



City Council Agenda

Monday, July 24, 2023

6:00 PM

City Council Chambers

Members of the public who wish speak during public comment or an agenda item during this meeting can do so virtually by registering at www.cityofroseville.com/attendmeeting

(Any times listed are approximate – please note that items may be earlier or later than listed on the agenda)

6:00 p.m. 1. Roll Call

Voting & Seating Order: Strahan, Etten, Schroeder, Groff, and Roe

6:01 p.m. 2. Pledge of Allegiance

6:02 p.m. 3. Approve Agenda

6:03 p.m. 4. Public Comment

6:08 p.m. 5. Recognitions and Donations

a. Roseville Golden K Kiwanis Peanut Day Proclamation

b. Karen Martyrs' Day Proclamation

c. Accept General Donations to the City of Roseville Parks and Recreation

6:20 p.m. 6. Items Removed from Consent Agenda

7. Business Items

6:25 p.m. a. Consider a resolution approving an Interim Use for Prince of Peace Lutheran Church to temporarily allow two mobile residential micro-unit dwellings at 2555 Victoria Street (PF23-004).

6:55 p.m. b. Receive Presentation regarding Minnesota Adult-Use Cannabis Law

8. Council Direction on Councilmember Initiated Agenda Items

7:40 p.m. 9. Approval of City Council Minutes

a. Approve Minutes from July 10, 2023 City Council Meeting

7:45 p.m. 10. Approve Consent Agenda

a. Approve Payments

b. Approval of 2 Temporary Gambling Permits and 1 Tetrahydrocannabinol License

c. Receive City Grant Applications Update

d. Approve Facility Management Agreement with McGough Facility Management, LLC

e. Adopt Resolution Prohibiting Parking on Dale Street by the Nature Center

f. Approve a resolution providing preliminary approval of the Villas of Reservoir Woods Major Plat of two existing parcels as six lots with an existing home remaining on one of the lots (PF23-001)

g. Accept State of Minnesota Auto Theft Prevention Grant Award

h. Approve Agreement for Professional Services for County Road B and Snelling

- 7:50 p.m. **11. Future Agenda Review, Communications, Reports, and Announcements
- Council and City Manager**
- a. Future Agenda Report
- 8:00 p.m. **12. Adjourn**



Golden K Kiwanis Peanut Campaign Kickoff July 24, 2023

Whereas, The Northeast Metro Golden K Kiwanis Club, headquartered in Roseville, is an organization dedicated to improving the lives of children and youth, and

Whereas, The Golden K Peanut Campaign provides businesses, professional entities, and individuals with an opportunity to help support community initiatives focused on children and youth and food insecurity, and

Whereas, In order to help finance its many and varied programs, the Northeast Metro Golden K Kiwanis Club has requested a day be designated as a kickoff for its annual Peanut Campaign fundraiser,

Now, Therefore Be It Resolved, that the City Council of Roseville hereby proclaims Monday, July 24, 2023 as

ROSEVILLE GOLDEN K KIWANIS PEANUT DAY

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Roseville to be affixed this 24th day of July, 2023.

Mayor Daniel J. Roe



73rd Commemoration of Karen Martyrs' Day - August 12, 2023

Whereas: The City of Roseville is committed to recognizing and honoring the contributions of all members of our communities; and

Whereas: The Karen are indigenous people in the Southeast Asian countries of Thailand and Burma (now Myanmar). The Karen aided the British during World War II, and many Karen were killed in the effort; and

Whereas: On August 12, 1950, Karen National leader Saw Ba U Gyi, the founder and president of the Karen National Union (KNU), was assassinated with eight of his colleagues in Kawkaik, Karen State (Burma) by Burmese Army; and

Whereas: Ever since then, August 12 is recognized as Karen National Martyrs' Day; and

Whereas: On Martyrs' Day, Karen people all over the world commemorate and honor fallen leaders, soldiers, and civilians that have lost their lives in the struggle for freedom, democracy, and human rights; and

Whereas: There are more than twenty thousand Karen refugees who now call Minnesota home, making it the largest Karen community in the country; and

Whereas: A growing number of Karen refugees make their home in Roseville and neighboring cities;

Now, Therefore Be It Resolved that the City Council hereby declares August 12, 2023 to be Karen Martyrs' Day in the City of Roseville, County of Ramsey, State of Minnesota, U.S.A.

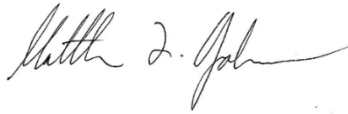
In Witness whereof, I have hereunto set my hand and caused the Seal of the City of Roseville be affixed this 24th day of July, 2023.

Mayor Daniel J. Roe

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 5.c.

Department Approval



City Manager Approval



Item Description: Accept General Donations to the City of Roseville Parks and Recreation

Background

Over the years, the City of Roseville has received many donations from citizens and program participants. These gifts have been in the form of both materials and monies. When staff is notified of a potential donation, they first make a determination of whether to recommend acceptance based on the suitability of the item for the city. An acceptance request is then forwarded to the City Council.

The following donations to Parks and Recreation are listed below to be accepted and recognized with a total value to the city of \$91,909.65.

Donor	Item	Value
Anonymous	Monetary - Dance supplies, stereo, cubbies	\$1,000.00
Golden Kiwanis	Monetary - AV Equipment Upgrades	\$1,951.22
Lake Owasso Garden Club	Monetary - Arboretum Donation	\$200.00
FOR Parks	In-Kind - Basketball Stanchions and Benches	\$5,441.00
Bimbo Bakery	Monetary - Arboretum Flowers	\$3,250.00
AARP Foundation Tax-Aide	Monetary - Recreation Scholarships	\$300.00
Roseville Gymnastics Booster Club	Monetary - Gymnastics Center	\$3,000.00
Roseville Area Youth Baseball	Monetary - Legion Project	\$5,000.00
RAHS Bullpen Baseball Booster Club	Monetary - Legion Project	\$4,000.00
Kenneth Malmstedt	Monetary - Wild Rice Festival	\$5,000.00
Gary and Myrtle Carlson	Monetary - Memorial in Honor of Rita Willmus	\$40.00
Lake Owasso Garden Club	Monetary - Arboretum Donation	\$100.00
Roseville Rotary Charities	Monetary - Arboretum Donation	\$1,200.00
Roseville Rotary	Product - Pickleball Wind Screens	\$8,188.00
B Dale Club	Monetary - Signs for Villa Park	\$35,000.00
Friends of Roseville Parks	Goods - Lexington Ave. Flowers	\$4,337.00
Friends of the OVAL Foundation	Monetary - Parks and Recreation Operations	\$13,602.43

O'Halloran & Murphy
Company

Monetary - Arboretum Trees

\$300.00

TOTAL:

\$91,909.65

Policy Objectives

The following is the City of Roseville's policy regarding the acceptance of donations:

- Minnesota statute requires all donations to be officially accepted by the City Council.
- The staff will not solicit donations.

Donors will be informed that no conditions or promises of future favorable city action on their behalf may be attached to the gift.

Racial Equity Impact Summary

There is no specific equity impact associated with the attached donations.

Budget Implications

Approved donations for budgeted items may result in a budget reduction and an improved status of Roseville Parks and Recreation.

Staff Recommendations

Adopt the attached resolution authorizing acceptance of the enclosed donations.

Requested Council Action

Adopt the attached resolution authorizing acceptance of the enclosed donations.

Prepared by: Matthew Johnson, Parks and Recreation Director

Attachments: 1. Resolution Accepting Donations to Parks and Recreation

1 **EXTRACT OF MINUTES OF MEETING**
2 **OF THE**
3 **CITY COUNCIL OF THE CITY OF ROSEVILLE**

4
5 * * * * *

6
7 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of
8 Roseville, County of Ramsey, Minnesota was duly held on the 24th day of July 2023, at 6:00
9 p.m.

10
11 The following members were present: , , , , and Mayor .
12 and the following were absent: .

13
14 Member introduced the following resolution and moved its adoption:
15

16
17 **RESOLUTION No.**

18
19 Resolution Accepting Donations
20

21 WHEREAS, the City of Roseville is generally authorized to accept donations of real and
22 personal property for the benefit of its residents pursuant to Minnesota Statutes Section
23 465.03 and is specifically authorized to accept gifts for the benefit of its public
24 recreational services pursuant to Minnesota Statutes Section 471.17;; and
25

26 WHEREAS, the below individuals or groups have offered to donate to the City funds or
27 products in the amount of \$91,909.65 for various Roseville Parks and Recreation
28 programs, functions and events; and
29

30 WHEREAS, the above-referenced donations have no further conditions on their
31 acceptance; and
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33 WHEREAS, the donations are contributed to the City for the benefit of its residents and
34 public recreational services; and.

35
36 WHEREAS, the Roseville City Council finds that it is appropriate to accept the donations
37 offered
38

39 NOW, THEREFORE, BE IT RESOLVED; that the Roseville City Council, on behalf of the
40 City of Roseville, Minnesota, hereby accepts the gift of the donations described herein.
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42 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
43 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
44 , and Mayor .

and the following voted against the same: .

WHEREUPON said resolution was declared duly passed and adopted.

Donor	Item	Value
Anonymous	Monetary - Dance supplies, stereo, cubbies	\$1,000.00
Golden Kiwanis	Monetary - AV Equipment Upgrades	\$1,951.22
Lake Owasso Garden Club	Monetary - Arboretum Donation	\$200.00
FOR Parks	In Kind - Basketball Stanchions and Benches	\$5,441.00
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O'Halloran & Murphy Company	Monetary - Arboretum Trees	\$300.00

TOTAL:	\$91,909.65
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55 STATE OF MINNESOTA)
56) SS
57 COUNTY OF RAMSEY)
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60 I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of
61 Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and
62 foregoing extract of minutes of a regular meeting of said City Council held on the day of,
63 , 20 with the original thereof on file in my office.
64

65 WITNESS MY HAND officially as such Manager this day of , 20
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69 SEAL
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72 _____
Patrick J. Trudgeon, City Manager

REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 7.a.

Department Approval

Janice Gundlach

City Manager Approval

Samir T. T. T.

Item Description: Consider a resolution approving an Interim Use for Prince of Peace Lutheran Church to temporarily allow two mobile residential micro-unit dwellings at 2555 Victoria Street (PF23-004).

Background

In December 2022, two mobile residential dwelling units (hereinafter referred to as “micro-unit dwellings”) were placed on the 2.25-acre vacant parcel addressed 2555 Victoria Street N immediately south, and in common ownership of Prince of Peace Lutheran Church located at 2561 Victoria Street N.

A “micro-unit” is defined in the recently adopted legislation by the State of Minnesota as a mobile residential dwelling providing permanent housing within a “sacred community”. A “sacred community” is defined (and which Prince of Peace has established) as a residential settlement established on or contiguous to the grounds of a religious institution’s primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers.

Prior to adoption of the State legislation, the City of Roseville determined the micro-unit dwellings were prohibited under the current City Code and on February 1, 2023 sent a letter notifying Prince of Peace that the units were not legal dwelling units under certain City Code and Zoning Code standards (see Attachment 4). Prince of Peace appealed the staff determination and on March 6, 2023, the City Council, acting as the Board of Adjustments and Appeals, held a public meeting on the appeal and upheld the staff determination.

During this same time frame, the Minnesota State Legislature was considering legislation that would require cities to allow such units and would establish statewide standards for sacred communities and micro-unit dwellings. The legislation has since been adopted and becomes effective January 1, 2024. However, the Roseville City Council, in approving their resolution regarding the determination of non-compliance, requires Prince of Peace to obtain an approved Interim Use (IU) to regulate the micro-unit dwellings through the end of this year. The intention of the Interim Use is to regulate these micro-unit dwellings in a manner consistent with the legislation slated to go into effect on January 1, 2024. Attachment 1, containing the Planning Commission’s written report and supporting documentation, outlines how the already established sacred community and micro-unit dwellings comply with the regulations provided in the new law.

Policy Objectives

Certain land uses might not be consistent with the land uses designated in the Comprehensive Plan, and they might also fail to meet all of the zoning standards established for the district within which they are proposed; some such land uses may, however, be acceptable or even beneficial if reviewed and provisionally approved for a limited period of time. The purpose of the interim use review process is to allow the approval of interim uses on a case-by-case basis; approved interim uses shall have a definite end date and may be subject to specific conditions considered reasonable and/or necessary for the

protection of the public health, safety, and general welfare.

Racial Equity Impact Summary

Racial equity impacts were not evaluated for this request.

Budget Implications

Not Applicable

Staff Recommendations

On July 5, 2023, the Roseville Planning Commission held the duly noticed public hearing on the Interim Use request by Prince of Peace in support of regulating two existing micro-unit dwellings at 2555 Victoria Street (Attachment 1).

At the hearing, no individuals addressed the Commission other than the applicant's representatives. Planning Commissioner McGehee asked questions of the applicant concerning the extent of the liability insurance and the certifications provided on the micro-unit dwellings, as well as expressing overall opposition to the allowance for sacred communities and micro-unit dwellings under the new law (Attachment 2). The Planning Commission voted 6-1 (Commissioner McGehee dissented) to recommend approval of the IU to the City Council, subject to the following conditions:

1. The IU expires on December 31, 2023; and
2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023; and
3. The Prince of Peace sacred community meets all requirements of the Sacred Communities and Micro-Unit Dwellings legislation which goes into effect on January 1, 2024.

Requested Council Action

By motion, adopt a Resolution approving an Interim use pursuant to §1009.03.D of the Roseville City Code for the existing Sacred Settlement and two micro-unit dwellings on property owned by Prince of Peace Lutheran Church located at 2555 & 2561 Victoria Street based on the comments and findings of the Planning Commission's written report dated July 5, 2023 and City Council's written report dated July 24, 2023, and the following conditions:

1. The IU expires on December 31, 2023; and
2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023; and
3. The Prince of Peace sacred community meets all requirements of the Sacred Communities and Micro-Unit Dwellings legislation which goes into effect on January 1, 2024.

Alternative Actions

1. Pass a motion to table the item for future action. An action to table must be tied to the need of clarity, analysis and/or information necessary to make a recommendation on the request. Tabling beyond September 2, 2023, would require extension of the 60-day action deadline established in Minn. Stats. 15.99.
2. Pass a motion denying the proposal. An action to deny must include findings of fact germane to the request.

Prepared by: Thomas Paschke, City Planner

Attachments:

1. 7-5-2023 Request for Planning Commission Action
2. 7-5-2023 Planning Commission Draft Meeting Minutes
3. Resolution
4. 2-1-2023 Noncompliance Letter

REQUEST FOR COMMISSION ACTION

Date: **7/5/2023**Item No.: **6.a.**

Department Approval

Agenda Section

Janice Gundlach, Community Development
Director

Public Hearing

Item Description: Request by Prince of Peace Lutheran Church for an Interim Use to temporarily regulate two existing mobile residential micro-unit dwellings on the property at 2555 Victoria Street (PF23-004)

Application Information

Applicant: Prince of Peace Lutheran Church

Location: 2255 Victoria Street

Application Submission: June 2, 2023

City Action Deadline: August 1, 2023

Zoning: Institutional District

Background

The Request

Prince of Peace Lutheran Church is seeking an Interim Use to allow two existing mobile residential micro-unit dwellings to remain at 2555 Victoria Street until December 31, 2023. The units are currently prohibited under City Code because they are not served by municipal sewer and water utilities, which is required under current City Code and Zoning Code requirements. Rather, the mobile residential micro-unit dwellings rely on the adjacent church to meet needs not otherwise met by the units. A recently adopted State Law, named Sacred Communities and Micro-Unit Dwellings, regulating these mobile residential dwelling units, referred to as “micro-units” in “sacred communities” will go into effect on January 1, 2024. The State law outlines certain safety-related requirements and then requires municipalities to allow such units but prohibits municipal regulation. The requested Interim Use intends to ensure the soon to be effective health and safety standards are met for the existing mobile residential micro-units through December 31, 2023, at which point the State law will supersede City Code. Prince of Peace Lutheran Church, located at 2561 Victoria Street, is included in the Interim Use as the existing mobile residential micro-unit dwellings rely on the church for toilet, kitchen, laundry and bathing facilities.

What is an Interim Use? Certain land uses might not be consistent with the land uses designated in the Comprehensive Land Use Plan or might fail to meet all of the zoning standards established for the district within which they are proposed; some such land uses may, however, be acceptable or even beneficial if reviewed and provisionally approved for a limited period of time. The purpose of the Interim Use review process is to allow the approval of Interim Uses on a case-by-case basis; approved interim uses shall have a definite end date and may be subject to specific conditions considered reasonable and/or necessary for the protection of the public health, safety, and general welfare.

Level of Discretion in Decision Making: Actions taken on an Interim Use request are legislative;

the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community. However, because the Minnesota Legislature passed requirements for Sacred Communities and Micro-Unit Dwellings (see Attachment 3), at the advice of the City Attorney, the City should not use the Interim Use process to impose conditions more restrictive than those that will go into effect on January 1, 2024. As such, the broad discretion typically provided through an Interim Use review process is extremely limited with this application.

Background

Sometime in December of 2022, two mobile residential dwelling units (hereinafter referred to as “micro-unit dwellings”) were placed on the 2.25-acre vacant parcel addressed 2555 Victoria Street N immediately south, and in common ownership of Prince of Peace Lutheran Church located at 2561 Victoria Street N.

A “micro-unit”, as defined in the recently adopted legislation means a mobile residential dwelling providing permanent housing within a “sacred community”. A “sacred community”, as defined in the recently adopted legislation (and which Prince of Peace has established), is defined as a residential settlement established on or contiguous to the grounds of a religious institution’s primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers.

The City of Roseville determined the micro-unit dwellings were prohibited under current City Code and on February 1, 2023 and sent a letter notifying Prince of Peace of the staff determination the units were not legal dwelling units under certain City Code and Zoning Code standards (see Attachment 4). Prince of Peace appealed the staff determination and on March 6, 2023, the City Council, acting as the Board of Adjustments and Appeals, held a public meeting on the appeal and upheld the staff determination.

During this same time frame, the Minnesota State Legislature was considering legislation that would require cities to allow such units and would establish statewide standards for sacred communities and micro-unit dwellings. The legislation has since been adopted and becomes effective January 1, 2024. However, the Roseville City Council, in approving their resolution regarding the determination of non-compliance, required Prince of Peace to obtain an approved Interim Use (IU) to regulate the micro-unit dwellings through the end of the year.

Review of Request

In support of their request, Prince of Peace has provided a number of documents, which are found as Attachment 5. Planning Division staff examined the following applicable and relevant issues related to the Interim Use:

of Units

Prince of Peace has installed two micro-unit dwellings. One is occupied by a person who is considered chronically homeless. The other is occupied by persons who are fulfilling the “designated volunteer” role. The term “designated volunteer” is defined in the Sacred Communities and Micro-Unit Dwelling legislation and means persons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing. Staff would note that in order to fully comply with the newly adopted State law, a third micro-unit dwelling will have to be added to the site come January 1, 2024. This is because the law says a sacred community must “have between one-third and 40 percent of the micro units occupied by designated volunteers”. With only two units, one-half and 50 percent are occupied by designated

volunteers. While this may be acceptable from the City’s perspective for the purposes of processing the Interim Use, as of January 1, 2024, Price of Peace will have to add a third micro-unit to the sacred community and that micro-unit must be occupied by persons who will meet the definition of being chronically homeless (per State law).



Setbacks: The two micro-unit dwellings are located near the west and north property lines of the 2555 Victoria Street property. The units are setback approximately 20 feet from the north property line (side yard) and 50 feet from the west property line (rear yard). Per State Statutes micro-unit dwellings must meet the setback standard imposed locally for manufactured homes and if such standard does not exit, then a ten-foot setback is required. Roseville’s Manufactured Home Park standards require a minimum 10-foot side yard setback (north and south), a minimum 15-foot rear yard setback (west), and a minimum 50-foot setback from a public right-of-way (front yard). The existing micro-unit dwellings comply with these setbacks.

Driveway Access & Parking: The site is accessible via an existing long driveway to/from Victoria Street that includes a parking area at the terminus of the drive near the micro-unit dwellings, as well as a small turn-around area about mid-way from the road to the terminus of the driveway, which could serve as a turn-around for larger emergency vehicles such as a fire truck. The parking area could accommodate approximately 6-8 vehicles.

Micro-Unit Dwelling Construction: The micro-unit dwellings are mobile dwellings constructed on a trailer that is secured to the ground. The method of anchoring to the ground is defined in the recently passed State legislation and must be inspected by a “qualified third-party inspector” (which the applicant has provided). These units rely upon the main Church building for use of kitchen, toilet, laundry and showers. The individual micro-unit dwellings are equipped with electricity in the same manner as recreational vehicles would hook up to electricity. The construction of the units are certified by the National Organization of Alternative Homes (certificates have been included in the attachments). The recently passed State legislation outlines other specific technical requirements,

but also states that cities cannot impose permitting for the individual micro-units. Based on the language of the State law and the information submitted by the applicant, the micro-units appear to comply with the technical requirements. Prince of Peace has also submitted information confirming they've secured insurance on the micro-unit dwellings, which is also a requirement under the State law.



Other Items to Note:

- i. Prince of Peace has partnered with Settled, who has provided occupant eligibility certification in terms of meeting the definition of chronically homeless.
- ii. Prince of Peace has provided certification for the micro-unit occupied by the designated volunteer.
- iii. Because the micro-unit dwellings are relying on the church for kitchen, toilet, bathing and laundry facilities the church must contain the number and type of fixtures that would otherwise be required for R-2 boarding houses. Prince of Peace submitted information disclosing the number and type of fixtures within the church and indicates they meet the R-2 requirement.
- iv. The materials submitted by Settled and Prince of Peace indicate the micro-units have a “dry toilet” or “commode” and the waste produced by these toilets will be disposed of in the same manner as diapers, which the MPCA indicated via email correspondence is acceptable.
- v. Water used for cooking is disposed of in the church’s utility room.
- vi. Residents of the micro-units have access to the church 24/7.
- vii. Residents of the micro-units have signed leases, establishing expectations for conduct, which is managed by Prince of Peace.
- viii. The church is the emergency shelter.

Review of IU Criteria

As previously stated, given the recently passed State legislation allowing micro-unit dwellings in

Sacred Communities, and Prince of Peace’s compliance with the regulations in the newly passed law, a typical Interim Use review is superseded by the State’s actions, giving the City little oversight over this use. However, in the interest of providing a legislative means to permit the micro-unit dwellings to remain until the State law goes into effect on January 1, 2024, Planning Division staff considered the use against the IU findings. §1009.03 D of the City Code specifies that three specific findings must be made in order to approve a proposed interim use:

1. **The proposed use will not impose additional costs on the public if it is necessary for the public to take the property in the future.** This is generally intended to ensure the particular interim use will not make the site costly to clean up if the City were to acquire the property for some purpose in the future. In the case of the two micro-unit dwellings, should these units need to be removed from the premises it would not take much effort as they are attached to a trailer, and by their nature are “mobile”.
2. **The proposed use will not create an excessive burden on parks, streets, and other public facilities.** The occupancy of two micro-unit dwellings will not create an excessive burden on the adjacent Central Park; will not generate any traffic impacts to Victoria Street; and will have little or no impact on public facilities, as currently proposed, given they have direct access to a County roadway and are not connected to municipal utilities.
3. **The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and general welfare.** These two micro-unit dwellings will not be injurious to the surrounding neighborhood as the site on which the Sacred Community lies is large at 2.25 acres in area, is adjacent to Prince of Peace Church to the north that lies on over 6 acres of land, and abuts Central Park to the west and south therefore not in close proximity any residential homes. Similarly, the two micro-units should not harm the public health, safety, or general welfare of the adjacent community when all requirements under State Statute are met.

Staff Recommendation

Staff Comments and Recommendation

As previously stated, on January 1, 2024, specific state regulations per the Sacred Communities and Micro-Unit Dwellings legislation will go into effect. Once this legislation goes into effect, the City cannot place more restrictive conditions on a sacred community or the micro-unit dwellings than those stipulated in State law. At the advice of the City Attorney, between now and December 31, 2023, no conditions should be imposed by the IU that are more restrictive than State law. As such, the Planning Division’s review of the proposal by Prince of Peace was based solely upon the requirements provided in Sacred Communities and Micro-Unit Dwellings legislation.

Based upon the existing sacred community, its two micro-unit dwellings, and the requirements recently adopted into State law that go into effect on January 1, 2024, the Planning Division has determined no additional conditions should be imposed. However, the Planning Division will note the existing sacred community will be required to add an additional micro-unit dwelling by January 1, 2024, bringing the total to 3, to be compliant with State law. The third micro-unit dwelling must be occupied by persons meeting the definition “chronically homeless” per the Sacred Communities and Micro-Unit Dwellings legislation.

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The Planning Division recommends approval of the requested IU with the following conditions:

- 1. The IU expires on December 31, 2023; and
- 2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023.
- 3. The Prince of Peace sacred community meets all requirements of the Sacred Communities and Micro-Unit Dwellings legislation to go into effect on January 1, 2024.

Requested Planning Commission Action

Suggested Planning Commission Action

By motion, make the following recommendations:

- A. By motion, recommend approval of a Interim use pursuant to §1009.03.D of the Roseville City Code for the existing sacred community and two micro-unit dwellings at Prince of Peace Lutheran Church for the property addressed at 2555 & 2561 Victoria Street based on the comments and findings of this report, and the following conditions:
 - 1. The IU expires on December 31, 2023; and
 - 2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023.
 - 3. The Prince of Peace sacred community meets all requirements of the Sacred Communities and Micro-Unit Dwellings legislation to go into effect on January 1, 2024.

Alternative Actions

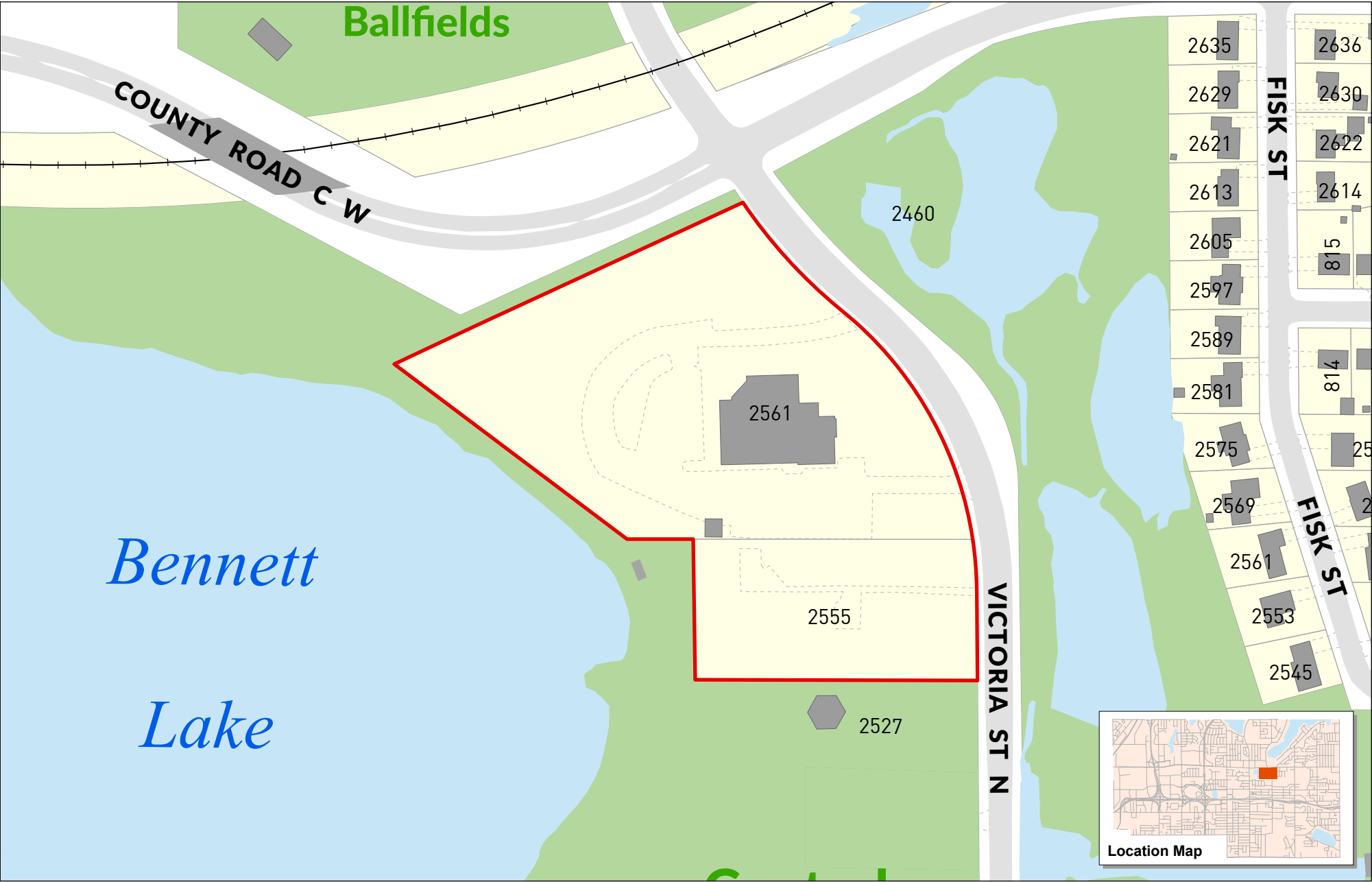
Alternative Actions

- a. Pass a motion to table the item for future action. An action to table must be tied to the need for clarity, analysis, and/or information necessary to make a recommendation on the request.
- b. Pass a motion recommending denial of the proposal. A motion to deny must include findings of fact germane to the request.

Prepared by: Thomas Paschke, City Planner

- Attachments:**
- 1. PF23-004_PC_Attachment1
 - 2. PF23-004_PC_Attachment2
 - 3. PF23-004_Attachment3
 - 4. PF23-004_PC_Attachment4
 - 5. PF23-004_Attachment5

Attachment 1: Planning File 23-004



Attachment 2: Planning File 23-004



Prepared by:
Community Development Department
Printed: June 28, 2023

Data Sources

* Ramsey County GIS Base Map [6/4/2023]
* Aerial Data: EagleView [4/2022]
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

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Sec. 57. [327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.**Subdivision 1. Definitions.**

- (a) For the purposes of this section, the following terms have the meanings given.
- (b) Chronically homeless" means an individual who:
 - (1) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter;
 - (2) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least our separate occasions in the last three years; and
 - (3) has an adult head of household, or a minor head-of-household if no adult is present in the household, with a diagnosable substance use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of two or more of those conditions.
- (c) "Designated volunteers" means persons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.
- (d) "Extremely low income" means an income that is equal to or less than 30 percent of the area median income, adjusted for family size, as estimated by the Department of Housing and Urban Development.
- (e) "Micro unit" means a mobile residential dwelling providing permanent housing within a sacred community that meets the requirements of subdivision 4.
- (f) "Religious institution" means a church, synagogue, mosque, or other religious organization organized under chapter 315.
- (g) "Sacred community" means a residential settlement established on or contiguous to the grounds of a religious institution's primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers that meets the requirements of subdivision 3.

Subd. 2. Dwelling in micro units in sacred communities authorized. Religious institutions are authorized to provide permanent housing to people who are chronically homeless, extremely low-income, or designated volunteers, in sacred communities composed of micro units subject to the provisions of this section. Each religious institution that has sited a sacred community must annually certify to the local unit of government that it has complied with the eligibility requirements for residents of a sacred community in this section.

Subd. 3. Sacred community requirements. (a) A sacred community must provide residents of micro units access to water and electric utilities either by connecting the micro units to the utilities that are serving the principal building on the lot or by other comparable means, or by providing the residents access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902. Any units that are plumbed shall not be included in determining the minimum number of fixtures required for the common facilities.

(b) A sacred community under this section must:

- (1) be appropriately insured;
- (2) have between one-third and 40 percent of the micro units occupied by designated volunteers; and
- (3) provide the municipality with a written plan approved by the religious institution's governing board that outlines:
 - (i) disposal of water and sewage from micro units if not plumbed;
 - (ii) septic tank drainage if plumbed units are not hooked up to the primary worship location's system;
 - (iii) adequate parking, lighting, and access to units by emergency vehicles;
 - (iv) protocols for security and addressing conduct within the settlement; and
 - (v) safety protocols for severe weather.

(c) Unless the municipality has designated sacred communities meeting the requirements of this section as permitted uses, a sacred community meeting the requirements of this section shall be approved and regulated as a conditional use without the application of additional standards not included in this section. When approved, additional permitting is not required for individual micro units.

(d) Sacred communities are subject to the laws governing landlords and tenants under chapter 504B. Subd. 4. Micro unit requirements.

(a) In order to be eligible to be placed within a sacred community, a micro unit must be built to the requirements of the American National Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical systems, and fire and life safety. A micro unit must also meet the following technical requirements:

- (1) be no more than 400 gross square feet;
- (2) be built on a permanent chassis and anchored to pin foundations with engineered fasteners;
- (3) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- (4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
- (5) have a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
- (6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
- (7) have minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square foot; and
- (8) have smoke and carbon monoxide detectors installed.

(b) All micro units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.

(c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain any permits or inspections required by the municipality or utility company for that connection.

(d) Micro units must comply with municipal setback requirements established by ordinance for manufactured homes. If a municipality does not have such an ordinance, micro units must be set back on all sides by at least ten feet.

