

REPORT / RECOMMENDATION



To: MAYOR & COUNCIL

Agenda Item #: IX. A.

From: Debra Mangen
City Clerk

Date: March 3, 2015

Subject: Correspondence

Action
Discussion
Information

Action Requested:

No action is necessary.

Attachment:

Attached is correspondence received since the last Council meeting.

Heather Branigin

From: Lesa Brostuen <lesabrostuen@gmail.com>
Sent: Tuesday, February 17, 2015 3:37 PM
To: Mary Brindle; Kevin Staunton; Robert Stewart; swensonann1@gmail.com; James Hovland
Cc: Joe Brostuen
Subject: Consent Agenda, Item J. (Traffic Safety Report), Item A1
Attachments: 20150217_151110.jpg; 20150217_151153.jpg

Good Afternoon,

I'm sending this to the mayor and council members in regards to the above referenced item on tonight's meeting agenda.

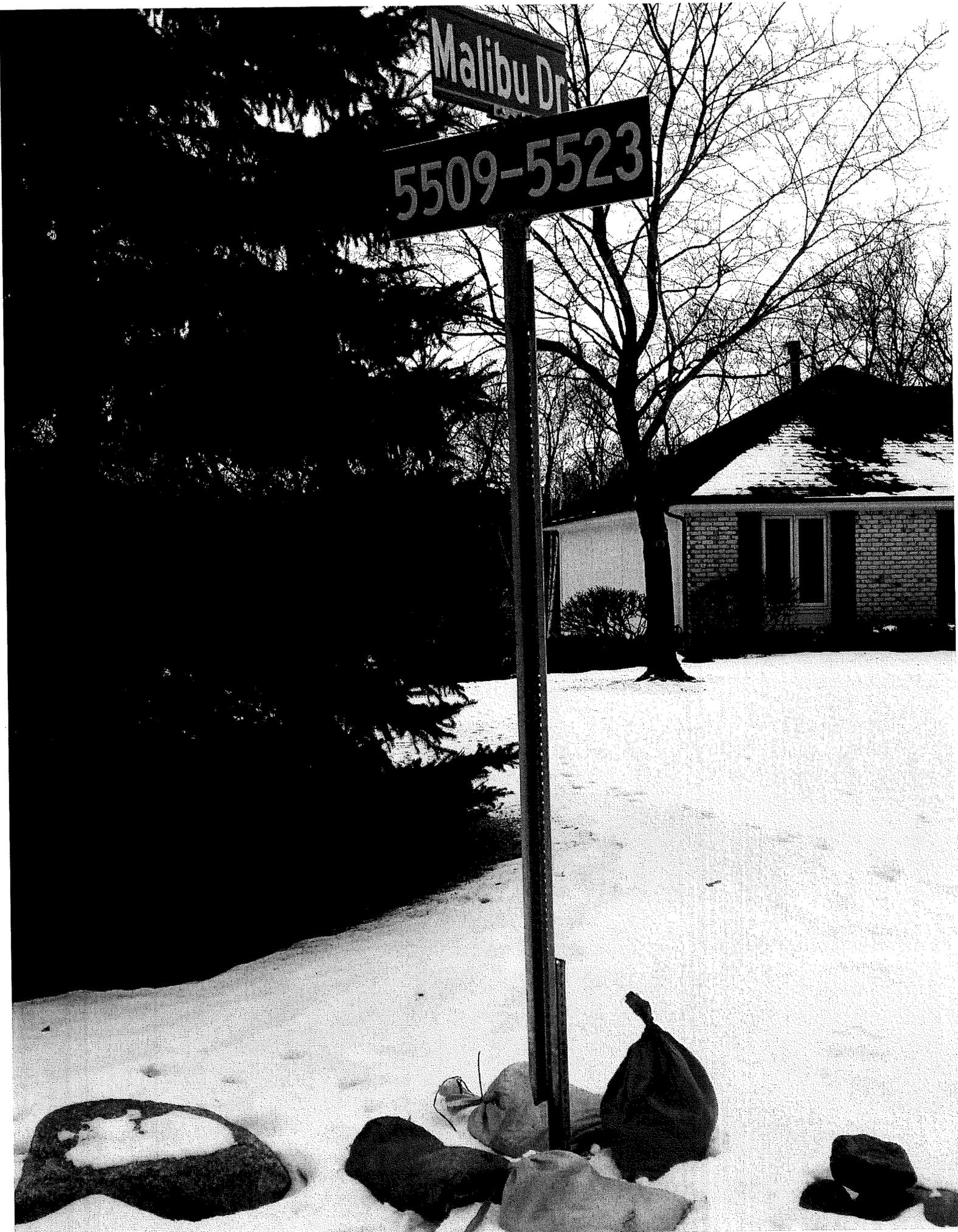
I am the resident who made the initial inquiry about a street sign with a distinct name for my circle. A sign was put up this morning with address numbers and I'm writing to ask that you consider it a temporary safety measure while my neighbors and I work to submit a petition for a name change. I am hopeful you will agree that this address number sign is not conducive with the neighborly atmosphere we hope for as residents of this community.

I'm also hoping the location of the sign will be temporary. I would like to see it moved across the road and be permanently placed under the light post (which I hope you can see in my second attachment).

Thank you,
Lesla Brostuen
612-916-5372

Malibu Dr

5509-5523





Heather Branigin

From: Kathryn Woolley <kathryn_woolley@hotmail.com>
Sent: Tuesday, February 17, 2015 4:29 PM
To: Edina Mail
Subject: Rename cul-de-sac on Malibu Drive

To Whom It May Concern-

It is my understanding that one of my neighbors would like you to rename our cul-de-sac on Malibu Drive. I am writing to let you know that I am totally in favor of renaming it. I am the only original homeowner still on the cul-de-sac and can definitely say that it has always been confusing for people trying to find our house-- having our cul-de-sac the same name as Malibu Drive. It always requires additional explanation whenever giving directions to our house and, even then, people usually overshoot the cul-de-sac because they assume it has a separate name. This has even happened with emergency vehicles.

Thank you for whatever you can do to have the name of our cul-de-sac changed.

Respectfully,

Kathryn Woolley
5509 Malibu Drive
Edina, MN 55436

phone: 952-935-0813

Heather Branigin

From: NLC - National League of Cities <nlcmail@nlc.org>
Sent: Wednesday, February 18, 2015 9:43 AM
To: James Hovland
Subject: 2 great reasons to come to D.C. early



Two free events kick off The Congressional City Conference

Get more bang for your buck by joining us over the CCC weekend for two pre-conference events, included in your registration:

Forum Around the Mayors Challenge to End Veteran Homelessness

Saturday, March 7th

2:00-5:00 p.m.

With the federal goal of ending veteran homelessness rapidly approaching, this forum will give you the strategies and resources you need to take action at home. [Click here to learn more and register!](#)

Big Ideas for Small Cities

Sunday, March 8th

3:00-5:30 p.m.

Hear six ways to think outside the box at this event highlighting creative solutions in smaller communities around the U.S. [Click here to learn more and register!](#)

These events are included in your registration at no additional cost, but separate sign-up is required to reserve your spot.

This message was intended for: jhovland@edinamn.gov

You were added to the system January 20, 2015.

Heather Branigin

From: Day Without Violence <contact@daywithoutviolence.com>
Sent: Wednesday, February 18, 2015 11:50 AM
To: Edina Mail
Subject: Edina Day Without Violence - September 29
Attachments: City Proclamation - Edina.pdf

Mayor Hovland and City Council Members,

I am the founding member of Day Without Violence, an organization that seeks to establish September 29, 2015 (if not every year thereafter) as the Edina Day Without Violence.

Establishing the Edina Day Without Violence is part of a coordinated effort to have each city within Minnesota establish a citywide day without violence on September 29, followed by a statewide day without violence on September 30, and the National Day Without Violence on October 1. On October 2, the United States, along with other countries of the world, will celebrate the U.N. International Day of Non-Violence, already established on October 2.

Will you please support this important objective by proclaiming September 29, 2015 as the Edina Day Without Violence?

For your convenience, I have attached a sample proclamation to this e-mail.

Best,

Mikel J. McLaughlin
Founding Member

Day Without Violence
 [Facebook](#)  [Twitter](#)

PURPOSE:

Our organization, Day Without Violence, seeks to establish September 29, 2015 (if not every year thereafter) as the Edina Day Without Violence.

Establishing the Edina Day Without Violence is part of a coordinated effort to have each city within Minnesota establish a citywide day without violence on September 29, followed by a statewide day without violence on September 30, and the National Day Without Violence on October 1. On October 2, the United States, along with the other countries of the world, will celebrate the U.N. International Day of Non-Violence, already established on October 2.

PROCLAMATION:

Whereas: Edina does not have a day to commemorate and encourage non-violence; and

Whereas: Other cities have established days/weeks to celebrate non-violence; and

Whereas: Edina values and strives for neighborhoods free from the harmful effects of violence; and

Whereas: Edina prides itself on being a leader and example to other communities; and

Whereas: Day Without Violence is committed to having each city within Minnesota proclaim a citywide day without violence on September 29; and

Whereas: Day Without Violence is committed to having each state proclaim a statewide day without violence on or about September 30; and

Whereas: Day Without Violence is committed to having the United States proclaim a nationwide day without violence on October 1, to be known as the National Day Without Violence; and

Whereas: Minnesota, along with the rest of these United States, can join with other nations to celebrate, on October 2, the United Nations International Day of Non-Violence.

Now, Therefore, I, James Hovland, Mayor of Edina, do hereby proclaim Tuesday, September 29, 2015, as the:

Edina Day Without Violence

Heather Branigin

From: Shand, Tracy <tshand@maharam.com>
Sent: Wednesday, February 18, 2015 2:23 PM
To: Edina Mail
Subject: Weber Park Woods

Hi Edina!

I would like to throw in my two cents on the saving of the Weber park woods at 40th & France:

Please continue working with the offer to purchase the woods at Weber Park.

I love this area of our neighborhood – it is a little slice of northern MN at our fingertips.

The neighbors all congregate and the dogs can play. It is a delightful atmosphere and I think it is important to have access to this type of space in our city.

Thank you!
Tracy Shand
612.382.1116

Heather Branigin

From: Adele Sargent Hersey <adelehersey@icloud.com>
Sent: Wednesday, February 18, 2015 4:29 PM
To: Edina Mail
Subject: I'm writing a 2nd letter

about the Edina woods on France Av. My children all attended Morningside School, played in the woods, I walked dogs in the woods & loved walking through the woods. With all the tear-downs & great big houses being built in Morningside, I think it is a just plain pity to have the woods taken away & some more houses built! Keep the Woods! Adèle Hersey, 4412 Grimes Av So

Heather Branigin

From: Nick Knighton <nick.knighton12@gmail.com>
Sent: Wednesday, February 18, 2015 6:45 PM
To: Edina Mail
Subject: The woods on 40th and France

To whom it may concern,

Hello!

My name is Nick Knighton and I am a senior currently attending Southwest High school. I have recently heard word that the beautiful woods located on 40th and France have been placed in a conversation with the plans of becoming a residential area.

I have loved these woods with a passion throughout my entire life to as long as I can remember. There have been countless amounts of imaginary worlds of fun created there and even more memories. The times that have been spent there throughout my life count for so many unmeasurable experiences that I wouldn't give up for any amount of money. If it is money that whomever would renovate these woods desire, I would be extremely willing upon starting a fundraiser and earning that money. Anything as long as this magical place remains intact.

Thank you very much!
Nick Knighton

Heather Branigin

From: Jennifer Rowland <jenniferrowland@comcast.net>
Sent: Wednesday, February 18, 2015 11:04 PM
To: Edina Mail
Subject: Open Enrollment Priority to all Edina residents

To Whom It May Concern,

I would like to voice my support for a change in the current policy of the Edina School Board relating to open enrollment priority. I believe that you should assign priority open enrollment to Edina residents in the Hopkins school district over non-residents of Edina.

Thank you,

Jennifer Rowland
6605 Dakota Trail
Edina, MN 55439

Heather Branigin

From: BRH <burtonrandall@yahoo.com>
Sent: Thursday, February 19, 2015 8:22 AM
To: Edina Mail; Kevin Staunton; Robert Stewart; Mary Brindle (Comcast); swensonann1@gmail.com
Subject: Edina 273 Petition

Although I live in the so-called "new" Country Club/ Wooddale area of the Thorpe development of Edina south of 50th, not in the area that is in the Hopkins school district, I want to go on record as a long-time (40+ years) resident and regular voter as strongly sharing the legitimate concerns set forth by the several signers of the recent letter/e-mail you have received from members of the Edina273 group. I know that there are other voters situated like me who share their concerns. Unfortunately, unlike us, the people who live in Edina but are in the Hopkins school district cannot vote in Edina school board elections and school bonding votes and thereby attempt to get their voices heard that way by the school board. While it is not always easy for like-minded voters to determine which candidates share their concerns, I for one will have this matter acutely in mind as I cast my votes in future council, school board, and bonding elections. I have to believe you would like, as I do, to see this matter resolved in some fair way. My experience in government suggests to me that there is usually a way that legitimate concerns of citizens can be met in some satisfactory pragmatic way. No personal response is needed. Best wishes, Burton Hanson, Edina

Heather Branigin

From: Bill Dubbs <dubbs@williams-exec.com>
Sent: Thursday, February 19, 2015 11:26 AM
To: Edina Mail
Subject: State of the Community

Hi Jim- For the State of the Community meeting will the Superintendents from Richfield and Hopkins be there as well? I live in Edina but part of the Hopkins School District. Thanks - Bill

Bill Dubbs
Williams Executive Search, Inc.
8500 Normandale Lake Blvd.
Suite 610
Minneapolis, MN 55437
952-767-7901 (phone)
952-767-7905 (fax)
dubbs@williams-exec.com
www.williams-exec.com

Williams Executive Search, Inc.
Building Value for Clients through the Successful Search and Selection of Senior Executives

Heather Branigin

From: Kevin J. Rupp <Kevin.Rupp@raswlaw.com>
Sent: Thursday, February 19, 2015 1:37 PM
To: Edina Mail; 'jhovland@hovlandrasmus.com'; Kevin Staunton; Robert Stewart; Mary Brindle (Comcast); 'swensonann1@gmail.com'; Scott H. Neal
Cc: Dressen, Ric (Ric.Dressen@edinaschools.org)
Subject: I.S.D. No. 273, Edina Open Enrollment Policy
Attachments: 28446.pdf

All,

Enclosed is a letter regarding the Edina School District.

Thank you,
Kevin J. Rupp



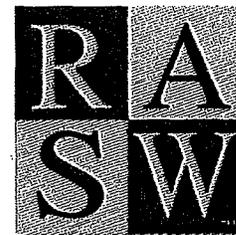
**Rupp, Anderson, Squires
& Waldspurger, P.A.**

Kevin J. Rupp
Attorney at Law
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Minneapolis, MN 55402
Office: (612) 436-4300
Fax: (612) 436-4340
www.raswlaw.com

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Kevin J. Rupp
Scott T. Anderson
Jay T. Squires*†
Michael J. Waldspurger*
Amy E. Mace
Trevor S. Helmers*
Tessa S. Wagner
John P. Edison
Liz J. Vieira
Abby M. Novak
Kristin C. Nierengarten
Kelly J. Burns

**RUPP, ANDERSON, SQUIRES
& WALDSPURGER, P. A.**



*Also Admitted in Wisconsin

†Real Property Specialist Certified by
the MN State Bar Association

February 19, 2015

James Hovland, Mayor
Kevin Staunton, City Council Member
Bob Stewart, City Council Member
Mary Brindle, City Council Member
Ann Swenson, City Council Member
Scott Neal, City Manager
City of Edina
4801 W. 50th Street
Edina, MN 55424

RE: ISD 273's Open Enrollment Policy
Our File No. 0273-0001

Dear Mayor Hovland, City Council Members, and City Manager Neal:

This law firm represents Independent School District No. 273, Edina. I have been informed that a group of Edina residents has asked the Edina City Council to become involved in an issue relating the School District's Open Enrollment Policy. The School Board will be considering relatively minor changes to that policy at its meeting on Monday, February 23, 2015. Those changes are unrelated to the issue being raised by this group of residents.

It is the School Board's intention to address those minor changes on Monday night. It will then have its policy committee consider the changes being requested by this group of residents. This is consistent with the School District's open line of communications with this group that have existed since they have raised this issue.

The School District clearly values its cooperative relationship with the City of Edina. There are, however, issues that are purely within the control of either the City or the School District. The issue being raised by this group of residents is one of the issues that is for School District. The School Board's policy is the result of a law (Minnesota Statutes section 124D.09) which is contained in the Education Code. Under this law,

February 19, 2015

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there is no role for the City in the School Board's policy determination. Just as the School District has respected the City's areas of responsibility, I ask that the City respect the School District's.

Thank you for your consideration.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "K. Rupp", written in a cursive style.

Kevin J. Rupp

cc: School Board Members
Ric Dressen, Superintendent

Heather Branigin

From: ART <a2t2@comcast.net>
Sent: Thursday, February 19, 2015 3:03 PM
To: James Hovland; James Hovland; jhovland@krausehovland.com
Subject: Fwd: New Driving Range Design

Second try at sending this

From: "ART" <a2t2@comcast.net>
To: "James Hovland" <jhovland@hovlandasmus.com>
Sent: Friday, February 13, 2015 3:53:45 PM
Subject: New Driving Range Design

Mr. Mayor,

I saw that "a" design plan was approved for the driving range and the improvements to the executive course. I was present at the presentation of the original design to the City Council and I totally agreed with your concern over the additional \$200,000 to \$300,000 being asked for by the Parks Dept for multiple tee boxes and multiple pin placements on each green. Unfortunately, I missed the meeting where the final design was approved and was wondering if the approved design addressed either of your concerns? What was the final cost?

