



Legislation Text

File #: RES 25-192, **Version:** 1

Ensuring equity in the implementation of administrative citations through a legislative advisory committee.

WHEREAS, national studies have shown that municipal fines and fees can impose a crushing burden on BIPOC and low-income residents, and aggressive debt collection practices can further exacerbate the financial strain on BIPOC and low-income residents; and

WHEREAS, the City of Saint Paul has been a nationally recognized leader in advancing fines and fees justice reforms, including City actions which:

- Authorized the Saint Paul Public Library Debt Write-Off (RES 18-2034) program as part of the 2019 budget, signaling the importance of eliminating barriers to the use and enjoyment of the Library, and benefit the City by increasing access to Library resources for all city residents;
- Further advanced its fines and fees justice strategies by being selected by the National League of Cities Institute for Youth, Education and Families to participate in Cities Addressing Fines and Fees Equitably (RES 19-635);
- Deepened its commitment to racially equitable fines and fees as a participant in the Cities and Counties for Fines and Fee Justice Initiative to assess and reform fines, fees, and financial penalties that often have an adverse and disproportionate impact on low-income people and people of color (RES PH 20-166);
- Implemented a suite of fines and fee relief programs during the COVID-19 pandemic including eliminating water shut offs, offering fee waivers for cars in the impound lots, among other relief efforts to minimize the economic impact on residents;
- Further demonstrated its commitment to thoughtful consideration of residents' financial burdens through its Medical Debt Reset Initiative, partnership with Undue Medical Debt, Guaranteed Income pilot, and partnership with Center for Guaranteed Income Research; and

WHEREAS, the City proposed the addition of provisions to the Saint Paul City Charter to allow the City to pursue administrative citations; and

WHEREAS, the Saint Paul Charter Commission took action to support this addition in Charter Commission Item 24-8 "Recommending the amendment to Chapter 6.03.1 of the Saint Paul Charter pertaining to the imposition of civil penalties for violations of city ordinances; and

WHEREAS, the Saint Paul City Council will vote to adopt Ordinance 25-2 "Amending Chapter 6.03 of the City Charter pertaining to the application of Administrative Citations for violations of City Ordinances, based on the recommendation of the Charter Commission pursuant to Minnesota Statute section 410.12, subdivision 7.

WHEREAS, under Section 3.01.8 of the City Charter, the Council has the authority to establish a legislative advisory committee for no longer than one year to bring forward an administrative citations equitable implementation framework recommendation for Council consideration;

NOW THEREFORE BE IT RESOLVED that the Saint Paul City Council commits to advancing the following:

RESOLVED that the Saint Paul City Council hereby commits to no later than 90 days of passing to establishing an Administrative Citations Legislative Advisory Committee to provide a written report to the City Council on an Equitable Implementation Framework to guide the implementation of Administrative Citations in the future, and

RESOLVED the Administrative Citations Legislative Advisory Committee shall include representation of from an individual (s) with an academic background on city enforcement, a labor union representation, a representative with a legal academic background and/or attorney, a district council representative(s), a community expert on fines and fees, a representative from the Reparations Commission, a representative from an independent research organization, as well as representation from city staff that can attest to the enforcement mechanisms and process from the City of Saint Paul; and

RESOLVED, the Administrative Citations Legislative Advisory Committee will aim to include representation of from many Wards in the City of Saint Paul and all appointments to the Administrative Citations Legislative Advisory Committee shall be established by a Saint Paul City Council resolution(s); and

RESOLVED, the Saint Paul City Council requests a written report and recommendation from the Administrative Citations Legislative Advisory Committee no later than one year after it established. Administrative Citations Legislative Advisory Committee will be disbanded thereafter; and

RESOLVED, that the Administrative Citations Legislative Advisory Committee will provide a written report and recommendation to the Saint Paul City Council that will address the following:

1. Potential disparate impact of administrative citations to groups protected by the City's Human Rights Ordinance (Saint Paul Legislative Code Chapter 183.01) and strive to mitigate such impacts; and
2. Budgeting mechanisms to direct future administrative citations fees revenue gained, in excess of policy implementation costs, towards priorities that advance equitable measures in city budget, planning and investments such as but not limited to; rental assistance, affordable housing, worker protections, and community engagement and outreach; and
3. Procedures and policies to ensure equitable enforcement, including provisions to assess ability-to-pay for residents facing economic hardship or are impeded by other life circumstances; and
4. Assess the City's existing fee, fines, and abatements structures - examining their ability to recoup public expenses in a fair and equitable manner, including estimated historic impacts of such fines and fees, such as harms imposed on protected groups - especially regarding race and income status; and

RESOLVED, the City Council will require annual departmental reporting as a part of the budget process, when applicable, which will include the following:

1. Public engagement efforts, specifically as it relates to administrative citations and
2. Periodic review of the city's fine and fee policies, specifically as it relates to administrative citations; and
3. Reports on administrative citations and fines, including, collection rates, revenue or deficit amounts, and allocation of fine revenue, and to the extent possible, data collection on demographic impacts.