February 1, 2023

Prince of Peace Lutheran Church
Attn: Pastor Peter Christ
2561 Victoria Street North
Roseville, MN 55113

RE: Interim Sacred Settlement

Dear Pastor Christ,

As you are aware, on or around December 20, 2022, City staff commenced communication with you regarding the placing of two micro housing units on the church property located at 2561 Victoria Street North. Be advised this letter refers to the units as “micro-units” residing in an “Interim Sacred Settlement” given the Memorandum of Understanding the church entered into with Settled uses this terminology.

Based on email, telephone and in-person communications, City staff understands the Interim Sacred Settlement and the two micro-units house two families, one considered a resource/intentional neighbor and one coming out of chronic homelessness. City staff further understands these families consider these micro-units their permanent housing, but have 24/7 access to the church for bathroom and kitchen facilities. Based on email communications from Settled dated January 4, 2023, it is their position that these micro-units are Recreational Vehicles. It should be noted that, although the units are being used as permanent housing, the definition of Recreational Vehicle under Minnesota State Statute and City Code describe such vehicles as “temporary.”

The property at 2561 Victoria Street North is in an Institutional Zone. The property to the immediate south, in common ownership with the 2561 Victoria Street North, is zoned Low Density Residential. The placement of the two micro-units is very near the shared property line between the two properties/two zoning districts. City staff has determined the placement and use of these micro-units is not in compliance with the City’s Zoning Code for either zoning district. The Institutional Zoning District does not permit residential uses nor recreational camping areas. The Low Density Residential Zoning District does offer a means to construct a development of “Dwelling, Courtyard Cottage” (also known as tiny homes), but does not allow a recreational camping area. The micro-units do not comply with the Zoning Code’s definition of dwelling so cannot be considered a legal use. Therefore, the two micro-units are not permissible to remain on the property. It should be noted that, in addition to zoning concerns, staff is concerned these micro-units may not meet basic safety, health, and occupancy requirements outlined within the Building Code, Fire Code, City Codes related to dwelling units having to be connected to City water and sewer, and other safety codes such as the Building Maintenance and Preservation Code.

Given the information contained herein, City staff offers three options:

1. Remove the micro units from the property,
2. Appeal the staff interpretation the two micro-units are not permitted to the City Council. An appeal request must be submitted to the City Manager **within 10 days of receiving this letter**, whereby the City Council will act on the appeal at a regularly scheduled City Council meeting to be held within 30 days of receipt of the appeal. The appeal process is specified in City Code Section 1009.08 (enclosed herein) and must be accompanied by a \$100 processing fee.

3. Initiate actions to construct a residential development under the “dwelling, courtyard cottage” (or tiny home) housing type on the southerly parcel that is zoned Low Density Residential. These actions will require compliance with the Building Code.

The City appreciates the church’s commitment to addressing chronic homelessness and intends to work cooperatively towards a solution achieving Zoning and/or Building Code compliance that addresses all public health, safety and welfare concerns. Please contact Janice Gundlach, Community Development Director via phone at 651-792-7071 or via email to Janice.Gundlach@CityofRoseville.com with questions or concerns.

Sincerely,
City of Roseville



Patrick Trudgeon
City Manager

Attachments:

cc. Appeals – 1009.08

1009.08: APPEALS

A. An appeal pertaining to a decision of the Variance Board or an administrative ruling of the Community Development Department regarding any interpretation of the intent of this Title, or any administrative action approving or denying an application or request related to any matter addressed in this Title may be filed by any property owner or their agent.

1. The appeal shall be submitted to the City Manager within 10 calendar days after the making of the order or decision being appealed.
2. The appeal shall state the specific grounds upon which the appeal is made.
3. The appeal shall be accompanied by the fee set forth in Chapter 314 of this Code.

B. When an appeal is filed, a public meeting regarding the matter shall be held before the City Council, acting as the Board of Adjustments and Appeals, at a regular meeting held within 30 days of the receipt of the appeal. The Board of Adjustments and Appeals will reconsider only the evidence that had previously been considered as part of the formal action that is the subject of the appeal. New or additional information from the appeals applicant(s) may be considered by the Board of Adjustments and Appeals at its sole discretion, if that information serves to clarify information previously considered by the Variance Board and/or staff.

1. Variance Appeals: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s), members of the Variance Board, and to all of those property owners within the public hearing notification area established in Chapter 108 of the City Code, as well as the owner of the subject property.
2. Administrative Deviation Appeals: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s) and all of those property owners who received notice of the original administrative deviation hearing, as well as the owner of the subject property.
3. Appeals of Administrative Decisions: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s) as well as the owner of the subject property.



PRINCE
of PEACE
Lutheran Church

Interim Use Permit Application

June 2, 2023



Interim Use Permit Submission

Key Documents

1. Interim Use Permit Application Form and attachments.
 - Application
 - Statement of Intent
 - Legal Description and PIN
 - Proposed Plan
 - Open House Summary
 - Open House Sign-in Sheets
 - Open House Comments
2. Background
3. Omnibus Jobs, Economic Development, Labor, and Industry Appropriations Bill, Article 11, Section 57 (pages 1, 116-119)
4. Bill status, showing signature of Governor Walz on May 24, 2023
5. Mission Statement, Prince of Peace Lutheran Church of Roseville
6. Roseville City Council Minutes, April 24, 2023, approving a Resolution related to the two units at Prince of Peace Lutheran Church.
7. Resolution 11977, "Resolution documenting the conditions recommended by staff related to approving the extension," adopted by the Roseville City Council on April 24, 2023
8. Key Project Contacts

Statutory Requirements

9. Certification of Occupant Eligibility, Dated May 23, 2023
10. Certification of Resident Approval
11. Percentage of Designated Volunteers as Residents
12. Sacred Community Requirements- Access to facilities
13. Email Exchange between Settled and Minnesota Pollution Control Agency regarding dry toilets.
14. Sacred Community Requirements – Insurance
15. Congregational Approval of Plan, Dated May 9, 2023
16. Sacred Community Requirements - Inspections
17. Certification for Unit 1
18. Certification for Unit 2
19. Certificates of Compliance for Both Units
20. Electrical Permit from the City of Roseville dated 11/4/2023. Completed inspection dated 11/18/23.
21. Status of Pin Footing



COMMUNITY DEVELOPMENT
 2660 Civic Center Drive ♦ Roseville, MN 55113
 Phone: (651) 792-7005

INTERIM USE APPLICATION

CITY CODE SECTION 1009.03
 www.cityofroseville.com

- ☒ **INITIAL APPLICATION FEE: \$1475**
☐ **RENEWAL APPLICATION FEE: \$1025**

Fee should be made payable to City of Roseville upon submittal of completed application.

Please complete the application by typing or printing in ink. Use additional paper if necessary.

1. Property Owner Information:

Company name: Prince of Peace Lutheran Church of Roseville
 Last name: _____ First name: _____
 Address: 2561 Victoria Street North City/State/Zip: Roseville, MN 55113
 Phone number: (651) 484-4144 Email address: mstetzler@gmail.com

2. Applicant Information: (if different from above)

Company name: _____
 Last name: _____ First name: _____
 Address: _____ City/State/Zip: _____
 Phone number: _____ Email address: _____

3. Address(es) of Property Involved: (if different from above)

4. Zoning Designation: Low density residential

5. Comprehensive Plan Designation: Low density residential

6. Statement of Intent: Briefly describe what will be done on or with the property requiring the interim use approval and how long the use will continue.

See attached

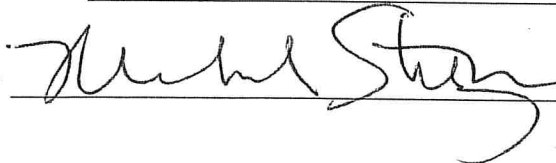
7. Additional Required Information:

- a. **Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved.
- b. **Proposed Plans:** In addition to a scaled site plan, a landscape plan, grading and drainage plan, photometric plan, traffic study, and exterior building elevation drawings showing building materials may also be required if deemed necessary by the Community Development Director. Plans for residential applications may be on 8½"x 11" or 11"x 17" paper. **For commercial applications, please provide 1 full-size copy of all plans in both electronic format (preferably PDF) and printed format.**
- c. **Open House Summary:** A written summary of at least one open house meeting is a required component of an interim use application.
- d. **Consultant Fees:** Whenever third party consultants are utilized in the preparation of application materials (e.g., a traffic study) or the City's review of an application (e.g., traffic study analysis), the applicant shall be responsible for paying the entirety of those costs.
- e. **Written Narrative:** The written narrative should thoroughly describe the proposal with particular attention to any modifications and limitations of the use that will be made to reduce its incompatibility with surrounding uses.

8. **Signature(s):** By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

Property Owner: Prince of Peace Lutheran Church

Date: _____

Applicant: 

Date: May 30, 2023

Interim use applications must be received by the close-of-business on the first Friday of each month; applications received after this date cannot be heard at the Planning Commission meeting of the following month.

Statement of Intent

This project covers two Micro-units (tiny homes) no more than 180 square foot each, built on movable trailers and anchored to the church land to provide housing to three adults and one child, all known to the church community. Micro-units are built to an ANSI standard (a nationally recognized tiny home standard). The intended purpose is to provide community and housing for these individuals while the church members go through an internal process to determine how they can continue to serve the community with their resources.

To allow time for this discernment process and provide housing for these individuals as the process and transition occurs, this interim use permit would remain in effect for one year.

Property Description and PIN

Prince of Peace Lutheran Church of Roseville owns two adjoining parcels of property. Here are the details for both parcels:

2561 Victoria Street North

Parcel Description: SECTION 11 TOWN 29 RANGE 23 BEG AT SE COR OF N 848.07 FT OF NW 1/4 TH ...AND ESMTS) IN SEC 11 TN 29 RN 23*

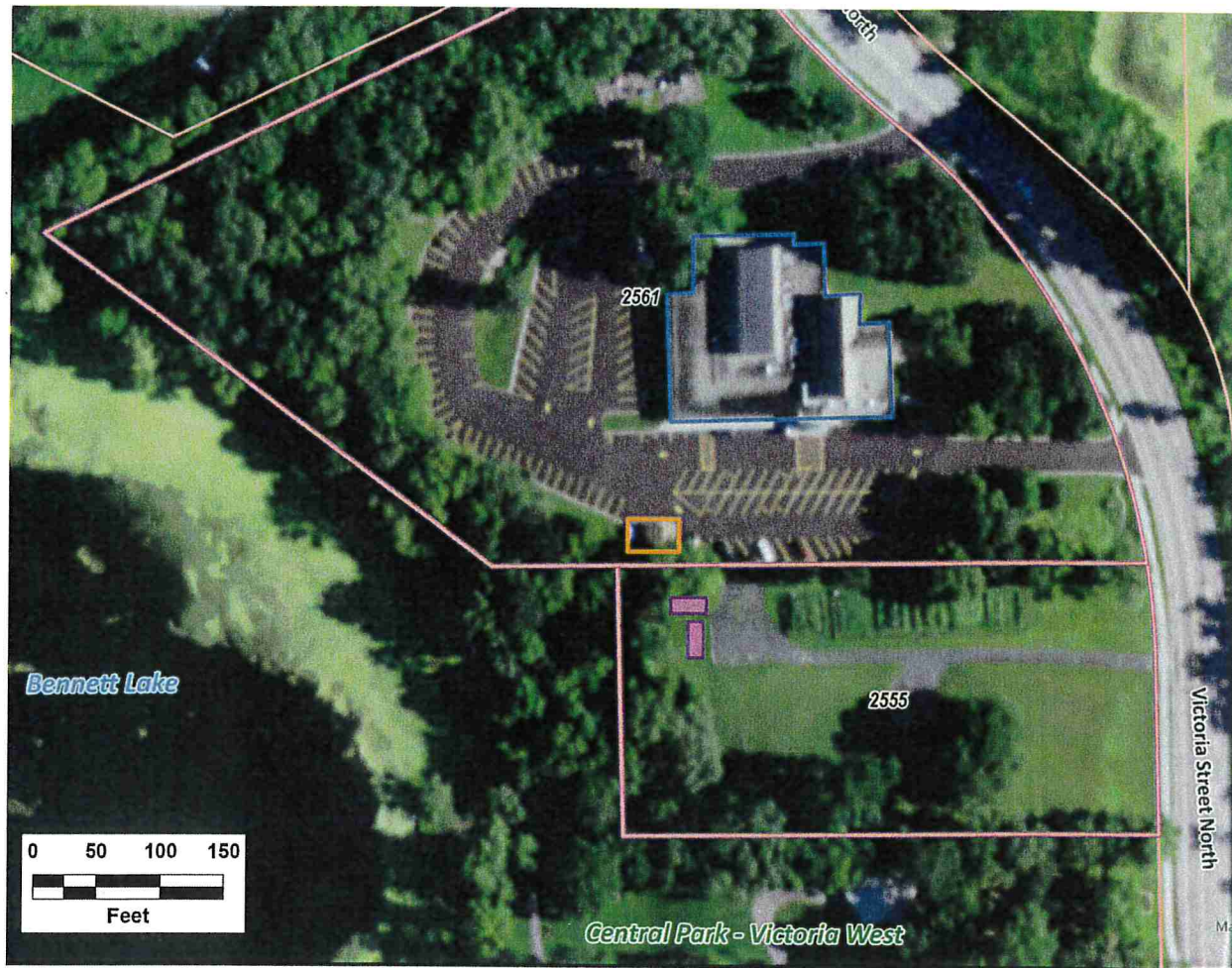
Parcel ID: 112923210005

2555 Victoria Street North

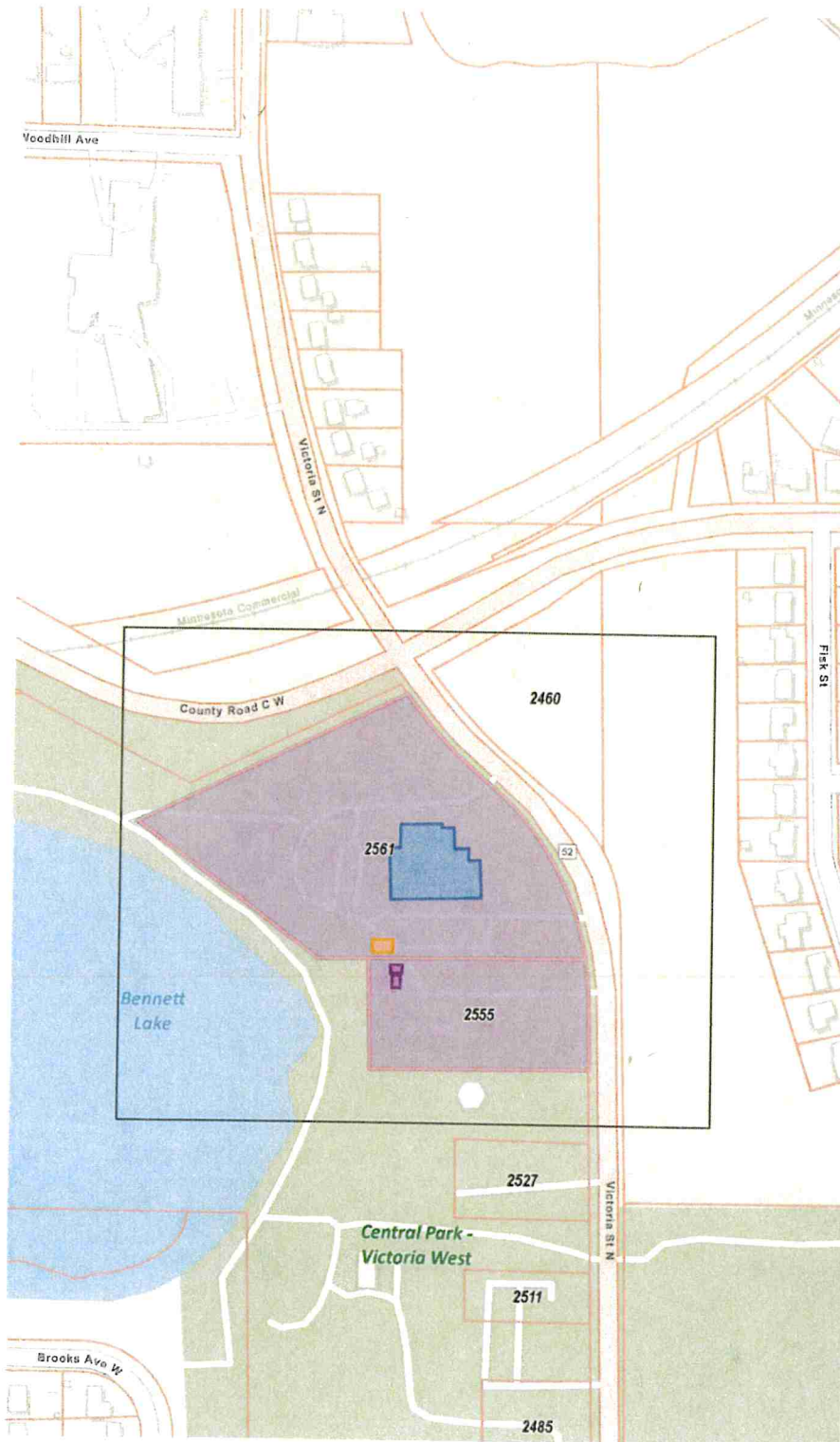
Parcel Description: SECTION 11 TOWN 29 RANGE 23 S 213 FT OF N 1061 07/100 FT OF E 461 FT ...TO ST) IN SEC 11 TN 29 RN 23*

Parcel ID: 112923210006

*The parcel descriptions are from the Ramsey County Assessor's Office.



This information is for environmental review purposes only.



**PRINCE
of PEACE**
Lutheran Church

Prince of Peace Lutheran Church

Property Layout

2561 Victoria St N
Roseville, MN 55113

- Church Footprint
- Maintenance Garage
- Sacred Settlement Home
- Prince of Peace Lutheran Church Parcel
- Roseville City Park
- Ramsey County Parcel



Details of our Open House – May 21, 2023

Prince of Peace Lutheran Church held an Open House on Sunday, May 21, from 6:00-8:00 pm, allowing neighbors and others to tour a tiny home built by Settled, see the property plan, visit the common space in the church building, and talk with representatives of both Prince of Peace and Settled about the proposed plan.

The open house overlapped with a parking lot carnival held from 4:00-6:00 pm. Church and community members gathered for games, food, crafts and activities. Attendance was strong and the event was enjoyed by many. We were very pleased that two Roseville police officers attended part of the carnival.

The Open House Sign-in Sheet has 26 signing in, representing 39 individuals. A copy is included in this packet. Hosts were available to welcome visitors, share with them the nature of the interim settlement, respond to questions and to show people around to the common room, the demonstration tiny home and to indicate the presence of cooking, bathroom and shower facilities available for the residents.

Those attending were invited to ask questions and share comments. Index cards and pencils were available for written comments. Questions focused mainly on the goals for the settlement and the history of how the Church came to this place. Comments were almost all affirming toward the work of providing housing for chronically homeless people and appreciation of the formation of community through the presence of an intentional neighbor who would live in a nearby tiny home and the involvement of the Church community.

The closest neighbors who attended the open house expressed interest, support, and encouragement, but also acknowledged “some concerns” and a desire to “stay informed and involved.”

The only negative comment came from a community member living a few blocks from the Church who wrote “I am concerned on the connection between the panhandling and homeless tents that are across County C. I am concerned that the trend is being influenced by your initiative. It is disturbing to be a tax paying citizen and have these

things in my back yard.” Prince of Peace has already addressed the issue of residents panhandling by including language in the Good Neighbor Agreement (a legally binding lease) that prohibits any solicitation within three miles of the church; violation could result in eviction.

However, the comment raises a valid concern about panhandling in our Roseville community. The exact location of the solicitations is unclear. The presence of tents, somewhat hidden in the brush and trees near the railroad tracks, is something that has recently been brought to the attention of Prince of Peace leadership by a community member asking that the Church provide help to one of the tent residents. Prince of Peace has not promoted the homeless tents in our area – instead it shows the reality of those experiencing homelessness and inspires the Church to respond.

The open house was an opportunity to interact with people from the community and also beyond. There is an interest in the project and affirmation for the goal of serving the homeless by building community.

<u>Name and Address</u>	<u>Phone # and Email</u>
DANIEL FLASHINSKI 2730 Oxford St. N Roseville MN 55113	608-358-8822 kafflashinski@gmail.com
ARJUN SETHI; JENNA SETHI; SOFIE SETHI; MICHA SETHI 2707 GALTIER STREET ROSEVILLE, MN 55113	651-329-4238 arjundsethi@gmail.com
CHRIS HENNINGSON ANDRE HENNINGSON 63 Mid Oak Lane Roseville, MN 55113	651-642-7080 Chenningson2@aol.com ahenningson@aol.com

Open House Sign In - 05/22/2023

<u>Name and Address</u>	<u>Phone # and Email</u>
Stephen + Antoinette Svom 1187 Highridge Ct. Maplewood, MN, 55109	218-296-1221 sasveom@gmail.com
Cyathia White & Paul Thomas 2489 Churchill St. Roseville, MN 55113	651-323-3343 csw2489@comcast.net
Campbell 703 Nebraska Ave E St. Paul MN 55106	
Savita + Betchen Oberdorfer 3152 2713 Merrill Street	
Vera + Paul Jost 1460 Applewood Ct #214 Roseville 55113 651-484-4443	
Rod + Nancy Maeker 1235 Yada Place #505 Mpls 55403	612-310-9560 maekernancy@gmail.com
RAINER JAESCHKE 132 DEMONT AVE E UNIT 125 LITTLE CANADA, MN 55117	859 - 802-0569 RWTJSCHOSS45@GMAIL.COM

Open House Sign In - 05/22/2023Name and AddressPhone # and Email

KRISTEN DONAUDSON
2597 FISK St.

651-343-2187

kkeraneme.com

Brent + Diane Martin
2569 Fisk St.

651-483-0694

bdmartin1970@
comcast.net

Open House Sign In - 05/22/2023

<u>Name and Address</u>	<u>Phone # and Email</u>
① At & Russ Stolle 3099 AVON ST NW Roseville MN 55113	651-482-9343 prstolle@yahoo.com
Chelsea Stanton 167 McKnight Rd N Apt 306 St. Paul, MN 55119	chelsea.kay.stanton@gmail.com
Emily Allen 3900 Bethel Dr. #118 Arden Hills, MN 55112	651-356-4952 emil emilyjoyallen@yahoo.com
+ Gen Dwenda Gjerdingen 2553 Fisk St, Roseville Mn 55113	651-484-8343 gjerd001@umn.edu
Steve Barnier 4343 Arden View Dr Arden Hills, MN 55112	612-983-1249 stevenb019@yahoo.com
Jacob R. Sauer 1522 Carroll Ave St Paul, MN 55104	763-327-7106
Sari Gundersen 2451 Churchill St Roseville, MN 55113	sarisari@gmail.com

Open House Sign In - 05/22/2023

<u>Name and Address</u>	<u>Phone # and Email</u>
Tizy LaBarre 222 Duke St. St. Paul MN 55102	6512453879
KATY JANDA 733 EMERALD RIDGE ROSEVILLE MN 55113	651-278-0468 Katy.janda@gmail.com
ANN JANDA 731 EMERALD RIDGE ROSEVILLE MN 55113	A-JANDA@NORTHWESTERN, EDU
Ken Janda 731 Emerald Ridge Roseville, MN 55113	K-Janda@ Northwestern.edu
Jack & Diane Paulson 2561 Fisk Street Roseville, MN 55113	jack.paulson@comcast.net djpaulson@comcast.net
Nick Lane 3455 Dale St. N Shoreview, MN 55126	612-356-3745 NickL1538@gmail.com
ERIC GUSTAFSON 733 Emerald Ridge Roseville MN 55113	651-208-1473 egustafson02@luthersem.edu

Comments Received at Open House – 05/21/2023

The tiny homes are a wonderful solution to the ongoing homeless problem.
Beats living out of a car or under the bridge or on the street.
And the community support through the church cannot be replicated!
The most important – the residents are happy!!!
Cynthia S. White

I'm so glad you are doing something for the homeless!!

It is a great concept. Doing work to help homeless people is wonderful.

This is a fantastic idea!! Thanks for being a piece of the kingdom here on earth.

I love God. (In child's print)

I love this. God bless you!

I am very interested by the model and concept. Homelessness is such a chronic and misunderstood issue. I'll be cheering for you from the sidelines of Fisk St across the pond. I do have some concerns, and would like to stay informed and involved – but I am overall supportive of the idea. It's important work, and I applaud you.
Kristen Donaldson

The Settled model allows churches to do what they do best: love their neighbors and create community. Tiny homes and cohousing at the church is better than people living in their vehicles!

This is a wonderful initiative! Christ in action, if you ask me! Keep up the good work.

Eric Gustafson 651-208-1473

The "Settled" Project is impressive in its goals and complexity. It seems like there is so much more involved. A place to live (a home) is only the beginning. Any additional support is certainly worthwhile given that homelessness is a growing societal condition.

I am concerned on the connection between the panhandling and homeless tents that are across County C.

I am concerned that that trend is being influenced by your initiative.

It is disturbing to be a tax paying citizen and have these things in my back yard.

Harriet Flashinski 608 358-8822

I live in Roseville, and I strongly support the Little House concept in general and the Settled program in particular.

This is not a perfect solution to the problem of homelessness, but it is better by far than being homeless.

Kenneth Janda

731 Emerald Ridge

Roseville, MN 55113

Settled has been great for Prince of Peace and the community. Hope to keep it growing!

Vera and Paul Ista

Roseville 55113

Background

On April 24, 2023, the Roseville City Council approved a Resolution to stay the action of the Council (acting as the Board of Adjustment and Appeals) ordering removal of the two Micro Units providing housing on the property of Prince of Peace Lutheran Church.

That order is stayed until July 30, 2023 on the following conditions:

1. Prince of Peace hosts an Open House related to the Interim Use Application on or before May 21, 2023.
2. The "Sacred Communities and Micro-Unit Dwellings" bill currently before the Minnesota Legislature that requires cities to allow Micro-Unit Dwellings as permanent housing for "people who are chronically homeless, extremely low income, or designated volunteers," as defined in the bill, is adopted in its current form or in a similar form during the 2023 regular legislative session and signed into law.
3. Prince of Peace files an application for an Interim Use Permit no later than June 2, 2023.

Prince of Peace hosted an Open House on May 21, 2023. Information on that Open House is included in this Application. The "Sacred Communities and Micro-Unit Dwellings" bill was passed by the Legislature and signed into law by Governor Walz on May 24, 2023.

Prince of Peace Lutheran Church submits this Application for an Interim Use Permit in order to address the need for housing for persons moving out of chronic homelessness and to answer its call to love our neighbor.

Working with the nonprofit Settled, Prince of Peace will be using a "full community" model both providing shelter and meeting relational and social needs in a holistic manner. We recognize that most people without a home not only lack shelter, but also a community that cares about them. Prince of Peace will provide a place where everyone has purpose and each person has value, is celebrated, and functions according to their skills and gifts.

1.1 moves to amend S.F. No. 3035, in conference, as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1
1.4 LABOR POLICY

1.5 Section 1. Minnesota Statutes 2022, section 116J.871, subdivision 1, is amended to read:

1.6 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
1.7 the meanings given them.

1.8 (b) "Economic development" means financial assistance provided to a person directly
1.9 or to a local unit of government or nonprofit organization on behalf of a person who is
1.10 engaged in the manufacture or sale of goods and services. Economic development does not
1.11 include (1) financial assistance for rehabilitation of existing housing or; (2) financial
1.12 assistance for new housing construction in which total financial assistance at a single project
1.13 site is less than \$100,000; or (3) financial assistance for the new construction of fully
1.14 detached single-family affordable homeownership units for which the financial assistance
1.15 covers no more than ten fully detached single-family affordable homeownership units. For
1.16 purposes of this paragraph, "affordable homeownership" means housing targeted at
1.17 households with incomes, at initial occupancy, at or below 115 percent of the state or area
1.18 median income, whichever is greater, as determined by the United States Department of
1.19 Housing and Urban Development.

1.20 (c) "Financial assistance" means (1) a grant awarded by a state agency for economic
1.21 development related purposes if a single business receives \$200,000 or more of the grant
1.22 proceeds; (2) a loan or the guaranty or purchase of a loan made by a state agency for
1.23 economic development related purposes if a single business receives \$500,000 or more of
1.24 the loan proceeds; or (3) a reduction, credit, or abatement of a tax assessed under chapter

116.1 12 inches or less, or a grate area of two square feet or less, and are equipped with an ASME
116.2 stamped safety valve of adequate size, a water level indicator, and a pressure gauge;

116.3 (19) any pressure vessel used as an integral part of an electrical circuit breaker;

116.4 (20) pressure vessels used for the storage of refrigerant if they are built to ASME code
116.5 specifications, registered with the national board, and equipped with an ASME code-stamped
116.6 pressure-relieving device set no higher than the maximum allowable working pressure of
116.7 the vessel. This does not include pressure vessels used in ammonia refrigeration systems;

116.8 (21) pressure vessels used for the storage of oxygen, nitrogen, helium, carbon dioxide,
116.9 argon, nitrous oxide, or other medical gas, provided the vessel is constructed to ASME or
116.10 Minnesota Department of Transportation specifications and equipped with an ASME
116.11 code-stamped pressure-relieving device. The owner of the vessels shall perform annual
116.12 visual inspections and planned maintenance on these vessels to ensure vessel integrity;

116.13 (22) pressure vessels used for the storage of compressed air for self-contained breathing
116.14 apparatuses;

116.15 (23) hot water heating or other hot liquid boilers vented directly to the atmosphere; and

116.16 (24) pressure vessels used for the storage of compressed air not exceeding 1.5 cubic feet
116.17 (11.22 gallons) in volume with a maximum allowable working pressure of 600 psi or less.

116.18 (b) An engineer's license is not required for hot water supply boilers.

116.19 (c) An engineer's license and annual inspection by the department is not required for
116.20 boilers, steam cookers, steam kettles, steam sterilizers or other steam generators not exceeding
116.21 100,000 BTU per hour input, 25 kilowatt, and a pressure of 15 psig.

116.22 (d) Electric boilers not exceeding a maximum working pressure of 50 psig, maximum
116.23 of 30 kilowatt input or three horsepower rating shall be inspected as pressure vessels and
116.24 shall not require an engineer license to operate.

116.25 Sec. 57. [327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.

116.26 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
116.27 the meanings given.

116.28 (b) Chronically homeless" means an individual who:

116.29 (1) is homeless and lives or resides in a place not meant for human habitation, a safe
116.30 haven, or in an emergency shelter;

117.1 (2) has been homeless and living or residing in a place not meant for human habitation,
117.2 a safe haven, or in an emergency shelter continuously for at least one year or on at least
117.3 four separate occasions in the last three years; and

117.4 (3) has an adult head of household, or a minor head-of-household if no adult is present
117.5 in the household, with a diagnosable substance use disorder, serious mental illness,
117.6 developmental disability, post-traumatic stress disorder, cognitive impairments resulting
117.7 from a brain injury, or chronic physical illness or disability, including the co-occurrence of
117.8 two or more of those conditions.

117.9 (c) "Designated volunteers" means persons who have not experienced homelessness and
117.10 have been approved by the religious institution to live in a sacred community as their sole
117.11 form of housing.

117.12 (d) "Extremely low income" means an income that is equal to or less than 30 percent of
117.13 the area median income, adjusted for family size, as estimated by the Department of Housing
117.14 and Urban Development.

117.15 (e) "Micro unit" means a mobile residential dwelling providing permanent housing
117.16 within a sacred community that meets the requirements of subdivision 4.

117.17 (f) "Religious institution" means a church, synagogue, mosque, or other religious
117.18 organization organized under chapter 315.

117.19 (g) "Sacred community" means a residential settlement established on or contiguous to
117.20 the grounds of a religious institution's primary worship location primarily for the purpose
117.21 of providing permanent housing for chronically homeless persons, extremely low-income
117.22 persons, and designated volunteers that meets the requirements of subdivision 3.

117.23 Subd. 2. Dwelling in micro units in sacred communities authorized. Religious
117.24 institutions are authorized to provide permanent housing to people who are chronically
117.25 homeless, extremely low-income, or designated volunteers, in sacred communities composed
117.26 of micro units subject to the provisions of this section. Each religious institution that has
117.27 sited a sacred community must annually certify to the local unit of government that it has
117.28 complied with the eligibility requirements for residents of a sacred community in this section.

117.29 Subd. 3. Sacred community requirements. (a) A sacred community must provide
117.30 residents of micro units access to water and electric utilities either by connecting the micro
117.31 units to the utilities that are serving the principal building on the lot or by other comparable
117.32 means, or by providing the residents access to permanent common kitchen facilities and
117.33 common facilities for toilet, bathing, and laundry with the number and type of fixtures

118.1 required for an R-2 boarding house under Minnesota Rules, part 1305.2902. Any units that
118.2 are plumbed shall not be included in determining the minimum number of fixtures required
118.3 for the common facilities.