Thanks,

Art Thelemann 5132 Valley View Road

Heather Branigin

From: Julie Mellum <mellum.julie@gmail.com>
Sent: Thursday, February 19, 2015 3:55 PM
To: Edina Mail
Subject: no more wood burning restaurants, please!

To Mayor Hovland, Scott Neal, and City Council Members,

The presence of so many new wood burning restaurants in Edina is presenting a growing accessibility issue from the smoke they generate. Starting early in the day they are spewing out black carbon soot with fireplace start-ups and wood burning that sends out smoke until late hours in the night.

Wood smoke in the 50th and France neighborhood is noticeable at most hours of the day and night, which not only pollutes our city with carbon soot, but nearby neighborhoods, and also presents a barrier to shoppers and people like me with asthma. Wood smoke also abounds from wood burning restaurants in Galleria and also at Centennial Lakes, adding to the profusion of smoke in public outdoor spaces most everywhere.

Has there been any talk of an ordinance change to place a moratorium on any new wood burning restaurants or remodels? Cities have accessibility requirements, and with each new wood burning restaurant, such as Parasole, which will feature both wood burning and coal burning (!), when will it stop? Is it wise for Edina to allow wood smoke contamination of public spaces to become the increasing norm? Most cities are struggling with ways to reduce carbon soot for greater sustainability.

Asthma is the number one reason for school absenteeism in Edina, which should also be a consideration, on top of rampant recreational burning which denies many of us the right to use and enjoy our own property smoke-free.

I'd appreciate hearing from you. Thank you,

Julie Mellum
5700 York Avenue S
Edina, MN 55410
952-303-6218

Heather Branigin

From: rawarg@yahoo.com
Sent: Thursday, February 19, 2015 5:58 PM
To: Edina Mail
Subject: Contact Us form submission

Name: jennifer warg

Organization:

Website:

Address_1: 4007 france ave s

Address_2:

City: minneapolis

State: MN

Zip_Code: 55416

Email: rawarg@yahoo.com

Phone: 6129229715

Referrer: someone_in_the_neighborhood

Message: Please save Weber Minikahda Vista Woods! As a Naturalist (teacher) @ the MN Zoo, I know the inherent value of Nature Play & advocate for a natural place in which to do it. The Zoo will open a Nature Play space this summer, Hanifl Wild Woods, dedicated to & designated for such 'play'. Richard Louv has shown countless studies & research to support its importance in alleviating 'nature deficit disorder', a term he coined to describe the detrimental effects of the lack of unstructured time spent in nature, so prevalent in today's generation... preserving this small patch of nature can prevent the spread of an 'epidemic', so to speak!

Heather Branigin

From: Ellen Anderson <ellena@umn.edu>
Sent: Friday, February 20, 2015 9:23 AM
To: Ellen Anderson
Subject: Mayor's March 5 Roundtable Agenda & Background Information
Attachments: DRAFT FOR EMAIL TC Metro Mayors Roundtable Packet 2_20_15.pdf

Dear Mayors and other special guests,

Attached please find the agenda and links to the related materials for our invitation-only regional energy and climate resilience meeting on **Thursday, March 5th from 11:00am-1:00pm** in the Riesenfeld Rare Books Room (Room N-30, Walter F. Mondale Hall, University of Minnesota Law School). The Rare Books Room is a special place that will be hosting a rare Magna Carta exhibit while we are there. It is located on the lower level of the building (called the sub-plaza) and is just down the hall past the café and to the left. We will be providing lunch. Thank you to those who have already RSVP'd for this meeting. We invite you to RSVP by Thursday, February 26 if you have not already done so.

In order to make the best use of your time at this meeting, we have attached background materials for you to read ahead of time. We will provide a paper copy of the materials at the meeting for you. We also request that you send one-two paragraphs on your cities' actions related to energy and climate for inclusion in the meeting packet, if possible, by Feb. 26.

For your background, we've included below examples of articles published by University of Minnesota professors, Dr. Osofsky and Dr. Ramaswami:

[Rethinking the Geography of Local Climate Action: Multilevel Network Participation in Metropolitan Regions](#)

[Suburban Climate Change Efforts: Possibilities for Small and Nimble Cities Participating in State, Regional, National, and International Networks](#)

[Social Actors and Key Policy Levers for Mitigating the Greenhouse Gas Footprint of U.S. Cities](#)

Parking at the University of MN Law School (Mondale Hall):

The Law School, located at 229 19th Avenue S, is conveniently located on the West Bank of the University of Minnesota's Minneapolis campus. There is a surface parking lot outside of the building where you can park during the meeting. We will provide parking vouchers to cover the cost.

[Driving Directions can be found here.](#)

Transit:

We are also located near the "West Bank" light rail stop on the Green Line. From the stop, go up the stairs/elevator to 19th Avenue, turn right, and walk to the nearest building on your right, which is the Law School.

Additional parking facilities:

The [19th Avenue Ramp](#) is down the street and across from the Humphrey School. The [21st Avenue Ramp](#) is just south of the Carlson School of Management. Additional parking facilities can be viewed at [University Parking](#) and Transportation Services.

Kind Regards,

Ellen Anderson
Executive Director, University of Minnesota Energy Transition Lab, ellena@umn.edu

Hari Osofsky
Faculty Director, University of Minnesota Energy Transition Lab, hosofsky@umn.edu

Rolf Nordstrom
President & CEO, Great Plains Institute, rnordstrom@gpsid.net

Amir Nadav
Program Manager, Great Plains Institute, anadav@gpsid.net

Dr. Anu Ramaswami
Director, Center for Science Technology & Environmental Policy (CSTEP), UMN & Lead PI on NSF Sustainable Cities projects, anu@umn.edu

Dr. Mark Reiner
Research Fellow, CSTEP, UMN, mbreiner@umn.edu

Heather Branigin

From: Knutson, Katie (CI-StPaul) <katie.knutson@ci.stpaul.mn.us>
Sent: Friday, February 20, 2015 9:38 AM
To: Knutson, Katie (CI-StPaul)
Subject: City Streets in the Media

Dear Mayors,

I wanted to make sure you all caught the fantastic media city streets received last weekend. I've included links to the articles below. I also wanted to make you were aware that Senator Dibble is holding hearings on transportation funding around the state and I would encourage you to attend and testify if there is a hearing nearish you and you are able. I am happy to work with any of you on talking points or handouts if you're interested.

Schedule:

Today – 11:30 a.m. St. Cloud City Hall 400 2nd Street South, St. Cloud, MN, 56301

Next Friday 2/27 – 10:30 a.m. Freeborn County Government Center, 411 S. Broadway, Albert Lea, MN 56007

March 5th probably about 6:30 p.m. - Woodbury Central Park Amphitheater 8595 Central Park Place, Woodbury, 55125

Another hearing will be in N. Minneapolis

[How does Minnesota maintain its roads?](#) – Pioneer Press

[Shield Minnesota cities from higher road costs](#) – Star Tribune

[Cities need state to help replace aging roads](#) – St. Cloud times and Duluth News Tribune

There is a resolution available from Anne Finn at the League of MN Cities and we are encouraging cities to pass the resolution the first week of March. We are getting our message out there and continuing to work with legislators on a solution. Thanks again for all your work.

Best –

Katie



Katie Knutson
Government Relations Associate

Office of Mayor Christopher B. Coleman
15 West Kellogg Blvd, Suite 390
Saint Paul, MN 55102
P: 651-266-8519
katie.knutson@ci.stpaul.mn.us

The Most Livable
City in America



Making Saint Paul the Most Livable City in America

Heather Branigin

From: Peder Gustafson <pedergustafson@gmail.com>
Sent: Friday, February 20, 2015 12:36 PM
To: Edina 273
Cc: Edina Mail; Kevin Staunton; Robert Stewart; Mary Brindle (Comcast); ann swenson
Subject: Re: Request for Assistance to Increase School Access for All Edina Children

Edina City Council,

Please support this effort on behalf of the portion of your constituency who would be impacted by any change to this policy. I trust that as this effort continues to gain attention, the council will look out for the best interests of Edina's residents so they are given more equal representation within the open enrollment process.

Thank you for your support,

Peder & Sage Gustafson

4929 Ridge Road
Edina, MN 55436

On Thu, Feb 12, 2015 at 12:00 PM, Edina 273 <edina273@gmail.com> wrote:

To Members of the Edina City Council,

Introduction

As you are likely aware, we have been working together for almost five years in order to create access for all Edina children to the schools operated by the Edina School District. Our previous attempts to persuade the District leadership to insert a priority for children who live in the City of Edina into their Nonresident Enrollment policy have been deflected for reasons which are based on a highly flawed interpretation of the state statutes which we detail below. The District's school board is currently reviewing this policy which creates an opportunity to reconsider this appropriate request. We are asking that you actively support the effort to obtain a priority designation in the District's Nonresident Enrollment policy for all children who live in the City of Edina.

There is no question that over the years the leadership of the City of Edina and the Edina School District have created a comprehensive relationship between the two entities. As a consequence, city tax dollars and resources support the facilities and programs of the District in many ways, and thus it is perfectly appropriate to expect a Nonresident Enrollment policy that acknowledges this relationship. The next scheduled meeting of the Edina school board is Monday, February 23, so time is of the essence.

Heather Branigin

From: Amy Keeper <amykeeper@yahoo.com>
Sent: Friday, February 20, 2015 4:39 PM
To: Edina Mail
Subject: Future of Weber Woods

Dear Edina City Council -

With Weber Woods on the agenda for your March 3 meeting, when you'll discuss Minneapolis' counter offer, I wanted to write once again and reiterate how much these woods mean to the people of Edina, St. Louis Park and Minneapolis. In the heart of winter, we are reminded of its beauty and tranquility. Please help preserve the undeveloped nature of this land.

Thank you for listening and for your continued help in this matter.

Amy

Original letter:

I'm writing in regards to the area known as Weber Woods. Our family has enjoyed this undeveloped space for over 15 years, and we would be heartsick if it were sold for commercial development.

We believe this unique sanctuary enriches the lives of the entire community far more as a park than it possibly could as a housing development.

Parks are what make our communities strong.

Our personal story

Weber Woods is, simply put, a gem. Having lived in the Morningside area of Edina for many years, Weber Woods was a frequent destination of our family walks. As we strolled down our block towards the park, we stopped to chat and connect with our neighbors. Once there, our two dogs - Tasha and Marley - loved to socialize with their four-legged friends and sniff all that nature loves to offer. We enjoyed all the seasons there - from the lush greens of summer to colorful sumac in the Fall and the pristine beauty of winter. We developed friendships that have lasted over the years. Our two kids had an equal amount of fun, too - running along the paths and playing in tree forts. We entered on the Edina side and emerged on the St. Louis Park side, continuing our adventure by stopping to play on the swing sets before we returned home.

We moved away from Morningside a few years ago, but Weber Woods is still a favorite destination - a place that has stayed in our hearts. Whenever we visit, it feels like coming home.

We love living here in Minnesota, and we are fortunate to have such a robust park system to enjoy. But Weber Woods is different - and even more special - in that it allows us the rare opportunity to escape from the stresses of daily life in such a simple yet profound way, merely steps from where we live. The value that Weber Woods provides goes beyond the financial - it is something more fundamental, a community hub, a connection to nature, something that truly feeds our souls.

Please help us keep its magic and spirit alive.

Thank you,
Amy (and David, Zoey, Lucy and Marley the dog)

Heather Branigin

From: e fox <chiefeefoxjr@msn.com>
Sent: Friday, February 20, 2015 8:07 PM
To: e fox
Subject: Police Cams
Attachments: A2 Camera Total Sales Report.pdf; To Whom It May Concern(Camera Letter).doc

20 February 2015

THE UNITED STATES CONFERENCE OF MAYORS

Reference: Police Body Cameras

Dear Mayors:

I would like to take the opportunity to introduce our company, A2 Enterprise Ltd. We own and control 29 factories that manufacture police cameras for companies and police departments all over the world. (See our sale report attached to this email). We introduce this tech from just an idea back in 1996 and have move the idea into the mainstream of the world's law enforcement community to be the world largest for most producer of police cameras.

A2 Enterprise Ltd. is a manufacturing company, headquartered in Hong Kong, China. With offices in the Sister City of Baltimore, Maryland, this is Xiamen, Fujian China, and 29 factories located in the cities of Shenzhen, Shanghai, and Beijing, China. Our companies have varies dates of starting, dating back to 1996. We have been exporting our products and OEM (original equipment manufacturer) to worldwide companies that sell to the open markets under their companies brand names. Direct sales to governments that seek to have police cameras for their police forces and military. We own our ideas from designing (over 750 cameras and recorders) and testing in our R&D departments.

We have FCC certified and all our products certified for USA Standards with all needed Certification. Our company is familiar with technical standards, and creates high quality Brand by applying strict quality control system, management and exquisite technology to ensure high production standards and dedicated to making our customers satisfied with all their transactions.

We are introducing our products with great pride and pleasure to USA Law Enforcement Community. Our company specializes in Police Body, Eye, Dash, Helmet, Bike, Motorcycles Camera Recorders, etc... all with unique pattern designs. (See attachments)

The men and women in law enforcement put their lives on the line every day to keep our communities, streets and highways safe. From being a Police Officer / Detective for the Baltimore City Police Department, to being a member of the Department of Justice OCDETF made up of agencies of the US AG's Office, FBI, DEA, ATF, IRS, Customs etc... I know all too well of the problems faced by today's police departments and the community. Now the officers and their methods are being questioned by the citizens. More people today have camera phones, which allow them to record and report police misconduct. It is critical today that law enforcement have the ability to record their everyday interactions with the public. The body, dash, eyeglass and helmet cameras, our company offer is an important supplement to police equipment. The camera allows the officer(s) to record, while gathering video, audio and photos of evidence at the scene. It will protect the officer from false accusations and claims, and or prove the complaint of the citizens they serve. Units can be made not to power off, data card made in the units so it can't be removed just downloaded by supervisors only and only to download not the ability to change or erase the data. These are just a few issues that can build trust in the community. (See attachment of worldwide events that our police cameras have been deployed.)

CAMERA SPECIFICATION:

These are just a few items that our cameras have, from a 2 inch LCD screen. It supports real time video watching. Our playback has better video and image performance than any other cameras on the market today. OSRAM low power consumption infrared LED. Support long distance view and continuous operation. Precision positioning by red laser dot so no matter the lighting images are clear. 5 mega CMOS sensor, 130 to 160 degree wide-angle lens, snap the scene without missing details. Convenient button design and OSD screen menu. Support multifunction setting and performance of video, audio and photo, etc. We also offer other Law Enforcement products for all the specialize sections in police departments. All our units have unique combination of features and all camera software can be designed to any police department's specifications. Our equipment is assembled and tested before shipping. Two things that make us special are our payment plans and warranties. Warranties range from (3) three to (5) five years free replacement or exchange with lifetime maintenance. Payment for police cameras that meets President Obama's Police Cameras Policies will be granted 50% of the total payment and we offer for departments that have a need due to budgeting a 0% interest free monthly payment plans. We can offer delay payment as well to ensure that departments that wish to have police cameras can afford to purchase them, our Maximum output is 50,000 units per month per factory.

I would like to offer the opportunity to come to your City Hall or any other location on a day that is convenient for you and any other person(s) you deem a presentation on police cameras would be useful and answer any questions you or they may have. To offer insight on this equipment to include methods of storing data that is recorded.

Thank you in advance for reading this letter and I look forward to your reply.

Sincerely,

Edward Fox

CEO / Chairman



A2 Enterprise Ltd.

A-2 Police Camera SALES REPORT	Total Sales by Year	Nations of Purchase	Remark
2006	135,000	Australia	We have NC/ND (Non- circumvention, Non-disclosure) with our customers, so this sales report only list the nations of sales and not the agencies or departments that purchase our units.
2007	246,000	Brazil	
2008	400,000	Canada	
2009	410,000	Chile	
2010	300,000	China	
2011	771,250	France	
2012	721,250	German	
2013	851,250	Japan	
1st - 3rd qt 2014	700,000	Kazakhstan	
TOTAL UNITS SOLD	4,534,750	OUR UNITS ARE BEING USED BY 13 NATIONS	

Heather Branigin

From: mike@meandmymoney.org on behalf of Mike Kozlak <mkozlak@comcast.net>
Sent: Friday, February 20, 2015 9:58 PM
To: Edina 273
Cc: Edina Mail; Kevin Staunton; Robert Stewart; Mary Brindle (Comcast); ann swenson
Subject: Re: Request for Assistance to Increase School Access for All Edina Children

To City Council Members

For some time there has been an ongoing discussion with the City of Edina and the Edina School District about allowing the children in our Edina neighborhood to attend Edina Schools. I have respectfully supported this effort while understanding that there were many issues that needed to be addressed. However, it is now truly shocking to me that you are moving toward requesting priority access to admission to the Edina School District for non-resident employees of the city while denying the same type of request from city residents. We live in the City of Edina and pay taxes for its roads, utilities, services, police, fire, parks and more. All of these services are used daily by the Edina School District. When we moved into Edina, we knew our home was located in the Hopkins School District, but there were only minor impediments to overcome to attend the Edina schools. That has now changed, but we still are Edina residents and if it possible to have a priority access to the Edina Schools, then we believe it is only appropriate that Edina residents, who are directly paying for the city services, receive the first priority.

