



CITY OF SAINT ANTHONY VILLAGE

SPECIAL WORK SESSION AGENDA

Wednesday, February 4, 2026 at 6:00PM

Members of the public who wish to attend the meeting may do so in person.

1. Work Session Topics

A. Federal Immigration Enforcement Discussion

Documents:

[COVER MEMO.PDF](#)

[LEGAL MEMO.PDF](#)

2. Adjournment

If you would like to request special accommodations or alternative formats, please contact the City Clerk at 612-782-3334 or email city@savmn.com. People who are deaf or hard of hearing can contact us by using 711 Relay.

Our Mission is to promote a high quality of life to those we serve through outstanding city services.



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

MEMORANDUM

TO: St. Anthony Village

FROM: Jay R. Lindgren, City Attorney

DATE: January 30, 2026

I. Introduction

This memorandum briefly analyzes whether the City of St. Anthony Village ("St. Anthony") may lawfully enact an ordinance prohibiting Immigration and Customs Enforcement ("ICE") from staging their operations on City Property (or at minimum requiring a permit); requiring ICE to give notice of its operations in St. Anthony; or prohibiting the use of face masks during ICE enforcement operations. This analysis also discusses whether St. Anthony may intervene in ongoing federal litigation contesting ICE operations. Although the law is unsettled and rapidly evolving, *the short answer* is that St. Anthony may enact ordinances governing ICE operations, but those ordinances must be neutrally drafted and may not directly regulate or discriminate against federal officers specifically. In summary:

- An ordinance prohibiting any immigration enforcement (regardless of the identity of the enforcers) on city property passes legal muster.

- An ordinance prohibiting face masks generally and requiring body cameras may also survive legal scrutiny but appears to be on weaker grounds because it regulates federal equipment.

- An ordinance specifically requiring ICE to give notice of operations likely offends principles of intergovernmental immunity because it directly regulates federal operations.

- An ordinance prohibiting evictions exceeds St. Anthony's police powers.

- St. Anthony could potentially intervene in ongoing federal litigation but should consider whether the benefits justify the potential risk and expense.

II. Analysis

Question: May St. Anthony prohibit federal agents from using city parks and public spaces or otherwise require permits for part?

Short Answer: St. Anthony may enact an ordinance to this effect, but only if the ordinance is neutrally worded, and does not discriminate against federal officers.

Analysis

Intergovernmental immunity prohibits States from discriminating against the Federal Government. *United States v. Washington*, 142 S. Ct. 1976, 1984, 213 L. Ed. 2d 336 (2022). Under that doctrine, the U.S. Supreme Court has stated that states may not regulate the federal government directly or burdening the Federal Government more than other actors. *North Dakota v. United States*, 495 U.S. 423, 434, 110 S. Ct. 1986, 1994 (1990).

St. Anthony will not offend principles of intergovernmental immunity if its proposed ordinance is neutrally drafted and does not discriminate against the federal government. Federal courts routinely uphold such neutral ordinances and statutes. See, e.g., *United States v. New Jersey*, Civil Action No. 20-1364 (FLW) (TJB), 2021 U.S. Dist. LEXIS 14089, at *36 (D.N.J. Jan. 26, 2021) (concluding that a state law did not offend inter-governmental immunity because it did not single out the federal government).

Here, St. Anthony may likely enact an ordinance *generally* prohibiting officials enforcing immigration laws from staging in public parks, provided that the ordinance does not single out federal or ICE officers. Other municipalities in Minnesota have enacted or are considering such provisions. Mayor Jacob Frey, for instance, has already issued an executive [order](#) prohibiting ICE from using parks and public spaces as staging areas, and St. Paul appears to be considering a similar [ordinance](#).

St. Anthony's eventual ordinance may not, however, target ICE or federal officers directly, or it will likely constitute an invalid contravention of intergovernmental immunity. *CoreCivic, Inc. v. Governor of N.J.*, 145 F.4th 315, 319 (3d Cir. 2025) (concluding that a New Jersey statute violated intergovernmental immunity because it directly regulated the federal government by banning contracts that only the federal government could make).

Question: May St. Anthony require ICE to notify the city of their presence in parks?

Answer: St. Anthony may likely not require ICE to inform the City if they intend to operate in the city

Analysis:

Federal law is clear that if St. Anthony's eventual ordinance discriminates against or directly regulates ICE or federal officers, it will violate intergovernmental immunity. *CoreCivic, Inc. v. Governor of N.J.*, 145 F.4th 315, 319 (3d Cir. 2025) (concluding that a New Jersey statute violated intergovernmental immunity because it directly regulated the federal government by banning contracts that only the federal government could make). Requiring ICE agents specifically to wear face masks would offend this principle.

Question: May St. Anthony require law enforcement to wear body cameras and prohibit face masks?

Answer: St. Anthony may likely prohibit face masks and require body cameras for all law enforcement *generally*, but this proposed ordinance could be on weaker legal footing.