118.4 (b) A sacred community under this section must:

118.5 (1) be appropriately insured;

118.6 (2) have between one-third and 40 percent of the micro units occupied by designated
118.7 volunteers; and

118.8 (3) provide the municipality with a written plan approved by the religious institution's
118.9 governing board that outlines:

118.10 (i) disposal of water and sewage from micro units if not plumbed;

118.11 (ii) septic tank drainage if plumbed units are not hooked up to the primary worship
118.12 location's system;

118.13 (iii) adequate parking, lighting, and access to units by emergency vehicles;

118.14 (iv) protocols for security and addressing conduct within the settlement; and

118.15 (v) safety protocols for severe weather.

118.16 (c) Unless the municipality has designated sacred communities meeting the requirements
118.17 of this section as permitted uses, a sacred community meeting the requirements of this
118.18 section shall be approved and regulated as a conditional use without the application of
118.19 additional standards not included in this section. When approved, additional permitting is
118.20 not required for individual micro units.

118.21 (d) Sacred communities are subject to the laws governing landlords and tenants under
118.22 chapter 504B.

118.23 Subd. 4. Micro unit requirements. (a) In order to be eligible to be placed within a
118.24 sacred community, a micro unit must be built to the requirements of the American National
118.25 Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical
118.26 systems, and fire and life safety. A micro unit must also meet the following technical
118.27 requirements:

118.28 (1) be no more than 400 gross square feet;

118.29 (2) be built on a permanent chassis and anchored to pin foundations with engineered
118.30 fasteners;

- 119.1 (3) have exterior materials that are compatible in composition, appearance, and durability
 119.2 to the exterior materials used in standard residential construction;
- 119.3 (4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in
 119.4 ceilings, as well as residential grade insulated doors and windows;
- 119.5 (5) have a dry, compostable, or plumbed toilet or other system meeting the requirements
 119.6 of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other
 119.7 applicable rules;
- 119.8 (6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as
 119.9 applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard,
 119.10 current edition;
- 119.11 (7) have minimum wall framing with two inch by four inch wood or metal studs with
 119.12 framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels,
 119.13 with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square
 119.14 foot; and
- 119.15 (8) have smoke and carbon monoxide detectors installed.
- 119.16 (b) All micro units, including their anchoring, must be inspected and certified for
 119.17 compliance with these requirements by a licensed Minnesota professional engineer or
 119.18 qualified third-party inspector for ANSI compliance accredited pursuant to either the
 119.19 American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.
- 119.20 (c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain
 119.21 any permits or inspections required by the municipality or utility company for that connection.
- 119.22 (d) Micro units must comply with municipal setback requirements established by
 119.23 ordinance for manufactured homes. If a municipality does not have such an ordinance, micro
 119.24 units must be set back on all sides by at least ten feet.
- 119.25 **EFFECTIVE DATE.** This section is effective January 1, 2024.
- 119.26 Sec. 58. Minnesota Statutes 2022, section 572B.17, is amended to read:
- 119.27 **572B.17 WITNESSES; SUBPOENAS; DEPOSITIONS; DISCOVERY.**
- 119.28 (a) An arbitrator may issue a subpoena for the attendance of a witness and for the
 119.29 production of records and other evidence at any hearing and may administer oaths. A
 119.30 subpoena must be served in the manner for service of subpoenas in a civil action and, upon
 119.31 motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the
 119.32 manner for enforcement of subpoenas in a civil action.

Office of the Revisor of Statutes

SF 3035 Status in the Senate for the 93rd Legislature (2023 - 2024)

Current bill text: [4th Engrossment](#)
 Add SF 3035 to MyBills
 Version List
 Long Description

Companion: [HF3028](#)
 Companion Text
 House Search
 Committee Hearings and Actions

Revisor number: 23-02739
 Session Law Chapter: 53
 Senate Counsel & Research Summary
 Fiscal Notes

Description

Omnibus Jobs, Economic Development, Labor, and Industry appropriations

Authors (2)

[Champion; Mohamed](#)

House Authors (2)

[Hassan; Xiong](#)

Actions

Separated Chronological

Senate

03/22/2023	Introduction and first reading	pg. 2200 Intro
03/22/2023	Referred to Jobs and Economic Development	
04/03/2023	Author added Mohamed	pg. 3006
04/11/2023	Comm report: To pass as amended and re-refer to Finance	pg. 3727a 1
04/11/2023	Rule 12.10: report of votes in committee	pg. 3810
04/13/2023	Comm report: To pass as amended	pg. 4811a 2
04/13/2023	Second reading	pg. 4954
04/14/2023	Special Order: Amended	pg. 5106 3
04/14/2023	Third reading Passed	pg. 5129 vote: 35-31
04/25/2023	Returned from House with amendment	pg. 5878
04/25/2023	Senate not concur, conference committee of 5 requested	
04/26/2023	Senate conferees Champion; McEwen; Mohamed; Hauschild; Gustafson	pg. 6084
04/27/2023	House conferees Hassan; Xiong; Nelson, M.; Berg; Olson, L.	pg. 6542
05/15/2023	Conference committee report, delete everything	pg. 7922c
05/15/2023	Motion to reject CC report, did not prevail	pg. 8149 vote: 33-34

05/15/2023	Point of order pertaining to Jt rule 2.06, put to the body	pg. 8149
05/15/2023	Point of order well taken	pg. 8150 vote: 55-9
05/15/2023	Returned to Conference Committee	pg. 8150 vote: 56-8
05/16/2023	Conference committee report, delete everything	pg. 8220 4
05/16/2023	Motion to reject CC report, did not prevail	pg. 8447 vote: 33-34
05/16/2023	Senate adopted CC report and repassed bill	pg. 8448 vote: 34-32
05/16/2023	Third reading	pg. 8448 vote: 34-33
05/17/2023	House adopted SCC report and repassed bill	pg. 8921
	Presentment date 05/23/23	

House

04/17/2023	Received from Senate	pg. 5323
04/17/2023	Senate file first reading, referred to <u>Ways and Means</u>	pg. 5324
04/20/2023	Committee report, to adopt as amended	pg. 5749a
04/20/2023	Second reading	pg. 5877
04/20/2023	House rule 1.21, placed on Calendar for the Day Monday, April 24, 2023	pg. 5880
04/24/2023	Amended	pg. 6784a
04/24/2023	Point of order raised, ruled well taken	pg. 6786
04/24/2023	Amended	pg. 6787a
04/24/2023	Point of order raised, ruled well taken	pg. 6799
04/24/2023	Third reading as amended	pg. 6799
04/24/2023	Bill was passed as amended	pg. 6800 vote: 69-61
04/26/2023	Senate refuses to concur, conference committee of 5 requested	pg. 7099
04/26/2023	Senate conferees Champion; McEwen; Mohamed; Hauschild; Gustafson	pg. 7100
04/26/2023	House accedes, conference committee of 5 to be appointed	pg. 7100
04/26/2023	House conferees Hassan; Xiong; Nelson, M.; Berg; Olson, L.	pg. 7138
05/16/2023	Senate adopted conference committee report, bill repassed	pg. 8277 vote: 34-33
05/16/2023	Conference committee report, delete everything	pg. 8277c
05/16/2023	Motion to adopt conference committee report	pg. 8470
05/16/2023	Motion to return bill to conference committee	pg. 8471
05/16/2023	Motion did not prevail	pg. 8471 vote: 61-68
05/16/2023	Motion to adopt conference committee report question recurred	pg. 8471
05/16/2023	Motion prevailed	pg. 8471 vote: 68-61
05/16/2023	Third reading as amended by Conference	pg. 8473

05/16/2023 Bill was repassed as amended by Conference

pg. 8473 vote: 70-61

Presented to Governor 05/23/23

Governor approval 05/24/23

Chapter number 53



MISSION

We are claimed, gathered, and sent to build the Church and love the World.

VISION

Our vision is for a vibrant community that seeks a transformational relationship with God, our neighbors, and one another, while responding authentically, creatively, and justly to the most compelling needs of our community.

VALUES

- We welcome all of God's children through open doors to be in **RELATIONSHIP** with one another and with God in ever deepening ways.
- We respond with **GENEROSITY** to the world, reflecting the abundance of God's love present in our lives and made available to all.
- **CARING** for each other, our neighbors and all of God's creation as we are inspired to offer genuine compassion and love.
- We nurture the **FAITH** given to each of us, listening for how God's story informs our own and practicing our response.
- We are always **LEARNING**, remaining curious about God's ever-changing world and our place within it.

STATEMENT OF WELCOME

Prince of Peace Lutheran Church commits to live as a community of people seeking reconciliation and wholeness in our lives together and in our outreach to the world. We also commit to the work of anti-racism, liberation, social and environmental justice for all of God's beloveds. We affirm the sacredness of people of all sexual orientations, gender identities, and gender expressions; the sacredness of all those who have experienced exclusion because of race, ability, age, religious belief, or culture; the sacredness of those who wrestle with addiction, physical or mental health, imprisonment, socio-economic circumstances, or anything that too often divides us. You are absolutely invited to join us in this lifelong journey. We welcome all who are seeking God's love and grace. We need each other and our sincere hope is by being in community together we will know the Kingdom of God in Christ has come near.



Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, April 24, 2023

1. Roll Call

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Strahan, Etten, Schroeder, Groff, and Roe. City Manager Patrick Trudgeon and City Attorney Rachel Tierney were also present.

2. Pledge of Allegiance

3. Approve Agenda

Councilmember Schroeder requested removal of Item 10b (Approve St. Paul Regional Water System (SPRWS) Contract Amendment No. 3) from the Consent Agenda for separate consideration.

Etten moved, Groff seconded, approval of the agenda as amended.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

4. Public Comment

Mayor Roe called for public comment by members of the audience on any non-agenda items. No one appeared to speak.

5. Recognitions, Donations, and Communications

a. Proclaim Asian American and Pacific Islander Heritage Month

Mayor Roe read the Asian American and Pacific Islander Heritage Month Proclamation.

Strahan moved, Etten seconded, proclaiming May 2023 Asian American and Pacific Islander Heritage Month.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

b. Proclaim Mental Awareness Month

Mayor Roe read the Mental Awareness Month Proclamation.

Groff moved, Schroeder seconded, proclaiming May Mental Awareness Month.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

c. Proclaim Older Adults Month

Mayor Roe read the Older Adults Month Proclamation.

Etten moved, Schroeder seconded, proclaiming May Older Adults Month.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

d. Proclaim Poppy Days

Mayor Roe read the Poppy Days Proclamation.

Schroeder moved, Groff seconded, proclaiming May 19, 20 and 21, 2023 Poppy Days.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

e. Recognize Out-Going City Commissioners

Assistant City Manager Rebecca Olson introduced the out-going City Commissioners.

Mayor Roe and the City Council recognized out-going City Commissioners:

Finance Commission: John Murray and Sandra Klein-Hegge

Human Rights, Inclusion & Engagement Commission: Keith Allen, Etienne Djevi, Paul Haas, David Sindiga

Parks & Recreation Commission: Greg Hoag and Michelle Lenhart

Planning Commission: Julie Kimble and Emily Leutgeb

Public Works, Environment and Transportation Commission:
Nancy Misra and Shane Spencer

Mayor Roe presented Parks & Recreation previous Commissioner and Chair, Greg Hoag, with a certificate of service.

6. Items Removed from Consent Agenda

- a. Approve St. Paul Regional Water System (SPRWS) Contract Amendment No.**
At the request of Mayor Roe, City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Councilmember Schroeder indicated she wanted this item considered separately because she wanted to make some comments. She knew that buying the City's water from the City of St. Paul is the only option but she did want to point out that St. Paul's rate on the base cost is going up fifty percent in the next five years. It is based mainly on St. Paul having some capital expenses that are coming and unlike Roseville, who tends to put money away in the Capital Fund to pay for these things over time, it appears that St. Paul did not do that. So the rates have to be raised more dramatically in a shorter period of time. She wanted to make sure that the residents are aware that it is because of that reason the residents' water bills have been going up and not so much what Roseville has been doing. Not only is the base cost going up but the water usage or the volume is also going up forty percent and again, that is because of the City of St. Paul. She explained the cost is going up steeply in the next five years, and it is because of the capital piece that St. Paul is looking for.

Mayor Roe noted this is not necessarily a surprise to City leaders and officials. The water utility was before the Council approximately a year and half to two years ago, introducing the council to the project that St. Paul Regional Water was looking to undertake at their facility. It is an important upgrade in terms of the ability to keep the water clean and safe for everyone to drink. He explained the City of St. Paul is financing the project through bonds, and it is the cost to pay back the bonds that is the primary contributor to the change in rates.

Public Comment

Mayor Roe offered an opportunity for public comment with no one coming forward.

Groff moved, Strahan seconded, adoption of Resolution No. 11978 entitled, "Resolution Approving Amendment No. 3 to Contract for Water Services Between the Board of Water Commissioners of the City of St. Paul and City of Roseville, Minnesota."

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.
Nays: None.

7. Business Items

a. Convene as the Board of Appeals

- a.i. Consider an Extension of the May 5, 2023, Compliance Date for Removal of Two "Micro-Units" at 2555 Victoria Street N**
City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Chair Roe clarified the interim use conditions in the Resolution with staff.

Mr. Trudgeon explained from the staff's perspective, they did not feel that the interim use process can be supported if there is no State Law change. If there is a State Law change, then discussion can begin about the terms of the interim use based on the criteria. If the law did not pass, he thought staff has to look at that a little bit differently, given there is no ability for them to deviate from State Law, State Building Code, and City Code without lots of changes into their Code, as well as the State Building Code. If all of the conditions are not met, then the stay would end, and enforcement would begin.

Boardmember Strahan asked who the open house is for and who will be advertised in that because clearly, where that is, there are no other homes directly within the five-hundred-foot radius.

Mr. Trudgeon explained as a part of the interim use process, it is required under the Code for the proposer to hold an open house. He reviewed the open house protocols the City takes to communicate to surrounding residents.

Boardmember Strahan asked if people outside of that area were welcome to attend and have a voice involved with that.

Mr. Trudgeon indicated anyone can attend the open house.

Boardmember Etten explained in the proposed Legislation, there are a number of Building Code and Safety pieces to that. He wondered if staff could report on what is in place, just based on what the units are right now and what needs to still be done. He noted it is really under the proposed Legislation, Subdivision 4.

Mr. Trudgeon stated his understanding that not much of anything proposed in the legislation has been met currently as of today. He would say there is a provision for water and kitchen facilities that can be on adjacent properties, which is listed in Legislation, and what has been used to date in the current situation. But as far as anchoring, meeting certification for electrical and insulation and all of those things, that has not occurred. As noted in the submittal requirements, Prince of Peace, are working on a schedule and will submit it by June 2, 2023 as a part of their Interim Use on their schedule to get those improvements made. He also knew there have been ongoing conversations as recently as today with Settled and Contractors with the City's Building Official and Community Development Director about attempting to meet those standards and those conversations are ongoing.

Boardmember Etten asked if the insulation and wall structures are not for sure right now.

Mr. Trudgeon indicated he was not sure staff understands what is there because it has not been inspected and something staff would need to verify throughout the process.

City Building Official Dave Englund explained the City has not received anything specific to the construction of these units. Staff is waiting to see if these are in line with the proposed Legislation, if those standards have been met, and staff has been told that it would be coming.

Boardmember Groff asked if the way this is written those requirements would have to be met before the Interim Use would be approved.

Mr. Englund indicated that was correct.

Boardmember Strahan explained in the definition of a Sacred Community, it indicates providing permanent housing for chronically homeless persons and the last time they spoke there was uncertainty on the part of the church that this was a permanent situation. The church was still looking at this as temporary and had not decided so that is definitely an area of concern. She wondered if staff has heard anything to the contrary or if these conditions were met, would that constitute what is deemed a permanent structure.

Mr. Trudgeon explained it could potentially be considered permanent if the State Law passed. It is currently not considered permanent until the law has passed and up until then, it does not meet the Code requirements for permanency for residents.

Boardmember Etten asked if there was any clarity from the public safety folks about meeting the access requirements for emergency vehicles.

Mr. Trudgeon explained the Fire Department and Police Department are aware of the units and he has not heard any concerns expressed but that is something that would be looked at very thoroughly as a part of the Interim Use process.

Boardmember Strahan asked where the RV that is located on the church property but has not been mentioned in any of this, fall into any of this, as far as permanent housing, semi-permanent housing. She also asked where the City stands because at the time when this was last reviewed, the RV was seen as a couple day use. But it has been months now and continues to be there. She wondered if that is figuring into the greater evaluation of the housing on this lot.

Mr. Trudgeon thought that was a separate matter.

Chair Roe recalled from past discussion that the City does not necessarily regulate the private parking of RVs on property.

Mr. Englund indicated that was correct, not on commercial property.

Mr. Michael Stetzler, Prince of Peace Congregational President and Mr. Steve Smith, member of the Prince of Peace congregation and Chair of Campus Planning Task Force, addressed the Board about the proposed Interim Use extension.

Chair Roe asked if there was any urgency in moving forward with providing some sort of emergency toilet facility in the units if the access to the church is not fast enough.

Mr. Stetzler explained there are discussions and plans under way to come up with options, as described in State Legislation, to provide a drier compostable toilet in the facilities. There is no plan to plumb these at the present time, it is not required in State Law, and access to the plumbing inside the church building is quite sufficient now, according to the residents.

Public Comment

Chair Roe offered an opportunity for public comment with no one coming forward.

Groff moved, Roe seconded, adoption of Resolution No. 11977 entitled, "Resolution documenting the conditions recommended by staff related to approving the extension."

Council Discussion

Boardmember Groff thanked staff, the congregation, and their leadership for working together on finding something that will go forward. He thought moving forward as described in the information is the right way to go. He also thought the stipulations would help everyone in this case.

Boardmember Strahan indicated she supported the adjustments made knowing that the State is moving forward but she wanted to make sure that the parameters set forward are fulfilled. She was concerned about making sure that the City especially look into the water and such since some of the reports the City originally had were that the folks were using kitty litter in their units. Whether or not that was true, she wanted to make sure they are providing a location that is humane for people as well. She thought as long

as they follow the timeline and if by chance the State does not move forward, the City can address that then.

Boardmember Etten indicated he did have some concerns with the motion and was not sure how to vote yet, but the Board is being asked to essentially reverse its decision from six weeks ago. Clearly, the biggest thing that has changed is the State has moved forward with legislation and it looks like it may pass, which would change the game, is very important, and a part of his decision making. The proposed legislation would allow something similar to but not exactly what is happening there. At this point, the City Council has no more conclusive changes or improvements to the conditions of the people living in those units. Inspections and upgrades have not been done. It is all proposed and is going to happen in the future. For him, his hesitancy is that the City does not have anything to hold onto right now. He has real concerns about the safety and the health of the folks living in those units and is allowing them to continue without any of those changes in any definitive time frame, suggested time frames but nothing firm. He was concerned that was an important concern for the City Council to have. It should be noted that the resident was offered permanent housing that meets current Code and chose to not take that housing twice. He thought that was another important piece because this is not putting someone out on the street. This is someone who has been offered safe, affordable housing and has chosen a different path so the City has to think about that.

Boardmember Schroeder explained she does have some concerns as well when it comes to what has been done, noting that since this came before the City previously, it seems like the timeline is a little longer than she is comfortable with. She noted some things that could have been worked on a little more rigorously since the last time the Board met, which was a little concerning to her. She thought Boardmember Etten made a good point, the City did offer housing twice. She thought if the person would have taken that it would have solved the problem because then there is not someone living there and it would have bought more time because there would be no one living there. She had concern as to whether the existing housing units met the insurance requirements in the proposed State law because not having insurance was a great risk to those involved. She was also very aware of the Legislation coming down from the State and their outlines so to her, that was the piece that could be a game changer but that will not become a law until 2024 so there are a lot of things that need to be done long before that becomes law. She was glad staff put the conditions in there and felt those conditions were good.

Chair Roe explained he did not disagree with concerns of the Boardmembers and agreed with some of them. He thought in practical

terms, if there is an Interim Use approved, that approval would apparently be by the end of the stay of enforcement, which would be July 30th, and provide for five months of the Interim Use being in effect before the law goes into effect. He thought that helped in terms of some concerns that have been raised. He supposed as a condition of extending the enforcement, the Board could decide to include a condition for time frame on other things but he was not sure completely how that might work and what kind of authority the City would have to do that so he would defer to the City Attorney if the Board wanted to look into that. He did believe that the State Law was the game changer in this because it is actually doing something that cities do not like the State to do, which is to actually supersede local control over these types of issues. Given the fact that there is a State Law under consideration and that the City has some processes in place that can ultimately put some of these requirements into place for people, it gives him more hope in terms of supporting this. He completely understood the notion that there would be a lot less pressure on the process if the homes were not occupied and that was a part of the objective of the approach the Board took at the last meeting. Circumstances do change and understanding of the ground around them certainly can become clearer and is part of his change in thinking towards supporting the Resolution.

Mr. Stetzler explained the units and the residents have been fully insured since the inception of the project. Prince of Peace carried the insurance before anyone moved in. Secondly, with respect to offering other housing, he explained this approach to homelessness is based on community first or full community. It is not just a house, it is a full community and what the City is asking them to do is too sever the familial relationship, at this point, relationships that make this work. That is why Prince of Peace is so adamant about this being a faith-based project. The church provides community. Another house, someplace in St. Paul is not that community.

Boardmember Groff thought the Board and City needed to remember that just because something is offered, people have a choice. He thought that as a governing body to just say the person was offered something and should have taken it, is not giving the person the correct respect in this situation.

Chair Roe thought the thing everyone is concerned about is the quality of life of individuals that are being provided housing, whether it is in Roseville or anywhere else. He did know that some of the offerings that may be out there for temporary shelter or others may not be as desirable and may not have the same kind of support built in. The City has to weigh that against the issues of safety, health, and those things for the residents because the City does not want to be in the position of supporting something that is not adequate in addressing people's needs. He thought it was fair to say that in the interim period- between today and any approval

of an Interim Use for the site, the City is not going to be completely satisfied in that regard. If the Board goes ahead with this motion, he thought that should be acknowledged. The ultimate goal is once again to have completely safe, completely healthy, and completely dignified and appropriate housing for every individual.

Boardmember Etten acknowledged everything Chair Roe said and indicated he understands there are different forms of housing and they want to make sure to be respectful of that. He appreciated the concept behind the Sacred Settlement and creating a broader home community, addressing health and safety are other things. He did not want to push anyone's timeline yet there is a health and safety issue right now and that is his concern, as a governing body that the City does have to balance these things. He noted that sometimes, the City has to do one thing to make sure everyone is safe until the other processes go through.

Boardmember Schroeder appreciated the applicant answering her questions regarding insurance and she absolutely understood the value of community. That is the thing to have to help people, no matter what the issues are, mental health, homelessness, whatever, so the community piece is very important. She explained the City is trying to balance with the zoning regulations that have been put in their charge to enforce. She thought it was good that staff are collaborating with the applicant to ensure that things move forward. She also thought, for herself, once the church gets to its process of deciding if this is the route Prince of Peace wants to take, that will make things much cleaner and easier moving forward.

Roll Call

Ayes: Strahan, Schroeder, Groff, and Roe.

Nays: Etten

a.ii. Adjourn Board of Appeals & Reconvene as the City Council

Recess

Mayor Roe recessed the meeting at approximately 7:03 p.m., and reconvened at approximately 7:08 p.m.

b. Review and Consider an Ordinance Amending City Code Chapter 309: Massage Therapy

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Mayor Roe thought it was important to note the City has general transfer language for all licenses in the City Code already. He indicated that to him, the provisions

for transfer that might be specific to particular licenses is if there are provisions beyond what is just the general requirements in the General Transfer section.

Councilmember Schroeder indicated under 309.6, it talks about the valid photo and then specifically it states, "police officer". She wondered if it should say "police officer or City staff". She asked if it would be possible there might be someone other than a police officer going in and asking for the information.

Mr. Trudgeon explained that was not a bad suggestion; staff was just replicating the existing language. He thought "or other representative of the City", might be a better term to use instead of "City staff", if the Council wanted to cover everything.

Councilmember Schroeder stated all of the amendments made by staff made sense to her.

Councilmember Etten explained in 309.6A, "on the premises at which therapist is employed", is talking about where this license needs to be put and it was brought up by public comment as well as his thoughts on this, that posted could be considered a public place. But, he wondered if the following language could be added on line 235 "...in public view on the premises at which the therapist is employed".

Councilmember Strahan indicated she had a question about the 8 a.m. start time and if there was something specifically that made the start time 8 a.m. because some doctors office open at 7 a.m.

Mr. Trudgeon explained there is no reason for the time other than replicating what was in the Code before and the restrictions. The same span of hours were kept. He thought maybe 8 a.m. is more office hours but understood her point about the medical situation.

Councilmember Strahan asked if staff has found any more information about where the State is related to massage therapist licensing.

Mr. Trudgeon explained he did not check today but last week, there still was not a committee hearing scheduled. He thought it is probably not going to be put in the Omnibus bill. He was tracking the Omnibus bill and did not see it in there either so right now, staff did not expect it to pass in this session.

Mayor Roe explained another item brought up by the public comment was the six hundred hours training and whether that needed to be at a single institution so the Council may want to think about that to discuss.

Public Comment

Mayor Roe offered an opportunity for public comment.

Mr. SchaOn Blodgett, South McCarrons Boulevard

Mr. Blodgett explained he has a private practice in Little Canada. He has been in this industry for over fourteen years and has over two decades of education in this field. He is currently the chair of the advisory board for the Integrative Health and Healing Degree Program at Anoka Ramsey Community College and he has also taught Natural Health classes at Normandale College, been on the Editorial Board for Yoga Magazine and a columnist for Natural Awakenings Twin Cities. He stated the following opinion are his personal opinions and he is not representing any organization. He noted he sent an email, and noted it was important that some things that could fall under massage, detailed in his email, might be First Amendment Right violations as there are many spiritual, cultural, and religious practices not being acknowledged or allowed so far under the City Code without having an artisan license. Some other issues with the proposed law changes in 309.03 does not allow for naturopathic doctors, which are registered, not licensed, in the State of Minnesota or traditional naturopaths to utilize massage techniques even though this is completely within their scope of practice. Under 309.06b, the City requiring a massage therapist to produce a photo ID upon demand by a police officer, yet, two things, would that not be a violation of the Fourth Amendment unless the officer has a reasonable suspicion of a crime. Next, it is very common knowledge that minorities are told over and over again and coached not to show an ID to an officer.

Mr. Blodgett asked why the City is even burdening the Roseville Police Department with enforcing this when massage therapy is already regulated under Minnesota Statute 146a. That law actually offers more consumer protections than the current or proposed Roseville law. In the State Regulation, practitioners must provide a client bill of rights, detailing educational background, giving more credibility than any license would and how to report complaints to the Minnesota Department of Health. The State Law already outlines personal interactions in that clients have the right to expect courteous treatment free from verbal, physical or sexual abuse. He asked if it was fiscally responsible for the City to be burdened with the expense of this when it already has that provided on the State side. The City Code is meant to have a strict enforcement of massage yet does not actually meet that objection. Some things that could be added are things that Minneapolis has done on the business licensure sign. Things like requiring a site plan, a business plan, bank records with explanation of source of funds, tax records, information on each partner in the business, samples of advertising materials and more. Those are things that are used to detect possible issues of human trafficking and prostitution, not included in the Roseville City Code. Additionally, Minneapolis does not place any unneeded burdens on the therapists and on 146a to regulate the therapist's side as it likely does not meet the criteria of regulation of Minnesota Statute 214.001 subdivision 2, paragraph one and three and hence likely why it has not been licensed on the State side for the last twenty plus years that it has been attempted. It has

failed the test every time on the State side, and it seems the State finds that the 146a is more effective. As such the Roseville City Code seems to attempt to preempt and does not compliment or further the law but ignores and conflicts with 146a, which does, in fact, regulate massage Statewide.

Ms. Jennifer Cunningham, 2191 Snelling Avenue North

Ms. Cunningham explained she is a sole establishment proprietor and questioned if she was using her establishment personally and need to hire in someone else to work so she could do an offsite massage, would she be able to hire someone out to do that? She indicated she has clients now that are no longer able to come in to see her because they are elderly and still want to have massage so she wondered if she will be able to take care of these clients off site or in hospice. If this passes, she is afraid she will not be able to do massage off site.

There were no other commenters, so Mayor Roe closed the public comment and turned discussion over to the Council.

Mayor Roe explained anyone performing massage therapy in Roseville would need a massage therapist license from the City so hiring any additional people or bringing someone in to cover would need to be licensed as well. He thought the Council would have to talk about medically directed massage therapy. He noted if a therapist is already regulated to do medically directed massage therapy, the person should be able to continue to do that. He thought the City did want to restrict the provision of commercial massage therapy for non-medical purposes to massage therapy establishments and if the primary purpose of that is otherwise, it becomes very difficult to regulate that activity.

City Attorney Tierney stated this was a better question for a doctor, but she believed if a doctor were to prescribe a massage, whether it be for rehabilitation or mental health or comfort and at the direction of a doctor, it would meet the requirements of the Ordinance.

Councilmember Schroeder thought they needed to be careful with just saying "a doctor", it should be "a medical doctor", because with hospice there might be a nurse practitioner.

Mayor Roe indicated that is already addressed in the language.

Councilmember Schroeder indicated she just wanted to clarify that.

Mayor Roe explained he talked to City Attorney Tierney about MN Statute 146a, naturopathic type practitioners, and he asked her to review this, where the City is at regarding this, and where reference needs to be made in the City licensing scheme.

City Attorney Tierney reviewed the State role regarding Statute 146a in regard to City regulations, indicating her belief that City regulations as they exist and are proposed do not conflict with the provisions of chapter 146A.

Mayor Roe explained it was brought up about a possible violation with the First Amendment. He explained he presumed that if massage is not being offered for sale under the First Amendment, that probably does not require a license anyway because the City is regulating a commercial activity. But in the other sense, he wondered if there was concern here with respect to First Amendment type massage.

City Attorney Tierney explained it is hard for her to answer such a general question. She stated that even under the First Amendment, when talking about expressive activity and City regulation, it starts at the beginning, which is what expression it is and what is the context of that restriction. She explained it needed to be found out whether this would be some sort of a time, place, and matter restriction because she was pretty sure massages do not take place in a traditional public forum. To the extent that they did take place in a traditional public forum, under where the venue is, the City could still regulate with sufficient reasons. But, she did not think the City is regulating the forum. Rather, she thought the City was regulating in its police power, as a health regulation and in general, First Amendment activities are not implicated. That said, provided that the City did not enforce, intentionally, a regulation to limit speech, she thought the City would be okay, noting that will be something that needs to come to them and to be looked at for the particular situation. She explained that such a general statement is hard to speak to directly.

Mayor Roe believed that while the Fourth Amendment protects unreasonable search and seizure, as a part of the City's policing powers for health and safety, the exchange with the people who get the licenses is that licensees can be required to provide that information as a condition of the license.

City Attorney Tierney confirmed that was correct and the reason is to make sure that the individual who engaged in the license activity at that moment was the individual who is on the license.

Mayor Roe indicated the Council could decide if they want to add requirements that might be in other cities, licensing setups, and that can be done as part of this or at another time.

Councilmember Strahan explained her understanding was the City already has a licensing ordinance in place and the Council was just adjusting some of the licensing requirements.

Mayor Roe indicated that the City does already have a licensing scheme in place now.

Councilmember Strahan wanted to make it clear to the public that the regulations are already in effect and the Council is just adjusting and making amendments to an existing structure within the City.

Mayor Roe explained the Council talked about changing exception number two in 309.03 and he thought there was still a bit of a problem with it, which is the reference to being licensed by the Board of Medical Practice. That is because when looking at the different types of practices that are listed, these are actually licensed by specific boards for those practices, such as physical therapy. He was double checking the language in State Statute about that because he wanted to be sure. He thought the Council may want to change it to say something to the effect of "licensed by a State Board governing the medical practice", and then may actually want to look at actual listings of specific practices.

Councilmember Strahan asked if it should say "a Minnesota State Board" as opposed to just "a State Board".

Mayor Roe thought because the City was in Minnesota that would be apparent, but he deferred comment to City Attorney Tierney.

City Attorney Tierney thought when she wrote this, the other licenses all fell into the Department of Health, which is the issuing authority. But for medical doctors, it is actually the Board of Medical Practice and that is why she singled out the Board of Medical Practice.

Mayor Roe liked the fact that the practices are still listed.

Mr. Trudgeon indicated he meant to remove those when he made his edits. He noted Attachment C, which is the clean version, does not have practices listed.

Mayor Roe thought the notion of striking out the requirement that the treatment be administered on the premises of a medical or health business, which is under the City's exemptions, does not seem to allow that exempted behavior to happen in people's homes. He asked if the Council was okay with striking out that it has to be on medical premises.

The Council agreed to strike out that wording.

Mayor Roe summarized the changes during this discussion were that transfer was removed altogether and the Council wants to look at adding the wording "in public view", on 309.06a and on 309.06b, noting the Council could leave "police officer" in or replace that with "City enforcement official".

Mr. Trudgeon explained the wording could be that or "representative of the issuing authority or designee or City Police Department" in 309.06c.

Councilmember Etten indicated the wording should be changed in 309.06c to reflect the wording and then copied into 309.06b.

Councilmember Strahan asked, in light of City Attorney Tierney's comment about massage being performed in public, what about people in the middle of Rosedale Mall providing massage.

Mayor Roe explained that was specific to the First Amendment aspect.

Councilmember Strahan indicated she understood that but asked if those folks are held to any of those requirements.

Mayor Roe explained if there is a kiosk in the mall providing massage service then they need to be licensed by the City and would have the same requirements.