Mike and Laurie Kozlak
5049 Green Farms Road

On Thu, Feb 12, 2015 at 8:00 AM, Edina 273 <edina273@gmail.com> wrote:

To Members of the Edina City Council,

Introduction

As you are likely aware, we have been working together for almost five years in order to create access for all Edina children to the schools operated by the Edina School District. Our previous attempts to persuade the District leadership to insert a priority for children who live in the City of Edina into their Nonresident Enrollment policy have been deflected for reasons which are based on a highly flawed interpretation of the state statutes which we detail below. The District's school board is currently reviewing this policy which creates an opportunity to reconsider this appropriate request. We are asking that you actively support the effort to obtain a priority designation in the District's Nonresident Enrollment policy for all children who live in the City of Edina.

There is no question that over the years the leadership of the City of Edina and the Edina School District have created a comprehensive relationship between the two entities. As a consequence, city tax dollars and resources support the facilities and programs of the District in many ways, and thus it is perfectly appropriate to expect a Nonresident Enrollment policy that acknowledges this relationship. The next scheduled meeting of the Edina school board is Monday, February 23, so time is of the essence.

A Time For Change

Heather Branigin

From: mike@meandmymoney.org on behalf of Mike Kozlak <mkozlak@comcast.net>
Sent: Friday, February 20, 2015 10:14 PM
To: Andrea Anderson
Cc: Edina Mail; Kevin Staunton; Robert Stewart; Mary Brindle (Comcast); ann swenson; Edina 273
Subject: Re: Request for Assistance to Increase School Access for All Edina Children

Andrea and Mike

I have attached a lot of content that was created by others and my own comments to the City Council. If you agree with this position, please Reply All and indicate your support. Since you are a resident of Edina and in the Edina School District, your opinion will be important.

Also, please forward this to any other people you know in the Edina School District that would be willing to share their opinion. If you use Reply All and then add the e-mail addresses of those you forward it to, it will maintain the addresses of the Council members.

Thanks
Dad

On Fri, Feb 20, 2015 at 5:57 PM, Mike Kozlak <mkozlak@comcast.net> wrote:
To City Council Members

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During its meeting of January 26, 2015, the Edina school board was presented with proposed amendments to District Policy 510 which governs Nonresident Enrollment in the District. In her cursory remarks, board member Regina Neville stated that the proposed amendments were essentially to change the nomenclature of the district's "Student Enrollment Center" and to standardize the references to the District as an entity. She also stated that these changes were initiated during a Policy Committee meeting which was conducted in December 2014. What remained unstated, however, is that the proposed amendments contain no changes as to how residents of the City of Edina who seek to open enroll into Edina public schools are treated in the priority placement. It is extremely disappointing that the Edina school board is failing to take the appropriate action and that they failed to include all stakeholders from the community in the discussion when this policy came up for review.

An Inconsistent Policy Based On A Flawed Premise

For several years now the narrative from the District administration and board members has been that a priority preference based on residence within the City of Edina "was not permissible within the [state] statutes." This assertion is based on a letter that the District's counsel received from Elia Bruggeman, Assistant Commissioner at the Minnesota Department of Education ("MDE"), on August 31, 2011. It is important to note that Mrs. Bruggeman writes that "while MDE is happy to explain the agency's interpretation of the Minnesota open enrollment program...*the agency cannot provide specific recommendations to Edina school district about how to respond to the proposal or structure its open enrollment policies* (emphasis added)."

- If the MDE cannot specify how a district structures its open enrollment policies, it follows that the Edina School District is able to structure its open enrollment policies.
- It is also important to note that Mrs. Bruggeman is not an attorney and the document referenced does not constitute a legal opinion.

For the reasons listed below, the interpretation provided by Mrs. Bruggeman is flawed and inconsistent with the current Nonresident Enrollment policy initially adopted by the Edina school board on May 19, 2008.

In reaching her conclusion that a priority preference based on residence within a city is not permissible within the state statutes, Mrs. Bruggeman asserts that "school districts do not have the flexibility to insert individualized application review processes in addition to those already established by law" and that only those factors specifically listed on the open enrollment application can be considered.

This interpretation is completely contradictory to the District's Nonresident Enrollment Placement policy in which "students of district employees, who are residents of other districts, will be given priority."

- There is no language in the state statutes that explicitly states that it is permissible for a district to give preference to children of district employees or that the parent's employer is one of the specific factors that can be considered. Moreover, there is no place on the standard open enrollment application form for a parent to provide their employment information.
- Either the District's Nonresident Enrollment policy has contained elements which are "impermissible" according to state statutes since it was adopted in May 2008 or Mrs. Bruggeman's interpretation is flawed.

It is interesting to note that the minutes of the May 19, 2008, school board meeting indicate that the District "has been in contact with the Minnesota Department of Education and *is* acting appropriately." This supports the conclusion that districts do indeed have the latitude to structure their own open enrollment policies and that the statues are not as restrictive as Mrs. Bruggeman suggests.

A Change Is Possible

Further evidence of the inherent flaws in the interpretation cited by District leaders for not amending the Nonresident Enrollment policy can be found in Mrs. Bruggeman's assertion that "a priority preference system for responding to open enrollment applications is not permissible" according to state statutes.

- If this were an accurate interpretation, then how is it that the Edina school board adopted a policy in May 2008 that contained eight (8) priority strata for the placement of nonresident students with the MDE's blessing? More significantly, during the 2014 legislative session, the statute governing open enrollment was amended to include the language: "Siblings of currently enrolled students and applicants related to an approved integration and achievement plan must receive priority in the lottery."
- In Mrs. Bruggeman's analysis, consideration of the "characteristics of the applicant student" is impermissible. This amended language, specifically the "sibling preference" clearly indicates that her analysis is, in fact, incorrect. Again, it is useful to note that the policy adopted by the Edina school board in May 2008 provided for a sibling preference ("impermissible", according to Mrs. Bruggeman) years before such language was explicitly incorporated into the state statute.
- **If priority can be given to children of District employees who are residents of other districts, then priority can also be given to children who are residents of the City of Edina.**

Contrary to the flawed interpretation that underpins the narrative of District leadership, incorporating a priority for ALL residents of the City of Edina into the district's Nonresident Enrollment policy is not inconsistent with the state statutes or the District's current policies. The Edina school board does indeed have the latitude to structure their policy in such a way to provide enhanced access to all residents of the City of Edina who live outside the school district boundaries.

Classroom Capacity Is Not A Constraint

Because successfully open enrolling a student into any school district is dependent upon space being available, we will turn our attention to **capacity within the Edina School District** before concluding.

- For the current school year, there are 1,332 open enrolled students which constitute approximately 16% of the total enrollment of 8,442 students in the Edina School District. According to District projections, this percentage is expected to stay relatively unchanged (or slightly higher) during the next five school years.
- The number of students enrolled in the Edina School District via the (former) Choice Is Yours Program has averaged 170 over the past seven years.
- Data collected in the most recent census (2010) indicates that there are approximately 700 school-age children living in sectors of the City of Edina which are part of the Hopkins, Richfield, and Eden Prairie school districts. If every one of these children were open enrolled into the Edina School District via a city residency priority and the population of the “Achievement and Integration School Choice Program” remained stable, there would still be over 450 open enrollment slots available to fulfill employee requests and to provide access to students who live in other cities.
- **The data clearly demonstrates there is sufficient capacity within the Edina School District to amend the policy to provide priority for children of the City of Edina.**

The “Precedent” Argument Lacks Any Basis Of Fact

One final point on this subject: an analysis of statewide enrollment data indicates that if a similar city resident priority was enacted in all the other districts around the state which share similar characteristics to those found here within the City of Edina, then the projected net shift of school-age students would equate to 0.5% of the total school population in Minnesota (including charters).

The arguments put forth that a city resident priority would set a “precedent” that would unleash a “domino effect” that would “decimate” school districts elsewhere around the state are completely without merit and lack any substantiation.

Conclusion

To reiterate, we are sharing all this information with you for two primary reasons. The first is to demonstrate to you that the assertion of District leaders that they are powerless to make the requested change to their policy is based on a flawed interpretation that is inconsistent with the District’s own actions and policies. The second is to request that each of you, as a city leader elected to serve all Edina residents, strongly encourage the leadership of the Edina School District to make the necessary changes to their Nonresident Enrollment policy. The next scheduled meeting of the Edina school board is Monday, February 23.

Should the Edina school board fail to take the necessary steps to modify their Nonresident Enrollment policy, then City officials should reassess the relationship between the City and the District. In a multitude of ways, ranging from marketing and communications to co-hosting events such as “State of the Community” and real estate forums to providing direct and indirect financial support to issuing bonds in support of District infrastructure projects, the City of Edina has entered into what is essentially an “exclusive relationship” with the Edina School District. If the District leadership is unwilling to reciprocate, then such a relationship is inaccurate, inappropriate and is a disservice to those Edina families who live outside school district boundaries.

It is never the wrong time to make the right decision.

Sincerely,

Pam Allen

6500 Willow Wood Road

Todd Gustin

5017 Park Terrace

Alan Koehler

5304 Evanswood Lane

Tim Kuck

6316 Westwood Court

Andy Mitchell

6624 Londonderry Drive

Paul Mooty

5320 Kelsey Terrace

Kurt Nisi

5201 Blake Road

Heather Branigin

From: Patrick Frimat <Patrick.FRIMAT@rsivideotech.com>
Sent: Saturday, February 21, 2015 4:25 AM
To: Cary Teague
Cc: David Fisher; Scott H. Neal; James Hovland; Cindy Larson; Breanne Rothstein
Subject: RE: New Plans for 5508 Dever Dr

Dear Mr Teague

My email below has remained unanswered and I now have been informed that the plans for 5508 may have been approved.

Again these plans do not show my trees planted very closed to or on the property line. They do not show any plans to protect my property from the "cliff" which will result from the digging out. Should I plan on fighting for my trees in person the day the digging start? Camping on the property line if need be? Should I plan on building a fence to prevent people from falling from my lot down the cliff? Where there? Why should I incur that cost when today my lot is perfectly safe?

I visited with you last year and expressed these concerned when the plans where submitted with variance. These new plans do not need variance but HOW can they be approved when they do not show the existing landscape? How can they be approved when they create a dangerous situation for people visiting my lot?

Please let me know when we can meet on Thursday 26th after 3PM .

Regards

Patrick Frimat
5504 Dever Dr
6519557888

-----Original Message-----

From: Patrick Frimat
Sent: Tuesday, February 3, 2015 8:36 PM
To: cteague@edinamn.gov
Cc: 'dfisher@edinamn.gov'; 'sneal@edinamn.gov'; 'jhovland@edinamn.gov'; 'clarson@edinamn.gov'; 'brothstein@edinamn.gov'
Subject: New Plans for 5508 Dever Dr

Dear Mr Teague

I have just been informed that new plans have been submitted for the lot at 5508 Dever Dr. While the plans are not indicating any need for a variance, they show the creation of a 10 feet drop off over 2 retaining walls built within a couple yards of my backyard (North side). The plans don't show any sign of the existing row of Arbor Vitae trees along the property line, most of which are on my side of the line. The plans don't show any protection (fence or barrier) along the property line once this drop off has been created. I sincerely hope that the City will take this into consideration and request the plans to be amended accordingly.. Please don't hesitate to contact me for more information.

Regards

Patrick Frimat
5504 Dever Dr
651 955 7888

Heather Branigin

From: Jennifer Crouch <jennifer.crouch@mac.com>
Sent: Saturday, February 21, 2015 4:21 PM
To: Edina 273
Cc: Edina Mail; Kevin Staunton; Robert Stewart; Mary Brindle (Comcast); ann swenson
Subject: Re: Request for Assistance to Increase School Access for All Edina Children

Please support this effort.

To Members of the Edina City Council,

Introduction

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Heather Branigin

From: Peg Aguirre <pegaguirre@hotmail.com>
Sent: Sunday, February 22, 2015 1:15 PM
To: Edina Mail
Subject: 66West

To whom it may concern;

Please support this home for youth. I believe it is important for them and the neighborhood. I whole support this endeavor.

Thank you,
Peg Aguirre

Heather Branigin

From: Angela Johnson <Angela.Johnson@tigeroak.com>
Sent: Monday, February 23, 2015 2:12 PM
To: Edina Mail
Subject: Edina Magazine interview

Dear Mayor Hovland~

This is Angela Johnson, editor of Edina Magazine. I'm wondering if you and LeRae would have any interest in granting a casual interview to one of our writers for a story to appear in a summer issue of Edina Magazine? I'm thinking our readers might enjoy reading about your family, whether you like to entertain or cook, where you've traveled to, what books like to read or about any hobbies you may have. We'd be happy to mention any charitable organizations dear to your hearts or advice you like to provide young people... those types of things.

Please respond to this email and let me know if this is something you and LeRae are open to. If so, an interview would most likely take place in March followed by a photo shoot in April. Thank you in advance for your consideration.

Best,

Angela Johnson

editor, *Edina Magazine*

Tiger Oak Publications

angela.johnson@tigeroak.com

612.414.9388

Heather Branigin

From: Day Without Violence <contact@daywithoutviolence.com>
Sent: Tuesday, February 24, 2015 12:08 PM
To: James Hovland
Subject: Edina Day Without Violence - September 29
Attachments: City Proclamation - Edina.pdf

Mayor Hovland,

Good afternoon. Have you had a chance yet to review the proclamation request I e-mailed on February 18? For your convenience, a sample proclamation is attached.

We are happy with the response we've received from mayors throughout Minnesota, but would love to have Edina onboard as well. Please let me know if there is anything I can do to make this decision easier for you.

As always, if you have any questions, please feel free to reach out to us.

Best,

Mikel J. McLaughlin
Founding Member

Day Without Violence

 [Facebook](#)  [Twitter](#)

PURPOSE:

Our organization, Day Without Violence, seeks to establish September 29, 2015 (if not every year thereafter) as the Edina Day Without Violence.

Establishing the Edina Day Without Violence is part of a coordinated effort to have each city within Minnesota establish a citywide day without violence on September 29, followed by a statewide day without violence on September 30, and the National Day Without Violence on October 1. On October 2, the United States, along with the other countries of the world, will celebrate the U.N. International Day of Non-Violence, already established on October 2.

PROCLAMATION:

Whereas: Edina does not have a day to commemorate and encourage non-violence; and

Whereas: Other cities have established days/weeks to celebrate non-violence; and

Whereas: Edina values and strives for neighborhoods free from the harmful effects of violence; and

Whereas: Edina prides itself on being a leader and example to other communities; and

Whereas: Day Without Violence is committed to having each city within Minnesota proclaim a citywide day without violence on September 29; and

Whereas: Day Without Violence is committed to having each state proclaim a statewide day without violence on or about September 30; and

Whereas: Day Without Violence is committed to having the United States proclaim a nationwide day without violence on October 1, to be known as the National Day Without Violence; and

Whereas: Minnesota, along with the rest of these United States, can join with other nations to celebrate, on October 2, the United Nations International Day of Non-Violence.

Now, Therefore, I, James Hovland, Mayor of Edina, do hereby proclaim Tuesday, September 29, 2015, as the:

Edina Day Without Violence



MCMA
Minnesota City/County
Management Association
A State Affiliate of **ICMA**

DATE: February 23, 2015

TO: Minnesota Mayors and County Board Chairs

FROM: Tim Houle, President, MCMA

RE: **Nominating Your Chief Administrative Officer for 2015 Minnesota City/County Management Association (MCMA) *Dr. Robert A. Barrett Award for Management Excellence***

MCMA is the professional association of appointed managers and administrators serving Minnesota's cities and counties. Each year, the Association presents its prestigious *Dr. Robert A. Barrett Award for Management Excellence* in recognition of one of its members who has demonstrated the best in professional competence and commitment. MCMA is now starting the process to choose the 2015 award recipient and is extending an invitation for you to consider nominating your own manager or administrator. There are three very specific criteria that MCMA uses in selecting a recipient:

- Being a role model for others in city/county government as well as in the profession of local government management;
- Demonstrating respected leadership in the city, county, region, or statewide; and
- Serving as a mentor to the organization's staff and/or to young people entering the profession of local government management.

MCMA welcomes and encourages nominations from cities and counties of all sizes.

The nomination process is quite simple. All we request is the nomination form (enclosed) and a descriptive narrative of no more than five double-spaced pages addressing the qualifications of your nominee for this award. No further supporting material is required or even accepted. While the nominations are normally prepared by a member of the local government staff under the direction of the chief elected officer, we recognize that not all cities and counties have that resource. If you would like to nominate, but need some assistance in drafting the nomination, please contact Kevin Frazell (see below). **The deadline to receive nominations is Monday, April 6, 2015.**

And if you have previously nominated your manager or administrator within the past three years (2012 – 2014) that nomination is still active for current consideration; however, you are welcome to submit additional updated information if you like.

Thank you for your consideration. If you have questions about the MCMA Award for Management Excellence, please contact MCMA Secretariat Officer, Kevin Frazell, at 651-281-1215 or at kfrazell@lmc.org.