Analysis:

As previously discussed, St. Anthony may regulate the activities of law enforcement generally. *United States v. New York*, No. 1:25-CV-744 (MAD/PJE), 2025 LX 506308, at *46 (N.D.N.Y. Nov. 17, 2025). St. Anthony may not, however, directly regulate federal officers of discriminate against them. *CoreCivic, Inc.*, 145 F.4th at 319. Here, although St. Anthony should phrase its prospective ordinance neutrally, it nevertheless could be challenged in court as a direct regulation on the equipment and activity of ICE agents.

Question: May St. Anthony prohibit evictions during the pendency of ICE operations?

Answer: St. Anthony may not impose an eviction moratorium specifically responding to ICE actions in the city.

Analysis: A city moratorium on evictions in response to the ongoing ICE presence in the community faces two obstacles. First, St. Anthony would need to show that the eviction provisions of the Minnesota Landlord/Tenant Code would not preempt the moratorium. Second, the moratorium would also need to survive a constitutional challenge under the Contract Clause.

If a state statute and local ordinance contain terms that are irreconcilable with one another, the state statute preempts and thus invalidates the local ordinance. *Graco v. City of Minneapolis*, N.W.2d 756, 816 (Minn. 2020). Under Minnesota law, “a conflict exists where the ordinance forbids what the statute expressly permits.” *Id.* at 760. Minnesota Statutes authorize landlords to evict tenants for, among other things, nonpayment of rent and breaches of the lease. Minn. Stat. § 504B.268, .285, .291. The eviction moratorium would forbid what the state law permits.

Minneapolis, St. Paul, and Roseville recently passed resolutions urging Governor Walz to invoke his emergency powers to declare a state-wide eviction moratorium. St. Anthony could join them and pass a similar resolution to apply pressure on the Governor to exercise his authority under the Emergency Management Act to impose a state-wide moratorium.

A moratorium would also need to survive a Contract Clause challenge. Under the Contract Clause of the U.S. Constitution, a state may not pass a law “impairing the obligation of contract.” U.S. Const., Art. I, § 10. The Contract Clause’s protections apply against local governments as well as states. *Jennissen v. City of Bloomington*, 938 N.W.2d 808 (Minn. 2020). To survive a Contract Clause challenge, St. Anthony would have to show that the eviction moratorium serves a “significant and legitimate public purpose” and that the means are “reasonable” in light of that public interest. During the COVID-19 crisis, Governor Walz used the Emergency Management Act to impose a state-wide eviction moratorium. *Heights Apartments, LLC v. Walz*, 30 F.4th 720, 731–32 (8th Cir. 2022). The government’s interest in protecting citizens from eviction due to the effects of a pathogen is a legitimate government interest. In this case, St. Anthony would be protecting residents from the secondary impacts of the government itself.

Question: May St. Anthony prohibit towing and storage fees during the pendency of ICE operations?

Answer: St. Anthony may prohibit towing and storage fees but must abide by state statutes allowing private property owners to tow cars on their property.

Analysis:

The states and their political subdivisions “historically possess police power to protect public health and safety.” *R.J. Reynolds Tobacco Co. v. City of Edina*, 60 F.4th 1170, 1176 (8th Cir. 2021) (citing U.S. Const. amend. X). The State of Minnesota has delegated authority to the City to enforce traffic laws and regulate motor vehicles. Minn. Stat. § 169.04. That said, Minnesota protects the owners of private property to “authorize . . . the towing of a motor vehicle unlawfully parked on the private property.” Minn. Stat. § 168B.035, subd. 6. Accordingly, St. Anthony must respect this limitation on its ability to preclude towing.

Question: May St. Anthony intervene in ongoing federal litigation regarding ICE operations?

Answer: St. Anthony may intervene, but should consider the best mechanism, and must consider whether the expense justifies the outcome.

Analysis:

The Federal Rules of Civil Procedure allow St. Anthony to intervene in federal suits as a party if it has a sufficient legFed. R. Civ. P. 24. Intervention will be a matter for district court discretion. *Keech v. Sanimax USA, LLC*, No. 18-0683 (JRT/HB), 2020 U.S. Dist. LEXIS 9752, at *6 (D. Minn. Jan. 21, 2020). Moreover, intervening as a party would require participating actively in the suit, and would bind St. Anthony to any judgments and orders.

St. Anthony may also choose to submit an amicus curiae brief, where it expresses its opinion on the case but is not a party. Federal courts have broad discretion to permit the filing of amicus curiae briefs where such submission may assist the Court. See, e.g., *S.E.C. v. Carebourn Capital, L.P.*, No. 21-cv-2114 (KMM/JFD), 2023 WL 4947458, at *1 (D. Minn. Aug. 3, 2023) (“A determination on a request to participate as amicus curiae is discretionary, and the court may grant or refuse leave according as it deems the proffered information timely, useful, or otherwise.” (quotation omitted)). This is a less risky option because it would not bind St. Anthony to any ensuing judgments or expose it to liability.

III. Conclusion

Put simply, St. Anthony may legislate to mitigate ICE operations, but any resulting ordinance may not specifically burden or discriminate against federal or ICE officials. St. Anthony may also attempt to intervene in ongoing federal litigation protesting ICE actions but should consider whether the time and effort justifies the expense.