Mr. Trudgeon indicated such a business is licensed.

Schroeder moved, Etten seconded, enactment of Ordinance No. 1631 entitled, "An Ordinance Amending Title 3 Chapter 309 of the Roseville City Code to Amend Requirements for Massage Establishment and Massage Therapist Licenses" as amended in the discussions made by Council.

Roll Call

Ayes: Willmus, Strahan, Etten, Groff and Roe.

Nays: None

Groff moved, Schroeder seconded, publication of Summary Ordinance No. 1632 entitled, "Approving Publication of an Ordinance Summary of the Amendment to Title 3, Section 309 of the Roseville City Code in Order to Amend Certain Requirements for Massage Establishment and Massage Therapist Licenses".

Roll Call (Super Majority Required)

Ayes: Willmus, Strahan, Etten, Groff and Roe.

Nays: None

c. Discuss Commission Interview Process

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Mayor Roe thought it might make sense to organize the discussion around the different steps taken during the interview process. He indicated the first step is the application process then the interview process as well as sub steps within that. He

thought it made sense to have a separate application for reappointment that specifically gets to questions that relate to reappointment.

Mayor Roe asked if there was any objection to looking at a separate application procedure for reappointment.

The Council agreed with that.

Mayor Roe suggested using the questions that were used during the interview process for reappointment. He thought it would be appropriate if staff drafted a reappointment application and brought that back to the Council for approval.

Councilmember Strahan stated it would be nice for the reappointment application to have separate questions, shorter questions, and speak to what the applicant learned or highlight accomplishments.

Councilmember Schroeder indicated while looking at the procedure statement of reappointments in the document, it says that if the person wants to reapply, those most recent applicants being longer than three years will be asked to submit a new application. She wondered what would happen if the person only served two years.

Mayor Roe thought this could be amended. He also thought the application process related to if there are not two times the number of openings worth of applicants could be amended. He noted there is always the option to not reopen the position, but he wondered if it made sense to relook at the policy and maybe amend it to be instead of two times the number of applicants, to be two more than the number of vacancies. He wanted to give the Council some more flexibility instead of always feeling boxed in and thought that slightly relaxing the standard might make sense.

Councilmember Etten felt that the Council has the discretion to do that, if needed. He indicated he was not ready to get into special calculations or anything like that.

Mayor Roe asked if there were any comments on the front end of the process.

Councilmember Etten would like to see questions within the application itself for new Commission applicants that have changed from a year ago. He noted there was a question in the application before that was very helpful to him when people were answering it. He would like to look back and compare those.

Councilmember Strahan explained she would also appreciate having input from Assistant City Manager Olson on the application process as far as making sure the questions would be appropriate to ask a job applicant. There are certain things in a job application that should not be asked because that information could be seen as discriminatory if the person was not selected. She would like to make sure that the

City is being respectful and asking best practice questions in the application process.

Mayor Roe explained the only other thing related to the application process is if the Council wanted to look at any kind of change to the policy as it relates to the process to interview reapplication people. He asked if the Council wanted to look at any of that process.

Mr. Trudgeon explained his only comment is that if interviewing re-application candidates is done at that stage, it can be fairly disruptive to get everybody together. If the Council thinks they want to occasionally do that, maybe make that automatic so staff can build it into the process. He always goes back to the "why", why would the City want to do it or not do it.

Councilmember Groff explained the reason why he would want to do it is because as a Councilmember, he values these people's opinions, and the Council does not have very much interaction with them. It is his one chance in two or four years to connect with them and also give the Commissioner the chance to talk to the Council one-on-one about their experiences while on the Commissions. He did not think it would take that much longer, noting it went pretty smoothly this time.

Councilmember Etten agreed and thought there could be value to that, but he did not personally want to make it automatic as a part of the City Code.

Councilmember Groff agreed with the point of not having it automatic.

Councilmember Schroeder thought it was helpful to talk to the people as well, but she wanted to be sensitive to letting people know why the Council is doing it. She did not want the Commissioners to feel like the Council was looking to replace them.

Councilmember Strahan thought it was easier to ask everyone to come back and reinterview rather than one or two people because then those people will wonder why the Council wants to interview them for the position and feel singled out.

Council consensus was therefore not to change the policy related to interviewing applicants for re-appointment as it is currently written.

Mayor Roe indicated the next step is the interview process. He asked for thoughts from the Council.

Councilmember Etten explained one of the recently used potential interview questions was: "what do you believe should be the focus of the Commission", noting ideally there is already a scope for the Commission so the Council is not really asking that but rather something along the lines of "what part of the work this

Commission most excites you or do you feel you can contribute to the most". He suggested something along those lines because it gets to the work of the Commission so people can show understanding of what that Commission does, maybe what the person is passionate about, and why the person would be doing that versus asking what the Commission should be doing. He appreciated the potential question list and felt that was good. He did not feel the Council should always be frozen by that but should start with that as the initial framing.

Councilmember Strahan agreed with Councilmember Etten in order to show their understanding. She thought it was nice to send out the information in advance to have a good understanding of what the Commission does. She noted one question that came up a couple of times that she thought was concerning was "how would you change..." because she did not want to usurp the leadership of the department heads and make it seem like somehow the Commissioners had an authority over staff to make changes that they could not actually implement.

Councilmember Schroeder thought part of this is when looking at the chapters that are written for each of the Commissions, some are not clear on what the Commission does. When someone does research on the Commission for the interview, the Council can see why some of the applicants' answers come across somewhat the way they are. She thought the City was going to think about recrafting how the descriptions are written.

Mayor Roe stated it was helpful to make sure the materials the City gives to the prospective applicants are as good as possible in terms of how it relates to the scope, duties, and functions of the Commissions.

Councilmember Etten thought the information given to the Commissioners is a tremendous improvement and so much better than what was available a year or two ago.

Mayor Roe thought the big question regarding the interview process is the where, how, and when. He wondered if the interviews should be live or recorded.

Councilmember Strahan explained she enjoyed being at Cedarholm, but it has a lot to do with her saying there are a lot of City spaces and an opportunity to go out into the spaces and be a part of them. She thought in that space, there is the opportunity for recording the interviews. She stated it has been good to pull the interviews out of the City business because it gives the individual more dedicated time than when on zoom. She appreciated the extra day outside of the Council meetings, liked having the interviews elsewhere, noting it reminds people that there are other City buildings.

Councilmember Schroeder liked the idea of doing the interviews separate from the Council meetings and thought it makes it less stressful. She did not like going to

the other locations and felt the atmosphere was loud, confusing, and the camera sitting in the open felt intrusive. She thought being at the Council Chambers would be better with everyone sitting at the table with more hidden cameras so the interviewee would be more in the environment that they would be doing if appointed and give them more of a flavor for that scene. She thought it seemed disrespectful to the applicants with all of the other stuff going on versus a quiet environment at City Hall. She also thought if the interviews could be done at City Hall, sitting at the table on a different day than the Council meetings, it would be ideal.

Mayor Roe liked the idea of having the interviews on a different night rather than on a Council meeting night. He thought the interviews could be held at City hall at the table to make a more welcoming and user friendly environment. There is also the technical ability to do the video and he thought the interview meetings should be live.

Councilmember Groff explained he did not have strong feelings one way or the other on the location. He did not have trouble with the noise in the other building and that a round table is better than a square one. He also thought the sound was better at City Hall and it is important to video tape the interviews because of City policy and also, he was not able to make one of the meetings and he was able to listen to it.

Councilmember Etten agreed with the discussion about having the interviews at City Hall and at the table for the reasons mentioned. He noted this is where the Commissions would do their work and the meetings would be recorded and online. If the person were interviewing for a job that would be different, but these are interviews for community-based commissions. He thought the city hall cameras were less intrusive than the ones that were set up at different locations.

Councilmember Schroeder explained the City is always talking about communication and being transparent and when talking about the Commissioners as ambassadors, the public needs to have the right to see who is applying so people who do not attend the meetings should be able to see the process and the interviews.

Mayor Roe noted staff could include a link to past interviews for the applicants to see how the process works and become familiar with it.

The Council thought that would be a good idea.

Mayor Roe stated the Council consensus was to have the interviews on a different night as well as bringing the interviews back to City Hall.

Councilmember Strahan stated one thing that would be really helpful is if the Chairs of the Commissions provide the Council with information sooner about their

people, as far as reappointment as that would help the Council decide if the person should be reappointed or not.

Mayor Roe explained there will be no changes to the appointment policy at this time. He recapped the follow up items for staff including applications, back for Council consideration of the draft, reappointment application, as well as looking at tweaking the new appointment application, looking at the previous one, and changing the interview process to City Hall but on a different meeting date than the City Council, and doing interviews live.

d. Discussion on City Commission Scope, Duties, and Functions

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Councilmember Etten thought some of the Commissions are feeling neglected and that they do not have a lot of work, or it is the wrong work, or the Commission could do the same work in six meetings rather than eleven or twelve meetings. He thought the City should look at ways to do this work in new ways. He would like to take this out to Commissions first to look at the scope, duties, and functions of each Commission to see how it fits, if it should be changed, and what recommended changes would the Commissions want. He would want each Commission to be a deep part of the process. He reviewed the time frame he came up with.

Mayor Roe thought this parallels the last meeting where the Council talked about looking at job descriptions and things like that for employees of the City. He noted there was an opportunity to match that with the Commissions. He also thought the three-month time frame worked well because the first month could be the first look at this with general thoughts and ideas, the second month could be refining it and brainstorming, and the third and final month would be putting it all together. He thought it would be helpful to give as much guidance to the Commissions and their staff liaisons as possible as to how this should proceed and what the end product ought to be with some broad parameters.

Councilmember Schroeder stated the Commissions are like having in-house consultants and auditors in a way, which can be powerful assets. But like any consultant or auditor, if the Council does not define the project and purpose, the City does not get the results the Council is looking for. She agreed with Councilmember Etten that the Council should let the Commissioners and Commissions come up with some ideas yet with that, the Council also needs to figure out what the City wants out of it. She asked what does the Council want the Commissions to advise them on. She would also like to see this be more of a universal way the City does this because some Commissions have a few pages for scope and duties, and some have a few sentences.

Councilmember Strahan thought the Council should take one of the Commissions' scope and duties that is written well and use it as a template. She agreed moving the start of this discussion back to the Commissions is the respectful thing to do. She thought it would also be helpful to hear from the Commissions' point of view and what the Commission thought would be an ideal number of members or an ideal number of meetings and how often the Commission should meet with the City Council. She saw this process as being a lot longer than three months. She thought this should allow three months for the Commissions to get the information back to the Council and at that point, the Council would synthesize and build from there so by Spring 2024 the new scope, duties, and functions would be ready to put into place.

Councilmember Groff stated all of the discussion was good and all the Commissions should be more standardized. He did not want to narrow down the descriptions of the scope, duties, and functions so specific that in five years there are questions as to why a Commission is doing what it states.

Mr. Trudgeon stated after listening to the conversation, it makes sense and is very clear to go back to the Commissions to talk about their role and scope and what the Commission is doing. He indicated after that process, staff will work on the Ordinance but his biggest concern is making sure the Council is clear on what is being asked of the Commission to do. He noted what will happen otherwise, is the staff liaisons will ask those questions and if staff does not understand what they are asking for, or if the question is very open, the Commission is going to struggle. He thought this was something that should come back to the Council with some very specific, written out questions or thoughts in order to have that conversation, and Ms. Olson and he can report back to the staff liaisons about what the Council is looking for.

Mayor Roe thought it might be helpful to have a Council subcommittee of a couple Councilmembers that can collaborate with staff to draft something up to bring back to the rest of the Council and go through it at the next discussion. He suggested Councilmember Etten, who brought this up, along with another Councilmember.

Councilmember Schroeder indicated she could help out.

Mr. Trudgeon indicated this item could come back to the May 15, 2023 meeting if the information is ready.

8. **Council Direction on Councilmember Initiated Agenda Items**
9. **Approve Minutes**
10. **Approve Consent Agenda**

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated April 24, 2023 and related attachments.

Groff moved, Strahan seconded, approval of the Consent Agenda including claims and payments as presented and detailed.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

a. Approve Payments

ACH Payments	\$1,540,899.59
106286-106380	193,192.68
TOTAL	\$1,734,092.27

b. Removed for separate consideration.

c. Approve Metropolitan Council Easement Agreement. Resolution No. 11979

d. Receive First Quarter Financial Report

e. Approve Agreement with Municode for Recodification, Supplementation, and Online Hosting

11. Future Agenda Review, Communications, Reports, and Announcements – Council and City Manager

City Manager Patrick Trudgeon reviewed the May 8, 2023 City Council meeting, and the May 15, 2023 EDA and City Council meeting.

12. Adjourn

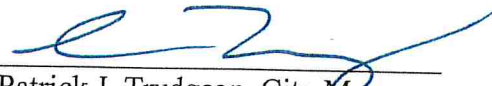
Etten moved, Schroeder seconded, adjournment of the meeting at approximately 9:04 p.m.

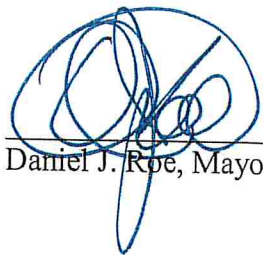
Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

ATTEST:


Patrick J. Trudgeon, City Manager


Daniel J. Roe, Mayor

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 24th day of April 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

WHEREAS, in December of 2022, City Staff became aware of two micro housing units (the "Units") placed on a vacant property at 2555 Victoria Street N owned by and adjacent to Prince of Peace Lutheran Church which is zoned LDR, Low Density Residential; and

WHEREAS, after further investigation and conversations with Prince of Peace, on February 1, 2023, City staff sent a letter notifying Prince of Peace that the Units were not in compliance with the City zoning and other safety codes requiring dwellings to be on a foundation, connected to City water, and connected to City sewer; and

WHEREAS, on February 10, 2023 Prince of Peace submitted a formal response to the noncompliance letter requesting to appeal of the staff determination the Units are not legal dwelling units and must be removed from the property; and

WHEREAS, on March 6, 2023, the City Council, acting as the Board of Adjustment and Appeals (the "Board") held a public meeting on the appeal of the staff determination; and

WHEREAS, the Board determined that the Units are not buildings, dwellings, or dwelling units in compliance with the zoning code, are not in compliance with City Code sections 801.6, 802.3, and 906.05; and

WHEREAS, the Board ordered that the Units be removed, but stayed enforcement of that order for sixty (60) days; and

WHEREAS, since March 6, 2023, City Staff have been working with Prince of Peace on how to bring the Units into compliance with the City Code; and

WHEREAS, there is currently a bill proposal before the Minnesota state legislature titled "Sacred Communities and Micro-Unit Dwellings," Senate File 1384, Section 57, which would require cities to allow similar Units under certain conditions; and

WHEREAS, such legislation, if adopted and approved, would take effect on January 1, 2024; and

WHEREAS, Prince of Peace has stated they are willing to comply with the terms of such legislation; and

WHEREAS, in order to address the fact that the zoning code does not allow for such Units, City Staff has recommended that Prince of Peace submit an application for an Interim Use Permit; and

WHEREAS, Prince of Peace has taken the first step to obtain such a permit, that being an application for an Open House on May 21, 2023; and

WHEREAS, Staff has recommended that the imposition of the Board's order to remove the Units continue to be stayed while the legislation is being considered and Interim Use Permit application is being processed;

NOW, THEREFORE, BE IT RESOLVED; that the imposition of the Board's order to remove the Units is stayed until July 30, 2023 on the following conditions:

1. Prince of Peace hosts an Open House related to the Interim Use Application on or before May 21, 2023.
2. The "Sacred Communities and Micro-Unit Dwellings" bill currently before the Minnesota Legislature that requires cities to allow Micro-Unit Dwellings as permanent housing for "people who are chronically homeless, extremely low income, or designated volunteers," as defined in the bill, is adopted in its current form or in a similar form during the 2023 regular legislative session and signed into law.
3. Prince of Peace files an application for an Interim Use Permit no later than June 2, 2023.

AND BE IT FURTHER RESOLVED, that the stay of imposition of the Board's order will be terminated if any of the above-stated conditions is not met.

The motion for the adoption of the foregoing resolution was duly seconded by Member , and upon a vote being taken thereon, the following voted in favor thereof: , , , and Mayor . and the following voted against the same: .

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the day of, , 20 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this day of , 20

SEAL

Patrick J. Trudgeon, City Manager

Key Project Contacts

Prince of Peace Representative

Michael Stezler, Congregational Council President
mstezler@gmail.com, (651) 347-7732

Settled Representatives

Gabrielle Clowdus, CEO | gabrielle@settled.org, (512) 788-0344

Anne Krisnik, Lobbyist | akrisnik@gmail.com, (651) 276-8148

General Contractor: Brandon Overholt | overholtent@gmail.com, (417) 343-5468

Settled Legal Representation: Eric Galatz | eric.galatz@stinson.com, (612) 819-4871

Settled.

Sacred Community - Certification of Occupant Eligibility

I, Gabrielle Clowdus, certify that the residents of the Sacred Community located at Prince of Peace Lutheran Church of Roseville, 2561 Victoria Street North Roseville, Minnesota 55113 meet the eligibility requirements of Minnesota Statute Section 127.30 (to become effective January 1, 2024).

To be eligible as chronically homeless, residents must meet the following criteria:

Chronically homeless" means an individual who:

- (1) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter;*
- (2) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last three years; and*
- (3) has an adult head of household, or a minor head-of-household if no adult is present in the household, with a diagnosable substance use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of two or more of those conditions.*

To be eligible as designated volunteers, residents must meet the following criteria:

{p}ersons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.

Number of homes for persons who have been chronically homeless:	1
Number of designated volunteer homes:	1



Gabrielle Clowdus, CEO, Settled

05.23.23



Certification of Resident Approval

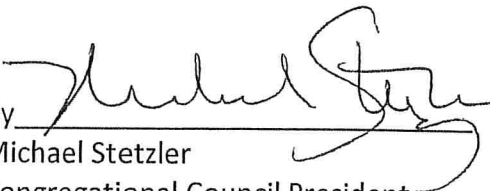
I, Michael Stetzler, President of the Congregational Council, certify that the Beary Family has been approved by Prince of Peace Lutheran Church as designated volunteers for the residents of the Sacred Community located at:

Prince of Peace Lutheran Church of Roseville
2561 Victoria Street North
Roseville, Minnesota. 55113

To be eligible as designated volunteers, residents must meet the following criteria:

{p}ersons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.

They are occupying Unit 2.

By 
Michael Stetzler
Congregational Council President

Date May 30, 2023

Percentage of Designated Volunteers as Residents

Minnesota Statute Section 127.30 will require that Sacred Communities have between one-third and 40 percent of the micro units occupied by designated volunteers. The settlement at Prince of Peace has two homes, meaning 50% of the homes are occupied by designated volunteers.

In discussions with City of Roseville staff, Prince of Peace said it was willing to meet the requirements of the statute as contained in bill form. However, compliance would require bringing another Micro Unit to its property to meet the percentage requirement for designated volunteers. Prince of Peace is willing to add another home during the duration of this Interim Use Permit if the City required it.

City Staff indicated that it did not want Prince of Peace to add another home in order to meet this requirement during this interim period.

Sacred Community Requirements - Access to facilities

Prince of Peace provides the residents access to permanent common kitchen facilities.

It also provides common facilities for toilet and bathing with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902.

The following facilities are available for use in the church building:

Toilets for women	7
Toilets for men	5
Family bathroom	1
Showers for women	2
Showers for men	2

Email Exchange between Settled and Minnesota Pollution Control Agency regarding dry toilets

Larry - - - is an engineer volunteering with Settled to develop a toilet that is sanitary, effective, cost-effective and easy to maintain. After developing a toilet for use in the Micro Units, he contacted the Minnesota Pollution Control Agency to verify that use of a commode using absorbent material would meet Minnesota requirements for waste management.

This is that email exchange verifying this method is lawful.

From: Parr, Scott (MPCA) <scott.parr@state.mn.us>
Date: Mon, Apr 24, 2023 at 3:22 PM
Subject: RE: Commode use
To: Larry - - -, Meredith Campbell, (Settled) <Meredith.s.blake@gmail.com>
Cc: Kroening, Heidi (MPCA) <heidi.kroening@state.mn.us>, Montgomery, Brandon (MPCA) <brandon.montgomery@state.mn.us>

Larry, after internal discussions on this issue, we do not disagree with your interpretation that Minnesota statutes and rules would allow the use of commodes in Minnesota, in the manner you described, in the same way that diapers are allowed.

Thanks for the discussions as we worked through this issue. If you have any further questions, feel free to contact me.

Scott E. Parr
 Environmental Specialist
 Solid Waste Program
 Resource Management and Assistance Division
 Minnesota Pollution Control Agency
 520 Lafayette Road North
 St. Paul, Minnesota 55155
 651-757-2638

From: Larry - - -
Sent: Friday, April 21, 2023 1:14 PM
To: Parr, Scott (MPCA) <scott.parr@state.mn.us>; Meredith Campbell, (Settled) <Meredith.s.blake@gmail.com>
Subject: Commode use

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi Scott,

After reviewing the applicable Minnesota law for infectious waste, we are interpreting this law to allow for the use of commodes in Minnesota in the same way that diapers are allowed and not considered as infectious waste.

In particular, the commodes that we are referring to use absorbent materials to absorb the liquid waste the same as modern diapers do, or dry and package the waste in Mylar containers to substantially reduce the volume.

Please advise.

--Larry - - -

NOTICE: This email (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. This email may be confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply back to the sender that you have received this message in error, then delete it. Thank you

Sacred Community Requirements – Insurance

Prince of Peace Church has insurance in an amount adequate to cover the costs of replacing the two Micro Units, providing furnishings, and rebuild any portions of the church building that are used by the sacred community residents as their common house.

Policy Details:

Insurer:	Church Mutual Insurance
Insured:	Prince of Peace Lutheran Church of Roseville
Policy Number:	0116735 25-473682
Effective Date:	11/25/2022



By formal action of the Prince of Peace Congregation Council on May 9, 2023, the following plan for two Micro Units located on church property has been approved:

Disposal of water and sewage from Micro Units;

- ❖ Residents have full access to the church building for bathrooms, showers, cooking or other purposes.
- ❖ Residents are provided access to a bottle filling station 24/7 in the church building less than 200 feet from each Micro Unit. Residents use this water in the Micro Units for drinking, cooking or washing. Water is captured in a tank below the sink.
- ❖ Residents discharge any wastewater (greywater) from the Micro Units in the church's utility room.
- ❖ Residents have full access to the church building for bathrooms, showers, cooking or other purposes. Each Micro Unit has a dry toilet, known as a commode. Residents generally use these for emergencies. The commode contains a plastic bag and absorbent material (e.g., sawdust or liquid-absorbent crystals like those found in diapers). To dispose of waste, the bag is securely closed and deposited in the trash.
- ❖ There is no septic tank drainage from the Micro Units.

Parking, lighting, and access to units by emergency vehicles;

- ❖ Parking - Resident parking is available within the church parking lot.
- ❖ Lighting - Each Micro Unit has an exterior light by the front door. The church building entrances have exterior lights that illuminate the parking lot when it is dark.
- ❖ Pathway - The church parking lot will be maintained year-round and provides a pathway from the homes to the church building.
- ❖ Emergency vehicle access - Emergency vehicles may access the community by entering the church parking lot. The Micro Units are located 25' and 50' off the parking lot. Each Micro Unit is labeled by number (1 and 2) on-site for ease of identification

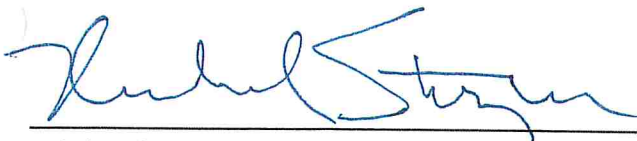
Protocols for security and addressing conduct within the sacred community

- ❖ Security - Residents have unique keys to their Micro Units. Residents have a key to the Common House (church building) and may access it 24 hours a day.
- ❖ Addressing conduct - All residents are required to sign a lease that includes a community policy setting forth expectations for conduct. These are based on best practices from tiny home communities around the country for the formerly homeless.

The Prince of Peace Member Team is responsible for addressing issues and assuring the community is functioning well. Its duties include review of any congregation or community concerns and addressing them. Residents that violate these expectations may be subject to eviction.

Safety protocols for severe weather

- ❖ Emergency shelter for inclement weather is located in the basement of the church building which is accessible to residents 24 hours a day.
- ❖ Once weather allows, each Micro Unit will be secured to the ground with a Diamond Piers product following the manufacturer's instruction and inspected by an Engineer.



Michael Stetzler, Congregational President
Prince of Peace Lutheran Church or Roseville, MN



Date

Sacred Community Requirements -Inspections

The statute requires that "all micro units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI [American National Standards Institute] compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020."

The two units at Prince of Peace have been inspected by a third party inspector with NOAH, the National Organization of Alternative Homes.

NOAH is accredited by the ANSI National Accreditation Board (ANAB) pursuant to ISO/IEC 17020.

Using the ANSI standards, NOAH has certified that each of the Micro Units placed at Prince of Peace Lutheran Church has passed inspection. Those certifications are included in this application.

The Micro Units have the following VIN numbers:

Unit 1: 3CV1C2529N2634291

Unit 2: 3CV1C2529N2634292

Certification of Inspection

I, Anthony Probita, am an inspector with the National Organization of Alternative Homes (NOAH). I have inspected the following unit at the request of Settled:

Unit 1

I certify that this unit meets the American National Safety Institute Standards (ANSI) Code 119.5.

I further certify that the unit meets the following technical requirements:

- Is no more than 400 square feet;
- Is built on a permanent chassis;
- Has exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- Has a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
- Has a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
- Has either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
- Has minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 43 pounds per square foot; and
- Has smoke and carbon monoxide detectors installed.

I further certify that I have reviewed the plans for anchoring the units to pin foundations with engineered fasteners. It is my understanding that the installation is in process. As prepared, the plans for how installation will be completed meet the statutory requirements. I have not inspected the installed pin footings.

Certified this date: June 1, 2023

By Anthony Probita

Certification of Inspection

I, Anthony Pochillo, am an inspector with the National Organization of Alternative Homes (NOAH). I have inspected the following unit at the request of Settled:

Unit 2

I certify that this unit meets the American National Safety Institute Standards (ANSI) Code 119.5.

I further certify that the unit meets the following technical requirements:

- Is no more than 400 square feet;
- Is built on a permanent chassis;
- Has exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- Has a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;
- Has a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules;
- Has either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;
- Has minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center; or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 43 pounds per square foot; and
- Has smoke and carbon monoxide detectors installed.

I further certify that I have reviewed the plans for anchoring the units to pin foundations with engineered fasteners. It is my understanding that the installation is in process. As prepared, the plans for how installation will be completed meet the statutory requirements. I have not inspected the installed pin footings.

Certified this date: June 1, 2023

By Anthony Pochillo

Certification of Inspection

I, Anthony Prohilla am an inspector with the National Organization of Alternative Homes (NOAH). I have inspected the foundation and anchoring of the following units located at Prince of Peace Church in Roseville, Minnesota at the request of Settled:

Unit 1

Unit 2

I certify that both of these units are properly anchored to pin foundations with engineered fasteners and meet the statutory requirements.

6/22/23
Date

Anthony Prohilla
Inspector

Inspector Signature: Tony Padilla

Date Issued: 04/21/2022



Certificate of Compliance

NOAH Certification Seal Number

A-001920

VIN

3CV1C2529N2634291

Builder

Woodland Hills Church

NOAH Certification represents the Tiny House on Wheels bearing this NOAH Certification Seal has successfully passed inspection at specific phases of construction for compliance to the ANSI+ for Tiny Houses on Wheels. The ANSI+ includes safety, structural & energy efficiency standards currently used by the Recreational Vehicle & Home Building industries: The ANSI+ is comprised from ANSI 119.5, (American National Institute) NFPA 1192 National Fire Protection Agency NFPA & 70 (National Electric Code).

NOAH Certification is a voluntary program for builders to demonstrate compliance with safety, construction & energy efficiency standards for Tiny Houses on wheels & foundation. The builder certifies compliance

1576 Bella Cruz Dr #425, | The Villages, FL 32159 | 866-664-NOAH (6624) | www.NOAHcertified.org

Inspector Signature: Tony Pardo

Date Issued: 04/21/2022



Certificate of Compliance

NOAH Certification Seal Number

A-001921

VIN

3CV1C2520N2634292

Builder

Woodland Hills Church

NOAH Certification represents the Tiny House on Wheels bearing this NOAH Certification Seal has successfully passed inspection at specific phases of construction for compliance to the ANSI+ for Tiny Houses on Wheels. The ANSI+ includes safety, structural & energy efficiency standards currently used by the Recreational Vehicle & Home Building industries: The ANSI+ is comprised from ANSI 119.5, (American National Institute) NFPA 1192 National Fire Protection Agency NFPA & 70 (National Electric Code).

NOAH Certification is a voluntary program for builders to demonstrate compliance with safety, construction & energy efficiency standards for Tiny Houses on wheels & foundation. The builder certifies compliance

1576 Bella Cruz Dr #425, | The Villages, FL 32159 | 866-664-NOAH (6624) | www.NOAHcertified.org

City of Roseville
2660 Civic Center Dr
Roseville, MN 55113

Tel: (651) 792-7080
<http://www.cityofroseville.com/ePermits>

Permit Number:

Attachment 5
E22-1057

Permit Type:

**Contractor Electrical
Permit**

Date Issued:

11/4/2022

PERMIT

Address: 2561 Victoria St N

Property ID:

Owner Name: Prince of Peace Lutheran Church

Owner Phone: Home: 651-484-4144 Cell: Work:

Rough-In Required: No

Final Inspection: Will Call

Description of Work: Upgrade existing panel feed to 200A. Run new 100A feeder to existing shed with new panelboard and associated circuits.

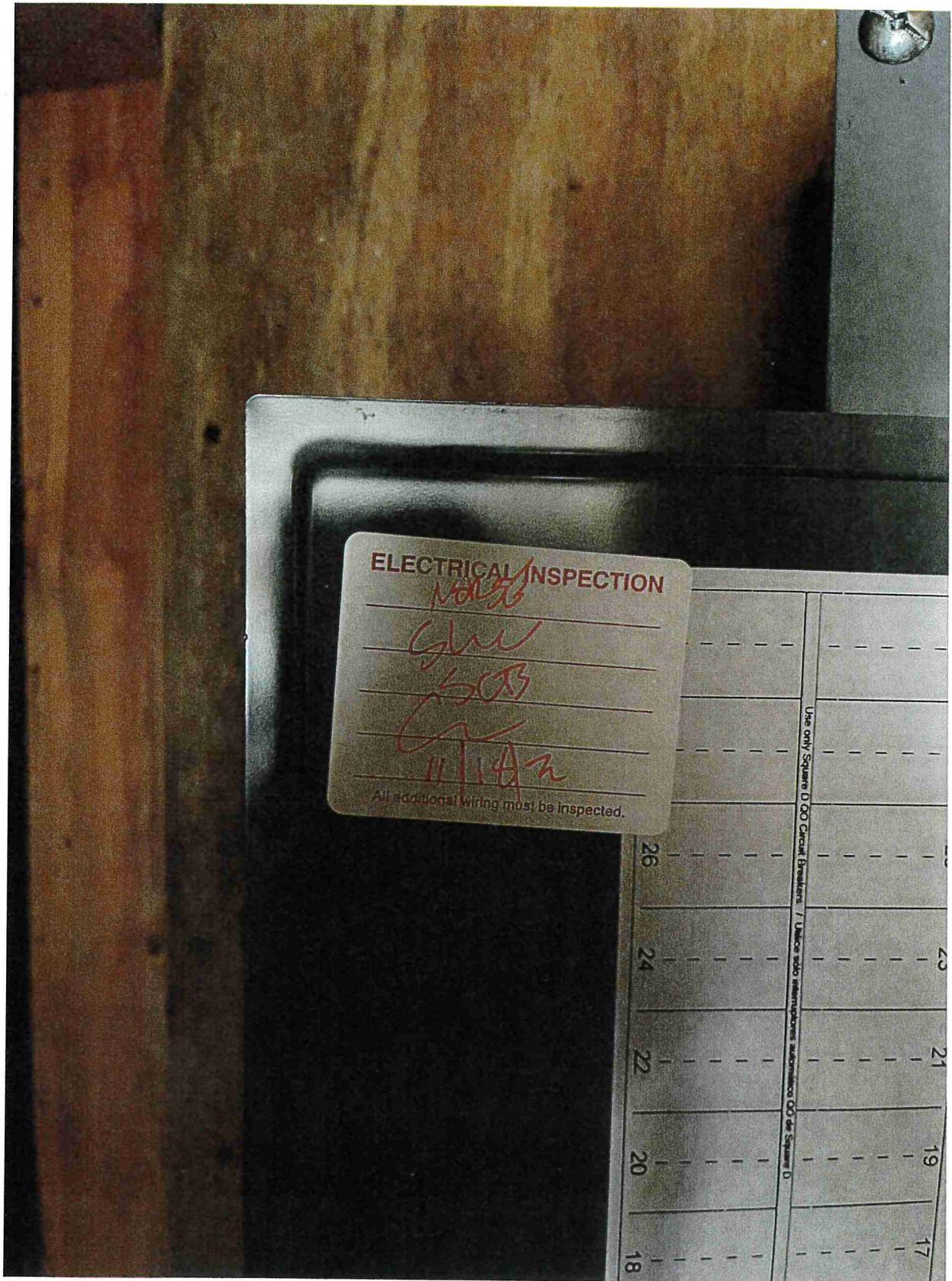
Applicant	Fee Description	Fee Amount
Matthew Baird Norse Electric 6501 Green Valley Road RAMSEY MN 55303 Phone: License: EA701979	Electrical Permit Fee	\$80.00
	State Electrician License Verification Fee	\$1.00
	Processing Fee	\$2.00
	State Surcharge	\$1.00
		\$84.00
AGREEMENT AND SWORN STATEMENT The work for which this permit is issued shall be performed according to: (1) the conditions of this permit; (2) the approved plans and specifications; (3) the applicable City approvals, Ordinances and Codes; and (4) the State Building Code. This permit is for only the work described and does not grant permission for additional or related work that requires separate permits. This permit will expire and become null and void if authorized construction is not commenced within 180 days, or if construction is suspended for a period of 180 days at any time after work has commenced. The applicant is responsible for assuring all required inspections are requested in conformance with the State Building Code.		