2015 MCMA Award for Management Excellence

The Minnesota City/County Management Association *Dr. Robert A. Barrett Award for Management Excellence* recognizes a Manager or Administrator who is a role model, leader and mentor in the local government management profession. This year's award will be presented on May 15th at the MCMA Spring Conference at Grandview Resort in Nisswa.

Instructions:

- All entries require only the following two pieces of information:
 - This completed nomination form
 - A brief narrative description (no more than 5 double-spaced pages) of the nominee's accomplishments and qualifications for the award. Consistent with the purpose of this award, the narrative should specifically address the nominee's demonstrated performance as a role model, leader, and mentor in the city, community, and profession.
 - Please do not include any further supporting materials such as letters of endorsement, newsletters, news articles, etc.
- The form and supporting narrative should be e-mailed as a Word or .pdf document to: kfrazell@lmc.org by the deadline of Monday, April 6, 2015.

Entry Form for 2015 MCMA Award for Management Excellence

Name of Nominee _____

Nominee's City or County _____

Nominator:

Name _____

Address _____

City/State/Zip _____

Phone _____ Fax _____

Email Address _____

Nomination has the support of the nominee's governing body (*formal action not required*).

Signature of Nominator

Questions to: Kevin Frazell, MCMA Secretariat Officer at 651-281-1215 or kfrazell@lmc.org

Public
Group

Kelly
O'Keefe

Cynthia

James,

Thank you for speaking at
Leadership Twin Cities Government
Day! We appreciated your forthcoming
remarks about your experiences as
the Mayor of Edina.

Warm Regards,
LTC Day
Planners

Heather
De

Heather Branigin

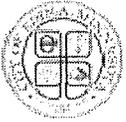
From: Joyce Repya
Sent: Wednesday, February 25, 2015 9:29 AM
To: James Hovland; Mary Brindle; ann swenson (swensonann1@gmail.com); Kevin Staunton; Robert Stewart
Cc: Scott H. Neal; Cary Teague; Doug Mayo; Jack Rice; Jay Lindgren; Jeff Huggett; Jim Nelson; Mary Kay McNee
Subject: Grandview Redevelopment Site
Attachments: EHF - Grandview Letter.pdf

Dear Mayor and City Council –

Attached you will find a letter from the Edina Housing Foundation voicing their support for affordable housing in the Grandview redevelopment area.

Also, know that they look forward to the upcoming March 17th work session with you when they will present a proposed affordable housing policy for the city.

Best regards -



Joyce Repya, Senior Planner

952-826-0462 | Fax 952-826-0389

4801 W. 50th St. | Edina, MN 55424

JRepya@EdinaMN.gov | www.EdinaMN.gov/Planning

...For Living, Learning, Raising Families & Doing Business



February 25, 2015

SHELTERING OUR COMMUNITY

4801 WEST 50TH STREET
EDINA, MINNESOTA 55424
952-826-0462
FAX: 952-826-0389

Mayor James Hovland
The City of Edina
4801 W. 50th St.
Edina, MN 55424

RE: The Grandview Redevelopment Site

Dear Mr. Mayor:

Please accept this letter as the Edina Housing Foundation's strong support for and recommendation that the City Council require that the selected developer of the Grandview Redevelopment Site include affordable housing as part of this redevelopment.

We put forth this recommendation for several reasons:

Shows Leadership by Example

With most community development, the Mayor and City Council respond to private party proposals. In this case, because the property is owned by the city, the Mayor and City Council play an even larger role in shaping what this development will be. Most of the Edina community responded positively to the unanimous vote of support for the Beacon development on 66th street. A requirement that the Grandview contain affordable housing will send an even stronger message – as a property owner it demonstrates that this community is serious about its commitment to affordable housing.

Developing Affordable Housing is Difficult

Locating, financing, and developing affordable housing is difficult most everywhere, but especially so in Edina. Even though the Mayor and City Council have made numerous votes in favor of including affordable housing in Edina redevelopments, very little affordable housing has actually been built in our community over the past 10 years. When there is an opportunity like the Grandview property, it's important to make it a part of the City's commitment.

The Foundation Will Invest

As the Edina Housing Foundation believes that the Grandview Redevelopment site is an excellent location for affordable housing with its linkages to service and transportation, we would favorably consider investing Foundation resources to encourage inclusion of affordable housing in this redevelopment.

We believe that if the Mayor and City Council take a leadership role in providing affordable housing at this location, many in the community would support this endeavor. Thank you for considering our recommendation.

Sincerely,

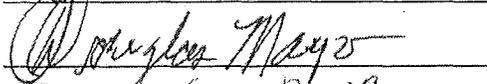
James Nelson



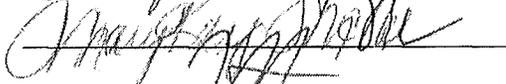
Jack Rice



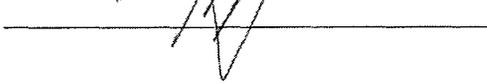
Doug Mayo



Mary Kay McNee



Jeff Huggett



cc: Edina City Council
Scot Neal, City Manager

Heather Branigin

From: Rebecca Wallin <wallin.dickinson@gmail.com>
Sent: Wednesday, February 25, 2015 10:29 AM
To: Mary Brindle; James Hovland; swensonann1@gmail.com; Kevin Staunton; Robert Stewart
Subject: Blake Woods

Dear Ms. Brindle, Mr. Hovland, Mr. Staunton, Ms. Swenson, and Mr. Stewart,

I plan on attending the meeting tonight to discuss the Blake Woods development. Because the city does not have a correct address for me, I learned about the development by seeing the sign on Blake Road.

I have contacted Reid Schulz and he has sent me the plans for the development. I have a number of concerns - the density of the development, the proximity of one of the homes to our lot line, the loss of any additional trees, and the problem of drainage. Last summer, our back yard was something of a swamp and we do not want an increase in these problems.

My next door neighbor, Dr. Phil Sweetser, shares my concerns but cannot attend the meeting tonight. Thanks in advance for considering our input.

Best Regards,

Rebecca Wallin
6208 Parkwood Road
Edina, MN 55436

--

Rebecca Wallin
952-938-6098 (home)
612-250-0882 (cell)

Heather Branigin

From: Rebecca Wallin <wallin.dickinson@gmail.com>
Sent: Wednesday, February 25, 2015 11:41 AM
To: Kevin Staunton; Robert Stewart; swensonann1@gmail.com; James Hovland; Mary Brindle
Subject: Re: Blake Woods

My apology for my earlier email. Mary Brindle informed me that the meeting tonight is with the Planning Commission. I have received very little information about the proposed subdivision to date - so this is a helpful clarification.

Thanks again,

Rebecca Wallin

On Feb 25, 2015 10:29 AM, "Rebecca Wallin" <wallin.dickinson@gmail.com> wrote:
Dear Ms. Brindle, Mr. Hovland, Mr. Staunton, Ms. Swenson, and Mr. Stewart,

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Best Regards,

Rebecca Wallin
6208 Parkwood Road
Edina, MN 55436

--

Rebecca Wallin
952-938-6098 (home)
612-250-0882 (cell)

Heather Branigin

From: Betsy Anderson <Betsy.Anderson@hopkinsschools.org>
Sent: Wednesday, February 25, 2015 11:45 AM
To: Edina Mail; Mary Brindle; Kevin Staunton; Robert Stewart; swensonann1@gmail.com
Subject: TICKETS STILL AVAILABLE Hopkins Education Foundation Royal Bash

Dear Mayor Hovland & honorable Council members,

You don't want to miss the 2015 Royal Bash, this coming Saturday, February 28th. Join us for a fun-filled evening with friends while benefiting Hopkins Schools! We are celebrating the past and igniting the future at this 20th year fundraiser. Ticket sales close Thursday morning, so don't delay!

<http://www.hopkinseducationfoundation.org/>

We hope to see you there, gathering with your neighbors to support our great schools!

Betsy Tate (Scheurer) Anderson
Hopkins School Board
952-935-1999
www.hopkinsschools.org
Excellence: Every School, Every Student, Every Day.

--

This electronic mail transmission may contain private or confidential data and is intended only for the person named. If you are not the intended recipient, you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited. If you received this message in error, please notify the sender, and delete it. Hopkins Public Schools reserves the right to monitor and review, without further consent, any messages created, sent, or received on its electronic mail system.

Heather Branigin

From: pelle137@umn.edu
Sent: Wednesday, February 25, 2015 2:34 PM
To: Edina Mail
Subject: SAFE ROUTES TO SCHOOL RESEARCH: INSTRUCTIONS TO ACCESS SURVEY

Dear Jim Hovland:

You are invited to participate in a research study conducted by the University of Minnesota on your experiences working with other organizations on Safe Routes to School activities. This email contains important information that will allow you to access the online survey. If you choose to participate, please complete the survey by March 20, 2015.

You have been requested to participate in this survey as: [REDACTED]

Please go to: [REDACTED] to start the survey.

[REDACTED]

By starting the survey, you are agreeing to participate in this survey.

Thank you for your participation. If you have any questions regarding this invitation, please respond to this email.

Heather Branigin

From: lori@mnfalundafa.org
Sent: Wednesday, February 25, 2015 8:02 PM
To: Edina Mail
Subject: Request for Proclamation for the World Falun Dafa Day on May 13
Attachments: MPLS Mayor 2014.pdf; St.Paul Mayor 2014.pdf

Dear Honorable Mayor,

This coming May 13, thousands of people across the country will celebrate World Falun Dafa Day, marking the 23rd anniversary of the introduction of one of the world's most popular meditation and cultivation practices.

We are looking forward to receiving your proclamation for this year.

We'd be very delighted and honored if you would like to make this May the Falun Dafa Month; or a week this May the Falun Dafa Week; or May 13 the Falun Dafa Day in the City of Edina.

Since 1992, over one hundred million people worldwide have become healthier, happier, and more altruistic through their practice of Falun Dafa. And on World Falun Dafa Day, we hope that you will join in recognizing the benefits that this great practice has brought to our society.

Falun Gong, also called Falun Dafa, is a peaceful spiritual practice rooted in traditional Chinese culture. It consists of meditation, five gentle sets of exercises, and a moral philosophy centered on the values of truthfulness, compassion, and tolerance, which practitioners take as a guide to their daily lives.

Although rooted in ancient Chinese spiritual tradition, Falun Gong was first taught publicly in China in 1992 by Mr. Li Hongzhi, the founder of the practice. It spread quickly through word-of-mouth as tens of millions of Chinese citizens found greater health and spiritual well-being through the practice. Today, Falun Gong is practiced in over 80 countries worldwide by people of all ages and backgrounds. It is always taught free of charge by volunteers, and can be practiced individually or in groups.

Falun Dafa practitioners across the United States dedicate countless hours to our communities in organizing free meditation classes, Chinese cultural productions of music and dance, and participating in local events. We are also actively working to bring about a peaceful resolution to the persecution of Falun Gong in China, and improve the future of the world's most populous country.

It would mean a great deal to Falun Dafa practitioners and supporters across the nation as well as in the City of Edina to hear a message of support from you on this important occasion.

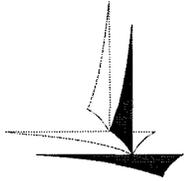
Attached are the two proclamations we received from Mayor of Minneapolis and Mayor of St Paul last year.

For more information, please visit www.faluninfo.net, or contact me directly.

Sincerely yours,

Lori Gao

Minnesota Falun Dafa Association
lori@mnfalundafa.org



Minneapolis
City of Lakes

Office of the Mayor

Betsy Hodges
Mayor

350 South 5th Street -
Room 331
Minneapolis MN 55415-
1393

Office 612 673-2100
Fax 612 673-2305
TTY 612 673-3187

May 2014

As Mayor of Minneapolis, I am pleased to extend warm greetings on behalf of our citizens to those gathering today for World Falun Dafa Month.

I know many residents of Minneapolis and the surrounding area are enjoying practicing Falun Dafa, an ancient form of exercise and meditation. I hope that the events you have planned for today are a success and that your goals for celebrating and sharing the principles of Falun Dafa are achieved.

I join many elected leaders across the country in opposing the persecution of Falun Dafa practitioners in China. I hope that 2014 World Falun Dafa Month brings heightened awareness to the peaceful appeals of practitioners around the world to end the illegal detainment to practitioners in China.

Congratulations again as you gather to celebrate World Falun Dafa Month on May 13, 2014 at the State Capitol.

Sincerely,

A handwritten signature in black ink that reads "Betsy Hodges". The signature is written in a cursive, flowing style.

Mayor Betsy Hodges
City of Minneapolis

City of Saint Paul

Proclamation

Whereas, the City of Saint Paul in Minnesota joins in celebration with Falun Dafa practitioners from around the world as they commemorate World Falun Dafa Day on May 13; and

Whereas, since Master Li Hongzhi, the founder of Falun Dafa, introduced the practice in May of 1992, the practice of Falun Dafa has helped hundreds of millions across the world improve their health and moral standards, as well as deepen their understanding of life, humanity and the universe; and

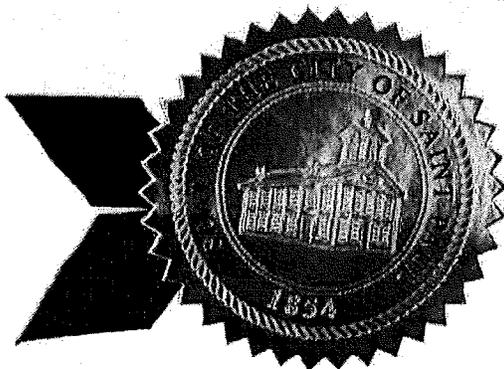
Whereas, Falun Dafa is based on the principles of Truth, Compassion, Tolerance; and

Whereas, Falun Dafa is now practiced freely, in over 100 countries by people from all walks of life; and millions of people have benefited from the practice both physically and mentally,

Now, Therefore, I, Christopher B. Coleman, Mayor of the City of Saint Paul, do hereby proclaim Tuesday, May 13th, 2014, to be:

Falun Dafa Day

in the City of Saint Paul



In Witness Whereof I have hereunto set my hand and caused the Seal of the City of Saint Paul to be affixed this Thirteenth Day of May in the Year Two Thousand and Fourteen.

Christopher B. Coleman
Christopher B. Coleman
Mayor

Heather Branigin

From: Suzanne Kerwin <skerwin@comcast.net>
Sent: Thursday, February 26, 2015 8:33 AM
To: Edina Mail
Subject: League of Women Voters Edina March Meetings: Ebola: Global and Local Impacts

Please forward to the Mayor and Council and members of Boards and Commissions,

Thank you!



League of Women Voters
of Edina

Ebola: Global and Local Impacts

Speaker: Dr. Kirk Allison, University of MN School of Public Health

Thursday March 12, 9:45– 11:30, Edina Senior Center

Saturday March 14, 9:45– 11:30, Edina City Hall

Dr. Kirk Allison, Director of the Program in Human Rights and Health at the University of MN School of Public Health, will speak at our March unit meetings on the global and local impacts of the ebola virus. He will discuss the history of ebola and the outbreaks in West Africa; how ebola is transmitted and how best to contain it; whether the resources for treating ebola are being allocated fairly; and public health powers vs. civil liberties.

According to ProMED, (the Program for Monitoring Emerging Diseases of the International Society for Infectious Diseases) "ebola outbreaks are a symptom of deeper health system problems. One vaccine won't stop the next ebola. But disease surveillance and good primary-level health care might. We are a global community now; when something happens in any country, there is a big chance that every other country is going to be affected."

In addition to his expertise in ebola, Dr. Allison has provided testimony to the US House of Representatives about organ harvesting in China.

This will be a great opportunity to go way beyond the media's headlines and get answers to your questions about this serious infectious disease. We hope to see you at the unit meetings on March 12 and 14!

The League of Women Voters of Edina is a non-partisan political organization that encourages the informed and active participation in government, and influences public policy through education and advocacy. For more information, please visit www.lwvedina.org.

Heather Branigin

From: Kaitlin Kraft <kaitlink20892@apps.edina.k12.mn.us>
Sent: Thursday, February 26, 2015 2:21 PM
To: James Hovland
Subject: fred richards apathy project

Mayor James,

My friend and I are doing an apathy project here at Southview Middle School. We are 7th graders and were wondering if we could do anything to help save Fred Richards or use anything to campaign with.

Thank you,
Amy T. and Kaitlin K.

--

Kaitlin Kraft

7th Grade

7 Wonders

South View Middle School

Edina Public Schools

Heather Branigin

From: Susan J Lee <leesusa@gmail.com>
Sent: Friday, February 27, 2015 9:11 AM
To: James Hovland; Mary Brindle (Comcast); Kevin Staunton; Robert Stewart; ann swenson
Subject: tear down construction and street condition

I live on W Highwood Dr and was assessed \$7743.20 in 2012 for street construction. I appreciate the improvement.

The City of Edina has recently approved tear down of an existing home at the end of W Highwood and new construction of a home on the property.

Demolition is slated to begin in one week. A 9500 sq ft home is planned, with landscaping down to the lake, and it is estimated that it will take 18 months of six day a week construction to complete the project.

In anticipation of 18 months of demolition equipment, construction equipment, construction supplies, landscaping equipment, and landscaping supplies, that usually include large rocks and boulders, going back and forth on Highwood six days a week, I have a question and request.

Is there currently in place a process for inspecting a street at the beginning of a construction project and then again at the end of the project in order to assess the wear and tear/damage to the road from the construction?

If this kind of assessment is not currently in place, I am requesting that the council consider such oversight as a equitable part of Edina redevelopment. I am writing to you because I realize that such oversight would like;y involve multiple departments and agencies.

