



RESOLUTION NO. 2021-43
RESOLUTION CONDEMNING THE USE OF DISCRIMINATORY COVENANTS,
DISCHARGING DISCRIMINATORY COVENANTS ON CITY-OWNED PROPERTY,
AND APPROVING PARTICIPATION IN THE JUST DEEDS COALITION

WHEREAS, discriminatory covenants were tools used by real estate developers to prevent Black, Indigenous, People of Color (BIPOC) and non-Christian individuals from buying or occupying property in certain areas, and they were common throughout the United States from the early 1900s to the 1960s; and

WHEREAS, the purpose of discriminatory covenants was to explicitly exclude BIPOC and non-Christian individuals from living in Edina. These tools created segregation in the metro area; and

WHEREAS, in 2016, the University of Minnesota founded Mapping Prejudice to expose the racist practices that shaped the landscape of the metro area. Mapping Prejudice researched restrictive covenants in Hennepin County and created the first-ever comprehensive map of racial covenants in an American county. The project mapped 24,131 covenants in Hennepin County, including over 2,800 covenants on residential properties in Edina and 52 City-owned properties; and

WHEREAS, an example of a common covenant in Edina declared that “No lot shall ever be sold, conveyed, leased or rented to any person other than of the white or Caucasian race, nor shall any lot ever be used or occupied by any person other than one of the white or Caucasian race”; and

WHEREAS, the City of Edina owns 52 parcels of land that contain a discriminatory covenant, including parcels located in Yancey Park, Pamela Park, Rosland Park, Wooddale Park, Normandale Park and Grandview area; and

WHEREAS, restrictive covenants are no longer enforceable. Legal efforts to eliminate Discriminatory Covenants include Shelley v. Kraemer, 334 U.S. 1 (1948), in which the United States Supreme Court prohibited courts from enforcing Discriminatory Covenants. The Minnesota Legislature in 1953 enacted statutes that prohibited new covenants, but existing covenants were still legal in Minnesota until 1962; and

WHEREAS, as a result of these judicial and legislative actions, today, Minnesota law and federal law prohibit discrimination in the sale or lease of housing based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or familial status and those state and federal prohibitions extend to the refusal to sell or to circulate, post or cause to be printed, circulated, or posted, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or familial status; and

WHEREAS, in 2019, the Minnesota Legislature passed a law authorizing property owners to individually discharge or renounce discriminatory covenants by recording a discharge form in the county property records; and

WHEREAS, Edina acknowledges the use and approval of restrictive covenants within the City to prohibit BIPOC and non-Christian persons from living in Edina is key example of systemic racism in practice, and the effects are still visible today; and

WHEREAS, discriminatory covenants promoted and established residential racial segregation, which historically and currently has impacted property ownership, accumulation of generational wealth, property transfers, mortgage eligibility, rental eligibility, property values, property tax base, internet access, access to quality education, and more. Discriminatory covenants fortified systemic racism and compounded economic divestment in specific communities within Hennepin County; and

WHEREAS, discriminatory covenants created demographic patterns that remain in place today. Due in part to this historical practice, the population of the City of Edina is less racially diverse than the populations of Hennepin County and the state of Minnesota; and

WHEREAS, in 2021, the Just Deeds project was launched to provide educational opportunities for Minnesota communities about the racist history of discriminatory covenants and to provide free legal and titles services to help residents find discriminatory covenants and acknowledge this practice through discharge of the covenants; and


WHEREAS, the City of Edina desires to participate in this project in collaboration with its residents.

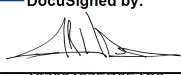
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Edina that:

1. The City of Edina, recognizes the lasting harm that Discriminatory Covenants—and the racial, religious, and other discriminatory practices that they represent—cause to society in general and to the individuals who are adversely affected by racial, religious, and other discrimination through the presence of discriminatory covenants in the public land records.
2. The City of Edina renounces and condemns the past use of discriminatory covenants and prohibits discriminatory covenants from being used in Edina in the future. The City of Edina commits to exploring and acknowledging its history as it relates to the imposition of discriminatory covenants in Edina and its role in sanctioning or approving such practices.
3. The City Attorney is directed to investigate and to identify any real property owned or leased by the City that contains discriminatory covenants and to prepare and record an affidavit or request an examiner's directive discharging such discriminatory covenants pursuant to Minnesota Statute § 507.18, subd. 5.
4. City staff is directed to participate in the work of the Just Deeds Coalition to educate the community about this and other historically discriminatory practices; to review city code and ordinances with a lens towards racial equity; to identify contemporary discriminatory systems, policies, and practices; and to take action to dismantling racist systems, practices, and policies in the City of Edina to create equity for all.

Dated: June 1, 2021

Attest:

DocuSigned by:

200A28A8A50F466
Sharon Allison, City Clerk

DocuSigned by:

18709467ED9E4C2...
James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its regular meeting of June 1, 2021, and as recorded in the Minutes of said Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 20__.

City Clerk