For electrical inspections, call Tokle Inspections at 763-754-2983 or visit <http://tokleinspections.com>

INSPECTIONS

Inspection Type	Date	Inspector	Comments
Rough-In			
Final			

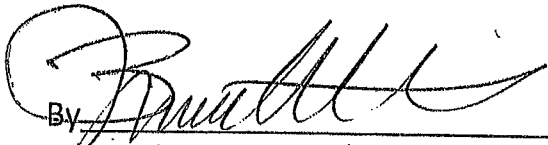
This card must be posted and visible at all times until work is complete.



Sacred Community – Status of Pin Footings

The language of Minnesota Statute Section 127.30 will require that all Micro Units be built on a permanent chassis and anchored to pin footings with engineered fasteners.

I have completed work installing the pin footings and anchoring them to Units 1 and 2 at Prince of Peace. Once an inspection is completed, Prince of Peace will provide a copy of the Inspection Report to the City of Roseville.

By 

Brandon Overholt
General Contractor, Settled

6-2-2023

Date



Extract of the July 5, 2023 Roseville Planning Commission Draft Minutes

a. Request by Prince of Peace Lutheran Church for an Interim Use to Temporarily Regulate Two Existing Mobile Residential Micro-Unit Dwellings on the Property at 2555 Victoria Street (PF23-004)

Chair Pribyl opened the public hearing for PF23-004 at approximately 6:45 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council on July 24, 2023.

City Planner Paschke summarized the request as detailed in the staff report dated July 5, 2023.

Mr. Michael Stezler, President of the Congregation of Prince of Peace, addressed the Commission.

Member McGehee asked what the church's extent of liability insurance is.

Mr. Stezler explained there is an umbrella policy containing hazard and liability through Church Mutual and there are specific clauses in it that cover this activity. The Church has assurances from the insurance company that their liability is covered. The Church does require its residents to have their own renter's insurance and therefore are covered by risk and liability to the extent of what their renter's policy provides.

Member McGehee asked if the Church has documentation of liability for the buildings but not for the keep up.

Mr. Stezler introduced Ms. Anne Krisnik who helped put together the permitting process.

Ms. Krisnik, Settled, explained she had a copy of the insurance policy if the Commission wanted to see it. The policy not only provides liability cover but also has replacement cost for the individual micro units as well as the common areas of the Church if anything is needed to be replaced due to some kind of damage.

Member McGehee noted it liked from the packet that was sent the liability covered the structure and she was concerned about the people.

Ms. Krisnik indicated she would be happy to go over the policy after the meeting if needed.

Member McGehee indicated she had another question about the building code and the certification. She explained the certification the applicant provided states there is a governing statute in the State of Minnesota and there are NOAH certification and also ANSI 119.5 and 119.5+ and the certification says that these structures are certified per those requirements and organizations, and she wondered if there is any documentation that says that any of these units vary from the requirements for certification for either of those.

Ms. Krisnik explained the structures do meet that criterion with one exception, which is what prompted the Interim Use in the first place and that is each Municipality gets to create its own Code and in Roseville's case, the Code the City created deals with plumbing in a way that these units are not in compliance.

Member McGehee explained she was not talking about plumbing; she was talking about insulation.

Ms. Krisnik explained the insulation is actually well above the residential grade required by both NOAH and ANSI standards.

Member McGehee indicated the Noah certification only certifies R13 and R19 values and is the only type of NOAH certifies so she wanted to know how the City is supposed to be assured that the insulation actually exceeds that per State Law.

Chair Pribyl thought the Commission could look at this after the meeting.

Member McGehee continued her argument regarding what she understood to be the standards of the State.

Ms. Krisnik showed the certification of inspection from NOAH.

Public Comment

No one came forward to speak for or against this request. With no one coming forward to speak, Chair Pribyl closed the public hearing.

MOTION

Member Schaffhausen moved, seconded by Member Aspnes, to recommend to the City Council approval of an Interim Use to Temporarily Regulate Two Existing Mobile Residential Micro-Unit Dwellings on the Property at 2555 Victoria Street (PF23-004).

Member Schaffhausen thought this is a step in the right direction and something that is really needed and valuable for this community and she is grateful that this organization is stepping forward to do this.

Member McGehee indicated that she was going to take the other side and argued that it could be but as it is currently granted, it is not. She did not think there are proper safeguards in place, and she did not think that the City should allow this to go forward without challenge and that would be at the City Council level. She asked if it would be possible, she would like to add a fourth condition, that the City Council consider taking steps to get this particular Legislation brought into line so that Building Codes, safety and so on can be reviewed by the City, not by an arbitrary third party.

Chair Pribyl indicated she was not sure that is within the City's jurisdiction, because this is a State item.

Member McGehee indicated this was a motion just to the City Council to review during the next six months and see if there is a way to bring this more in line with other structures within the City so that the City has more assurance of safety and habitable conditions for the residents of these micro units.

Member Schaffhausen appreciated that and respected where Member McGehee was coming from because what she hears is Member McGehee's deep concern for the residents that are in this space and making sure that those residents are well cared for and in addition that that, she thought the Interim, what she has seen and read through it is that the Church is following the State requirements for that and those Laws will take effect in six months and that no amount of action on the City's part will, the only thing the City will do is slow things down and that the Church will still have a chance to step in and implement these dwellings as it is defined by the State on January 1, 2024.

79 Member McGehee indicated she understood that.

80 Member Schaffhausen explained for the City to get in the way of and try to impede State
81 Law and try and wrestle with it, what the City is saying is it respects and represent that the
82 State is coming in this direction and the City is going to meet it and make sure that these
83 kinds of structures the City will be ready for, and that the City is not slowing down the
84 process. She indicated, for her personally, she is not interested in standing in the way of
85 State Legislature and trying to over legislate in front of that to slow something down that is
86 already on the way. She indicated she did not want to recommend an additional condition
87 because of the State Legislature and the City is not in the position to go and legislate the
88 State.

89 Member Aspnes asked staff if she read correctly that the City cannot legally put requirements
90 that are more stringent than the State Statute.

91 Mr. Paschke indicated that is correct. He indicated the Planning Commission can
92 recommend to the Council, but the Council cannot adopt conditions that are more
93 enforceable than what the State Legislation currently lays out.

94 **Ayes: 6**

95 **Nays: 1 (McGehee)**

96 **Motion carried.**

EXTRACT OF MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF ROSEVILLE

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 24th day of July, 2023, at 6:00 p.m.

The following Council Members were present: _____;
and _____ were absent.

Council Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. ____
A RESOLUTION APPROVING AN INTERIM USE FOR PRINCE OF PEACE
LUTHERAN CHURCH TO TEMPORARILY ALLOW TWO MICRO-UNIT
DWELLINGS ESTABLISHED AS A SACRED SETTLEMENT ON THE PROPERTY
LOCATED AT 2555 VICTORIA STREET
AND ASSOCIATED WITH 2561 VICTORIA STREET (PF23-004).

WHEREAS, Prince of Peace Lutheran Church has applied for an Interim Use in support of two existing micro-unit dwellings established as a Sacred Settlement at 2555 Victoria Street and associated with the existing church at 2561 Victoria Street and; and

WHEREAS, the Sacred Settlement and micro-unit dwellings have been established in a manner that is consistent with the Sacred Communities and Micro-Unit Dwellings bill recently adopted into State law, and

WHEREAS, the Roseville Planning Commission held the duly noticed public hearing on the Interim Use on July 5, 2023, voting 6-1 to recommend approval of the Interim Use, subject to the following conditions:

1. The IU expires on December 31, 2023; and
2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023; and
3. The Prince of Peace sacred community meets all requirements of the Sacred Communities and Micro-Unit Dwellings legislation which goes into effect on January 1, 2024.

WHEREAS, the Roseville City Council has determined that approval of the Interim Use at 2555 and 2561 Victoria Street pursuant to 1009.03.D of the City Code will not result in adverse impacts to the surrounding properties based on the following findings:

1. ***The proposed use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*** This is generally intended to ensure the particular interim use will not make the site costly to clean up if the City were to acquire the property for some purpose in the future. In the case of the two micro-unit dwellings, should these units need to be removed from the premises it would not take much effort as they are attached to a trailer, and by their nature are “mobile”.
2. ***The proposed use will not create an excessive burden on parks, streets, and other public facilities.*** The occupancy of two micro-unit dwellings will not create an excessive burden on the adjacent Central Park; will not generate any traffic impacts to Victoria Street; and will have little or no impact on public facilities, as currently proposed, given they have direct access to a County roadway and are not connected to municipal utilities.

3. ***The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and general welfare.*** These two micro-unit dwellings will not be injurious to the surrounding neighborhood as the site on which the Sacred Community lies is large at 2.25 acres in area, is adjacent to Prince of Peace Church to the north that lies on over 6 acres of land, and abuts Central Park to the west and south therefore not in close proximity any residential homes. Similarly, the two micro-units should not harm the public health, safety, or general welfare of the adjacent community when all requirements under State Statute are met.

NOW THEREFORE BE IT RESOLVED, by the Roseville City Council to APPROVE the requested Interim Use to temporarily allow two micro-unit dwellings at 2555 Victoria Street, which rely on 2561 Victoria Street for kitchen, toilet, bathing, laundry and emergency shelter facilities based on the information contained in the RPCA dated July 5, 2023 and the RCA dated July 24, 2023, information submitted by Prince of Peace Lutheran Church, and subject to the following conditions:

1. The IU expires on December 31, 2023; and
2. Two micro-unit dwellings, instead of three, are permitted until December 31, 2023; and
3. The Prince of Peace sacred community meets all requirements of the Sacred Communities and Micro-Unit Dwellings legislation which goes into effect on January 1, 2024.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor: _____; and _____ voted against.

WHEREUPON said resolution was declared duly passed and adopted.

Need signature page.



February 1, 2023

Prince of Peace Lutheran Church
Attn: Pastor Peter Christ
2561 Victoria Street North
Roseville, MN 55113

RE: Interim Sacred Settlement

Dear Pastor Christ,

As you are aware, on or around December 20, 2022, City staff commenced communication with you regarding the placing of two micro housing units on the church property located at 2561 Victoria Street North. Be advised this letter refers to the units as “micro-units” residing in an “Interim Sacred Settlement” given the Memorandum of Understanding the church entered into with Settled uses this terminology.

Based on email, telephone and in-person communications, City staff understands the Interim Sacred Settlement and the two micro-units house two families, one considered a resource/intentional neighbor and one coming out of chronic homelessness. City staff further understands these families consider these micro-units their permanent housing, but have 24/7 access to the church for bathroom and kitchen facilities. Based on email communications from Settled dated January 4, 2023, it is their position that these micro-units are Recreational Vehicles. It should be noted that, although the units are being used as permanent housing, the definition of Recreational Vehicle under Minnesota State Statute and City Code describe such vehicles as “temporary.”

The property at 2561 Victoria Street North is in an Institutional Zone. The property to the immediate south, in common ownership with the 2561 Victoria Street North, is zoned Low Density Residential. The placement of the two micro-units is very near the shared property line between the two properties/two zoning districts. City staff has determined the placement and use of these micro-units is not in compliance with the City’s Zoning Code for either zoning district. The Institutional Zoning District does not permit residential uses nor recreational camping areas. The Low Density Residential Zoning District does offer a means to construct a development of “Dwelling, Courtyard Cottage” (also known as tiny homes), but does not allow a recreational camping area. The micro-units do not comply with the Zoning Code’s definition of dwelling so cannot be considered a legal use. Therefore, the two micro-units are not permissible to remain on the property. It should be noted that, in addition to zoning concerns, staff is concerned these micro-units may not meet basic safety, health, and occupancy requirements outlined within the Building Code, Fire Code, City Codes related to dwelling units having to be connected to City water and sewer, and other safety codes such as the Building Maintenance and Preservation Code.

Given the information contained herein, City staff offers three options:

1. Remove the micro units from the property,
2. Appeal the staff interpretation the two micro-units are not permitted to the City Council. An appeal request must be submitted to the City Manager **within 10 days of receiving this letter**, whereby the City Council will act on the appeal at a regularly scheduled City Council meeting to be held within 30 days of receipt of the appeal. The appeal process is specified in City Code Section 1009.08 (enclosed herein) and must be accompanied by a \$100 processing fee.



3. Initiate actions to construct a residential development under the "dwelling, courtyard cottage" (or tiny home) housing type on the southerly parcel that is zoned Low Density Residential. These actions will require compliance with the Building Code.

The City appreciates the church's commitment to addressing chronic homelessness and intends to work cooperatively towards a solution achieving Zoning and/or Building Code compliance that addresses all public health, safety and welfare concerns. Please contact Janice Gundlach, Community Development Director via phone at 651-792-7071 or via email to Janice.Gundlach@CityofRoseville.com with questions or concerns.

Sincerely,
City of Roseville

A handwritten signature in blue ink that reads "Patrick Trudgeon".

Patrick Trudgeon
City Manager

Attachments:

cc. Appeals – 1009.08

1009.08: APPEALS

A. An appeal pertaining to a decision of the Variance Board or an administrative ruling of the Community Development Department regarding any interpretation of the intent of this Title, or any administrative action approving or denying an application or request related to any matter addressed in this Title may be filed by any property owner or their agent.

1. The appeal shall be submitted to the City Manager within 10 calendar days after the making of the order or decision being appealed.
2. The appeal shall state the specific grounds upon which the appeal is made.
3. The appeal shall be accompanied by the fee set forth in Chapter 314 of this Code.

B. When an appeal is filed, a public meeting regarding the matter shall be held before the City Council, acting as the Board of Adjustments and Appeals, at a regular meeting held within 30 days of the receipt of the appeal. The Board of Adjustments and Appeals will reconsider only the evidence that had previously been considered as part of the formal action that is the subject of the appeal. New or additional information from the appeals applicant(s) may be considered by the Board of Adjustments and Appeals at its sole discretion, if that information serves to clarify information previously considered by the Variance Board and/or staff.

1. Variance Appeals: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s), members of the Variance Board, and to all of those property owners within the public hearing notification area established in Chapter 108 of the City Code, as well as the owner of the subject property.
2. Administrative Deviation Appeals: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s) and all of those property owners who received notice of the original administrative deviation hearing, as well as the owner of the subject property.
3. Appeals of Administrative Decisions: A mailed notice of the public meeting at which the appeal is to be considered will be sent to the appeals applicant(s) as well as the owner of the subject property.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 7.b.

Department Approval



City Manager Approval



Item Description: Receive Presentation regarding Minnesota Adult-Use Cannabis Law

Background

A new law was recently passed by the Minnesota Legislature that legalizes adult-use cannabis in Minnesota. The new law creates a statewide regulatory framework for manufacturers, distributors, and retailers of cannabis products, establishes taxes on cannabis products, amends criminal penalties and expunges certain prior convictions related to cannabis. Although the law is technically in place, there is a considerable amount of work that needs to be done at the state level, including the creation of the State Office of Cannabis Management, to allow for the manufacture, distribution, and sales of cannabis products. Currently, the state has indicated that it is not expected that retail sales of cannabis will start until at least January 1, 2025.

Under the new law, there are some things local governments will have to decide on and put regulations in place. These include zoning controls, limits on the amount cannabis retailers to be allowed, review of cannabis licenses submitted to the state, and compliance checks on cannabis retailers. It is expected that the state will provide guidance on many of these issues at some point in the future.

In order to be aware of the work that will need to be done as well to provide a broader understanding of the law, the City Attorney will provide a presentation to the City Council. (Attachment 1). Staff has also provided a detailed summary of the cannabis law provided by the League of Minnesota Cities for additional information. (Attachment 2).

Policy Objectives

Local governments are delegated authority from the state to protect the public health, safety and general welfare of their residents. Implementing proper controls over the sale and use of adult-use cannabis will ensure that these goals are met.

Racial Equity Impact Summary

A major reason that the Minnesota Legislature legalized adult-use cannabis centered around racial equity. Studies have shown that there are some communities that have experienced a disproportionate, negative impact from cannabis regulation enforcement. For example, Black Americans are arrested for cannabis offenses at a rate of nearly 4:1 compared with whites. [ACLU. (2020, April 17). A Tale of Two Countries: Racially Targeted Arrests in the Era of Marijuana Reform. Retrieved from ACLU.org <https://www.aclu.org/news/criminal-law-reform/a-tale-of-two-countries-racially-targeted->

arrests-in-the-era-of-marijuana-reform). The new law decriminalizes possession of cannabis and expunges certain prior convictions related to cannabis. With that in mind, consideration should be given to the impact of a violation and subsequent fines and/or penalties the City may impose and how they may or may not impact various communities.

Budget Implications

Under the new law, cities can charge an initial registration fee of up to \$500 and a renewal fee of up to \$1,000. In addition, cities may impose a penalty of up to \$2,000 for compliance check violations. Local governments will be able to receive a portion of the 10% tax on cannabis products through the state. The amount of funds that will be available is unknown at this time, but will be based on the number of cannabis businesses in the community. It is expected that the use of the funds will be restricted to regulation and enforcement of cannabis laws.

Staff Recommendations

Presentation is provided for information only. No action needs to be taken at this point.

Requested Council Action

Presentation is provided for information only. No action needs to be taken at this point.

Prepared by: Patrick Trudgeon, City Manager (651) 792-7021 pat.trudgeon@cityofroseville.com

Attachments:

1. Cannabis Law Presentation
2. 2023 Law Summaries - Cannabis



700 Fifth Street Towers
150 South Fifth Street
Minneapolis, MN 55402
(612) 337-9300

Update on Cannabis Legislation

Rachel G. Tierney, City Attorney

Background

Hemp v. Cannabis – Same Plant, Different Concentrations of THC

- Hemp products are made from cannabis plants that contain .3% THC or less.
- Cannabis products are made from cannabis plants that contain more than .3% THC.

Background

- In 2022, products containing THC entered the Minnesota marketplace after amendment to Minn. Stat. 151.72. These products contain .3 percent or less THC derived from hemp and are edibles/gummies/beverages and external application products (“151 Hemp Products”).
- In 2023, the Minnesota Legislature passed the Cannabis Act which provides for a framework for adult-use cannabis and regulates some hemp products as well. The Cannabis Act was effective July 1, 2023 (certain provisions were delayed for various periods of time), and the state will begin establishing regulations, but it is unclear when licenses will be issued.

Current City Regulations

City Licensing Scheme:

- City licenses for Edible Cannabinoids capped at 8.
- “Exclusive Liquor Stores” are prohibited from holding a license, which was previously required by state law.
- State law now allows “Exclusive Liquor Stores” to sell Edibles.

Office of Cannabis Management (“OCM”)

- Established July 1, 2023.
- Responsible for all Cannabis Act licensing of cannabis and hemp products and most of the regulatory framework established by the Cannabis Act.
- Also tasked with:
 - Administrative Rulemaking
 - Model Ordinance for Cities – including “time, place, and manner” model.

City's Ability to Regulate Lower-Potency Hemp

- Temporary
 - Cities may license until March 1, 2025
 - Maintaining cap on licenses will prevent a use from being established prior to enactment of zoning regulations.
- Long-Term
 - Prohibit consumption in public (petty misdemeanor)
 - No explicit restrictions on a city's ability to enact regulations. This could change with the adoption of administrative rules.
 - Likely cannot prohibit outright, but could adopt zoning regulations

City's Ability to Regulate Cannabis Products

- Temporary
 - Enact a moratorium on the operation of cannabis businesses (including growers, manufacturers, transportation, delivery, retail, etc.).
 - Effective up to January 1, 2025.
 - Requires published notice/public hearing
- Long-Term
 - Enact “time, place and manner” restrictions (i.e., zoning, separation from schools, day cares, parks)
 - Enact regulatory ordinance:
 - Creating registration system and fee (or opt out)
 - Capping licenses
 - Limiting hours of sale
 - Regulating Cannabis Events

Current City Regulation Options

- Enact a Cannabis Business Moratorium
 - Effective until January 1, 2025, but can be repealed sooner. City must conduct public hearing.
 - Will provide the City the opportunity to review administrative rules and model ordinance before considering appropriate regulations prior to the state issuing licenses.
- Prohibit Use of Cannabis and Hemp in public places, petty misdemeanor.
- Lift cap on licenses or do not require licensing for establishments holding a liquor license.

Questions?



BUILDING CODES

State Building Code changes for window cleaning and adult-size changing facilities

Chapter 53 (HF 3028/SF 3035★) is the omnibus jobs, economic development, labor, and industry appropriations bill. Article 1, section 30 amends Minn. Stat. § 326B.106 to require two updates to the State Building Code. Subdivision (m) amends existing statute on window cleaning safety to require the Department of Labor and Industry adopt rules, using the expedited rulemaking process, requiring window cleaning safety features that comply with a nationally recognized standard as part of the State Building Code. Subdivision (n) adds a new requirement for the Department of Labor and Industry to adopt rules requiring adult-size changing facilities as part of the State Building Code. Article 1, section 33 instructs the Department of Labor and Industry to use the expedited rulemaking process to adopt rules that set forth adult-size changing facilities to conform with the new requirement. *Effective May 25, 2023. (BB)*

Electric vehicle readiness added to commercial building code

Chapter 53 (HF 3028/SF 3035★) is the omnibus jobs, economic development, labor, and industry appropriations bill. Article 1, section 24–27 amends Minn. Stat. § 326B.103 to define a number of terms related to electric vehicle charging capacity. Sec 31 amends Minn. Stat. § 326B.106 to require that the State Building Code include a minimum number of electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging stations either within or adjacent to new commercial and multifamily structures that provide onsite parking facilities. Residential structures with fewer than four dwelling units are exempt from this subdivision. *Effective July 1, 2023. (BB)*



CANNABIS

Adult-use cannabis

Chapter 63 (HF 100★/SF 73) legalizes adult-use cannabis in Minnesota, establishes a statewide regulatory framework including requirements for each type of license under this chapter, establishes taxes on the regulated products, amends criminal penalties, expunges certain prior convictions related to cannabis, and provides for temporary regulation of hemp-derived edible cannabinoid products. *Various effective dates. (AH)*

Article 1: Regulation of adult-use cannabis

Article 1 establishes the Office of Cannabis Management to oversee the regulation of cannabis, specifies licensure categories for cannabis businesses and hemp businesses and requirements and procedures for licensure and operations, and establishes legal limitations on the use, possession, and transfer of product. *Article 1 is effective July 1, 2023, unless indicated otherwise.*

- **Definitions.** Article 1, section 1 creates Minn. Stat. § 342.01 to establish definitions.
 - **“Adult-use cannabis concentrate” definition.** Subd. 2 defines “adult-use cannabis concentrate” to mean cannabis concentrate that is approved for sale by the office or is substantially similar to a product approved by the office, not including any artificially derived cannabinoid.
 - **“Adult-use cannabis product” definition.** Subd. 4 defines “adult-use cannabis product” to mean a cannabis product approved for sale by the office or is substantially similar to a product approved by the office, not including medical cannabinoid products or lower-potency hemp edibles.
 - **“Advertisement” definition.** Subd. 5 defines “advertisement” to mean any written or oral statement, illustration, or depiction that is intended to promote sales of cannabis flower or products, lower-potency hemp edibles, hemp-derived consumer products, or sales at a specific cannabis business or hemp business that includes a variety of media sources. Advertisement does not include a fixed outdoor sign that meets requirements of Minn. Stat. § 342.64, subd. 2b.
 - **“Artificially derived cannabinoid” definition.** Subd. 6 defines “artificially derived cannabinoid” to mean a cannabinoid extracted from a cannabis plant or flower, hemp plant or plant parts with a chemical makeup that is changed after extraction to create a different cannabinoid or other chemical compound by applying a catalyst other than heat or light, not to include cannabis concentrate, cannabis products, hemp concentrate, lower-potency hemp edibles, or hemp-derived consumer products.
 - **“Cannabinoid” definition.** Subd. 10 defines “cannabinoid” to mean any of the chemical constituents of hemp or cannabis plants that are naturally occurring, including but not limited to tetrahydrocannabinol and cannabidiol.
 - **“Cannabinoid product” definition.** Subd. 12 defines “cannabinoid product” to mean a cannabis product, a hemp-derived consumer product, or a lower-potency hemp edible.
 - **“Cannabis business” definition.** Subd. 14 defines “cannabis business” to mean the following businesses licensed under this chapter: cannabis microbusiness; cannabis mezzobusiness; cannabis cultivator; cannabis

manufacturer; cannabis retailer; cannabis wholesaler; cannabis transporter; cannabis testing facility; cannabis event organizer; cannabis delivery service; medical cannabis cultivator; medical cannabis processor; medical cannabis retailer, and; medical cannabis combination business.

- **“Cannabis paraphernalia” definition.** Subd. 18 defines “cannabis paraphernalia” to include all equipment, products, and materials of any kind that are knowingly or intentionally used in manufacturing cannabis products, ingesting or inhaling cannabis products, and testing the strength, effectiveness, or purity of cannabis products.
- **“Cannabis product” definition.** Subd. 20 defines “cannabis product” to mean cannabis concentrate, a product infused with cannabinoids including tetrahydrocannabinol and any other product containing cannabis concentrate. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.
- **“Edible cannabis product” definition.** Subd. 31 defines “edible cannabis product” to mean any product that is intended to be eaten or consumed as a beverage, contains a cannabinoid other than an artificially derived cannabinoid in combination with food ingredients, is not a drug, and is a product approved by the Office of Cannabis Management, not including lower-potency hemp edibles.
- **“Hemp business” definition.** Subd. 34 defines “hemp business” to mean a lower-potency hemp edible manufacturer or a lower-potency hemp edible retailer.
- **“Hemp-derived consumer product” definition.** Subd. 37 defines “hemp-derived consumer product” to mean a product intended for consumption that does not contain cannabis flower or cannabis concentrate, and contains or consists of hemp plant parts or contains hemp concentrate.
- **“Hemp-derived topical product” definition.** Subd. 38 defines “hemp-derived topical product” to mean a product that contains hemp concentrate and is intended for application externally and does not contain cannabis flower or cannabis concentrate.
- **“Intoxicating cannabinoid” definition.** Subd. 46 defines “intoxicating cannabinoid” to mean a cannabinoid, including an artificially derived cannabinoid, that impairs the central nervous system or impairs the human audio, visual, or mental processes, including but not limited to any tetrahydrocannabinol.
- **“Lower-potency hemp edible” definition.** Subd. 50 defines “lower-potency hemp edible” to mean any product intended to be eaten or consumed as a beverage that contains hemp concentrate or an artificially derived cannabinoid in combination with food ingredients; is not a drug; consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or a combination of those; does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; does not contain a cannabinoid derived from cannabis plants or cannabis flower; and, is approved by the Office of Cannabis Management.
- **“Nonintoxicating cannabinoid” definition.** Subd. 12 defines “nonintoxicating cannabinoid” to mean a cannabinoid that does not impair the central nervous system or impair the human audio, visual, or mental processes, including but not limited to cannabidiol and cannabigerol, but does not include any artificially derived cannabinoid.
- **Office of Cannabis Management.** Article 1, section 2 creates Minn. Stat. § 342.02 to establish the Office of Cannabis Management and tasks the office with overseeing the regulation of the production and sale of cannabis flower and products, lower-potency hemp edibles, and hemp-derived consumer products. This section establishes the powers, duties, and guiding principles for the office, transfers the medical cannabis program to the office, provides the office temporary expedited rulemaking, and directs the office to hire a director and other employees as needed. *Effective July 1, 2023, except for the transfer of the medical cannabis program which is effective March 1, 2025.*
- **Cannabis Advisory Council.** Article 1, section 3 creates Minn. Stat. § 342.03 to establish a Cannabis Advisory Council consisting of numerous members, including a representative from the League of Minnesota Cities appointed by the League. The council is to review national cannabis policy, examine the effectiveness of state policy, review developments in the cannabis and hemp industries, review developments in the study of certain cannabis and hemp products, take public testimony, and make recommendations to the Office of Cannabis Management.
- **Studies and reports.** Article 1, section 4 creates Minn. Stat. § 342.04 to direct the office to conduct multiple studies related to the cannabis industry, including the size and makeup of the illicit cannabis industry, the impact of second-hand cannabis smoke, and the impact of cannabis and cannabinoid products on the prevalence of impaired driving. This section requires an initial report to the Legislature by Jan. 15, 2024, and final reports by Jan. 15, 2025. This section also requires a report to the Legislature on Jan. 15 annually regarding the industry and suggestions for legislative funding for social equity grants, education and prevention programs, and training for peace officers.

- **Statewide monitoring system.** Article 1, section 5 creates Minn. Stat. § 342.05 to require the office to contract with an outside vendor to establish a statewide monitoring system to track regulated products from seed or immature plant to disposal or sale to a patient or customer.
 - **Approval of cannabis flower, products, and cannabis.** Article 1, section 6 creates Minn. Stat. § 342.06 to direct the Office of Cannabis Management to approve all types of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale by rule. This section prohibits the approval of certain products including those that are, or resemble, a lollipop or ice cream; bears the likeness or characteristics of a real or fictional person, animal, or fruit; is modeled after a type or brand of products primarily consumed by or marketed toward children; contains a synthetic cannabinoid; is made by applying a cannabinoid to a finished food product.
 - **Agricultural and food safety practices.** Article 1, section 7 creates Minn. Stat. § 342.07 to require the Office of Cannabis Management, in consultation with the commissioner of the Department of Agriculture, to establish requirements for the methods used to grow cannabis plants and hemp plants. This section also requires the office to establish an edible cannabinoid product handler endorsement to ensure that edible products are manufactured and handled in ways that are comparable to the manufacture and handling of food products.
 - **Establishment of environmental standards.** Article 1, section 8 creates Minn. Stat. § 342.08 to direct the office to establish appropriate standards for water use and disposal for cannabis businesses, energy use by cannabis businesses, appropriate standards for the disposal of solid waste related to the industry, and limitations on the odors produced by cannabis businesses.
 - **Personal adult use of cannabis.** Article 1, section 9 creates Minn. Stat. § 342.09 and provides legal limitations on the use, possession, and transportation of cannabis and cannabis products and establishes civil penalties for violations. This section allows a person of 21 years of age or older to:
 - Use, possess, or transport cannabis paraphernalia.
 - Possess two ounces or less of cannabis flower in a public place.
 - Possess two pounds or less of cannabis flower in a person's residence.
 - Possess or transport eight grams or less of adult-use cannabis concentrate.
 - Possess or transport edible products infused with a total of 800 milligrams or less of tetrahydrocannabinol.
 - Give away cannabis flower and products in an amount that is legal for a person to possess in public.
 - Use cannabis flower and products in private areas.
 - Cultivate up to eight cannabis plants, of which four or fewer may be mature, flowering plants provided that it is in an enclosed, locked space that is not open to public view.
- Section 9 prohibits smoking cannabis flower or products in places where smoking is prohibited under the Clean Indoor Air Act, and contains other prohibitions including using cannabis flower or products in state correctional facilities, using in or operating a motor vehicle while under the influence of cannabis flower or products, giving cannabis flower or products to a person under the age of 21, or giving cannabis flower or products as a promotional gift. This section contains certain disclosures by the proprietors of day care programs that operate within a part of a family home that are similar to requirements related to smoking tobacco. The use of a volatile solvent to extract cannabis concentrate, sale of cannabis flower or products, or import of hemp-derived products without an appropriate license is prohibited. Non-criminal financial penalties are established for violations of this section.
- **License types, fees, and transfers.** Article 1, section 10 creates Minn. Stat. § 342.10 to establish the following categories of licenses: cannabis microbusiness; cannabis mezzobusiness; cannabis cultivator; cannabis manufacturer; cannabis retailer; cannabis wholesaler; cannabis transporter; cannabis testing facility; cannabis event organizer; cannabis delivery service; lower-potency hemp edible manufacturer; lower-potency hemp edible retailer; medical cannabis cultivator; medical cannabis processor; medical cannabis retailer; or medical cannabis combination business. Section 11 creates Minn. Stat. § 342.11 to establish application fees and initial license and renewal fees for cannabis and hemp businesses to be paid to the Office of Cannabis Management. Section 12 creates Minn. Stat. § 342.12 to establish the process for transferring licenses issued under this chapter and to require licenses to be renewed annually.
 - **Local control.** Article 1, section 13 creates Minn. Stat. § 342.13 to provide that local units of government may not prohibit the possession, transportation, or use of cannabis flower or products authorized under the chapter. Local units of government may not prohibit the establishment or operation of a cannabis business licensed under this chapter beyond the authorization under Minn. Stat. § 342.22.
 - **Zoning restrictions.** This section permits local units of government to establish reasonable restrictions on the time, place, and manner of operations and directs the Office of Cannabis Management to work with local units of government to establish a model ordinance. Restrictions can prohibit operating a cannabis business within 1,000 feet of a school, or 500 feet of a

day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.