My hope is that there will be some street monitoring on this particular project as it provides an excellent example of what will be occurring in Edina for years to come.

Thank you for your consideration.

Susan Lee
5316 W Highwood Dr.

Heather Branigin

From: Edina 273 <edina273@gmail.com>
Sent: Friday, February 27, 2015 11:36 AM
To: James Hovland
Cc: Mary Brindle; Kevin Staunton; Robert Stewart; ann swenson
Subject: Edina State of the Community

Dear Mayor Hovland,

On Monday, March 2, you will once again be participating in the annual Edina "State of the Community" along with city manager Scott Neal and Edina Public Schools Superintendent Ric Dressen. The past events have always been very informative and I look forward to this year's edition.

I must admit, though, that the term "community" can become ambiguous when you consider that multiple school districts cover the City of Edina and that the political boundary of Edina Public Schools extends into the City of Bloomington.

In order to gain more clarity, I reviewed the prior State of the Community presentations and, despite the fact that city leaders make repeated references to "our" school district and "our" superintendent and generally use "our school system" in singular terms, there does seem consistency among presenters that the "community" referred to during these events is being defined as the entirety of the City of Edina inclusive of all its residents and businesses.

Without question, the past five State of the Community presentations have provided a number of noteworthy statements and comments but, for today, I would like to highlight just one.

During the State of the Community on February 27, 2012, Superintendent Dressen made the following statement:

"We are probably one of the few school districts in the state of Minnesota that has a formal partnership with the city - with the city council and the mayor - and the school district and school board have asked the staff to come up with joint goals. So we are literally held to a higher level of accountability than I think most communities in the state to say that we have a common mission."

As you know, a large group of residents of the City of Edina have written to you and the other members of the Edina City Council requesting that you strongly encourage our partners in the leadership of Edina Public Schools to amend their policy to provide a priority for all children living in the City of Edina, just as they have for the children of school district employees. Not only is such a request entirely appropriate, but I would certainly hope that you and the city council would view it as your responsibility as part of the "formal partnership" and your obligation as part of the "higher level of accountability" to ensure that official partnerships of the City of Edina provide direct benefits to all of its residents.

As a resident of the City of Edina, I appreciate the time and effort put forth by yourself and the other presenters to provide the entire Edina community with an annual update via the State of the Community. I sincerely hope that you use this event and subsequent ongoing interactions with school district leaders to make improving access to Edina schools for all Edina children one of your joint goals to be completed before next year's State of the Community.

Sincerely yours,
Alan Koehler

P.S. I encourage you and the other city council members to (re)view the short "Grange Hall experience" video that preceded the 2013 State of the Community, which was either co-produced or (at the very least) co-branded with Edina Public Schools. You complimented this video as being emblematic of Edina's way of welcoming. I draw your attention to the narrator as she reads the words:

"From the early days of the Grange Hall, dialogue has been embedded into the fabric of Edina's history. For 125 years, Edina's residents have gathered together to solve challenges in order to grow as a cohesive community answering the needs, wants and desires of all who reside here."

As the video proceeds, the narrator also reads: "All residents benefit from award-winning schools..."

Only by drawing upon the spirit of dialogue can we make this video's script an accurate reflection of reality.

https://www.youtube.com/watch?v=8iD_y-wMuVE

Heather Branigin

From: Joel Stegner <joel.r.stegner@gmail.com>
Sent: Friday, February 27, 2015 11:46 AM
To: Edina Mail
Subject: Edina City Council

Hi Jim,

To keep involved, I have just joined the Walk Edina working group. Of course, I am aware that you are a strong advocate of walking in Edina, so I thought that I would pitch an idea to you after the weather warms up. As the city has just spend millions to improve France Avenue, would that not be an ideal street to walk to see up close and personal how the walking experience will be there going forward? Parking at Southdale Hospital, you could take one side of the street down to 76th, cross the street and walk back on the other side. It should be pretty obvious what works and perhaps where minor improvements can be made.

I suggest this based on my experience of walking from City Hall across 100 for a funeral. It looked pretty straightforward and easy, but was anything but. When we spend freely to improve streets and sidewalks, it is important to test if they are working out as planned and your monthly walk could do just that.

Best regards,
Joel Stegner

Heather Branigin

From: Tom Chochrek <tchochrek@comcast.net>
Sent: Friday, February 27, 2015 12:02 PM
To: tchochrek@comcast.net; edina273@gmail.com
Cc: James Hovland; Mary Brindle; Kevin Staunton; Robert Stewart; ann swenson
Subject: Re: Edina State of the Community

I wholeheartedly agree with Alan.

Though a home-owning resident of Edina's Pakwood Knolls neighborhood since October 1996, it took a divorce and the return of my former spouse to an in-district Edina School System address to finally get my sons into Edina Public Schools.

They are now both in Valley View Middle School.

All Edina residents should be given admittance to Edina Public Schools, no matter what their address is within the city limits!

I trust Mayor Hovland and the existing members of the city council will do whatever it can to make this hope a reality.

Tom Chochrek
6617 Londonderry Drive
Edina, MN 55436
952-936-9117 (home office)
612-812-1345 (mobile)

From: "Edina 273" <edina273@gmail.com>
To: jhovland@EdinaMN.gov
Cc: mbrindle@EdinaMN.gov, kstaunton@EdinaMN.gov, rstewart@EdinaMN.gov, "ann swenson" <swensonann1@gmail.com>
Sent: Friday, February 27, 2015 11:35:38 AM
Subject: Edina State of the Community

Dear Mayor Hovland,

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Alan Koehler

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https://www.youtube.com/watch?v=8iD_y-wMuVE

Heather Branigin

From: Kirsten Lance <kirsten@freedomtomarry.org>
Sent: Saturday, February 28, 2015 9:05 AM
To: Edina Mail
Cc: Deb Mangan
Subject: Response Needed by Monday, 4pm EST - Supreme Court Amicus Brief
Attachments: DeBoer -- Amicus Brief REDRAFT3-2 copy.pdf

On behalf of Mayors for the Freedom to Marry, I am writing to urge your support for an important *amicus* brief for Mayors concerning the freedom to marry. I am attaching the final version of the brief for your review.

You can sign on as the mayor and/or as your town/city. If you are interested in being part of the friend of the court brief, please fill out the form at www.freedomtomarry.org/MayorsBrief.

As you can see, the form requests a number of contact names. We are asking for that information purely for contact information and not because those names will appear on the brief. Given that each Mayor's office operates differently, we have had to ask for more rather than less information. If you are unable to fill all the spaces, put an X on those lines and you will still be able to submit the form.

I hope you will agree to be a signatory for this important brief to amplify the voices of mayors across the country. There is no financial impact or staff commitment associated with signing on.

The drop-dead deadline for signing onto this *amicus* brief is **Monday, March 2, 2015**. The brief must be filed at the Supreme Court on March 6.

If you have any questions, please contact me at [202-223-8223](tel:202-223-8223). Thank you for this consideration and for your continued support for the freedom to marry.

--
Kirsten Lance
Federal Program Associate
Freedom to Marry

Freedom to Marry is a proud member of the Respect for Marriage Coalition. Learn how your group can join the historic partnership to end federal marriage discrimination at www.respectformarriage.org

2120 L Street NW, Suite 850
Washington, DC 20037
202-223-0732 w
202-223-0082 f
443-285-2706 c
kirsten@freedomtomarry.org

In The
Supreme Court of the United States

No. 14-571

APRIL DEBOER, *et al.*,

Petitioners,

v.

RICHARD SNYDER, *et al.*,

Respondents.

On Writ of Certiorari to the United
States Court of Appeals for the Sixth Circuit

BRIEF FOR *AMICI CURIAE* WITH MUNICIPAL INTERESTS:

**[NUMBER] MAYORS, MAYORS FOR THE FREEDOM TO MARRY; THE U.S.
CONFERENCE OF MAYORS; AND THE CITIES OF LOS ANGELES, NEW YORK
AND SAN FRANCISCO AND OTHER MUNICIPALITIES**

IN SUPPORT OF PETITIONERS

MICHAEL N. FEUER
City Attorney of Los Angeles
JAMES P. CLARK
THOMAS H. PETERS
BLITHE SMITH BOCK
Counsel of Record
200 No. Main Street
Los Angeles, CA 90012
Telephone (213) 978-6936

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MOLLIE LEE
1390 Market Street, 6th Floor
San Francisco, CA 94102
Telephone (415) 554- 4290

VALERIA TANCO, *et al.*,
Petitioners,

v.

WILLIAM EDWARD “BILL” HASLAM, *et al.*,

Respondents.

BRITTANI HENRY, *et al.*,

Petitioners,

v.

RICHARD HODGES, *et al.*,

Respondents.

JAMES OBERGEFELL, *et al.*,

Petitioners,

v.

RICHARD HODGES, *et al.*,

Respondents.

TIMOTHY LOVE, *et al.*, AND GREGORY BOURKE, *et al.*,

Petitioners,

v.

STEVE BESHEAR, *et al.*,

Respondents.

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IDENTITY AND INTEREST OF *AMICI CURIAE*¹

Amici Curiae² are __ mayors and _ cities from across the country, from states that have accorded the freedom to marry to all and those that have not. All Amici know firsthand the importance of marriage to their communities. Marriage makes citizens healthier, more productive and economically successful, and all municipalities prosper when the right to marry is equally available to all who live within their borders.

Municipalities, as the level of government most closely connected to the citizens they serve, bear a great burden when a target sector of their populace is denied the right to marry. Amici attend to the daily needs of their citizens: they provide police and fire services; they handle parks and recreation services, transportation, housing, and a broad range of other services. Some municipalities offer public health and emergency medical services, and family

¹No party nor counsel for a party authored this brief in whole or in part, and no person or entity, other than *amici curiae* or their counsel, made any monetary contribution to fund the preparation or submission of this brief. Respondents have filed blanket consents to the filing of amicus briefs with the Clerk, and Petitioners' letter consent is filed concurrently with this brief.

²Amici, which also include the U.S. Conference of Mayors and Mayors for the Freedom to Marry, are listed in the Appendix.

and child services. Under the leadership of mayors and governing bodies, municipalities create and enforce local laws and policies. They perform long-term planning and provide the vision for the future of communities they serve. In performing these tasks, Amici have all seen the benefits that marriage brings to a community.

“Marriages cement families, families build neighborhoods; strong neighborhoods create strong communities; strong communities make strong cities, and cities are the backbone of America.”
Houston Mayor Annise D. Parker, January 20, 2012.

When the freedom to marry is denied, municipalities are the first level of government to suffer the impact.

The amici cities have a long history of implementing local measures designed to ensure the fair and equal treatment of gay and lesbian citizens, and to provide a welcoming environment for visitors. The U.S. Conference of Mayors adopted a resolution declaring its support for marriage equality for same-sex couples, and all attendant rights such as family and medical leave, tax equity, insurance and retirement benefits, and its opposition to the enshrinement of discrimination in the federal or state constitution.”

Denying the freedom to marry is discrimination that undermines local efforts. Amici are united in urging this

Court to reverse the Sixth Circuit and affirm the freedom to marry for all Americans.

SUMMARY OF ARGUMENT

The Sixth Circuit held that gay and lesbian citizens, unlike all other citizens, have no fundamental right to marry. *DeBoer v. Snyder*, 772 F.3d 388 (6th Cir. 2014). According to that court, whether or not this discrete group can marry should be left to the “usually reliable work of the state democratic processes.” 772 F.3d at 396. That is, the freedom to marry – for gays and lesbians but no others – should be placed “in the hands of the state voters.” *Id.* at 403.

In an unbroken line of cases from *Loving v. Virginia*, 388 U.S. 1, 12 (1967) to *Zablocki v. Redhail*, 434 U.S. 374, 384 (1978) and *Turner v. Safley*, 482 U.S. 78, (1987), this Court has held that the freedom to marry is a fundamental right. Amici ask this Court to expressly hold that this fundamental right applies equally to same-sex couples and different-sex couples, it cannot be withheld by popular vote or the whims of a state legislature, and states cannot discriminatorily refuse to respect lawful marriages performed in other states. At least three grounds support this result.

First, excluding a certain class of citizens from marriage undermines the dignity and respect that government owes all its citizens. Gay and lesbian couples live in all of our communities, where they raise children,

support each other in sickness and in health, combine assets, buy homes and otherwise engage in all the indicia of marriage. The stability of these family units directly benefit municipalities. Marriage lessens societal ills such as poverty, homelessness, and crime; when it is denied to a defined class of citizens, they – and their children – are more likely to need the social services that municipalities provide.

Equal treatment under the law, including the freedom to marry, is also a boon to municipalities' local economies, which are largely reliant on the recruitment of talent and diversity in the workforce and in their population. “[D]iverse, inclusive communities that welcome gays, immigrants, artists, and free-thinking bohemians are ideal for nurturing creativity and innovation, both keys to success in the new technology.” Richard Florida & Gary Gates, The Brookings Institution, *Technology and Tolerance: The Importance of Diversity to High-Technology Growth* (2001). Institutional discrimination at the state level greatly impedes local governments' ability to achieve that goal. Without marriage equality, public entities face great difficulty attracting the kind of talent that enriches their local economies, diminishing their competitiveness vis-à-vis states (or countries) that permit equal access to marriage.

Second, official recognition of marriage as a fundamental right of all citizens, including gay men and lesbians, is crucial to municipalities' ability to treat

citizens with equal dignity and respect. Long before the current momentum towards ending gay couples' exclusion from marriage, numerous cities had already been at the forefront in enacting local laws and regulations prohibiting discrimination on the basis of sexual orientation, sometimes long before the state counterparts. Those cities have seen the benefits of treating their citizens with equal dignity and respect, a respect that must extend to their full and equal enjoyment of constitutional rights such as the freedom to marry.

Finally, marriage equality cannot have full meaning unless it is recognized uniformly across state lines. The second question before this Court – whether a state may constitutionally refuse to recognize the marriage of a same-sex couple validly married in another state – should be answered with a resounding “no.”

The right to travel is based on the premise that our country is strengthened by the freedom that we all have to move among the various states. It is hard to imagine a greater obstruction to travel than a state law declaring that a family will be dissolved upon entry into another state. Amici, who seek to attract a diverse and vibrant pool of employees, businesses and residents, have a strong interest in ensuring that such blatant constitutional violations of their citizens are not tolerated by this Court.

ARGUMENT

I. DISCRIMINATORY MARRIAGE LAWS IMPAIR THE ABILITY OF MUNICIPALITIES TO TREAT THEIR CITIZENS WITH DIGNITY AND RESPECT.

1. Municipalities know firsthand the importance of marriage to individual dignity, prosperity and social stability.

Jerry Sanders, former mayor of San Diego, California, in explaining his support of marriage equality, said:

“Allowing loving and committed couples to join in marriage has benefits not just for couples and their families – but also for society. Marriage encourages people to take responsibility for each other, provides greater security for children, and helps our country live up to its promises set forth in our founding documents. These are important values for a strong society, and we should encourage them.”

It is well-documented that marriage brings financial and emotional stability to citizens, leading to healthier communities that allow local governments to thrive. Marriage is a “vital social institution.” *Goodridge v. Dep’t of Pub. Health*, 798 N.E.2d 941, 948 (Mass. 2003).

“For those who choose to marry, and for their children, marriage provides an abundance of legal, financial and social benefits. In return, it imposes weighty legal, financial and social obligations.” *Ibid.*

The benefits of marriage were recognized and outlined by the United States District Court for the Northern District of California, much as they have been affirmed in over 60 state and federal rulings in the past two years. The Court found that marriage benefits society because it organizes individuals into “cohesive family units,” provides a “realm of liberty, intimacy and free decision-making,” creates “stable households, and legitimat[izes] children.” *Perry v. Schwarzenegger*, 704 F.Supp.2d 921, 962-63 (N.D. Cal. 2010). And marriage promotes “physical and psychological health,” and increases wealth and “psychological well-being.” *Ibid.*

Marriage also entails significant responsibilities, which in turn benefit municipalities by lessening the need for government support. The *Perry* district court found, for example, that marriage “assign[s] individuals to care for one another and thus limiting the public’s liability to care for the vulnerable,” and “facilitate[s] property ownership.” *Ibid.* Marriage “creates economic support obligations” between adults. *Ibid.* Marriage ultimately forms an economic unit in which two adults support each other not just emotionally but financially and otherwise. The “tangible and intangible benefits of marriage flow to a married couple’s children.” *Ibid.* Accordingly, when

couples are denied the freedom to marry, they and their children lose all the benefits that marriage offers, and are more likely to require the social services municipalities provide.

Discriminatory marriage laws are themselves a form of institutional discrimination that causes psychological harm. Mark L. Hatzenbuehler, Katie A. McLaughlin, Katherine M. Keyes & Deborah S. Hasin, *The Impact of Institutional Discrimination on Psychiatric Disorders in Lesbian, Gay and Bisexual Populations: A Prospective Study*, 100 Am. J. Publ. Health 452-459 (2010). Laws that discriminate on the basis of sexual orientation contribute to “minority stress,” which is “chronic social stress resulting from experiencing prejudice, anticipating further prejudice, harboring internalized homophobia, and attempting to conceal or hide one’s sexual orientation.” Therese M. Stewart and Mollie M. Lee, *The Role of Public Law Offices in Marriage Equality Litigation*, 37 N.Y.U. Review of Law and Social Change 1, 191. Research has shown a strong correlation between this kind of stress and health issues such as anxiety disorders and increased suicide. *Id.* at 193.

