condition that it has no substantial potential further use consistent with its usual functions; or
- Has been impounded and not reclaimed by its owner

The City further has parking restrictions related to snow removal, where on-street parking or a vehicle parked within the right-of-way is not allowed for 48 hours at two or more inches of continuous snowfall.

The City Code also deems that a vehicle left standing for 24 hours or more is determined as a traffic impediment, and the Police Department is authorized to provide the removal of the vehicle.

The City Code describes the regulation of the use of right-of-way, with the purpose to keep the right-of-way in a state of good repair and free from necessary encumbrances. This is in part why the City has a robust permitting process for any individual or company utilizing or working within the right-of-way. Abandoned vehicles within the right-of-way adversely impact traffic and roadway conditions. Leaving abandoned vehicles will make roadway less safe in ways including but not limited to increasing traffic,

increases in unpredictable vehicle maneuvering, and obstructions to sightlines and visibility, all of which could result in unsafe driving conditions and crashes.

The City could consider a moratorium on towing fees. The City would need to consider if the towing fee moratorium would be restricted to vehicles identified to be towed by the St. Anthony PD or applicable to all vehicles towed in Saint Anthony. A City moratorium would not regulate vehicles owned by Saint Anthony Village residents that were towed in other jurisdictions.

The City of Saint Paul has enacted a temporary pause on towing abandoned vehicles. The City of Saint Paul is the only City as of the date of writing the memo that has passed or modified processes to handle abandoned vehicles.

Recommendation

Staff does not recommend passing a moratorium that would leave unattended vehicles in right-of-ways or traffic lanes for an undetermined amount of time, presenting a traffic safety risk and possible risk to the vehicle itself. The City Council could authorize use of funds to reimburse towing and storage fees for situations based on parameters desired by the City Council.

ATTACHMENTS

- Legal analysis memo from the City Attorney