- **Interim ordinance.** This section permits local units of government to conduct studies on establishing reasonable limitations on the time, place, and manner of the operation of cannabis businesses and permits local governments to prohibit a cannabis business from opening until Jan. 1, 2025, if the local government is conducting such a study, has authorized a study, or is considering adopting or amending allowed restrictions on the operation of a cannabis business.
- **License review.** This section directs local units of government to review applications sent by the Office of Cannabis Management and certify whether the application complies with local ordinances. The office must seek input on applications from local governments and permit the local governments to provide any information it believes is relevant to the office's decision. The office may not issue a license if a cannabis business does not meet local zoning and land use laws. This section also requires the office to establish an expedited complaint process for complaints made by local governments, including a requirement that the office respond to certain reports within one business day.
- **License limits.** This section allows a local government unit that issues cannabis retailer registration under Minn. Stat. § 342.22 to, by ordinance, limit the number of licensed cannabis retailers, mezzobusinesses with a retail operations endorsement, and microbusinesses with a retail operations endorsement to no fewer than one registration for every 12,500 residents. If a county has one active registration for every 12,500 residents, a city or town within the county is not obligated to register any additional cannabis businesses. This section does not prohibit a local unit of government from allowing licensed retailers in excess of these minimums.
- **Cannabis license application and renewal.** Article 1, section 14 creates Minn. Stat. § 342.14 to direct the office to establish forms and procedures for the processing of cannabis licenses issued under this chapter. This section establishes minimum requirements for the information collected by the office including information about the applicant, the ownership and control of the business, and the security plan for the business. Once the office receives a completed application and fee, the office shall forward a copy of the application to the local unit of government in which the business operates or intends to operate with a form for certification of zoning compliance.
- **Cannabis business requirements and disqualifications.** Article 1, section 15 creates Minn. Stat. § 342.15 to allow the office to conduct criminal history background checks of applicants and establishes a list of disqualifying offenses. Section 16 creates Minn. Stat. § 342.16 to establish applicant requirements. Section 18 creates Minn. Stat. § 342.18 to establish a license selection criteria, an application scoring system, and prohibit full vertical integration unless a business is a microbusiness, mezzobusiness, or hemp business.
- **Inspection.** Article 1, section 19 creates Minn. Stat. § 342.19 to establish that the office may enter and inspect cannabis businesses and records at reasonable hours. It gives the office the power to issue subpoenas, issue oaths, take depositions, require the production of records, and detain or embargo items. This section permits the office to conduct inspections at any time and requires the office to prioritize inspections based on suspected violations that pose an imminent danger to customers or the public. This section further directs the office to prioritize inspections based on complaints from local units of government. The office may issue administrative orders directing cannabis businesses to take specific action, permits businesses to appeal those orders, and allows the office to assess administrative penalties of up to \$10,000 for each violation.
- **License suspension or revocation.** Article 1, section 21 creates Minn. Stat. § 342.21 to permit the office to revoke or not renew a license issued under this chapter. This section requires the office to provide a business with notice and an opportunity for a hearing before revoking or not renewing a license, permits the temporary suspension of the license and operating privilege of any licensed business for up to 90 days if continued operation would threaten the health or safety of any person, and permits the office to extend the suspension for an additional 90 days if it notifies the business of an intent to revoke or not renew the business's license and the required hearing has not taken place.
- **Local retail registration and enforcement.** Article 1, section 22 creates Minn. Stat. § 342.22 to require cannabis microbusinesses with a retail operations endorsement, cannabis mezzobusinesses with a retail operations endorsement, cannabis retailers, medical cannabis retailers, medical cannabis combination businesses, and medical cannabis combination businesses to register with the local unit of government where the business will be located.
 - **Fees.** The local unit of government is authorized to charge a registration fee of the lesser of \$500 or up to half the amount of the applicable initial license fee for the business, and a renewal retail registration fee of the lesser of \$1,000 or up to half the amount of the applicable renewal license fee for the business. The initial registration and first renewal fee are to be charged at the same time. Any renewal fee shall be charged at the time of the second renewal and each subsequent annual renewal thereafter.
 - **Issuance of registration.** A local unit of government must issue a registration to a licensed business that complies with the requirements in this chapter and local zoning requirements. To receive a

registration, a business must have a valid license issued by the office, pay any registration or renewal fee authorized in this section, and, if applicable, must be current on all property taxes and assessments at the location where the retail establishment is located.

- **Compliance checks.** This section directs the local unit of government to conduct compliance checks, authorizes local governments to conduct a preliminary compliance check before registration, permits the local unit of government to suspend the registration if there is a violation, and authorizes penalties in an amount of up to \$2,000 for violations. The Office of Cannabis Management is permitted to require reinstatement of the registration.
- **Cannabis businesses and hemp businesses general operational requirements.** Article 1, section 23 creates Minn. Stat. § 342.23 to require cannabis and hemp businesses to meet certain requirements regarding the maintaining of records, documenting the disposal of products, sell only approved products, and maintain customer privacy. Section 24 creates Minn. Stat. § 342.24 to establish general operation requirements for cannabis businesses, including prohibitions on hiring a person under 21 years of age and allowing a person under 21 years of age into most parts of a cannabis business unless they are a patient in the registry program; prohibiting consumption within a cannabis business except as authorized for quality control or by an endorsement permitting consumption onsite; having restricted areas where cannabis is grown, manufactured, or stored; having adequate ventilation and filtration systems; maintaining certain records; using the statewide monitoring system; and, having adequate security.
- **Retail sale of cannabis flower and products.** Article 1, section 27 creates Minn. Stat. § 342.27 to establish the requirements for all cannabis businesses that offer retail sales. The requirements of this section do not apply to the operations of a lower-potency hemp edible retailer.
 - **Sale of products.** Sale of cannabis plants or products to individuals under 21 years of age is prohibited. This section authorizes cannabis retailers to sell only the following products:
 - Adult-use cannabis flower.
 - Adult-use cannabis products.
 - Lower-potency hemp edibles.
 - Hemp-derived consumer products within the limits established by this chapter.
 - Hemp-derived topical products.
 - Cannabis paraphernalia, including childproof storage containers.
 - Certain drinks.
 - Books, videos, and magazines related to cannabis cultivation and cannabis products.
 - Multiple use bags.
 - Certain clothing.
 - Other hemp products.
 - Products that detect the presence of fentanyl or a fentanyl analog.
- **Age verification.** Subd. 4 requires cannabis retailers to verify the age of customers before selling products.
- **Displays and posting of notices.** Subd. 5 limits the display of cannabis flower and products. Subd. 6 requires retailers to post certain notices related to product recalls, warnings of driving under the influence, and stating that consumption is only intended for individuals who are 21 years of age or older.
- **Hours of operation.** Subd. 7 prohibits retailers from being open between 2 a.m. and 8 a.m., Monday through Saturday, and between 2 a.m. and 10 a.m. on Sunday. This section authorizes a city to adopt an ordinance to further prohibit sales between 9 p.m. and 2 a.m. the next day, or between 8 a.m. and 10 a.m., Monday through Saturdays.
- **Building conditions, security, and other requirements.** Subd. 8 requires cannabis retailers to comply with local building, fire, and zoning requirements or regulations. Subd. 9 through subd. 11 detail certain security and video surveillance requirements, adequate lighting requirements, and requirements to only accept deliveries through limited access areas.
- **Prohibitions.** Subd. 12 prohibits sales to a person who is visibly intoxicated; selling more than an individual is permitted to possess; giving away cannabis plants, cannabis flower, cannabinoid products, or hemp-derived consumer products; operating a drive-through window; operating a vending machine containing cannabis flower, cannabinoid products, or hemp-derived consumer products; or selling cannabis plants, cannabis flower, or cannabinoid products when a security system or the statewide monitoring system is not working. Subd. 13 permits a cannabis retailer to sell medical cannabis from a portion of its premises.
- **Cannabis microbusiness licensing and operations.** Article 1, section 28 creates Minn. Stat. § 342.28 to establish the licensing and operational requirements for cannabis microbusinesses. This section limits microbusinesses to only cultivating 5,000 square feet of plant canopy at an indoor facility and up to one-half acre of mature plants at an outdoor location. A cannabis microbusiness with a retail endorsement may operate one retail location and may also hold a cannabis event organizer license. A cannabis microbusiness may permit onsite consumption of edible cannabis products and lower-potency hemp edibles on a portion of its premises. This section establishes other requirements and limitations of cannabis microbusinesses.
- **Cannabis mezzobusiness licensing and operations.** Article 1, section 29 creates Minn. Stat. § 342.29 to establish the licensing and operational requirements for cannabis mezzobusinesses. This section limits microbusinesses to only cultivating 15,000 square feet of

plant canopy at an indoor facility and up to one acre of mature plants at an outdoor location. A cannabis mezzobusiness with a retail endorsement may operate three retail locations, and may also hold a cannabis event organizer license and a medical cannabis retailer license. This section establishes other requirements and limitations of cannabis mezzobusinesses.

- **Cannabis retailer licensing and operations.** Article 1, section 32 creates Minn. Stat. § 342.32 to establish the licensing and operational requirements for cannabis retailers. This section authorizes cannabis retailers to purchase and sell certain cannabis products, operate up to five retail locations, and hold a cannabis delivery service license, medical cannabis retailer license, and cannabis event organizer licenses. This section prohibits a person, cooperative, or business from owning or operating more than one cannabis retail business in one city and three retail businesses in one county. A city or county may establish, own, and operate a municipal cannabis store subject to the requirements and restrictions in this chapter.
 - **Cannabis event organizer licensing.** Article 1, section 39 creates Minn. Stat. § 342.39 to establish a cannabis event organizer license authorizing a temporary cannabis event of up to four days. This section requires applicants for a cannabis event organizer license to provide certain information regarding the planned event including a physical layout of the event, the dates and hours of planned operation, the businesses that will participate, and proof of local approval.
 - **Cannabis event organizer operations.** Article 1, section 40 creates Minn. Stat. § 342.40 to require a cannabis event organizer to obtain local approval for a cannabis event, including obtaining any necessary permits or licenses issued by a local unit of government. This section requires event security, limited access to individuals who are at least 21 years old, proper cannabis waste disposal, and compliance with transportation and sales requirements. Onsite consumption is permitted if approved by the local unit of government. This section does not prohibit a statutory or home rule charter city from enacting and enforcing more stringent measures to protect individuals from secondhand smoke or involuntary exposure to aerosol or vapor from electronic delivery devices.
 - **Cannabis delivery services.** Article 1, section 41 creates Minn. Stat. § 342.41 to establish a cannabis delivery service license authorizing the delivery of certain cannabis products to customers. This section establishes certain requirements for delivery service license holders. Section 42 creates Minn. Stat. § 342.42 to require age verification for service delivery customers, direct the Office of Cannabis Management to set limits of delivery amounts, require usage of the statewide monitoring system, and require certain storage compartments. Identifying logos or business names are prohibited on a vehicle.
- All delivery services must have multiple employees involved in the delivery so at least one employee remains with the vehicle at all times. Nonemployees are prohibited from being in the vehicle and all vehicles are subject to inspection at any time during deliveries.
- **Lower-potency hemp edible retailer.** Article 1, section 46 creates Minn. Stat. § 342.46 to establish a lower-potency hemp edible retailer license authorizing the purchase and sale of certain hemp edibles. This section requires retailers to verify the age of consumers, requires products to be stored behind a checkout counter, establishes the requirements for the transportation of products, requires the posting of certain notices, requires compliance with state and local building and zoning codes, and requires retailers to verify product compliance with this chapter. A lower-potency hemp edible retailer may sell other products or items, and may permit onsite consumption if the retailer has an onsite consumption endorsement.
 - **Medical cannabis limitations.** Article 1, section 57 creates Minn. Stat. § 342.56 to establish limitations on the places medical cannabis flower and medical cannabinoid products may be consumed, including allowing penalties for undertaking certain tasks while under the influence of cannabis; possession or consumption on a school bus or in a correctional facility; and vaporizing or smoking medical cannabis flower or medical cannabis products in a place where smoking is prohibited under the Clean Indoor Air Act including any form of public transportation and in any public place. *Effective March 1, 2025.*
 - **Protections for registry program patients.** Article 1, section 58 creates Minn. Stat. § 342.57 to establish various protections for patients enrolled in the medical registry program. This section prohibits an employer from discriminating against a person in hiring, termination, or terms or conditions of employment based on a person's enrollment in the registry program or a person's positive drug test for cannabis, unless failure to do so would violate federal or state law, or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations.
 - **Product testing.** Article 1, section 62 creates Minn. Stat. § 342.61 to require cannabis businesses and hemp businesses to comply with testing requirements in this section and in rule before selling, offering for sale, or transferring cannabis flower, cannabis products, artificially derived cannabinoids, lower-potency hemp edibles, or hemp-derived consumer products and establishes duties related to testing for the Office of Cannabis Management. This section directs the office to establish procedures and standards governing testing, the contaminants that must be tested for, potency and homogeneity, and cannabis and cannabis products that fail to meet testing standards. Businesses are required to make samples from each batch of product grown or manufactured by the cannabis business available to a cannabis testing

facility for testing. If a tested sample meets the applicable testing standards, this section allows the tested batch to be sold, offered for sale, or transferred to another cannabis business, customers, or patients. If a tested sample does not meet the applicable testing standards, this section requires the batch to be dealt with according to procedures established by the board. Test results must be maintained for at least five years after testing and be available to the public upon request.

- **Product packaging.** Article 1, section 63 creates Minn. Stat. § 342.62 to require cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products sold to customers or patients to comply with the packaging requirements in this section and in rule. This section establishes requirements including the use of plain, child-resistant, tamper-evident containers. This section permits certain beverages that do not contain significant amounts of intoxicating beverages to be packaged in containers that are not child-resistant and establishes prohibitions on the use of packaging designed to appeal to children or those under the age of 21. This section also prohibits the use of packaging that is coated with any perfluoroalkyl substance, and, for edible products, prohibits the use of packaging that has not been approved for food.
- **Product labeling.** Article 1, section 64 creates Minn. Stat. § 342.63 to require cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products sold to customers or patients to comply with the labeling requirements in this section and in rules. This section identifies the information a label must contain, including information about the cultivator or manufacturer, batch number, and cannabinoid profile. This section requires certain warnings and the phone number of the poison control system, requires labels on medical cannabis flower and medical cannabinoid products to contain information about the patient, and requires labels on hemp-derived topical products to contain information relevant to those products. The Office of Cannabis Management is required to review scientific and medical literature to determine if additional warnings should be required and authorizes the office to require such warnings.
- **Advertisement.** Article 1, section 65 creates Minn. Stat. § 342.64 to establish requirements and limitations for advertisements for cannabis flower, cannabis products, cannabis businesses, lower-potency hemp edibles, hemp businesses, and hemp-derived consumer products. Outdoor advertisements are prohibited except for a hemp business as long as it is not related to the manufacture or sale of lower-potency hemp edibles. Cannabis and hemp businesses may erect up to two fixed outdoor signs on the exterior of the building or property.

- **Hemp-derived topical products.** Article 1, section 67 creates Minn. Stat. § 342.66 regarding the manufacturing, marketing, distribution, and sale of hemp-derived topical products in which no license is required to sell. This section limits the types of cannabinoids that hemp-derived topical products may contain.
- **Lawful activities.** Article 1, section 72 creates Minn. Stat. § 342.80 to establish that actions in compliance with this chapter are lawful.
- **Nuisance action.** Article 1, section 74 creates Minn. Stat. § 342.82 to establish that any adult-use cannabis flower that is injurious to health or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is a nuisance. This section authorizes a person injuriously affected by a nuisance under this section to bring an action for injunctive relief. This section provides that if a landlord, defined by Minn. Stat. § 504B.001, subd. 7, or an association, defined by Minn. Stat. § 515B.1-103, clause (4), fails to enforce the terms of a lease or policy document related to the use of adult-use cannabis flower, a person injuriously affected may bring an action against the landlord or association seeking injunctive relief or a civil penalty of \$500.

Article 2: Taxes

Article 2 of this chapter provides the tax structure for the retail sale of taxable cannabis products. *Various effective dates.*

- **Posting of tax delinquency.** Article 2, section 3 creates Minn. Stat. 270C.726 to require the commissioner of Revenue to submit to the Office of Cannabis Management a list of taxpayers that have failed to file or pay any required taxes and requires the office to post the list on its website. This section prohibits a listed business from making sales or deliveries of taxable cannabis products while they are included on the list and imposes penalties for violating this prohibition. *Effective June 30, 2023.*
- **Class 3.** Article 2, section 4 amends Minn. Stat. § 273.13, subd. 24 to establish that real property used for raising, cultivating, processing, or storage of taxable cannabis products, medical cannabis, or medical cannabis products for sale is classified as commercial and industrial property. *Effective beginning assessment year 2024.*
- **Commercial-industrial tax capacity.** Article 2, section 5 amends Minn. Stat. § 275.025, subd. 2 to provide that real property used for raising, cultivating, processing, or storage of taxable cannabis products, medical cannabis, or medical cannabis products for sale is treated as commercial and industrial property for the purposes of the state general property tax levy. *Effective beginning assessment year 2024.*
- **Cannabis gross receipts tax.** Article 2, section 9 creates Minn. Stat. § 295.81 to establish a gross receipts tax on cannabis products and establishes definitions. *This section is effective for gross receipts received after June 30, 2023.*

- **“Gross receipts” definition.** Subd. 1(j) defines “gross receipts” to mean the total amount received in money or by barter or exchange for all taxable cannabis product sales at retail as measured by the sales price. This does not include any other taxes imposed directly on the customer or discounts.
- **“Taxable cannabis product” definition.** Subd. 1(r) defines “taxable cannabis product” to mean cannabis flower, cannabis product, cannabis solution product, hemp-derived consumer product, lower-potency hemp edible, and any substantially similar item.
- **“Taxable cannabis product retailer” definition.** Subd. 1(s) defines “taxable cannabis product retailer” to mean any retailer selling taxable cannabis product, including a cannabis retailer, microbusiness, mezzobusiness, medical cannabis combination business, and lower-potency hemp edible retailer.
- **Gross receipts tax imposed.** Subd. 2 imposes a gross receipts tax of 10%. The tax imposed under this section is in addition to any other tax imposed, including local sales taxes, on the sale or use of taxable cannabis products.
- **Use tax imposed.** Subd. 3 imposes an equivalent use tax for recreational cannabis that is bought in another state but used in Minnesota. This section provides a credit for taxes paid in the other jurisdiction.
- **Exemptions.** Subd. 4 exempts medical cannabis from the gross receipts tax, as well as exempts from the gross receipts use tax recreational cannabis brought into Minnesota if the products have an aggregate cost of \$100 or less each month.
- **Deposit of revenues.** Subd. 10 requires that 80% of the gross receipts tax revenue be deposited into the general fund and 20% of the gross receipts tax revenue is deposited to the local government cannabis aid account established in the special revenue fund.
- **Cannabis local tax prohibited.** Article 2, section 10 creates Minn. Stat. 295.82 to prohibit local governments from imposing a local sales tax solely on taxable cannabis products. *Effective May 31, 2023.*
- **Sales to government.** Article 2, section 15 amends Minn. Stat. § 297A.70, subd. 2 to provide that the purchase by a government entity of taxable cannabis products is not exempt from sales tax. *Effective July 1, 2023.*
- **Local government cannabis aid.** Article 2, section 28 creates Minn. Stat. 477A.31 to establish local government cannabis aid. *Effective July 1, 2023.*
 - **Certification.** Subd. 2 requires the commissioner of Management and Budget to certify to the commissioner of Revenue the balance of the local government cannabis aid account annually beginning July 15, 2024. The Office of Cannabis Management must certify to the commissioner of Revenue the number of cannabis businesses licensed under Chapter 342, disaggregated by county and city annually beginning June 1, 2024.
- **Aid to cities.** Subd. 3 establishes that, beginning for aid payable in 2024, the amount available for aid to cities under this section equals 50% of the amount certified in that year. The aid to each city must be distributed proportionally according to the number of cannabis businesses located in the city as compared to the number of cannabis businesses in all cities as of the most recent certification under subd. 2.
- **Payment.** Subd. 5 establishes that the commissioner of Revenue must certify the amount to be paid to each city on or before Sept. 1 of each year and the full amount must be paid on Dec. 26 annually.

Article 4: Criminal penalties

Article 4 establishes new crimes related to the possession, sale, and cultivation of cannabis and cannabis products. Article 4 is effective Aug. 1, 2023, unless indicated otherwise.

- **Controlled substance definitions.** Article 4, sections 2 through 9 amend Chapter 152 regarding controlled substances to adopt the definitions from Chapter 342 for artificially derived cannabinoid, cannabis concentrate, cannabis flower, cannabis plant, cannabis product, edible cannabis product, hemp-derived consumer product, and lower-potency hemp edible.
- **Sale crimes:**
 - First degree. Section 10 amends Minn. Stat. § 152.021, subd. 1 to eliminate the controlled substance offense in the first degree related to the sale of marijuana.
 - Second degree. Section 12 amends Minn. Stat. § 152.022, subd. 1 to eliminate the controlled substance offense in the second degree related to the sale of marijuana.
 - Third degree. Section 14 amends Minn. Stat. § 152.023, subd. 1 to eliminate the controlled substance offense in the third degree related to the sale of marijuana.
 - Fourth degree. Section 16 amends Minn. Stat. § 152.024, subd. 1 to eliminate the controlled substance offense in the fourth degree related to the sale of marijuana in a school zone, park zone, public housing zone, or a drug treatment center.
 - Fifth degree. Section 17 amends Minn. Stat. § 152.025, subd. 1 to eliminate the controlled substance offense in the fifth degree related to the sale of marijuana.
- **Possession crimes:**
 - First degree. Section 11 amends Minn. Stat. § 152.021, subd. 2 regarding substance offense in the first degree related to the possession of marijuana to provide that a person commits the offense if the person possesses more than 50 kilograms of cannabis flower, more than 10 kilograms of cannabis concentrate, or cannabinoid products infused with more than 1 kilogram of tetrahydrocannabinol, and

eliminates the controlled substance offense in the first degree related to the possession of 500 or more marijuana plants.

- Second degree. Section 13 amends Minn. Stat. § 152.022, subd. 2 to provide that a person commits a controlled substance offense in the second degree related to marijuana if the person possesses more than 25 kilograms of cannabis flower, more than 5 kilograms of cannabis concentrate, or cannabinoid products infused with more than 500 grams of tetrahydrocannabinol.
- Third degree. Section 15 amends Minn. Stat. § 152.023, subd. 2 to provide that a person commits a controlled substance offense in the third degree related to the possession of marijuana if the person possesses more than 10 kilograms of cannabis flower, more than two kilograms of cannabis concentrate, or cannabinoid products infused with more than 200 grams of tetrahydrocannabinol.
- Fifth degree. Section 18 amends Minn. Stat. § 152.025, subd. 2 to eliminate the controlled substance offense in the fifth degree related to the possession of marijuana, cannabis, or cannabis products.
- **Cannabis possession crimes.** Article 4, section 19 creates Minn. Stat. § 152.0263 to establish petty misdemeanor, misdemeanor, gross misdemeanor, and felony crimes for possessing cannabis and cannabis products in excess of the amounts that are legal under this chapter. This section authorizes a local unit of government to establish ordinances prohibiting the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in public places provided the ordinance establishes only a petty misdemeanor penalty.
- **Cannabis sale crimes.** Article 4, section 20 creates Minn. Stat. § 152.0264 to establish petty misdemeanor, misdemeanor, gross misdemeanor, and felony crimes for the sale of regulated products without a license. This section has increased penalties for repeat offenders, sale to a minor, or sale in a school zone, park zone, public housing zone, or drug treatment facility. This section establishes a petty misdemeanor and misdemeanor offense for the sale by a minor.
- **Cannabis sale crimes.** Article 4, section 21 creates Minn. Stat. § 152.0265 to establish gross misdemeanor and felony crimes for cultivating cannabis without a license and in excess of the amounts that would be legal under this chapter.
- **Driving under the influence definitions.** Article 4, sections 23 through 27 amend Minn. Stat. § 169A.03 by adopting the definitions in Chapter 342 for artificially derived cannabinoid, cannabis flower, cannabis product, hemp-derived consumer product, and lower-potency hemp edible.
- **Driving while impaired.** Article 4, section 28 amends Minn. Stat. § 169A.20, subd. 1 and Section 35 amends Minn. Stat. § 192A.555 to clarify that operating under the influence of cannabis, cannabis products, hemp products, or THC derived products from either cannabis or hemp remains a violation of law regarding driving while impaired.
- **Crime described.** Article 4, section 29 amends Minn. Stat. § 169A.31, subd. 1 to establish a crime for operating a school bus or Head Start bus with any amount of cannabis, cannabis product, artificially derived cannabinoid, or THC in the person's system.
- **Open package law.** Article 4, section 30 creates Minn. Stat. § 169A.36 to establish an open package law that prohibits use of cannabis flower, cannabis products, or any product containing an artificially derived cannabinoid and possession of an open package containing any of those by a driver or passenger in a motor vehicle. This section establishes liability for the owner of motor vehicles. This section establishes exceptions for transporting an open package in the trunk of a vehicle or a similar area that is not accessible to the driver, and for limousines, certain buses, and certain vehicles operated by pedaling.
- **Implied consent.** Article, section 31 amends Minn. Stat. § 169A.51, subd. 1 regarding implied consent to certain tests to detect substances while operating a vehicle to add cannabis, cannabis products, hemp products, or THC derived from either cannabis or hemp.
- **Requirement of urine or blood test.** Article 4, section 32 amends Minn. Stat. 169A.51, subd. 4 regarding blood or urine test requirements related to operating a vehicle while impaired to add cannabis, cannabis products, hemp products, or THC derived from either cannabis or hemp.
- **Criminal vehicular homicide.** Article 4, section 39 amends Minn. Stat. § 609.2112, subd. 1 related to criminal vehicular homicide to include cannabis, cannabis products, hemp products, or THC derived from either cannabis or hemp.
- **Bodily harm.** Article, 4, sections 40 through 42 amends Minn. Stat. § 609.2113 related to criminal vehicle operation resulting in bodily harm to include cannabis, cannabis products, hemp products, or THC derived from either cannabis or hemp.
- **Death or injury to an unborn child.** Article 4, section 43 and 44 amend Minn. Stat. § 609.2114 regarding criminal vehicular operation resulting in death or injury to an unborn child to include cannabis, cannabis products, hemp products, or THC derived from either cannabis or hemp.
- **Controlled substances.** Article 4, sections 45 through 47 make conforming changes to Minn. Stat. § 609.5311 regarding controlled substances, Minn. Stat. § 609.5314 regarding controlled substances related to property subject to administrative forfeiture, and Minn. Stat. § 609.5316 regarding controlled substances.

- **Carrying while under the influence.** Article 4, section 48 amends Minn. Stat. § 624.7142, subd. 1 regarding the prohibition for a person to carry a pistol in public under certain circumstances to include when the person is under the influence of cannabis, cannabis products, hemp products, or THC derived from either cannabis or hemp.
- **Roadside testing pilot project.** Article 4, section 49 creates a DWI controlled substance roadside testing instrument pilot project to study oral fluid roadside testing instruments to determine the presence of a controlled or intoxicating substance in individuals stopped or arrested for driving while impaired. The pilot project must occur from Sept. 1, 2023, to Aug. 31, 2024, and a report must be made to the Legislature by Feb. 1, 2025. *Effective May 31, 2023.*

Article 6: Miscellaneous provisions

Article 6 provides miscellaneous provisions including requiring education programs on cannabis use, provisions regarding workplace testing for cannabis, and provisions related to liquor law. *Effective July 1, 2023, unless indicated otherwise.*

- **Food.** Article 6, section 6 amends Minn. Stat. § 34.01, subd. 4 by adding cannabis products and lower-potency hemp edibles to not be included in the definition of “food.” *Effective March 1, 2025.*
- **Education on cannabis and substance use.** Article 6, section 7 creates Minn. Stat. § 120B.215 to require the commissioner of the Department of Education to identify model programs to educate middle and high school students about the health effects of cannabis use and substance use, and requires schools to implement and education program on cannabis use and substance use beginning in the 2026–2027 school year.
- **Cannabis data collection and reports.** Article 6, section 8 creates Minn. Stat. § 144.196 to require the commissioner of the Department of Health to collect data and report on the prevalence of the use of cannabis and cannabis products and requiring a public report at least every two years beginning Jan. 1, 2025.
- **Cannabis education programs.** Article 6, section 9 creates Minn. Stat. § 144.197 to require the commissioner of the Department of Health to conduct an education program on the adverse health effects of the use of cannabis or cannabis products by persons under 21 and to conduct an education program to educate pregnant women, breastfeeding women, and women who may become pregnant on the adverse health effects of prenatal exposure or exposure by infants and children to cannabis and cannabis products. This section requires the commissioner to provide training to home visiting programs regarding safe and unsafe uses of cannabis and cannabis products in homes with infants and young children.
- **Cannabis testing in the workplace definitions.** Article 6, sections 27 through 32 amend various definitions in statute regarding workplace drug and alcohol testing to make conforming changes.
 - Section 27 amends Minn. Stat. § 181.950, subd. 2 to define “confirmatory test” and “confirmatory retest” to include a cannabis test.
 - Section 28 amends Minn. Stat. § 181.950, subd. 4 and section 29 amends Minn. Stat. § 181.950, subd. 5 to remove cannabis as a defined drug subject to current drug and alcohol testing.
 - Section 30 amends Minn. Stat. § 181.950 by adding subd. 5a to define “cannabis testing,” to mean the analysis of a body component sample according to standards established under Minn. Stat. § 181.953, subd. 1 for the purpose of measuring the presence or absence of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or cannabis metabolites.
 - Section 31 amends Minn. Stat. § 181.950, subd. 8 to include cannabis in the definition of “initial screening test.”
 - Section 32 amends Minn. Stat. § 181.950, subd. 13 to include cannabis in the definition of “safety-sensitive position” in which an impairment caused by usage of certain substances would threaten the health or safety of any person.
- **Random testing.** Article 6, section 33 amends Minn. Stat. § 181.951, subd. 4 to allow employers to request or require cannabis testing for employees employed in safety-sensitive positions.
- **Reasonable suspicion testing.** Article 6, section 34 amends Minn. Stat. § 181.951, subd. 5 to allow employers to request or require cannabis testing if the employer has a reasonable suspicion that the employee is under the influence of drugs or alcohol, has violated work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, has sustained a personal injury or caused another employee to sustain an injury, or has caused a work-related accident.
- **Treatment program testing.** Article 6, section 35 amends Minn. Stat. § 181.951, subd. 6 to allow employers to require or request cannabis testing if the employee has been referred by the employer for substance use disorder treatment or evaluation, or is participating in a substance use disorder treatment program.
- **Limitations on cannabis testing.** Article 6, section 36 amends Minn. Stat. § 181.951 by adding subd. 8 to prohibit cannabis testing of job applicants or using cannabis test results to make hiring decisions unless otherwise required by the state or federal law. This section prohibits testing on an arbitrary or capricious basis.
- **Cannabis testing exceptions.** Article 6, section 37 amends Minn. Stat. § 181.951 by adding subd. 9 to

provide exceptions to the limitations on cannabis testing. This section provides that cannabis and its metabolites are subject to the drug and alcohol testing provisions in Minn. Stat. § 181.950 to 181.957 if it is a safety-sensitive position as defined by Minn. Stat. § 181.950, subd. 13; a peace officer position as defined by Minn. Stat. § 626.84, subd. 1; a firefighter position, as defined by Minn. Stat. § 299N.01, subd. 3; a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children, vulnerable adults, or patients; a position requiring a commercial driver's license; a position funded by a federal grant, or; any other position for which state or federal law requires testing for cannabis.

- **Cannabis policy.** Article 6, section 38 amends Minn. Stat. § 181.952 by adding subd. 3 to allow employers to create and enforce written policies prohibiting cannabis use, possession, sale, transfer, or impairment at work or on work property.
- **Reliability and fairness safeguards.** Article 6, section 39 amends Minn. Stat. § 181.953 to clarify that existing testing standards and protections under the workplace drug and alcohol statute apply if an employer requests or requires an employee to undergo cannabis testing. This section adds subd. 10a to authorize discipline, discharge, or other adverse personnel action by an employer for a cannabis violation at work or on work property, and outlines circumstances in which this applies.
- **Privacy, confidentiality, and privilege safeguards.** Article 6, section 40 amends Minn. Stat. 181.954 to make the conforming change that privacy, confidentiality, and privilege provisions in the workplace drug and alcohol statute apply to cannabis testing.
- **Interaction with collective bargaining agreements.** Article 6, section 41 amends Minn. Stat. 181.955 to allow for consistent cannabis testing policies in collective bargaining agreements that meet or exceed employee protections for workplace testing provisions.
- **Excluded employees and job applicants.** Article 6, section 42 amends Minn. Stat. § 181.957, subd. 1 regarding federal preemption of state drug testing law to add cannabis testing.
- **Liquor retail disqualifiers.** Article 6, section 50 amends Minn. Stat. § 340A.402, subd. 1 regarding liquor retail disqualifiers to prohibit a retail license from being issued to a person who has had a license or registration issued under Ch. 342 or Minn. Stat. § 151.72, subd. 5b revoked, has been convicted of an offense under Minn. Stat. § 151.72, subd. 7, or has been convicted under any other statute for the illegal sale of marijuana, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or edible cannabinoid products and the sale took place on the premises of a business that sells intoxicating liquor or 3.2% malt liquor.