Discriminatory marriage laws also encourage private prejudice. The American Psychological Association (APA) found that denying same-sex couples the right to marry “stigmatizes same-sex relationships, perpetuates the stigma historically attached to homosexuality, and reinforces prejudice against lesbian, gay and bisexual people,” and in 2011, it unanimously

approved a resolution in support of full marriage equality. American Psychological Association, Resolution on Marriage Equality for Same-Sex Couples (August 2011), <http://www.apa.org/about/policy/same-sex.aspx>. As then-Mayor of San Diego Jerry Sanders testified during the *Perry* trial, “when government tolerates discrimination against anyone for any reason, it becomes an excuse for the public to do the same thing.” Transcript of Proceedings at 1226, *Perry v. Schwarzenegger*, 704 F.Supp.2d 921 (N.D. Cal. 2010).

These harms all lead to an additional need for services and additional costs for municipalities. For example, when employees miss work because of mental or physical ailments linked to discrimination, the loss of productivity harms municipalities as employers, and lowers tax revenues because local businesses are less productive. *The Role of Public Law Offices in Marriage Equality Litigation, supra* at 195 (2013). When children stay home from school because they fear bullying, school districts lose funding and must spend time and money to help the affected students. *Id.* When gays and lesbians seek medical attention after hate crimes, local governments often pay the price as health-care providers of last resort. *Id.* Even the act of putting marriage to a vote causes harm. The APA has found that statewide campaigns to deny same-sex couples the right to marry “are a significant source of stress to the lesbian, gay and bisexual residents of those states and may have negative effects on their psychological well-being.” *Resolution on*

Marriage Equality for Same-Sex Couples, Adopted by the APA Council of Representatives (August 2011).

Mayors across the country have observed the benefits of assuring the freedom to marry without discrimination. *See, e.g.*, former Washington D.C. Mayor Vincent Gray (“Having enjoyed the freedom to marry in D.C. for nearly two years now, I know firsthand that marriage makes a city stronger”); Chicago Mayor Rahm Emanuel (failure to enact marriage equality is “bad for Chicago, bad for Illinois, and bad for our local economy and the jobs it creates.”); Orlando Mayor Buddy Dyer (“Our city remains committed to equality, and we understand this serves as an additional economic development tool as our community looks to attract talented, creative people and employers and create jobs for all of our residents”); former New York City Mayor Michael Bloomberg (“In only a season, the freedom to marry has already made New York a stronger state...Mayors understand that welcoming committed gay couples to the rights and responsibilities of marriage isn’t just the right thing to do. It’s also the smart thing to do for the diverse, dynamic, forward-looking cities we’re all working to build”); Boston Mayor, the late Tom Menino (“We’ve now had the freedom to marry in Boston for almost eight years. Since then we’ve seen more same-sex couples move to the city, and with that economic development, urban revitalization, and a spirit of pride and progress that are hallmarks of Boston”).

2. In states that deny same-sex couples the freedom to marry, municipalities offer costly workarounds and inferior substitutes to marriage.

In states that deny same-sex couples the freedom to marry, many municipalities have devised “workarounds” to alleviate the disparities between the gay and lesbian population and the heterosexual population. Municipalities should not have to engage in these costly alternatives that would be unnecessary were couples able to enjoy the constitutional freedom to marry.

A. “Grossing up” to make up for additional tax liabilities.

Although municipalities often provide medical benefits to the registered domestic partners of municipal employees, the value of the added insurance for the domestic partner, who is not a legally-recognized spouse, is taxed. Therefore, some municipalities reimburse the employee for the additional tax liability to offset the inequity. *See, e.g., Palm Beach County, Domestic Partner Tax Equity Policy, PPM No. CW-P-082; City of Hallandale Beach Resolution No. 2014-140; Miami Beach City Code § 62-128(d); West Palm Beach City Code § 62-66; City of Wilton Manors Resolution No. 2013-0069.*

But this practice, called “grossing up,” is quite costly for municipalities. The United States Office of Personnel Management estimates that a net “grossing up” award of \$1,000 could cost the agency \$1,713.80. U.S.

Office of Pers. Mgmt., *Grossing Up Awards: Why and Why Not* <http://www.opm.gov/policy-data-oversight/performance-management/performance-management-cycle/rewarding/grossing-up-awards/>. The New York Times estimates that grossing up for an employee with extra taxes of \$1,200 and \$1,500 will cost the employer from \$2,000 to \$2,500. Tara Siegel Bernard, *A Progress Report on Gay Employee Health Benefits*, N.Y. Times, Dec. 5, 2012.

B. Domestic partnerships.

Domestic partnerships are also costly and complicated for a municipality to administer. While marriage gives rise to a myriad of benefits and incidents, these inadequate marriage proxies entail administrative steps such as registration and notification to all the affected city departments. This administrative burden would not exist if the freedom to marry were available to all citizens.

These bureaucratic structures, moreover, amount to “separate but unequal” family units that render these families outliers within the community. Neither a county nor municipality can approximate the hundreds of benefits, protections and responsibilities available through recognition of a marriage. The marital status offers, for example, a spousal presumption of parentage, protections for surviving spouses through intestacy, protections for children of a couple in a divorce proceeding including both

custody and financial support, federal and state benefits reserved for spouses, and others.

Most importantly, these cobbled-together protections cannot approximate the dignity, societal recognition, security and portability enjoyed by couples who marry.

“[O]nly marriage, legally respected and honored when entered into by same-sex couples under law the same way it is for heterosexual couples, can provide the protections of marriage for families headed by same-sex couples.” Liz Seaton, *The Debate Over the Denial of Marriage Rights and Benefits to Same-Sex Couples and Their Children*, 4 U.Md.L.J. Race Relig. Gender & Class 127 (2004).

The balkanization of marriages, domestic partnerships and civil unions amounts to an unworkable and demeaning approach to civic life. In *Kerrigan v. Dept. Public Health*, 289 Conn. 135 (2008), the Connecticut Supreme Court rejected the state’s classification of family units into same-sex “civil unions” versus marriages for different-sex couples. The Court explained:

“[W]e reject the trial court’s conclusion that marriage and civil unions are “separate” but “equal” legal entities...Although marriage and civil unions do embody the same legal rights under our law, they are by no means ‘equal.’ * * * We do not doubt that

the civil union law was designed to benefit same sex couples by providing them with legal rights they previously did not have. [T]he very existence of the classification gives credence to the perception that separate treatment is warranted for the same illegitimate reasons that gave rise to the past discrimination in the first place. Despite the truly laudable effort of the legislature in equalizing the legal rights afforded same sex and opposite sex couples, there is no doubt that civil unions enjoy a lesser status in our society than marriage. We therefore conclude that the plaintiffs have alleged a constitutionally cognizable injury, that is, the denial of the right to marry a same sex partner.” 289 Conn. at 152; footnote omitted.

Similarly, in *United States v. Windsor*, 133 S.Ct. 2675, 2694 (2013), this Court recognized the destruction to children of living in a “second-tier marriage.” In *Windsor*, that meant a marriage between a same-sex couple that was not recognized by the federal government, but the impact is the same: Living in such an unrecognized family form “humiliates tens of thousands of children now being raised by same-sex couples.” *Ibid.* By treating marriage between same-sex partners differently, “it even more difficult for the children to understand the integrity and closeness of their own family and its concord with other families in their community and in their daily lives.” *Ibid.*

See also In re Marriage Cases, 43 Cal. 4th 757, 845-846 (Cal. 2008) (“affording same-sex couples access only to the separate institution of domestic partnership, and denying such couples access to the established institution of marriage, properly must be viewed as impinging upon the right of those couples to have their family relationship accorded respect and dignity equal to that accorded the family relationship of opposite-sex couples”).

C. State pushbacks on municipalities’ efforts.

Some state marriage bans are so broad that the municipalities within those states cannot provide even these separate systems. At least eighteen states have extended their discriminatory bans by refusing to create or recognize civil unions, domestic partnerships, or any other alternative to marriage. *See e.g.*, Ky. Const. § 233A (“A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized.”)

The City of Kalamazoo, Michigan has faced such a state backlash. It had been offering health care benefits to all employees and their domestic partners when Michigan voters subsequently passed a constitutional amendment that restricted a marriage “*or similar union*” to one man and one woman. Mich. Const. art. 1, § 25 (emphasis added). The state concluded “the City’s policy of offering benefits to same-sex domestic partners violates the amendment’s prohibition against recognizing any ‘similar

union.” Mich. Att’y Gen. Op. 7171 (March 16, 2005). Although Kalamazoo announced its intention to discontinue the benefits plan, it was still challenged in litigation. Ultimately, in 2008, the Michigan Supreme Court agreed that domestic partner benefits violated the state’s expanded marriage ban. *Nat’l Pride at Work, Inc., et al. v. Governor of Michigan*, 732 N.W.2d 139 (Mich. Ct. App. 2008). Determined to provide benefits to their committed-but-unmarried employees, Kalamazoo and other Michigan public entities adopted benefit plans that permitted an employee to designate another adult an “Other Qualified Adult” (“OQA”). In direct response, the Michigan Legislature passed a bill prohibiting these OQA plans. Mich. § 15.583, Act 297 of 2011.

Although this OQA ban was recently declared unconstitutional by a federal district court,³ Kalamazoo’s eight-year struggle is the kind of resistance that a municipality should not have to face. Yet the Sixth Circuit’s decision promises endless such protracted battles for municipalities everywhere. Because marriage is regulated in the first instance at the state level, so long as a state denies marriage to same-sex couples, municipalities within those states can only carry these marriage workarounds so far – and often in the face of constant resistance from the state – simply to provide

³ *Bassett v. Snyder*, 2014 U.S. Dist. LEXIS 159253 (E.D. Mich. Nov. 12, 2014).

same-sex couples and their families with at least a modicum of the benefits available to their different-sex counterparts.

3. Marriage discrimination hampers municipalities' economic growth and their ability to recruit and retain talented employees.

For municipalities as employers, the work environment is particularly important as public entities cannot offer the kind of compensation packages available in the private sector. Instead, fairness and equality in the workplace, and quality of life benefits, are critical for recruiting and retaining the best employees to work for cities themselves.

Further, the most dynamic American city economies are driven by technology and innovation. In the area of high-technology, for example, it has been found that diversity, including the presence of gay men and lesbians, is key to attracting the talent and businesses necessary to thrive:

“Gays can be thought of as canaries of the knowledge economy because they signal a diverse and progressive environment that fosters the creativity and innovation necessary for success in high tech industry.” Richard Florida & Gary Gates, The Brookings Institution, *Technology and Tolerance: The Importance of Diversity to High-Technology Growth 2* (2001).

Fostering this sort of diversity attracts to the municipality both the desired employees and the businesses that want to hire them. Companies support marriage equality because

“they understand that marriage equality is a mechanism for them to attract and retain talent. It’s not just about gay people, because the truth is, there aren’t enough gay people to make a huge impact. But it signals a kind of openness to people who are different. It sends a signal to people, straight or gay, that this is a place where they can potentially thrive. That’s especially critical for companies that rely on people who have to be creative, entrepreneurial and innovative.” James B. Stewart, *Gay Marriage Bans May Come at a Price*, N.Y. Times, May 11, 2012.

On November 6, 2013, Marsh & McLennan released an exhaustive report quantifying the impact of the “patchwork quilt of marriage laws” on business. It noted:

“With each passing year, more employers are advancing inclusive benefits policies for their employees. In 2013 among large corporations, already 67% that offered health benefits also offered equal access to benefits, and that number is growing by 3% per year. Small and mid-sized companies are adding these benefits at rates of 8% per year. Without a ruling by the Supreme Court affirming freedom to marry nationally, we expect the talent market consensus to consolidate, and a

greater portion of employers will push to equalize benefits and tax treatment for same-sex households. Administrative and tax burdens will grow.” Katie Kopansky & Jerry Cacciotti, Marsh & McLennan Companies, *The Cost of Inconsistency: Quantifying the Economic Burden to American Business from the Patchwork Quilt of Marriage Laws* 9 (October, 2014) at page 15.

Ultimately, inconsistent marriage laws create administrative burdens, and discriminatory marriage laws hamper the ability of cities to recruit and retain diverse, talented workforces.

II. THE FREEDOM TO MARRY IS A FUNDAMENTAL RIGHT OF ALL CITIZENS, INCLUDING GAY AND LESBIAN CITIZENS.

1. Municipalities have witnessed positive changes arising from their longstanding protections against sexual orientation discrimination, and recognizing the fundamental freedom to marry would effectuate similar positive changes.

Mayors and municipalities are often at the forefront of local government efforts to ensure that gay and lesbian citizens are treated with dignity and respect. In 1984, In 1984, the U.S. Conference of Mayors adopted a resolution, calling for the legal protection of gay and lesbian citizens, followed by dozens of cities adopting such resolutions and

laws. In 1996, the City Council of Los Angeles opposed a state assembly bill, which was ultimately defeated, that would have precluded recognition of marriages between same-sex couples. Los Angeles also issued a resolution opposing the marriage discrimination voter initiatives in 2000 and 2008.

Long before any state recognized marriage equality, and even before any state recognized domestic partnerships, many cities, including Los Angeles, San Francisco and New York, devised laws and regulations to protect against sexual orientation discrimination at the municipal level. Starting in the 1970s, these three cities and others began to adopt laws and policies to eliminate discrimination against, and equalize the status of, lesbians and gay men. Today, these cities have municipal codes prohibiting sexual orientation discrimination in employment, housing and public accommodations and prohibiting employment discrimination by City contractors. L.A. Admin. Code §§ 4.404.1, 4.404.2, 4.860. 10.8.2 *et seq.*; L.A. City Charter §§ 104 and 501; N.Y. Admin. Code §§ 3:240-3:245, 8-107; S. F. Police Code §§ 3301-05, S.F. Admin. Code § 12B.1 *et seq.*

When these provisions outlawing sexual orientation discrimination were first enacted, they were novel and groundbreaking; yet today, cities across the nation have such laws. www.amlegal.com/library.

Cities implementing these protections have seen extraordinary positive changes from them. For example,

San Francisco's Equal Benefits Ordinance has shown a number of positive effects on employees and employers. It has increased the number of employees who are offered domestic partner benefits. It has increased the number of insurance companies that offer domestic partner benefits. And it has helped private companies recruit and retain talented employees. Christy Mallory & Brad Sears, *Requiring Equal Benefits for Domestic Partners*, in *When Mandates Work: Raising Labor Standards at the Local Level* 158-59 (Michael Reich et al., ed. 2014).

Similarly, while Cincinnati once had “the most anti-gay local law our country has ever seen,” which caused the city to lose “close to \$50 million in Convention business, people moved away and [its] image as a world-class city suffer[] tremendously,” it was repealed in 2004 with great positive results. Chris Seelbach, Councilman, City of Cincinnati, Ohio. Human Rights Campaign & Equality Federation Institute, *Municipal Equality Index 2014: A Nationwide Evaluation of Municipal Law* 14 (2014). Since the repeal, Cincinnati has “taken every necessary step to be an LGBT-inclusive city. . . . Steps like extending equal partner health benefits to city employees, creating an LGBT police liaison and requiring all city contractors to agree in writing to an inclusive non-discrimination law.” *Ibid.* Cincinnati is “now a leading voice in the fight for LGBT equality,” and “for the first time in sixty years, [its] population is increasing. And [its] urban core is thriving with good paying jobs, exciting bars

and restaurants, diverse housing and a top-notch park system great for families.” *Ibid.*

Simply put, treating all Americans with dignity and respect under the law is not only the Constitution’s command, it is good for communities and good for the country.

2. Gay men and lesbians share the same fundamental right to marry recognized by this Court again and again.

While a state validly regulates the incidents of marriage that directly impact its governance, such as the distribution of property and responsibility for children, his authority has never given a state license to trample upon the civil rights of those who wish to exercise them. This Court has repeatedly intervened when a state’s regulation of marriage intrudes upon constitutional rights.

In *Zablocki, supra*, the Court acknowledged that marriage is a matter of state domestic policy, but readily overturned a state law that prohibited marriage by an indigent parent who owed child support. 434 U.S. at 380. In *Turner, supra*, the Court recognized that a state could restrict an inmate’s constitutional rights, but nonetheless struck as “facially invalid” its ban on inmate marriages. 482 U.S. at 99. And in *Loving* – the dispositive case here – the Court accepted that marriage was a “social relation” subject to state regulation, but held that the state power

was “not unlimited,” and thus struck a ban on interracial marriage as a violation of Equal Protection. 388 U.S. at 8.

Despite this authority, the Sixth Circuit found that marriages between persons of the same sex are different than other marriages because they are not “deeply rooted” in our nation’s “history and tradition.” But the same was true of interracial marriages in *Loving*, marriages by parents owing child support in *Zablocki* and marriages by inmates in *Turner*. The Court’s emphasis on the right – rather than the attributes of the individuals exercising the right – is necessary and proper. It is the “history and tradition” of marriage itself, not the particular individuals choosing it, that renders marriage a fundamental right.

Likewise, Amici urge this Court to recognize that it is the ultimate freedom to marry – not the sexual orientation or gender of the individuals wishing to exercise the freedom– that is the fundamental right here.

3. In contrast to the positive changes in municipalities that openly recognize the dignity and respect owed to the gay and lesbian population generally, permitting gay people’s freedom to marry to be withheld by popular vote injures and stigmatizes same-sex couples and undermines their dignity and ability to participate fully in society.