- **Lower-potency hemp edible retail license not prohibited.** Article 6, section 51 creates Minn. Stat. § 340A.4022 to prohibit the revocation or suspension of a retail liquor license, or imposition of a licensing penalty, solely because a licensee holds a lower-potency edible product retailer license.
- **Exclusive liquor stores.** Article 6, section 52 amends Minn. Stat. § 340A.412, subd. 14 by permitting exclusive liquor stores to sell lower-potency hemp edibles and products that detect the presence of fentanyl or fentanyl analog. *Effective March 1, 2025.*
- **License penalties for certain products.** Article 6, section 53 amends Minn. Stat. § 461.12 by adding subd. 2a to allow a tobacco license to be suspended or revoked if the licensee has a registration or licensed under Ch. 342 or Minn. Stat. § 151.72, subd. 5b revoked, is convicted of an offense under Minn. Stat. § 151.72, subd. 7, or has been convicted under any other statute for the illegal sale of marijuana, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or edible cannabinoid products and the sale took place on the premises of a business that sells tobacco. This section requires notice and an opportunity for a hearing before suspension or revocation.
- **Terms of covenant.** Article 6, section 55 amends Minn. Stat. § 504B.171, subd. 1 to provide that a landlord cannot prohibit a tenant from legally possessing or using, and a tenant cannot waive the right to legally possess or use, any cannabinoid products or hemp-derived consumer products other than those consumed through smoking, vaping, or a similar manner.
- **Lawful cannabis users.** Article 6, section 71 creates Minn. Stat. § 624.7152 to provide that a person may not be denied the right to own, possess, or carry firearms based on the person's status as a patient in the medical cannabis registry program, or on the basis that the person is 21 years of age or older and uses adult-use cannabis products. This section prohibits state and local agencies from accessing certain information or requesting certain information if the purpose is to prohibit a person in the registry program from owning, possessing, or carrying a firearm.

Article 7: Temporary regulation of certain products

This article directs the Department of Health to temporarily regulate products containing hemp-derived cannabinoids, including products that contain CBD and edible products that contain up to 5 milligrams of THC per serving. *Effective May 31, 2023.*

- **Sale of certain cannabinoid products.** Article 7, section 2 amends Minn. Stat. § 151.72 to make changes related to definitions, scope, sale of cannabinoids derived from hemp, testing and labeling requirements, and additional requirements for edible cannabinoid products.
- **Definitions.** Subd. 1 defines additional terms including “artificially derived cannabinoid,” “batch,” “

distributor,” and “synthetic cannabinoid.”

- **Scope.** Subd. 2 makes a conforming change to clarify that the commissioner of the Department of Health will have regulatory authority over products under this section.
- **Sale of cannabinoids derived from hemp.** Subd. 3 expands upon current law regarding the sale of non-intoxicating cannabinoids to establish that a product containing nonintoxicating cannabinoids, other than edible cannabinoid products, may only be sold if it is intended for application externally to a part of the body. This section authorizes products to be sold for onsite consumption if the retailer also holds an on-sale license issued under Ch. 340A, the products are served in original packaging, products are not sold to a customer who is visibly intoxicated, and products are not permitted to be mixed with an alcoholic beverage. If products have been removed from packaging, they may not be removed from the premises.
- **Testing requirements.** Subd. 4 requires manufacturers seeking testing for hemp-derived cannabinoids and products to disclose any foreign substances, including pesticides, applied to the product. This section permits the commissioner of the Department of Health to determine that a testing laboratory does not meet minimum requirements.
- **Labeling requirements.** Subd. 5 adds “batch number” to the information a label must contain.
- **Additional requirements for edible cannabinoid products.** Subd. 5a eliminates the provision authorizing a trace amount of any tetrahydrocannabinol for beverages and restricts beverages from containing more than two servings per container. This section requires indications of serving size to appear on an edible cannabinoid product and limits the cannabinoids an edible cannabinoid product can contain to delta-8 THC and delta-9 THC and specifically prohibits other artificially derived cannabinoids and synthetic cannabinoids. This section requires that products, other than products intended to be consumed as a beverage, be displayed behind a checkout counter or in a locked case.
- **Registration by Oct. 1, 2023.** Subd. 5b requires businesses selling edible cannabinoid products to register with the commissioner of the Department of Health by Oct. 1, 2023. This section requires that the registrant affirms that they are in compliance with the requirements of this section and all other applicable state and local laws and ordinances.
- **Age verification.** Subd. 5c requires businesses to verify the age of a customer before selling edible cannabinoid products and identifies valid forms of identification.
- **Noncompliant products.** Subd. 6 establishes that products sold or held for sale in this state are considered noncompliant products when they fail to meet certain health and safety requirements.

- **Violations and criminal penalties.** Subd. 7 establishes gross misdemeanor penalties for certain sales of edible cannabinoid products, including the knowing sale of noncompliant products or sales to a person under the age of 21.
- **Exclusive liquor stores.** Article 7, section 3 amends Minn. Stat. § 340A.412, subd. 14 to permit exclusive liquor stores to sell edible cannabinoid products as defined by Minn. Stat. § 151.72, subd. 1f and products that detect the presence of fentanyl or fentanyl analog.
- **Transfer of active and inactive complaints.** Article 7, section 5 provides that the Board of Pharmacy shall transfer all data on active and inactive complaints involving alleged violations of Minn. Stat. § 151.72 to the Department of Health. The Department of Health shall transfer all data to the Office of Cannabis Management once established.

Article 8: Scheduling of marijuana

Article 8, section 1 amends Minn. Stat. § 152.02, subd. 2 by removing marijuana and tetrahydrocannabinols from the list of Schedule I substances. Article 8, section 2 amends Minn. Stat. § 152.02, subd. 4 by adding marijuana and tetrahydrocannabinols to the list of Schedule III substances. *Effective May 31, 2023.*

Article 9: Appropriations

Article 9 appropriates money to pay for establishing the regulatory structure for adult-use cannabis and other costs that will be incurred before the legal sale of adult-use cannabis:

- \$10 million is appropriated in the FY ending June 30, 2025, to local and tribal health departments for grants under Minn. Stat. § 144.197, subd. 4.
- \$10 million is appropriated in the FY ending June 30, 2024, and \$5 million is appropriated in the FY ending June 30, 2025, to the Office of Traffic and Safety for drug recognition evaluator training and drug recognition training for peace officers. Additional funds are allocated for the roadside testing pilot project.



CIVIL AND CRIMINAL LAW

Appropriation to Office of the Attorney General provided

Chapter 8 (HF 29/SF 33*) is a 2023 session law. It provides \$269,000 in FY 2023 for enhanced enforcement and related initiatives. The base for this appropriation in FY 2024 and beyond is \$2.021 million. Effective Feb. 8, 2023. **(AF)**

Opioid settling defendants list expanded

Chapter 50 (HF 1403*/SF 2818) is a human services bill pertaining to aging, disability, behavior health, substance use disorder, and statewide opioid litigation. Article 4,

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.a.

Department Approval



City Manager Approval



Item Description: Approve Payments

Background

State Statute requires the City Council to approve all payment of claims. The following summary of claims has been submitted to the City for payment.

A detailed report of the claims is attached. City staff have reviewed the claims and consider them to be appropriate for the goods and services received.

Check Series #	Amount
ACH Payments	\$946,088.61
107031-107196	\$1,314,160.66
Total	\$2,260,249.27

Policy Objectives

Under Minnesota State Statute, all claims are required to be paid within 35 days of receipt.

Racial Equity Impact Summary

Not applicable.

Budget Implications

All expenditures listed above have been funded by the current budget, from donated monies, or from cash reserves.

Staff Recommendations

Staff recommends approval of all payment claims.

Requested Council Action

Motion to approve the payment of claims as submitted.

Prepared by: Joshua Kent - Assistant Finance Director

Attachments: 1. Attachment 1 - Checks for Approval

Bank Reconciliation

Board Audit

User: Joshua.Kent
 Printed: 07/19/2023 - 9:31AM
 Date Range: 07/05/2023 - 07/18/2023
 Systems: 'AP'



Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 100 General Fund				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	84,548.72
Total for Department: 00 General Function				84,548.72
Department: 01 General Government				
0	Adam's Pest Control Inc	Prevention Plus	07/12/2023	296.38
0	American Mailing Machines-Non Bank	Postage	07/10/2023	3,000.00
0	City of Maplewood	RSVL's portion - 2023 People of Colo	07/12/2023	3,000.00
0	Company Promo-CC	Park Patrol Gear 2023	07/11/2023	742.14
0	Erickson, Bell, Beckman & Quinn P.A.	Professional Services and Disburseme	07/12/2023	14,553.00
0	Fikes, Inc.	Restroom Supplies	07/05/2023	255.53
0	Fikes, Inc.	Restroom Supplies	07/12/2023	905.51
0	GFOA- CC	GFOA-ACFR Submission	07/11/2023	530.00
0	Home Depot- CC	Shop Vac	07/11/2023	170.30
0	Jeff's S.O.S. Drain & Sewer Cleaning	Jetting	07/05/2023	350.00
0	La Tapatia-CC	DEI Training Food	07/11/2023	673.97
0	MAVA-CC	MAVA 2023 Volunteer Engagement Le	07/11/2023	325.00
0	McGough Property Management, LLC	Facility Managment Service June	07/12/2023	5,247.00
0	Nelsons Cheese & Deli-CC	DEI Training	07/11/2023	511.87
0	Phil Weix	GFOA Membership	07/05/2023	150.00
0	Quickbooks-CC	RVA Quickbooks	07/11/2023	319.00
0	Reference-CC	Driving Record	07/11/2023	50.00
0	Sam's Club-CC	Flower Power Volunteer Snacks	07/11/2023	86.14
0	Suburban Ace Hardware-CC	Spray Head/ ez-Reach	07/11/2023	31.98
0	Survey Monkey.com-CC	Advantage Annual Plan	07/11/2023	468.00
0	The Retrofit Companies Inc	Recycling Services	07/12/2023	131.79
0	US Bank-Non Bank	May 2023 Terminal Charges	07/10/2023	253.10
0	Walmart-CC	Supplies	07/11/2023	17.10
0	Yale Mechanical	Condenser Coil Cleaning	07/05/2023	1,214.00
107032	Anchor Solar Investments, LLC	Solar Leasing	07/05/2023	1,675.11
107049	Classic Catering	Proposal #10993, 20% Deposit, Event	07/05/2023	570.79
107070	Jackson & Associates, LLC	Responded to leak call	07/05/2023	28,255.00
107087	Postmaster-Mailing Requirements	BRM Permit #2437000, For Deposit to	07/05/2023	290.00
107131	David R. Cantu	June Billings	07/12/2023	431.50
107155	Linn Building Maintenance	General Cleaning July 2023	07/12/2023	8,626.00
107161	Metropolitan Courier Corp.	Service for June 2023	07/12/2023	810.14
107168	NFP Insurance Services, Inc.	Bswift Fee/ACA Fee	07/12/2023	683.40
107170	Northern Consulting Actuaries, Inc.	FYE2022 GASB 67/68 Actuarial Rep	07/12/2023	2,200.00
107175	Ramsey County	Election Services 2023	07/12/2023	24,269.00
107186	T Mobile	Phones/Acct #990276835 Mobile #651	07/12/2023	29.32
107189	Trans Union, LLC	Backgrounds	07/12/2023	158.56
Total for Department: 01 General Government				101,280.63
Department: 02 Public Safety				
0	Acapulco Restaurant-CC	Family Orientation Night	07/11/2023	377.52
0	Aldi-CC	Groceries - Home ARP Grant	07/11/2023	104.87
0	Alert All-CC	Kids Fire Hats	07/11/2023	792.00
0	Amazon.com- CC	Standing Desk	07/11/2023	1,186.50

Check No.	Vendor/Employee	Transaction Description	Date	Amount
0	Andrew Koehler	Training Meals	07/05/2023	77.70
0	Animal Care Equipment-CC	Duck Net	07/11/2023	61.71
0	Car Wash Partners	May Wash Services	07/05/2023	392.00
0	Carbones Pizza-CC	Training Lunch	07/11/2023	31.67
0	Chipotle- CC	Training Lunch	07/11/2023	28.80
0	Defensive Edge Training-CC	Training Course	07/11/2023	550.00
0	Emergency Automotive Tech Inc	Bracket for Light Kit - Squad 2302	07/05/2023	932.67
0	Galls Inc-CC	CSO Equipment	07/11/2023	224.26
0	Greenhaven Printing	Business Cards - D. Ahmed & S. Vane	07/05/2023	340.90
0	Home Depot- CC	Operation Supplies	07/11/2023	100.57
0	Hotels.com-CC	Hotel - Conference	07/11/2023	574.73
0	Innovative Office Solutions-CC	Paper	07/11/2023	191.92
0	Jersey Mikes Subs-CC	Training Lunch	07/11/2023	32.94
0	Jimmy John's- CC	Training Lunch	07/11/2023	13.62
0	Joseph's Family Restaurant-CC	Training Lunch	07/11/2023	25.78
0	Marquez Grill-CC	Training	07/11/2023	62.00
0	Masa Consulting, Inc.	Mental Health Support Services for J	07/05/2023	7,062.50
0	Metro-INET Non Bank	Monthly Payments to Metro-Inet for M	07/10/2023	375.00
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	2,160.04
0	MN Fire Service Certification Board	C. DuBay - Firefighter I Certification I	07/05/2023	378.00
0	MN Sheriffs Assn-CC	Training Course	07/11/2023	90.00
0	Motel 6 - CC	Outreach - ARP Grant	07/11/2023	198.15
0	Pepperball.com-CC	Training/Certification - R. Duxbury	07/11/2023	549.00
0	Pop Up Party Rentals-CC	PD Party Rental	07/11/2023	904.28
0	POST Board Licensing-CC	Peace Officer Standards & Training Li	07/11/2023	1,440.00
0	Primary Products-CC	Exam Gloves	07/11/2023	277.75
0	Speedway-CC	Gas Card for Outreach Client	07/11/2023	274.37
0	Stalker Radar-CC	Radar Tuning Fork Pouches	07/11/2023	50.95
0	Streicher's	CSO Uniform	07/05/2023	1,092.28
0	Suburban Ace Hardware-CC	Hooks	07/11/2023	44.36
0	Tacflow Academy-CC	Shield Training Course - R. Duxbury	07/11/2023	1,150.00
0	Target- CC	Supplies - Home Arp Grant	07/11/2023	100.67
0	Walgreens-CC	Cleaning Supplies	07/11/2023	7.07
0	Zac Spates	Meal Reimbursements	07/05/2023	132.94
107032	Anchor Solar Investments, LLC	Solar Leasing	07/05/2023	371.91
107034	Aspen Mills Inc.	Clothing	07/05/2023	318.40
107035	Axon Enterprise, Inc.	Basic/Pro License Bundle	07/05/2023	823.94
107040	BCA	Background Checks	07/05/2023	99.75
107044	Caliber Collision	2021 Durango Pursuit Repairs	07/05/2023	3,431.20
107045	Calibre Press, Inc.	Training course - C. Marston	07/05/2023	495.00
107048	Circle K Stores Inc.	June Car Washes	07/05/2023	84.50
107050	Concordance Healthcare Sol.	Gloves	07/05/2023	271.03
107060	Forest Lake Sportsmen's Club	Law Enforcement Rental - 9 Sessions	07/05/2023	3,240.00
107061	Galls, LLC	Explorer Jacket Patches	07/05/2023	207.63
107067	Henry Schein, Inc.	Paper Lifepak 11, 12, 15	07/05/2023	32.02
107071	John Alan Roberto	Clothing for outreach events	07/05/2023	150.00
107072	Lakes Floral, Gift & Garden	Flowers for LE Memorial	07/05/2023	135.00
107073	Language Line Services	Translation Services	07/05/2023	518.34
107075	LexisNexis Risk Data Management, In	May 2023 Minimum Commitment	07/05/2023	200.00
107077	Martin McAllister, Inc.	Public Safety Assessment - C. Sundstr	07/05/2023	625.00
107090	Ramsey County	CAD Services for May	07/05/2023	33,876.81
107091	Regions Hospital	Q1 2023 Supply Charges Pharmacy St	07/05/2023	1,634.56
107104	TransUnion Risk and Alternative	May 2023 Billing	07/05/2023	231.60
107108	Verizon	PD Phones 5/9 - 6/8/23 Acct 5422591:	07/05/2023	4,057.57
107118	Aspen Mills Inc.	Clothing - M. Wallace	07/12/2023	503.82
107119	AT&T Mobility	Account Number 287284171528	07/12/2023	698.79
107126	City Suburban Inc	FD Window Cleaning	07/12/2023	1,750.00
107138	Fastsigns	Laminated Poster Prints	07/12/2023	254.60
107144	Henry Schein, Inc.	Medical Supplies	07/12/2023	19.14
107153	Leads Online	PowerPlus Investigation System Servi	07/12/2023	3,773.00
107155	Linn Building Maintenance	General Cleaning July 2023	07/12/2023	1,400.00
107172	Overhead Door Co of the Northland	FD - Door 2, Replaced Coupler	07/12/2023	646.45
107193	Verizon	Phones 5/27 - 6/26/23 Acct 48722306:	07/12/2023	40.01

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Total for Department: 02 Public Safety				82,279.59
Department: 03 Public Works				
0	Amazon.com- CC	Phone Charger	07/11/2023	78.35
0	Batteries Plus-CC	DEVREP OSR	07/11/2023	99.99
0	Carnell Sales, Inc-CC	Plain Bearing	07/11/2023	55.36
0	City of St. Paul	Asphalt Mix 4A	07/05/2023	89.09
0	Factory Motor Parts, Co.	Vehicle Supplies	07/05/2023	633.92
0	Fastenal Company Inc.	Vehicle Supplies	07/05/2023	268.63
0	Hunter Engineering Co-CC	Shop Tire Machine Supplies	07/11/2023	115.25
0	John M Ellsworth Co-CC	Latch Repair Kit	07/11/2023	47.07
0	Mansfield Oil Company of Gainsville,	CONV87 OCT E-10	07/12/2023	6,094.61
0	Menards-CC	Spray Paint	07/11/2023	45.83
0	MN Dept of Revenue-Non Bank	May 2023 Fuel Tax	07/10/2023	230.57
0	Napa Auto Parts	Water Pump, Serpentine Belt	07/05/2023	194.83
0	Phil Weix	RVA 990 Submission	07/05/2023	47.00
0	SFM-Non Bank	Escrow Pre-Funding, Idemnity: Streets	07/10/2023	54,382.00
0	Snap On-CC	Impact WR Kit	07/11/2023	317.95
0	Suburban Ace Hardware-CC	Duct Tape/Spray Paint	07/11/2023	16.08
0	T Mobile-CC	Phones	07/11/2023	398.66
0	T. A. Schifsky & Sons, Inc.	Yard Purchases from 6/18 - 6/24/23	07/12/2023	614.46
0	Verizon-CC	Phones	07/11/2023	226.16
0	Xcel Energy	Xcel July Billings	07/12/2023	2,343.47
107038	Batteries Plus Bulbs	12V 51R Flooded 24	07/05/2023	152.95
107046	CES Imaging	SSP Minimum - Cannon TX3000MFP	07/05/2023	40.00
107047	Cintas Corporation	Clothing	07/05/2023	42.70
107076	Martin Marietta Materials Inc	Delamination Civic Center	07/05/2023	2,102.84
107083	Northwest Lasers and Instruments, Inc.	Flo Pink Paint, Markers, Magnail	07/05/2023	108.60
107088	Precise MRM, LLC	10MB Flat Data Plan US with NAF	07/05/2023	768.00
107100	Suburban Tire Wholesale, Inc.	Tires	07/05/2023	1,983.90
107103	The MN Transportation Alliance, Inc.	Annual Membership Renewal through	07/05/2023	790.00
Total for Department: 03 Public Works				72,288.27
Total for Fund:100 General Fund				340,397.21

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 101 General Fund Donations				
Department: 02 Public Safety				
107042	Bridging Inc	Homeless Outreach	07/05/2023	270.00
Total for Department: 02 Public Safety				270.00
Total for Fund:101 General Fund Donations				270.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 103 Contracted Engineering Svcs				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	957.70
Total for Department: 00 General Function				957.70
Department: 03 Public Works				
0	T Mobile-CC	Phones	07/11/2023	8.72
0	US Bank-Non Bank	May 2023 Terminal Charges	07/10/2023	491.22
107182	Silver Creek Equity LLC	Overpayment of application fee	07/12/2023	20.00
Total for Department: 03 Public Works				519.94
Total for Fund:103 Contracted Engineering Svcs				1,477.64

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 109 Information Technology				
Department: 01 General Government				
0	Metro-INET Non Bank	Monthly Payments to Metro-Inet for N	07/10/2023	142,656.00
Total for Department: 01 General Government				142,656.00
Total for Fund:109 Information Technology				142,656.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 110 Telecommunications				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	2,120.27
Total for Department: 00 General Function				2,120.27
Department: 01 General Government				
0	Adobe System-CC	Adobe Stock - 10 Assets a month	07/11/2023	29.99
0	Pioneer Press-CC	No Receipt	07/11/2023	23.65
107084	Nystrom Publishing Co, Inc.	May/June 2023 City Newsletter	07/05/2023	13,909.78
107108	Verizon	PD Phones 5/9 - 6/8/23 Acct 54225914	07/05/2023	87.64
Total for Department: 01 General Government				14,051.06
Total for Fund:110 Telecommunications				16,171.33

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 200 Recreation Fund				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	11,495.64
0	MN Dept of Revenue-Non Bank	Sales Tax and Use - May	07/10/2023	3,783.77
Total for Department: 00 General Function				15,279.41
Department: 04 Recreation				
0	Amazon.com- CC	Laptop Charger	07/11/2023	24.82
0	Atsuko Johnson	Baby Hula 5/31-6/21, Hula 5/3-6/21	07/12/2023	409.50
0	Carley McGovern	Mileage Reimbursement 5/24 - 7/6/23	07/12/2023	96.03
0	Chewy.com-CC	Animal Care Supplies/Mosquito Contr	07/11/2023	47.99
0	Comcast-CC	Sandcastle Comcast Services	07/11/2023	289.20
0	Corporate Connection, Inc.	Clothing	07/05/2023	176.03
0	Daktronics-CC	Power Supply	07/11/2023	320.00
0	Danielle Christensen	Mileage Reimbursement 2/2/23 - 6/28/	07/05/2023	81.88
0	Electric Motor Repair- CC	Repairs	07/11/2023	662.82
0	Elise Stave	Inline Skate Camp Instructor - 18 hour	07/05/2023	360.00
0	Elizabeth Leverty	Void/Reissue of uncashed Dance Supp	07/12/2023	46.11
0	Elkhart Brass-CC	HZ/VT Sensor Kit	07/11/2023	155.32
0	Emma Cohen	Mileage Reimbursement 5/25 - 6/27/23	07/12/2023	53.06
0	Eve Maas	Sand Volleyball Official	07/12/2023	182.00
0	Fikes, Inc.	Restroom Supplies	07/12/2023	346.84
0	Harolds Shoe Repair-CC	Fixed Rental Skate	07/11/2023	20.00
0	John Lambrecht	Sand Volleyball Official	07/12/2023	130.00
0	Juan Felipe Ruiz Duque	Sand Volleyball Official	07/12/2023	156.00
0	Kathie Urbaniak	Sand Volleyball Official	07/12/2023	52.00
0	Keeley Whitcomb	Inline Skate Camp Instructor - 15 hour	07/05/2023	320.00
0	Lois Cunningham	Chair Yoga Thurs 5/4 - 6/29	07/05/2023	302.40
0	Menards-CC	Cleaning Supplies	07/11/2023	41.20
0	Misty Nickels	Sand Volleyball Official	07/12/2023	252.00
0	Natalie Witham	Sand Volleyball Official	07/12/2023	26.00
0	R & R Specialties of Wisconsin, Inc	Squeegee, Natural Gum Rubber	07/12/2023	99.45
0	Scott Breuer	Mileage Reimbursement for June 2023	07/12/2023	88.03
0	Staples-CC	Office Supplies	07/11/2023	336.48
0	Taho Sportswear, Inc.	Run for Roses Shirts	07/12/2023	526.00
0	Target- CC	Snacks/Supplies	07/11/2023	56.23
0	Voss Lighting	Operating Supplies	07/12/2023	612.70
0	Walmart-CC	Cleaning Supplies	07/11/2023	44.58
0	When I Work-CC	Small Business Plan	07/11/2023	90.00
0	Willie McCray	Umpires 6/26-6/29/23	07/12/2023	3,712.00
107033	Asian Media Access, Inc.	Summer Entertainment	07/05/2023	1,200.00
107036	Brian Bailey	Track & Field Coaches Camp	07/05/2023	580.00
107037	Paul Barry	Summer Entertainment	07/05/2023	800.00
107039	The Bavarian Musikmeisters	Summer Entertainment	07/05/2023	500.00
107043	Brio Brass	Summer Entertainment	07/05/2023	200.00
107052	Dale Dahlquist	Summer Entertainment	07/05/2023	500.00
107053	Hattie DeVries	Roseville Volleyball Coaches Camp	07/05/2023	600.00
107054	Ecuador Manta	Summer Entertainment	07/05/2023	1,600.00
107056	Encore Wind Ensemble	Summer Entertainment	07/05/2023	100.00
107059	Evan Fischer	Raider Boys Basketball Camp	07/05/2023	300.00
107062	Noah George	Raider Boys Basketball Camp	07/05/2023	300.00
107063	Michael Grant	Track & Field Coaches Camp	07/05/2023	580.00
107064	Dylan Hageman	Raiders Boys Basketball Camp	07/05/2023	180.00
107065	Peter P. Hanson	Summer Entertainment	07/05/2023	700.00
107068	Katy Herman	Inline Skate Camp Instructor - 23 hour	07/05/2023	575.00
107069	Jamir Horton	Raider Boys Basketball Camp	07/05/2023	300.00
107078	Wayne McGriff	Raider Boys Basketball Camp	07/05/2023	300.00
107079	Ataa-Adjetey Mensah	Raider Boys Basketball Camp	07/05/2023	180.00
107082	Edward Nagel	Inline Skate Camp Instructor - 15 hour	07/05/2023	320.00
107085	Pan Handlers Steel Drum Band	Summer Entertainment	07/05/2023	700.00
107092	Roseville Boys Basketball Club	Raider Boys Basketball Camp	07/05/2023	1,524.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
107093	Roseville Girls Basketball Booster Club	Raider Girls Basketball Camp & Little	07/05/2023	3,363.00
107095	Tanysha Scott	Raider Boys Basketball Camp	07/05/2023	600.00
107096	Sandra L. Shore	Summer Entertainment	07/05/2023	1,800.00
107098	St. Anthony Park Community Band	Summer Entertainment	07/05/2023	150.00
107099	Miles Stuart	Raider Boys Basketball Camp	07/05/2023	300.00
107106	Greg Ueland	Roseville Volleyball Coaches Camp	07/05/2023	8,356.00
107110	Mason Williams	Raider Boys Basketball Camp	07/05/2023	300.00
107113	728 Cadets Marching Band	Band Prize - Class AAA - 1st Place	07/12/2023	800.00
107114	AARP Driver Safety Program	AARP Driver Safety 4hr Course ID: A	07/12/2023	170.00
107115	Zhuria Abdusalam	Shelter Key Deposit Refund	07/12/2023	50.00
107116	Alexandria HS Marching Band	Band Prize - Class AA - 2nd Place	07/12/2023	500.00
107117	Anderson Race Management	Run for the Roses - Timing Services	07/12/2023	715.00
107120	Bemidji HS Marching Band	Band Prize - Class AA - 1st Place	07/12/2023	800.00
107123	Buffalo High School Marching Band	Band Prize - Class AAA - 3rd Place	07/12/2023	300.00
107125	City of Arden Hills	MN Zoo Field Trip - 9 participants	07/12/2023	90.00
107127	The Cleaning Authority, Inc.	Window washing June 2023	07/12/2023	1,600.00
107134	Cheryl Eckwright	Shelter Key Deposit Refund	07/12/2023	50.00
107139	Ferguson Enterprises Inc #1657	Kit - BTL Fill Sld VLV 115V	07/12/2023	116.84
107141	Grainger Inc	Circuit Breaker	07/12/2023	510.41
107143	Alex Hastings	Void/Reissue of uncashed Discover Yo	07/12/2023	11.99
107145	Ice Sports Industry-ISI	Skating Memberships/Registrations	07/12/2023	105.00
107146	Thomas Imoff	Sand Volleyball Official	07/12/2023	52.00
107147	Ingina, LLC	Tech Tac Toe Classes	07/12/2023	2,055.00
107148	J & M Displays, Inc.	Fireworks Display, Customer ID 1330	07/12/2023	20,000.00
107150	Peeraphong Moo Kengwichai	Sand Volleyball Official	07/12/2023	52.00
107155	Linn Building Maintenance	General Cleaning July 2023	07/12/2023	3,140.00
107156	Litchfield HS Marching Band	Band Prize - Class A - 1st Place	07/12/2023	800.00
107158	Joseph Maddison	Podium Refurbishment	07/12/2023	100.00
107159	Laura Martin	Refund for damage deposit - Banquet 1	07/12/2023	100.00
107160	Metro Sound & Lighting, Inc.	Set up sound system for outdoor amph	07/12/2023	480.00
107162	MIDC Enterprises	Operating Supplies	07/12/2023	599.63
107166	MR Cutting Edge	Ice Scraper Blade Sharpen	07/12/2023	108.00
107169	Bob Nielsen	Drive van/Supervise loading/unloading	07/12/2023	135.00
107171	On Site Companies-OSSTC	Portables - Baseball @ Evergreen	07/12/2023	2,876.00
107174	Q3 Contracting, Inc.	Road Signage	07/12/2023	2,556.60
107177	Revolutionary Sports, LLC	Volleyball Sessions Jun 2 - Jun 23	07/12/2023	1,092.00
107178	Richfield H.S. Marching Band	Band Prize - Class A - 2nd Place	07/12/2023	500.00
107181	Schmitt & Sons Transportation	MN Zoo Field Trip Transportation	07/12/2023	82.83
107183	Everett Smithson	Summer Entertainment	07/12/2023	950.00
107192	USA Inflatables	Inflatables - Party in the Park	07/12/2023	5,286.18
107194	Waconia H.S. Marching Band	Band Prize - Class AAA - 2nd Place	07/12/2023	500.00
107196	Wheeler Hardware Company	Operating Supplies	07/12/2023	541.74
Total for Department: 04 Recreation				84,850.89
Total for Fund:200 Recreation Fund				100,130.30

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 202 Park Dedication Fund				
Department: 04 Recreation				
0	LHB Inc	Professional Services through May 26,	07/12/2023	3,719.39
Total for Department: 04 Recreation				3,719.39
Total for Fund:202 Park Dedication Fund				3,719.39

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 204 P & R Contract Maintenance				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	6,821.67
Total for Department: 00 General Function				6,821.67
Department: 04 Recreation				
0	Amazon.com- CC	Trash Pickers	07/11/2023	53.68
0	Anita Twaroski	Mileage Reimbursement 1/25 - 6/29/20	07/12/2023	296.72
0	Corporate Connection, Inc.	Clothing	07/05/2023	161.39
0	Fastenal-CC	UV Black CBL Tie/White Paint	07/11/2023	224.11
0	Fikes, Inc.	Restroom Supplies	07/12/2023	419.20
0	Frattallones-CC	Fill Valve Adjustable	07/11/2023	35.98
0	Horizon Commercial Pool Supply - CC	Pool Supplies	07/11/2023	429.53
0	Menards-CC	Safety Snow Fence/Studded T Post	07/11/2023	418.17
0	Metal Supermarkets	Galvanized Sheet G90	07/12/2023	128.48
0	MIDC Enterprises- CC	Rain pro sport rotor	07/11/2023	486.57
0	Patti Sullivan	Purchase Reimbursement - Water	07/05/2023	31.52
0	Pletschers Greenhouse-CC	Plants	07/11/2023	128.62
0	Poolside-CC	Oxysheen	07/11/2023	141.69
0	Sam's Club-CC	Fertilizer	07/11/2023	51.45
0	Suburban Ace Hardware-CC	Operating Supplies	07/11/2023	78.94
0	TreeTop Products-CC	6' Bench	07/11/2023	1,069.06
0	Uline-CC	Steel Hand Truck/Trash Pickers	07/11/2023	469.78
107124	Cintas Corporation	Clothing	07/12/2023	2.66
107132	Davis Lock & Safe Inc	Keys	07/12/2023	16.35
107142	Hardwood Creek Lumber, Inc.	HUBS 25 per bundle	07/12/2023	250.00
107155	Linn Building Maintenance	General Cleaning July 2023	07/12/2023	325.00
107171	On Site Companies-OSSTC	Portables	07/12/2023	71.00
107193	Verizon	Phones 5/27 - 6/26/23 Acct 487223064	07/12/2023	390.11
Total for Department: 04 Recreation				5,680.01
Total for Fund:204 P & R Contract Maintenance				12,501.68