“One marker of the hostility and animus directed towards LGBT Americans is the proliferation of attempts

to use state and local ballot measures to repeal or preclude protection against employment discrimination based on sexual orientation or gender identity...[P]roponents of workplace equality for the LGBT minority have had to respond – more frequently than any other group – to repeated, well-funded campaigns to erect barriers against basic civil rights protections.” Brad Sears, Nan Hunter and Christy Mallory, The Williams Institute, UCLA School of Law, *Documenting Discrimination on the Basis of Sexual Orientation and Gender Identity in State Employment* (September 2009).

Conditioning fundamental rights on a group’s popularity with voters is demeaning to the targeted group and toxic to the relationship between the unpopular group and the general population. The uncertainty caused when a group of citizens is targeted in this way is disruptive for all municipalities; in contrast, marriage provides the kind of stability that allows a municipality to thrive.

California’s Proposition 8 was a prime example of what happens when the rights of gays and lesbians may at any time be subject to a vote; it resulted in a state where more than 18,000 same-sex couples were lawfully married but all other gay men and lesbians were barred from exercising that right. Leaving this issue to voters resulted in a “crazy-quilt of marriage regulation that makes no sense to anyone.” Theodore B. Olson, *The Conservative Case for Gay Marriage: Why Same-Sex Marriage is an American Value*,” Newsweek, January 9, 2010. During

this turbulent time in California history, marriage equality was recognized, then taken away, and now is again recognized and settled. As Theodore Olson wrote at the time:

“[T]here are now three classes of Californians: heterosexual couples who can get married, divorced and remarried, if they wish; same-sex couples who cannot get married but can live together in domestic partnerships; and same-sex couples who are now married but who, if they divorce, cannot remarry. This is an irrational system, it is discriminatory, and it cannot stand.” *Ibid.*

This “crazy quilt” imposes a burden on municipalities when they are forced to address such fluctuations in the structures of its families – one of the building blocks of society.

Even in states that currently embrace marriage equality, the idea that the marriage right could be lost in an election denigrates the marital status of those same-sex couples allowed to marry because it can always be taken away. Where the risk of marriage equality vanishing arises with each election, gay men and lesbians must live with the specter that their right to marry can be whisked away at any time. That is precisely the opposite of the stability that marriage – and fundamental rights – are supposed to bring.

4. The Sixth Circuit's decision contravenes the respect and dignity municipalities owe their citizens.

Amici adopt the arguments made by the parties as to the infirmity of the Sixth Circuit's decision, and focus here on specific aspects most germane to municipalities.

Overall, the Sixth Circuit repeatedly showed a fundamental lack of respect for gay men and lesbians. If this Court affirms that decision, thus integrating this disrespect into binding case law, the impact on the gay and lesbian community and the municipalities in which they live would be devastating.

A. The problems the Sixth Circuit posits would arise in a society without marriage for heterosexual couples applies with equal force to the same-sex couples of today who must live without marriage.

After discussing a supposed rationale for the laws at issue – the “responsible procreation” theory that has been rejected by virtually every reviewing court that has heard it – the Sixth Circuit posited:

“Imagine a society without marriage.” *Ibid.*

A society without marriage, the Court found, would lead to a host of problems resulting from the “absence of

rules about how to handle the natural effects of male-female intercourse: children.” *Ibid.*

But the court failed to recognize that the chaos it imagined would be imposed on the families of same-sex couples by its decision.

While the Sixth Circuit’s concerns revolved around biological children and questions of which parents should be responsible for which children, *ibid.*, the undeniable reality is that nearly twenty percent of same-sex couples in the United States are raising children under the age of 18. Gary J. Gates, The Williams Institute, UCLA School of Law, *LGBT Parenting in the United States*, at 1 (Feb. 2013). Most of those children are biologically related to one of their parents. *Id.* at 3, fig. 4. Gay and lesbian families also account for a growing number of foster adoptions. Over 50% of lesbian and gay parents adopted children from the child welfare system, and 60% adopted children from a different race. David M. Brodzinsky, Ph.D, *Expanding Resources for Children III, Research-Based Best Practices in Adoption for Gays and Lesbians*, Evan B. Donaldson Adoption Institute (October 2011).

Gays and lesbians are raising children – biological, adoptive and foster – and these families and children are just as worthy of the rules and stability that marriage brings. The Sixth Circuit’s willingness to leave gay men and lesbians in the chaos it contended would result if different-sex couples did not have marriage shows an

indifference toward the children of same-sex couples. It should not be tolerated by this Court.

B. The Sixth Circuit's willingness to make same-sex couples "wait and see" if their constitutional right to marry will eventually be recognized should not be accepted.

The Sixth Circuit alternatively opined that a state might want to "wait and see before changing a norm," defined as the "traditional" marriage between a man and a woman. 772 F.3d at 404. It found the best solution was to allow "state democratic forces to fix the problems" at a time when those same "democratic forces" preclude gays and lesbians from the benefits and responsibilities of marriage.

This cavalier disregard for ending marriage discrimination should not be accepted. Every day of denial of a constitutional right, and particularly any delay in being able to marry and share in the tangible and intangible protections and responsibilities marriage brings, matters. Because the need to secure the fundamental right of gay men and lesbians to marry is urgent for the residents and employees of municipalities, it is urgent for Amici.

Public entities housed in states that do not recognize marriage equality increasingly are filled with families like that of April DeBoer and Jayne Rowse: two

women in a long-term, committed relationship, both state-licensed foster parents, providing a “stable and loving home for several children, two of whom have special needs.” Pet. pp. 5-6. For this family, Michigan’s marriage discrimination means these women are unable to marry, nor may they both be the legal parent of any of their children. Each parent is a legal stranger to one or more of the children they are raising. A car accident or similar life event could tear their family apart.

Requiring these women to wait for the inchoate “state democratic forces” to decide whether they will ever be able to make their family whole is not something this Court should tolerate.

**III.
NON-RECOGNITION LAWS VIOLATE
THE RIGHT TO TRAVEL OF SAME-
SEX COUPLES BY TREATING THEM
AS LEGAL STRANGERS AND
INCREASING THEIR NEED FOR
PUBLIC SERVICES UPON ENTRY
INTO A DIFFERENT STATE.**

The employees and residents of municipalities frequently travel to other states for work or pleasure, and sometimes relocate to take a new job or be near family. But when a committed, legally married same-sex couple and their children enter a state whose laws expressly refuse to acknowledge their marriage, their marital and parental

relationships are effectively dissolved for the length of their stay. The denial of rights provided by state law to different-sex married couples creates obstacles for same-sex couples attempting to provide their family with care and support, and forces them to rely instead on public services provided by local municipalities. Such couples are thereby penalized for exercising their constitutional right of interstate travel, resulting in uncertainty and loss of dignity.

“[F]or the peace of the world, for the prosperity of its respective communities, for the well-being of families, for virtue in social life, for good morals, for religion, for everything held dear by the race of man in common, it is necessary that there should be one universal rule whereby to determine whether parties are to be regarded as married or not.” Joel Prentiss Bishop, *New Commentaries on Marriage, Divorce, and Separation*, §856 at p. 369; see also *In re Estate of Lenherr*, 314 A.2d 255, 258 (Pa. 1974) (in an age of easy mobility, it would create inordinate confusion if a marriage valid in one state were held invalid elsewhere).

This Court recognizes a “virtual unconditional personal right, guaranteed by the Constitution to us all” to “be free to travel throughout the length and breadth of our land uninhibited by statutes, rules or regulations which unreasonably burden or restrict this movement.” *Saenz v. Roe*, 526 U.S. 489, 498 (1999). This right is violated by a state law “when it uses any classification

which serves to penalize the exercise of that right.” *Attorney General of N.Y. v. Soto-Lopez*, 476 U.S. 898, 903 (1986).

The Sixth Circuit found the non-recognition laws at issue do not violate the right to travel because they do not prohibit movement in and out of the state. 772 F.3d at 420. But this Court has never required “a direct obstruction” to ingress and egress to find that a state law violates the right to travel. *See, e.g., Toomer v. Witsell*, 334 U.S. 385, 385 (1948) (South Carolina statute requiring nonresident fishermen to pay \$2500 fee while residents pay only \$25). And while a same-sex couple may be free to travel with their family to a non-recognition state, the burdens of such a move continue as long as the couple resides in that state, rendering it more extreme than the waiting-period laws struck in cases such as *Saenz v. Roe, supra*, 526 U.S. 489 (invalidating waiting period for newly arrived citizens to obtain state welfare benefits).

Where a state’s exercise of its police powers is used to impact travel, the Court has declared such actions unconstitutional, consistently striking state laws intended to discourage certain people from living within the state. *See, e.g., Shapiro v. Thompson*, 394 U.S. 618, 629-30 (1969) (California law limiting welfare benefits for new residents); *Memorial Hospital v. Maricopa County*, 415 U.S.

250, 269 (1974) (Arizona statute requiring one-year residency for entitlement to free medical care).

Non-recognition laws similarly impact migration, requiring same-sex couples to surrender their marital status as the price of settling in the state for any reason – whether to pursue a new job opportunity, to care for an elderly or ill relative, or simply to make a fresh start. The right to travel is rendered largely meaningless for married same-sex couples when it is conditioned on making such a sacrifice. “It is difficult to conceive of a more effective method of ensuring that persons do not enter or remain in a locality.” *Lozano v. City of Hazelton*, 620 F.3d 170, 220-221 (3rd Cir. Pa. 2010). And when same-sex couples are deterred from settling in a non-recognition state, local municipalities are hindered in their quest for talented employees and entrepreneurial business interests.

Not knowing whether one will be treated as married when one moves or travels forces married couples to anticipate traumatic events such as illness or death that might occur while traveling, and to take costly and burdensome legal steps to try to replicate family rights that travel automatically with different-sex married couples. Yet, those efforts may still be insufficient to provide protection against the governmental and institutional discrimination promoted by non-recognition laws like the ones at issue.

One illustration of how such discrimination penalizes traveling same-sex couples occurred in 2007, when Janice Langbehn and Lisa Pond traveled with their three children to Florida. Lisa suffered an aneurysm and was rushed to the hospital. Janice was not permitted to see her, despite providing the hospital with documentation of their relationship and previously prepared health care proxies. Janice was told Florida law did not consider her family. By the time she prevailed, hours had passed and Lisa was unconscious; she died later that day. Tara Parker-Pope, *How Hospitals Treat Same-Sex Couples*, The New York Times (May 12, 2009).

While Janice and Lisa were unable to marry in their home state of Washington, their experience is something currently-married same-sex couples must be prepared to face. It shows how even the most determined efforts to duplicate the legal rights that come automatically to different-sex married couples may be futile in the face of implacable discrimination.

On top of the concerns raised by *traveling* to a non-recognition state, same-sex couples *relocating* to such a state are exposed to significant harm by the confusing “crazy quilt” of laws concerning the recognition of their marriages. If they establish a domicile in a non-recognition state, the effective dissolution of their marriage gives rise to complications in matters such as divorce, estate administration and access to state and federal benefits, potentially leaving

one or both spouses dependent on public services. Such complications can have particularly harsh results when child custody and visitation issues arise. Should the relationship of the same-sex couple end while living in a non-recognition state, for example, the non-biological or non-adoptive parent of a child of that marriage may be treated by that state's courts as an unrelated third party. See e.g., *Stadter v. Siperko*, 661 S.E.2d 494, 497-99 (Va. Ct. App. 2008) (lesbian non-parent denied visitation over biological parent's objection because she was unable to show denial of visitation would be detrimental to the child's welfare).

Attempts to protect against such an eventuality may be hampered by the inconsistency in state marriage laws. Last year, a New York judge denied the request of a lesbian mother to adopt the child born to her spouse. Although New York law viewed both women as a legal parent based on their lawful marriage, the couple wanted their rights legally established should they travel to a non-recognition state. The judge, however, ruled adoption was not warranted given their existing legal parent-child relationships. Oren Yaniv, *Brooklyn judge refuses lesbian couple's request to adopt own son*, NY Daily News (Jan. 28, 2014). Should this couple ever travel to a non-recognition state, they will risk having those legal bonds questioned should any life event occur.

For example, if the birth mother died while in the non-recognition state, her spouse could be faced with the

very real possibility that a judge could order their child—born to a legally married couple—live with a distant relative or in foster care while the non-birth parent returns to her domicile state to seek legal recourse and regain custody of her child. That child, in the interim, may suffer unnecessary fear, anxiety and insecurity related to the loss of one parent and separation from the second.

It is just such a potentiality that led a different New York judge to allow an adoption under similar circumstances. *Matter of Sebastien*, 879 N.Y.S. 677 (N.Y. Sur. Ct. 2009) (granting adoption because it was the only option “that will ensure recognition of both Ingrid and Mona as [Sebastien’s] legal parents throughout the entire United States.”). Same-sex couples should not be forced to go through this additional step of adopting their own child nor should they risk losing custody—even temporarily—because they travel to a state that refuses to accept them as a family. Similarly, an individual legally married in a marriage equality state should not have to worry his or her parental status will be questioned by a school official, medical provider, law enforcement authority or emergency personnel merely because the family travels or relocates to a state that refuses to recognize valid same-sex marriages.

But that is exactly the situation some of the Ohio plaintiffs are left in by the Sixth Circuit’s decision.

Because Nicole and Pam Yorksmith, lawfully married in California, are unable to have both their names listed on their children's birth certificates, they fear Pam, the non-biological mother, will not be "recognized with authority to approve medical care, deal with childcare workers and teachers, travel alone with their [children], and otherwise address all the issues parents must resolve." *Henry v. Himes*, 14 F.Supp.3d 1036, 1042 (S.D. Ohio 2014). They are forced to consider that should anything happen to Nicole, their children will be left in the care of the local municipality rather than that of their other mother.

The Constitution affords parents significant rights in the care and control of their children, and these fundamental rights may be curtailed only under exceptional circumstances. *Troxel v. Granville*, 530 U.S. 57, 65-66 (2000) (liberty interest in care, custody and control of one's children is "perhaps the oldest fundamental liberty interest recognized by this Court"). Non-recognition laws interfere with these valued parental rights.

Everyday financial and administrative issues arise for married same-sex couples who relocate to non-recognition states as well. For example, they lose certain Social Security and veterans' benefits that by

statute are based on the law of the state in which they live.⁴ Post-*Windsor*, same-sex married couples may file joint federal tax returns⁵; however, those couples lawfully

⁴ See *Program Operations Manual System*, GN 00210.005, at <https://secure.ssa.gov/apps10/poms.nsf/lrx/0200210005>.

⁵ See I.R.S. Revenue Ruling 2013-17, 2013-38 IRB 201. Noting the state-of-celebration rule had been successfully applied to common-law marriages for over fifty years, the IRS concluded that, “[g]iven our increasingly mobile society,” it was important to have a “uniform rule of recognition that can be applied with certainty . . . for all federal tax purposes.” *Id.* at 10. The I.R.S. recognized the confusion arising from “marriages possibly appearing and disappearing each time a taxpayer moves.” Haniya H. Mir, *Windsor and Its Discontents: State Income Tax Implications for Same-Sex*

married in one state but living in a non-recognition state have a complicated and expensive task in filing their taxes. They must fill out five tax returns: two individual state returns, one joint federal return, and two individual federal returns that will not be filed but are necessary to calculate individual state liabilities.⁶ These couples face costs, confusion and frustration different-sex couples do not encounter.

In finding the Tennessee non-recognition law did not violate the right to travel, the Sixth Circuit asserted “the law does not punish out-of-state new residents in relation to its own born and bred . . . because the State has not expanded the definition of marriage to include gay couples in all settings, whether the individuals just arrived in Tennessee or descend from Andrew Jackson.” 772 F.3d at 420. Essentially, the court held the right to travel was not implicated because Tennessee discriminates against all same-sex couples equally. This rationale minimizes the injuries non-

Couples, Duke Law Journal, vol. 64:53 (2014).

⁶ See e.g., La. Dept. of Revenue, *Revenue Information Bulletin No. 13-024* (Sept. 13, 2013)

[at <http://revenue.louisiana.gov/forms/lawspolicies/RIB%2013-024.pdf>].

recognition laws inflict on lawfully married same-sex couples who travel to or settle in such states. The statutes treat these couples in a dissimilar way than different-sex couples; affirmatively penalize their residency by nullifying their marital status for state-law purposes; and impose unique harms that are related to, but not the same as, the harms experienced by couples the state bars from marriage. This differentiation discourages same-sex couples from traveling or relocating to, or remaining in, non-recognition states, potentially lessening the diverse pool from which municipalities seek to draw their residents and employees.

Justice O'Connor once commented, "[I]t is difficult to imagine a right more essential to the Nation as a whole than the right to establish residence in a new State." *Zobel v. Williams*, 457 U.S. 55, 76-77 (1982), O'Connor, J., concurring. For that reason, laws designed to dissuade individuals from moving to a state cannot withstand constitutional scrutiny. *Saenz v. Roe*, *supra*, 526 U.S. at 503-506. By deterring same-sex couples from traveling or moving to states where their legal rights and relationships will not be honored, and penalizing those who do, non-recognition laws violate the constitutional right to travel.

CONCLUSION

As this Court has recognized, the drafters of the Constitution were not specific in outlining "the

components of liberty in its manifold possibilities” because they “knew times can blind us to certain truths and later generations can see that laws once thought necessary and proper in fact serve only to oppress.” *Lawrence v. Texas*, 539 U.S. 558, 578-579 (2003).

This case brings out “certain truths” to which the law has been blind. When the electorate excludes a minority from something as important as the freedom to marry and equal legal respect for their families, federal courts – and this Court in particular – must step in. Amici submit that the class singled out for disparate treatment here – gay and lesbian citizens – should be protected now.

Amici, who include Mayors and municipalities, are all united in respectfully requesting that this Court reverse the judgment of the Sixth Circuit, and hold that states may not deny gay and lesbian couples the freedom to marry nor the equal respect for their lawful marriages.

Heather Branigin

From: Kollodge, Bonnie <bonnie.kollodge@metc.state.mn.us>
Sent: Monday, March 02, 2015 3:08 PM
To: James Hovland
Subject: TAB appointment

Hi Mayor! I believe Arlene mentioned I'd be in touch about a quote and the need for some information for an upcoming release about TAB appointments. I've written the following, as part of the release, if you could review and make any revisions to your quote or the information I've included. I don't know when you were first appointed to TAB, if you please apprise me. I need to run the draft by God and everyone, so sooner is better! Thank you and congratulations!
Bonnie

..... intro.....

Hovland has served as Edina's mayor since 2005, and was first elected to the Edina City Council in 1997. He has served on the TAB since XXXX and is one of 10 city officials appointed to the board by Metro Cities, an association of metropolitan municipalities.

"I am pleased to accept this appointment," said Hovland. "Transportation infrastructure in the state and region are aging and in decline, and funding resources are increasingly hard to come by. I welcome the opportunity to apply my local and regional experience to the challenge of ensuring resources are allocated and directed in a manner that is balanced and best meets the needs of the region."

The TAB chair is chosen from among the board's membership, which is spelled out in state statute. TAB bylaws state the board chair "shall be recognized as a leader in the community and shall have demonstrated a sensitive insight and an aggressive concern toward the larger issues in the metropolitan area."

(more about other TAB appointments ...)



METROPOLITAN
C O U N C I L

Bonnie Kollodge

Communications

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CONNECT WITH US



Heather Branigin

From: Kollodge, Bonnie <bonnie.kollodge@metc.state.mn.us>
Sent: Monday, March 02, 2015 3:48 PM
To: James Hovland
Subject: minor adjustment in draft release

I think since we'll issue release Friday, but Council won't approve until March 11, I'd modify the first part of your quote to read:

"I am pleased to be considered for this appointment," said Hovland. "Transportation infrastructure in the state and region are aging and in decline, and funding resources are increasingly hard to come by. I welcome the opportunity to apply my local and regional experience to the challenge of ensuring resources are allocated and directed in a manner that is balanced and best meets the needs of the region."



Bonnie Kollodge

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CONNECT WITH US



Heather Branigin

From: Fiona <summit.b@apceo.asia>
Sent: Monday, March 02, 2015 4:28 PM
To: Edina Mail
Subject: To Mayor James B. Hovland:Government Invitation from China
Attachments: Agenda-WEIS2015.docx; Registration Form-WEIS2015.docx

THE 3RD WORLD EMERGING INDUSTRIES SUMMIT (WEIS 2015) (ZHENGZHOU, HENAN, CHINA)

INVITATION LETTER

Dear Mayor James B. Hovland ,

We are honored to extend to you our cordial invitation to the 3rd WORLD EMERGING INDUSTRIES SUMMIT (WEIS 2015).

Sponsor & Host:
Henan Provincial Government of China
Asia-Pacific CEO Association Worldwide (APCEO)

Dates: April 20-22, 2015
Venue: JW Marriott Hotel Zhengzhou (5-star), Henan province, China.
Theme: Emerging Industries, the new power to world economic growth.

The Government and People of Henan Province warmly welcome your presence!

Sincerely yours,

Xie Fuzhan
Governor of Henan Province, China

Zheng Xiongwei
Global Executive Chairman of APCEO

ATTACHMENTS:

1. [Profile](#) (Please click to download the profile.)
 2. Agenda
 3. Registration Form
- * The formal Invitation Letter together with the Confirmation Letter will be sent after registration and Organizing Committee's confirmation.

> VIP TREATMENTS AFTER THE APPROVAL OF THE ORGANIZING COMMITTEE

- Free Registration & participation, hotel and accommodation(April.20-22, 2015) will be offered to VIP guests after the confirmation of the Organizing Committee
- Free Speech & display opportunities (Should apply in advance for approval)
- Meeting with Chinese government leaders after the approval of the Organizing Committee
- Media Interview (Should apply in advance for approval)
- Free airport pick-up/see-off

- Organized business visit

> **INDUSTRY FOCUS**

Internet & New Info Tech, High-end Equipment Manufacturing, Intelligent Manufacturing, New Energy & New Energy Vehicles, Environmental Protection, Modern Logistics, Digital Service, New Materials, High-tech Service Industry, Biotechnology & New Medicine, Creative Industry

> **MAIN PARTICIPANTS**

- Political figures and government officials from China and abroad;
- High executives from Fortune 500 companies and Forbes 2000 companies;
- High executive from renowned listed companies;
- Leaders from industry-leading companies within world emerging industries;
- Renowned economists, experts and scholars in related fields;
- Leaders of related international organizations and industry associations.

> **REGISTRATION PROCESS**

For registration, please send back the completed Registration Form with personal photo (more than 300 pixels in JPEG) by email to us. The **formal Invitation Letter** together with the **Confirmation Letter** will be sent to you soon after Organizing Committee's confirmation.

> **CONTACT**

Ms. Fiona Qi

Assistant of Chairman of China, APCEO

Tel: +86-10-64987220

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Email: summit@apceo.com

Website: <http://weis.apceo.com>

Address: A1-10 floor, Sunshine Plaza, Chaoyang District, Beijing, 100101, China

The 3rd WORLD EMERGING INDUSTRIES SUMMIT (2015.4.20-22)

Zhengzhou, Henan, China

AGENDA

Item	Time	Activity
April 20th, 2015, Monday		
Registration	All day	Registration: JW Marriott Hotel Zhengzhou (we suggest you arrive and register on April 21 if you do not plan to participate in the activities on April 21.)
Government Meeting I	17:30-18:00	Key guest of the 3 rd WEIS 2015 meet with leaders of the summit host, Henan Province
Banquet	18:00-20:00	Government reception banquet for international cooperation and exchange
April 21st, 2015, Tuesday		
Registration	All day	Registration: JW Marriott Hotel Zhengzhou (we suggest you arrive and register on April 20 if you will participate in the activities before 18:00 of April 21.)
Breakfast	07:00-08:30	Buffet breakfast
Visit the Exhibition	09:30-12:00	There will be Image Exhibition, Subject Exhibition, Commodity Exhibition and Internet Exhibition in Zhengzhou International Convention and Exhibition Centre (next to JW Marriott Hotel) and all the guests are welcomed to visit these exhibitions.
Lunch	12:00-14:00	Buffet lunch
Visit	15:00-17:00	Visit of State-level Zhengzhou Airport Economic Comprehensive Experimentation Zone
Government Meeting II	18:00-18:30	Key guest of the 3 rd WEIS meet with leaders of the summit host, Henan Province
Banquet	18:30-20:00	Government reception banquet for international cooperation and exchange
April 22nd, 2015, Wednesday		
Breakfast	07:00-08:30	Buffet breakfast
Opening Ceremony	09:30-10:00	Opening Ceremony of the 3 rd World Emerging Industries Summit & Opening Ceremony of the 9 th China Henan International Investment Trade Fair Guests to be invited to address: - International political figures/State leaders - Leaders of Chinese Central Government - Leaders of Henan Province
Keynote Speech	10:00-12:00	Theme: <i>Emerging Industries, the new power to world economic growth</i> Guests to be invited (Part)

		<ul style="list-style-type: none"> -Jeremy Rifkin, bestselling author of the <i>Third Industrial Revolution</i>, and the founder and president of the Foundation on Economic Trends of Washington DC. - Release of <i>World Emerging Industries Development Proclamation</i> by APCEO - Executives from Google/Microsoft/IBM/HP/Alibaba - Executives from UPS/DHL/FedEx/TNT/COSCO Logistics - Executives from Apple/Honeywell/ABB/Siemens/Samsung /China Datang - Executives from Tesla/Veolia/Gamesa/BYD/YingLi Solar - Other speakers
Summary	12:00-12:10	Summary made by the summit leader
Lunch	12:30-14:00	Buffet lunch
Signing Ceremony	14:30-15:00	Promotion of the three Chinese national strategic plans & the signing ceremony of the cooperation projects
Forum on specialized international cooperation	15:00-18:00	<p>Track A: Forum on world internet & modern logistics</p> <p>Session 1 speech</p> <p>Session 2Q & A</p> <hr/> <p>Track B Forum on global high-end equipment manufacturing industry</p> <p>Session 1 speech</p> <p>Session 2Q & A</p>
Dinner	18:00-20:00	Dinner for the investment and financing of world emerging industries
April 23rd, 2015, Thursday		
Departure of guests (Guests check out of hotel before 12:00)		

** During the summit, there will be Image Exhibition, Subject Exhibition, Commodity Exhibition and Internet Exhibition in Zhengzhou International Convention and Exhibition Centre (next to JW Marriott Hotel) and all the guests are welcomed to visit these exhibitions.

Heather Branigin

From: ART <a2t2@comcast.net>
Sent: Monday, March 02, 2015 5:32 PM
To: Edina Mail; James Hovland; Kevin Staunton; Kevin Staunton; swensonann1@gmail.com; bob.stewart@theplatinumgrp.com; Mary Brindle; Mary Brindle (Comcast); Robert Stewart; James Hovland
Subject: Birchcrest B Neighborhood Roadway Reconstruction
Attachments: Edina letter.docx

My vote is to leave the Birchcrest B Roadway Reconstruction plan as originally designed or Option A.

City Council Members - Please open and read the attached before the March 3 meeting.

In the summer of 2010 our daughter asked us to move to Edina so that we could help her manage the day-to-day activities required of three boys all under the age of 11. As a working single parent, it becoming increasingly difficult, if not impossible, for her to get three kids up and off to two different schools in a timely manner and to also ensure that they were picked up after school and taken to their various after school activities. In September of 2010 we moved to 5132 Valley View Road just across the highway from Concord Elementary and South View Middle School where, at that time, our three grandsons attended school. Our daughter is a school teacher at Creek Valley Elementary and lives on Wooddale Avenue here in Edina.

Note: Prior to the submission of our purchase agreement, we asked the City of Edina if there were future plans for any development projects in our Valley View Road neighborhood. City staff assured us that the only development project noted in the 2008 City of Edina Comprehensive Plan was a secondary bike route along Valley View Road. With that assurance, we purchased the home at 5132 Valley View Road.

In November of 2011 we began a very lengthy and expensive remodel of our Edina home. Prior to remodeling our home, we called the City of Edina to see if there had been any changes to the comprehensive plan that could negatively impact the remodeling of our home. We were assured that a secondary bike route was the only project planned along Valley View Road.

A large portion of the remodeling expense went toward the replacement a concrete driveway that had become the eyesore of the neighborhood. Of the \$16,000 dollars we spent to replace our driveway, \$2,500 went toward the apron at the end of our driveway. Prediction #1: the City Council vote to accept the ETC recommendation/Option C. Which means the City of Edina will be ripping out our \$2,500 driveway apron, the southern end of our \$13,500 driveway and three feet of my front yard as the City questionably shifts Valley View Road three feet to the to the south. Prediction #2: the City of Edina will be back in 2017 to rip out 10 feet of my front yard as a result of what will inevitably be a City Council Vote to amend the 2017 the Birchcrest C (Maddox Lane) Neighborhood Roadway Reconstruction Project to include a sidewalk down Maddox Lane and Valley View Road. This after we repeatedly heard from the City Council that, "this sidewalk (along Valley View Road) would most likely not get built for another 10-15 years!"

The irony here is that we are being force fed a sidewalk because Valley View Road allegedly has traffic speed and volume numbers that according to national traffic safety studies should indicate unsafe situations for pedestrians. The problem is that along this section of Valley View Road, there has never been a single pedestrian related accident. Therefore, you cannot validate the national safety data findings. The second irony is that the Birchcrest B Reconstruction project that was approved as part of the December 2013 Public Hearing called for traffic calming measures to reduce the speed of traffic along Valley View Road, so if that is successful why do we need a sidewalk if the only issue is traffic volume, which is directly and solely related to church activities at Normandale Lutheran Church.

You can't imagine the disappointment experienced by the Valley View Road Neighborhood Group when we received our notification letters on Friday February 27, 2015. In December of 2013, the City Council of the City of Edina removed the Valley View Sidewalk Proposal from the Birchcrest B Roadway Reconstruction Project. This should have, as we were lead to believe, closed any further consideration for a sidewalk along Valley View Road until at least the next time the Birchcrest B Neighborhood came up for roadway reconstruction. Unfortunately, the Edina City Council reneged on its commitment by failing to carry out the promise they made with the Birchcrest B Neighborhood Residents as part of the Public Hearing in December of 2013. I now wonder why as neighbors, we met every Saturday for months in what we thought was a neighborhood "actively participating in the process." In the end, none of us realized that the initial City Council Vote on the Valley View Road sidewalk was not legally binding.

Here is what my team learned as active participants in the 2014 Birchcrest B Neighborhood Reconstruction Process dating back to 2012:

1. The 2008 City of Edina Comprehensive Plan isn't worth the paper it's printed on.
2. The neighborhood reconstruction meetings conducted by city staff as part of the neighborhood reconstruction process are nothing more than "check-the-box," exercises.
3. Public Hearings in the City of Edina are nothing more than an exercise intended to fulfill a state required mandate.
4. Decisions voted upon by the City Council at the annual public hearings for roadway reconstruction projects are not legally binding and can therefore be amended without a public hearing.
5. The annual Roadway Reconstruction process does not have one shred of integrity associated with it and not be trusted.
6. And as the West Shore Drive neighborhood resident put it, and I'm paraphrasing here, half-truths, unsubstantiated anecdotal comments, and out-and-out lies pass as fact. My personal example: go back and read the December 9, 2014 Minneapolis StarTribune article entitled "Edina residents 'up in arms' over sidewalks plan" written by John Reinan. Please note Mr. Reinan's observations compared to the city staff's assessment of the same meeting. I was at that meeting with Mr. Reinan and his account is much more accurate to what residents actually experienced at the NW Quadrant meeting.
7. You've put Mr. Nolan in a no win situation; he's an ok guy who probably deserves better. However, when your continued employment is based primarily upon your ability to install \$1.4 million dollars of new sidewalks in the City of Edina per year you're going to surround yourself with your supporters. The voice of opposition has no place on any of Mr. Nolan's two Living Streets teams. The "Internal Team" is made up of other City of Edina employees, who like Mr. Nolan do not all live in the City of Edina and consequently have no skin in the game when it comes to sidewalks and reconstruction projects. The "External Advisory Team" is comprised of appointees of the City of Edina. Mr. Nolan, the Internal Team and the External Advisory Team share only one opinion when it comes to sidewalks. I would like to propose replacing Mr. Nolan's external advisory team with myself, Ron Rich (West Shore Drive) and David Frenkel (Common Sense for Edina). I can assure you that if that were to happen the Living Streets Policy and Implementation Plan would have a residents rights provision/section.
8. The City of Edina has grossly underestimated the opposition to the Living Streets Policy, but luckily for the city there is so much apathy toward the Edina City Government that a formidable opposition force will never be mounted. The Hooten Cleaners mess, the on-going mess with the Fred Richards golf course, the communication mess on the Wooddale Avenue bike paths and now the Grand View project, does it ever end? You've got a major communications problem in the City of Edina because all of your communication channels are geared toward insiders and not at the residents who live on the outside of city politics.

The letter I received on February 27, 2015 was the last straw for me and any future involvement on my part with the City of Edina. I've informed both the Valley View Road Group and the Maddox Lane folks that I have retired from city politics and will no longer be able to assist them. I also shut down a small team I formed to explore and eventually initiate the formal organization of the Birchcrest neighborhood.

In closing I would like to ask Mayor Hovland and Member Brindle to go back and watch a replay of the 2013 Public Hearing for the 2014 Roadway Reconstruction Projects. Please listen carefully listen to how the two of you continuously and somewhat passionately stood up for the residents of Valley View Road in opposition to the sidewalk down Valley View Road. Even after two attempts to vote in the sidewalk along Valley View Road and in the face of some rather emotional persuasion tactics from your peer council members the two of you forced the 5-0 compromise vote that killed the Valley View Road Sidewalk proposal on December 10, 2013. So my question to you two is what happened? What changed from December of 2013 to December of 2014 that forced you to change your mind so dramatically? And Mr. Stauton, please remove my email address from your City Council meeting highlights. I am no longer interested in receiving them.

And finally, my wife and I have decided to move out of Edina once our youngest grandson has finished elementary school or sooner if my daughter no longer needs our help.

Our sincere best wishes to each of you and best of luck to the City of Edina!

Art and Ann Thelemann – 5132 Valley View Road

#150492 2-5-15

- Bill O'Brien
- Brandon Winkel

CPD:

- Bengston
- Kuske

EMTs and Police,

I need to convey my appreciation for your ~~your~~ care in getting my husband out of the house and to the Methodist Hospital. He is now at Masonic home in Rehab after broken femur. Marlys Suetman
5512 ChanTrey Rd.