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 221 Municipal Jazz Band				
Department: 04 Recreation				
0	Glen Newton	Roseville Big Band Director - June Pa	07/12/2023	250.00
Total for Department: 04 Recreation				250.00
Total for Fund:221 Municipal Jazz Band				250.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 260 Community Development				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	7,369.82
0	Mn Dept of Labor-CC	Monthly Building Permit Surcharge	07/11/2023	2,907.08
Total for Department: 00 General Function				10,276.90
Department: 02 Public Safety				
0	Amazon.com- CC	Lock Opener	07/11/2023	182.55
0	St. Paul Bagelry-CC	Metro Code enforcement Conference	07/11/2023	60.43
0	Tokle Inspections, Inc.	June Electrical Inspections	07/12/2023	10,759.60
0	US Bank-Non Bank	May 2023 Terminal Charges	07/10/2023	3,266.36
107140	Gilbert Mechanical Contractors	Mechanical Permit Refund - 2815 Cle	07/12/2023	4,218.24
107193	Verizon	Phones 5/27 - 6/26/23 Acct 487223064	07/12/2023	51.87
Total for Department: 02 Public Safety				18,539.05
Total for Fund:260 Community Development				28,815.95

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 265 License Center				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	12,099.81
0	MN Dept of Revenue-Non Bank	Sales Tax and Use - May	07/10/2023	1,705.57
Total for Department: 00 General Function				13,805.38
Department: 01 General Government				
0	Alex Frederick	Mileage Reimbursement June 2023	07/05/2023	55.02
0	Amazon.com- CC	Wireless Mouse & Keyboard	07/11/2023	109.42
0	Fikes, Inc.	Restroom Supplies	07/05/2023	63.88
0	Fikes, Inc.	Restroom Supplies	07/12/2023	226.38
0	Imaging Spectrum-CC	Photo Paper	07/11/2023	1,726.91
0	McGough Property Management, LLC	Facility Managment Service June	07/12/2023	715.50
0	USPS-CC	Postage	07/11/2023	1,035.10
107097	Shred-N-Go, Inc.	LC Shredding Services	07/05/2023	131.89
107155	Linn Building Maintenance	General Cleaning July 2023	07/12/2023	880.00
Total for Department: 01 General Government				4,944.10
Total for Fund:265 License Center				18,749.48

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 270 Charitable Gambling				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	60.26
Total for Department: 00 General Function				60.26
Department: 01 General Government				
0	Roseville Community Foundation	Lawful Gambling Proceeds Q2 2023	07/05/2023	9,817.19
Total for Department: 01 General Government				9,817.19
Total for Fund:270 Charitable Gambling				9,877.45

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 271 Special "10" Fund				
Department: 01 General Government				
0	Roseville Community Foundation	Lawful Gambling Proceeds Q2 2023	07/05/2023	24,202.55
Total for Department: 01 General Government				24,202.55
Total for Fund:271 Special "10" Fund				24,202.55

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 282				
Department: 01				
0	Conference Technologies, Inc	Barco Clickshare	07/05/2023	4,160.00
Total for Department: 01				4,160.00
Department: 02				
107086	Pediatric Emergency Standards, Inc.	ALS First Response	07/05/2023	7,822.63
Total for Department: 02				7,822.63
Total for Fund:282				11,982.63

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 290 Police Forfeiture Fund				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	42.97
Total for Department: 00 General Function				42.97
Department: 02 Public Safety				
107107	Verde Environmental Technologies, Inc	Deterra MP Drug Deactivation System	07/05/2023	856.00
107108	Verizon	PD Phones 5/9 - 6/8/23 Acct 54225914	07/05/2023	50.75
Total for Department: 02 Public Safety				906.75
Total for Fund:290 Police Forfeiture Fund				949.72

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 295 Police Grants				
Department: 02 Public Safety				
107176	Recon Robotics	Throwbot 2 Kit	07/12/2023	16,420.00
Total for Department: 02 Public Safety				16,420.00
Total for Fund:295 Police Grants				16,420.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 400 Police Vehicle Revolving				
Department: 02 Public Safety				
0	Amazon.com- CC	Squad Build Parts	07/11/2023	411.58
0	Baycom, Inc. c/o OwnersEdge,Inc.	Squad Computers	07/05/2023	1,062.00
0	Emergency Automotive Tech Inc	Emergency Lighting Squad 2302	07/05/2023	13,117.67
0	GBRS Group Gear-CC	SWAT Tactical Gear	07/11/2023	247.58
0	License Center-Non Bank	Title for 2023 Durango PD Vehicle	07/10/2023	25.00
0	Streicher's	Tactical Gear	07/05/2023	329.96
107031	Able Fence Inc	K9 Kennel with Topper	07/05/2023	1,980.00
107035	Axon Enterprise, Inc.	Molle Mount, Single	07/05/2023	187.80
107081	Motorola Solutions, Inc.	Radio Chargers, Customer Account 10	07/05/2023	675.00
Total for Department: 02 Public Safety				18,036.59
Total for Fund:400 Police Vehicle Revolving				18,036.59

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 401 Fire Vehicles Revolving				
Department: 02 Public Safety				
0	Alex Air Apparatus 2 LLC	Air Monitoring	07/12/2023	2,920.58
0	Amazon.com- CC	Weather Floor Liners for Tahoe	07/11/2023	187.52
0	Metro-INET Non Bank	Monthly Payments to Metro-Inet for N	07/10/2023	1,319.62
107091	Regions Hospital	CIP Supplies	07/05/2023	3,256.00
Total for Department: 02 Public Safety				7,683.72
Total for Fund:401 Fire Vehicles Revolving				7,683.72

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 402 Parks & Recreation Vehicle Rev				
Department: 04 Recreation				
0	Cushman Motor Co Inc	Holder Tractor Sidewalk Machine and	07/05/2023	4,980.00
Total for Department: 04 Recreation				4,980.00
Total for Fund:402 Parks & Recreation Vehicle Rev				4,980.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 403 Public Works Vehicle Revolving				
Department: 03 Public Works				
0	Amazon.com- CC	Document Scanners	07/11/2023	751.60
Total for Department: 03 Public Works				751.60
Total for Fund:403 Public Works Vehicle Revolving				751.60

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 408 Pathway Maintenance Fund				
Department: 03 Public Works				
107041	BNSF Railway Company	Land Lease - Paved Recreational Trail	07/05/2023	16,000.00
107151	Molly M. Krakowski	Independent Contractor Services, Mari	07/12/2023	65.00
Total for Department: 03 Public Works				16,065.00
Total for Fund:408 Pathway Maintenance Fund				16,065.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 409 Central Svcs Equip Revolving				
Department: 01 General Government				
107133	Definitive Technology Solution, Inc.	Copier Rental	07/12/2023	3,567.88
Total for Department: 01 General Government				3,567.88
Total for Fund:409 Central Svcs Equip Revolving				3,567.88

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 410 Building Improvements				
Department: 04 Recreation				
107163	Midwest Roofing & Coating, LLC	Approved Repairs - Ice Arena	07/12/2023	9,161.40
Total for Department: 04 Recreation				9,161.40
Total for Fund:410 Building Improvements				9,161.40

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 411 Recreation Improvements				
Department: 04 Recreation				
107080	Midwest Groundcover	Replenishing Engineered Wood Fiber	07/05/2023	19,220.00
107105	Tree Trust	Tree Removals	07/05/2023	40,250.10
Total for Department: 04 Recreation				59,470.10
Total for Fund:411 Recreation Improvements				59,470.10

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 417 Streetscape				
Department: 03 Public Works				
107190	Twin City Lawncare & Landscape	Streetscape Maintenance - May Install	07/12/2023	23,252.64
Total for Department: 03 Public Works				23,252.64
Total for Fund:417 Streetscape				23,252.64

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 590 Street Construction				
Department: 03 Public Works				
107102	Tapco	Replace Push Buttons	07/05/2023	1,483.61
Total for Department: 03 Public Works				1,483.61
Total for Fund:590 Street Construction				1,483.61

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 600 Sanitary Sewer				
Department: 00 General Function				
0	Metropolitan Council	SAC Charges June 2023	07/12/2023	41,822.55
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	1,339.32
Total for Department: 00 General Function				43,161.87
Department: 05 Sanitary Sewer				
0	Bluefin Payment Systems-Non Bank	May 2023 UB Payments.com Charges	07/10/2023	7,085.53
0	City of Maplewood	Sanitary Sewer - 2nd Quarter 2023	07/12/2023	84,182.48
0	Gopher State One Call	June 2023 Total Billable Tickets 711	07/12/2023	319.95
0	Metropolitan Council	Wastewater Services for Aug 2023	07/12/2023	255,964.10
0	T Mobile-CC	Phones	07/11/2023	110.76
0	Verizon-CC	Phones	07/11/2023	75.02
107112	2277 Roseville West, LLC	PW Storage payment Aug 2023	07/12/2023	1,671.77
107152	City of Lauderdale	Sewer Reimbursement - 2500 Cty Rd 1	07/12/2023	581.15
Total for Department: 05 Sanitary Sewer				349,990.76
Total for Fund:600 Sanitary Sewer				393,152.63

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 610 Water Fund				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	3,161.61
0	MN Dept of Revenue-Non Bank	Sales Tax and Use - May	07/10/2023	1,162.04
107051	TYLER & EMMA CONWAY	Refund Check 024431-000, 2789 AR	07/05/2023	231.31
107055	PATRICK ELGIN	Refund Check 026061-000, 1254 RO	07/05/2023	179.93
107066	KENT HAZEN	Refund Check 007717-000, 1150 RY	07/05/2023	68.69
107094	BRADLEY SCHUSTER	Refund Check 022371-000, 1235 BEI	07/05/2023	179.03
107111	LINDA ZELADA	Refund Check 018609-000, 2112 ALI	07/05/2023	38.20
107121	JAMIE & PAM BUCHANAN	Refund Check 014446-000, 3105 FAI	07/12/2023	53.80
107122	Tika Budathoki	Void/Reissue of uncashed UB check	07/12/2023	19.69
107136	Estate of Susan Medhaug	Void/Reissue of uncashed UB balance	07/12/2023	88.53
107164	GAYANE MANUKYAN & MIKAYEL	Refund Check 019952-000, 2819 AR	07/12/2023	174.48
107165	MN Dept of Health-Drinking Water Pro	Water Supply Service Connection Fee	07/12/2023	25,233.12
107179	MICHAEL ROISUM	Refund Check 019329-000, 2967 GA	07/12/2023	331.21
107184	LYLE SORUM	Refund Check 001821-000, 455 CO R	07/12/2023	70.70
107187	AMYLYN THOVSON	Refund Check 024092-000, 2818 VIR	07/12/2023	480.86
Total for Department: 00 General Function				31,473.20
Department: 06 Water Fund				
0	City of Roseville- Non Bank	May 2023 City Water Bills	07/10/2023	6,862.75
0	Ferguson Waterworks #2518	Operating Supplies	07/05/2023	5,935.79
0	Ferguson Waterworks #2518	Operating Supplies	07/12/2023	5,189.33
0	General Industrial Supply Co.	Blue Rust. Marking Paint	07/05/2023	102.00
0	Gopher State One Call	June 2023 Total Billable Tickets 711	07/12/2023	319.95
0	Kath Fuel Oil Service, Inc.	Fuel	07/12/2023	2,470.15
0	Precision Digital-CC	Precision Digital	07/11/2023	552.34
0	Suburban Ace Hardware-CC	Water Tower Parts	07/11/2023	32.96
0	T Mobile-CC	Phones	07/11/2023	198.90
0	Verizon-CC	Phones	07/11/2023	115.03
107057	Erickson Electric Company, Inc.	Booster Pump House Main Breaker	07/05/2023	807.00
107058	Ferguson Enterprises Inc #1657	Operating Supplies	07/05/2023	534.63
107074	Legend Mechanical, Inc	Install Weld-O-Let on Water Tower Pip	07/05/2023	2,520.00
107076	Martin Marietta Materials Inc	Water Tower Pathway	07/05/2023	731.31
107089	Q3 Contracting, Inc.	Topsoil & Seed	07/05/2023	267.34
107101	T Mobile	Phones/Acct #967323231 Mobile #651	07/05/2023	35.82
107112	2277 Roseville West, LLC	PW Storage payment Aug 2023	07/12/2023	1,671.77
107173	Plaisted Companies, Inc	70/30 Construction, Tote	07/12/2023	43.95
107174	Q3 Contracting, Inc.	Road Signage	07/12/2023	817.80
107180	Safe-Fast, Inc.	Operating Supplies	07/12/2023	196.71
107185	St. Paul Regional Water Services	June 2023 Water, Account 0709535	07/12/2023	860,434.14
107191	Twin City Water Clinic, Inc.	June Distribution Samples	07/12/2023	680.00
107193	Verizon	Phones 5/27 - 6/26/23 Acct 48722306	07/12/2023	280.25
107195	Kathleen Weinke	Overpaid on Utility Account	07/12/2023	434.92
Total for Department: 06 Water Fund				891,234.84
Total for Fund:610 Water Fund				922,708.04

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 620 Golf Course				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	1,090.50
0	MN Dept of Revenue-Non Bank	Sales Tax and Use - May	07/10/2023	3,804.62
Total for Department: 00 General Function				4,895.12
Department: 07 Golf Course				
0	At Home-CC	Patio Umbrellas	07/11/2023	85.68
0	Comcast-CC	Cedarholm Comcast Services	07/11/2023	349.02
0	Frattallones-CC	Hose Clamp	07/11/2023	81.87
0	Suburban Ace Hardware-CC	Blade Hack	07/11/2023	18.22
0	Target- CC	Coffee Cups	07/11/2023	25.73
0	US Bank-Non Bank	May 2023 Terminal Charges	07/10/2023	81.73
107128	Coffee Mill, Inc.	Coffee - Concessions	07/12/2023	921.00
107129	Comcast	Business Services 7/7 - 8/6/23, Acct 8'	07/12/2023	169.51
107135	Carrie Ellingson	Banquet Room Security Deposit Refur	07/12/2023	200.00
107149	Audrey Johnson	Banquet Room Security Deposit Refur	07/12/2023	200.00
107167	Lisa Myaya	Banquet Room Security Deposit Refur	07/12/2023	200.00
107188	Tio's Food and Beverage	Concessions sold June 19 - July 2	07/12/2023	910.68
Total for Department: 07 Golf Course				3,243.44
Total for Fund:620 Golf Course				8,138.56

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 640 Storm Drainage				
Department: 00 General Function				
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	2,942.24
Total for Department: 00 General Function				2,942.24
Department: 08 Storm Water				
0	Brueggers Bagels- CC	Conference - Food	07/11/2023	87.49
0	Caribou Coffee- CC	Coffee	07/11/2023	57.95
0	City of Maplewood	Storm Drainage - 2nd Quarter 2023	07/12/2023	7,700.05
0	Gopher State One Call	June 2023 Total Billable Tickets 711	07/12/2023	319.95
0	League of MN Cities-CC	LMC Annual Conference	07/11/2023	475.00
0	T Mobile-CC	Phones	07/11/2023	68.99
0	Verizon-CC	Phones	07/11/2023	56.63
107112	2277 Roseville West, LLC	PW Storage payment Aug 2023	07/12/2023	1,671.77
107130	Curtis A Finch	3 Dates of Service June 2023	07/12/2023	387.00
Total for Department: 08 Storm Water				10,824.83
Total for Fund:640 Storm Drainage				13,767.07

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 700 Workers Compensation				
Department: 00 General Function				
0	SFM Risk Solutions	Police Claim	07/05/2023	2,615.00
107109	WC Special Compensation Fund	2023 1st Half SCF Assessment	07/05/2023	29,855.83
Total for Department: 00 General Function				32,470.83
Total for Fund:700 Workers Compensation				32,470.83

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 710 Risk Management				
Department: 00 General Function				
0	Delta Dental Plan of Minnesota/DDMN	Dental Insurance Premium June 2023	07/12/2023	7,322.73
107137	Fairway Collision Center	2018 Chevy Tahoe Repairs. Claim# C4	07/12/2023	6,096.31
107154	League of MN Cities Ins Trust P&C	Property/Casualty Coverage Premium.	07/12/2023	225.00
Total for Department: 00 General Function				13,644.04
Total for Fund:710 Risk Management				13,644.04

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 725 EDA Operating Fund				
Department: 00				
0	Business Journal-CC	Business Journal Subscription	07/11/2023	4.00
0	Economic Development Assoc-CC	2023 Summer Conference - J Kelsey	07/11/2023	355.00
0	Golden Shovel Agency	Economic Gateway & GateKeeper Ser	07/12/2023	1,050.00
0	Jeanne Kelsey	Reimbursemtn for EDAM 2023 Summr	07/12/2023	471.73
0	Minnesota Healthcare Consortium - No	Health Insurance Premium for June 20	07/10/2023	1,263.50
0	North Suburban Access Corp.	Business Council Meeting 6/28/23	07/12/2023	200.00
Total for Department: 00				3,344.23
Total for Fund:725 EDA Operating Fund				3,344.23

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				2,260,249.27

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.b.

Department Approval



City Manager Approval



Item Description: Approval of 2 Temporary Gambling Permits and 1 Tetrahydrocannabinol License

Background

Chapter 301 of the City Code requires all applications for business and other licenses to be submitted to the City Council for approval. The following applications are submitted for consideration:

Temporary Gambling Permit

Rosetown American Legion Auxillary 542
700 West County Road C
Roseville, MN 55113

Rosetown American Legion Auxillary 542 is a veterans group which is holding a raffle at 700 WestCounty Road C on September 17, 2023.

Temporary Gambling Permit

Saint Rose of Lima Catholic Church
2048 Hamline Ave N.
Roseville, MN 55113

Saint Rose of Lima is a religious group which is holding a raffle at Cedarholm Golf Course located at 2323 Hamline Ave. on September 24, 2023.

Tetrahydrocannabinol Retail License

Cub Wine & Spirits
2100 Snelling Ave N.
Roseville, MN 55113

Cub Wine & Spirits has submitted application materials for a Tetrahydrocannabinol (THC) License. Chapter 316 of the City Code permits a maximum of 8 Tetrahydrocannabinol Products Licenses within the city. If approved, the total number of THC licenses issued will be 8.

Policy Objectives

Required by City Code.

Racial Equity Impact Summary

NA

Budget Implications

The correct fees were paid to the City at the time the application(s) were made.

Staff Recommendations

41 Staff has reviewed the application(s) and has determined that the applicant(s) meet all City
42 requirements. Staff recommends approval of the license(s).

43
44 **Requested Council Action**

45 Motion to approve the Temporary Gambling Permits for Rosetown American Legion Auxillary 542 and
46 Saint Rose of Lima Catholic Church, and the Tetrahydrocannabinol License for Cub Wine & Spirits.

47
48 **Prepared by:** Katie Bruno, Deputy City Clerk

- Attachments:**
- 1. Application Rosetown American Legion
 - 2. Application St. Rose
 - 3. Application Cub Wine & Spirits THC

49

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Rosetown American Legion Auxiliary 542

Previous Gambling Permit Number: X-94955-23-006

Minnesota Tax ID Number, if any: 416054769

Federal Employer ID Number (FEIN), if any: _____

Mailing Address: 700 W County Road C

City: Roseville State: MN Zip: 55113 County: Ramsey

Name of Chief Executive Officer (CEO): Carole Caswell

CEO Daytime Phone: 651-631-2772

CEO Email: _____

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): gwenholets@gmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal

☐ Religious

☒ Veterans

☐ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☐ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:

www.sos.state.mn.us

651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☒ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted

(for raffles, list the site where the drawing will take place): Rosetown American Legion

Physical Address (do not use P.O. box): 700 W County Road C

Check one:

☒ City: Roseville Zip: 55113 County: Ramsey

☐ Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): 09/17/2023

Check each type of gambling activity that your organization will conduct:

☐ Bingo

☐ Paddlewheels

☐ Pull-Tabs

☐ Tipboards

☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
☐ The application is acknowledged with no waiting period. ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city). ☐ The application is denied.	☐ The application is acknowledged with no waiting period. ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days. ☐ The application is denied.
Print City Name: _____	Print County Name: _____
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date: _____	Title: _____ Date: _____
The city or county must sign before submitting application to the Gambling Control Board.	
TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date: _____	

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Carole Caswell Date: 07-09-23
 (Signature must be CEO's signature; designee may not sign)

Print Name: Carole Caswell

REQUIREMENTS	MAIL APPLICATION AND ATTACHMENTS
Complete a separate application for: - all gambling conducted on two or more consecutive days; or - all gambling conducted on one day. Only one application is required if one or more raffle drawings are conducted on the same day. Financial report to be completed within 30 days after the gambling activity is done: A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board. Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).	Mail application with: _____ a copy of your proof of nonprofit status; and _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to State of Minnesota. To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113 Questions? Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Saint Rose of Lima Catholic Church

Previous Gambling Permit Number: X-62002-21-037

Minnesota Tax ID Number, if any: 8570281

Federal Employer ID Number (FEIN), if any: 41-0790158

Mailing Address: 2048 Hamline Ave North

City: Roseville State: MN Zip: 55113 County: Ramsey

Name of Chief Executive Officer (CEO): Fr. Marc Paveglio

CEO Daytime Phone: 651-357-1201 CEO Email: frpaveglio@saintroseoflima.net

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): jjuaire@saintroseoflima.net

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal ☒ Religious ☐ Veterans ☐ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☒ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103

Secretary of State website, phone numbers:

www.sos.state.mn.us

651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Cederholm Golf Course

Physical Address (do not use P.O. box): 2323 Hamline Ave N

Check one:

☒ City: Roseville Zip: 55113 County: Ramsey

☐ Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): Sept. 24, 2023

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

11/17
Page 2 of 2

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

**The city or county must sign before
submitting application to the
Gambling Control Board.**

COUNTY APPROVAL for a gambling premises located in a township

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

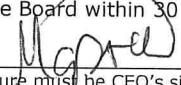
Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 7/11/2023
(Signature must be CEO's signature; designee may not sign)

Print Name: Father Marc Paveglio

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer



Administration Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7023

Tetrahydrocannabinol (THC) Retail Application

Business Name	Cub Wine & Spirits
Business Address	2100 Snelling Ave. N., Roseville, MN 55113
Business Phone	612-421-1585
Email Address	s01710.dir@cub.com

Business Owner:

Name	Cub Stores Holdings, LLC
Address	11840 Valley View Rd., Eden Prairie, MN 55344
Phone	952-903-1833
Email	licensegroup@unfi.com

Person to Contact concerning Business License *(if different from above.)*:

Name	Linda Schmeichel
Address	11840 Valley View Rd., Eden Prairie, MN 55344
Phone	952-903-1833
Email	licensegroup@unfi.com

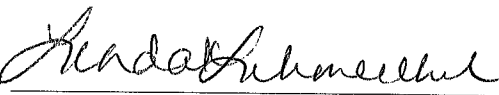
I hereby apply for the following license beginning _____, and ending December 31, 2023, in the City of Roseville, County of Ramsey, State of Minnesota.

<u>License Required</u>	<u>Fee</u>
*Tetrahydrocannabinol (THC) Retailer	\$300.00
Background Investigation Fee (first time applicant)	\$300.00

- *Tetrahydrocannabinol (THC) Retail Establishment is defined as an establishment which:
- a. Prohibits persons under 21 years of age from entering the establishment at all times.
 - b. Posts conspicuous written notice of such age retraction at all entrances to the establishment.
 - c. Meets all of the following building or structural criteria:
 - i. Shares no wall with, and has no part of their structure adjoined to any other business or retailer, unless the wall is permanent, completely opaque, and without doors, windows, and pass-throughs to the other business or retailer; and
 - ii. Is accessible by the public only by an exterior door.

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data will constitute public record if and when the license is granted. Our intended use of the information is to annually update our records. If you refuse to supply the information, the license application may not be processed.

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue §151.72

Signature 
Date 7/11/23

If completed license should be mailed somewhere other than the business address, please advise.

Please mail license to the corporate office:
UNFI Licensing
11840 Valley View Rd.
Eden Prairie, MN 55344

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.c.

Department Approval



City Manager Approval



Item Description: Receive City Grant Applications Update

Background

In May, 2009, Resolution #10711 authorizing the City Manager to execute certain grant applications on behalf of the City and to report any applications to the City Council was adopted. The City has applied for several grants in the past several months.

Grant dollars awarded (not including city contribution) in 2022 have so far totaled \$710,206
Grant dollars awarded (not including city contribution) in 2023 have so far totaled \$1,145,188

Policy Objectives

To notify the Council of grant applications that the City has applied for in recent months.

Racial Equity Impact Summary

City grants allow the city to expand resources to address targeted needs throughout the city. From sustainability efforts to a dedicated Housing Navigator to provide a continuum of care for a growing homeless population, to addressing public safety for vulnerable populations involved in sex trafficking, city grant programs better position city resources to directly serve stakeholders of the greatest need.

Budget Implications

Receiving grants help to offset or completely cover the costs of delivering programming and services.

Staff Recommendations

Receive the report.

Requested Council Action

Receive the report.

Prepared by: Katie Bruno, Deputy City Clerk

Attachments:

1. 2022 Grant Report
2. 2023 Grant Report
3. Resolution 10711

	A	B	C	D	E	F	G	H	I
1	2022								
2		Organization/Agency	Purpose	Date of Application	Department	City Requirement	Amount Requested	Amount Awarded	Total Amount of Project
3		Minnesota Department of Commerce	Auto Theft Prevention: Investigator	6/22/2022	PD	Training and equipment	\$100,000.00	\$103,780.00	\$203,905.00
4		Minnesota Department of Commerce	Auto Theft Prevention: OT Details	2/22/2022	PD	None	\$18,000.00	\$18,000.00	\$18,000.00
5		Ramsey County HOME-ARP	Housing Navigator / Homeless Outreach Coordinator position and supplies	3/14/2022	PD	Office space and equipment	\$112,900	\$112,900	\$112,900
6		Ramsey County Emergency Management & Homeland Security: Urban Area Security Initiative (UASI)	Drivable, camera assisted robot to identify situational hazards	5/23/2022	PD	None	\$16,420.00	\$16,420.00	\$16,420.00
7		University of Minnesota Center for Resuscitation Medicine	34 Automated External Defibrillators (AEDs); one for each police vehicle (\$2200 each)	2/1/2021	PD	None	\$75,000.00	\$75,000.00	\$75,000.00
8		FEMA-Staffing for Adequate Fire and Emergency Response	To add six additional full-time firefighters	5/25/2020	Fire	Match requirement waived, FEMA will pay in full for 3 years	\$1,900, 682		
9		Ramsey County	North Central High Intensity Drug Trafficking Area (HIDTA) overtime reimbursement	Quarterly	PD	None- reimbursement	\$7,856.65	\$7,856.65	\$7,856.65
10		Ramsey County	Active Shooter Training	TBD	PD	None	TBD	TBD	TBD
11		Roseville Police Foundation	Expand Police Wellness: Mental Health and Peer Support	6/23/2022	PD	None	\$15,000	\$15,000	\$15,000
12		Roseville Police Foundation	Human Trafficking Details: Massage Therapy Establishments	6/23/2022	PD	None	\$4,000	\$4,000	\$4,000
13		MN Dep of Public Safety	Toward Zero Deaths Traffic Safety Initiative (2022-23)	Annual	PD	none	\$36,310	\$36,310	\$36,310
14		Minnesota Department of Natural Resources	EAB - Tree Planting	7/28/2021	PR	59000	\$50,000	\$50,000	\$109,000
15		Minnesota Department of Natural Resources	EAB-Tree Removal	2/1/2022	PR	80,000	\$100,000	\$0	\$180,000
16		Minnesota Department of Natural Resources	CPL Reservoir Woods	5/1/2022	PR	\$8,500	\$50,000	\$50,000	\$58,500
17		Minnesota Department of Natural Resources	EAB - Tree Removal and Inventory	5/1/2022	PR	\$61,250	\$125,000	\$125,000	
18		MN Department of Natural Resources	Nature Connect Program	3/10/2022	PR	\$6,053	\$6,144	\$0	\$12,197
19		Ramsey County	SCORE- Recycling Funds	10/26/2022	PW	\$0	\$89,291	\$89,291	\$874,000
20		Xcel Energy	Partners in Energy	1/1/2022	PW	50%	\$4,642	\$4,642	\$10,000
21		Xcel Energy	Partners in Energy	12/1/2022	PW	50%	\$2,006	\$2,006	\$5,000
22									
23									
24									
25									
26		New Information					Total amount awarded	\$710,206	

	A	B	C	D	E	F	G	H	I
1	2023								
2		Organization/Agency	Purpose	Date of Application	Department	City Requirement	Amount Requested	Amount Awarded	Total Amount of Project
3		Metropolitan Council - LHIA	Land Trust Partnership w/TCHF	11/1/2022	CD	dollar for dollar match	\$800,000.00	\$300,000.00	\$300,000.00
4		MPCA	Climate Resiliency	1/11/2023	PW/Eng	50%	\$150,000.00	\$0.00	\$0.00
5		MPCA	EV Charging	2/15/2023	PW/Eng	50%	\$123,000.00	\$0.00	\$0.00
6		Department of Energy	Climate Resiliency	4/7/2023	PW/Eng	50%	\$76,000	\$76,000	\$120,000
7		MN Dep of Public Safety	Pathways to Policing	3/14/2023	PD	50% Match (CSO/Cadet Salary Cost)	\$20,000	\$20,000	\$40,000
8		MN Dep of Public Safety	Toward Zero Deaths Traffic Safety Initiative (2023-24)	Annual	PD	none	TBD	TBD	TBD
9		Metropolitan Emergency Services Board	Naloxone (emergency drug overdose treatment)	3/24/2023	PD	None	TBD	TBD	TBD
10		AmeriCorps- Summer Impact Corps	Support RPD's Housing Navigator	4/14/2023	PD	office equipment costs	AmeriCorps Summer Impact Corps Personnel and Training Costs	TBD	TBD
11		Minnesota Department of Commerce	Auto Theft Prevention: Investigator 2023-2025	2/23/2023	PD	Annual personnel costs over the \$100k covered by the grant, training and equipment	\$300,000.00	\$309,000.00	\$309,000.00
12		Minnesota Department of Commerce	Auto Theft Prevention: General (specialized equipment for investigations)	2/23/2023	PD	None	\$92,780.00	TBD	\$92,780.00
13		Ramsey County CDBG	Expanding Housing Navigator Services	3/21/2023	PD	Office space and equipment	\$113,600	\$0	\$113,600
14		Ramsey County	North Central High Intensity Drug Trafficking Area (HIDTA) overtime reimbursement	Quarterly	PD	None- reimbursement	TBD	TBD	TBD
15		Ramsey County Emergency Management & Homeland Security: Urban Area Security Initiative (UASI)	Drone to provide airborne support to police operations	5/1/2023	PD	None	\$22,788.00	\$22,788.00	\$22,788.00
16		MN Financial Crimes Taskforce	Cellebrite Operator Training	6/22/2023	PD	None	\$4,200.00	\$4,200.00	\$4,200.00
17		Americorps	Forrestry Support	2/1/2023	Parks and Recreation	Office space and staff support	\$13,200.00	\$13,200.00	\$13,200.00
18		Minnesota Department of Natural Resources	EAB-Tree Removal	2/16/2023	PR	50,000	\$50,000	\$0	
19		Ramsey County	Land Trust Partnership w/TCHF	5/19/2023	CD	none	\$800,000	\$400,000.00	\$400,000
20									
21									
22		New Information					Total amount awarded	\$1,145,188	

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 18th day of May, 2009, at 6:00 p.m.

The following members were present: Roe, Johnson, Ihlan, Pust and Klausing

and the following were absent: none.

Mayor Klausing introduced the following resolution and moved its adoption:

**RESOLUTION No. 10711
Resolution Authorizing the City Manager to Execute Certain
Grant Applications on behalf of the City of Roseville**

WHEREAS, the City of Roseville has applied for a variety of grants which benefit the City; and

WHEREAS, the Roseville City Council encourages staff to continue to identify and apply for grants as a means to fund the policies, priorities and programs of the City, as established by actions of the Council; and

WHEREAS, grant submittals sometimes require verification of authority to submit an application on behalf of the City, and the required timeframes for submittal sometimes may not allow for Council authorization prior to application deadlines.

NOW, THEREFORE, BE IT RESOLVED, that the City of Roseville does hereby authorize the City Manager to execute grant applications on behalf of the City of Roseville in cases where Council authorization is not required or is required but cannot be practically obtained prior to an application deadline, and where any matching funds or other city financial obligation related to the grant are accounted for either in the City budget or by previous Council action; and

BE IT FURTHER RESOLVED, that the City Manager will report any such grant applications to the City Council after the application is submitted.

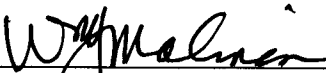
The motion for the adoption of the foregoing resolution was duly seconded by Member Roe, and upon a vote being taken thereon, the following voted in favor thereof: Roe, Johnson, Ihlan, Pust and Klausing
and the following voted against the same: none.

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 18th day of May, 2009 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 18th day of May, 2009.



William J Malinen, City Manager

(Seal)

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.d.

Department Approval



City Manager Approval



Item Description: Approve Facility Management Agreement with McGough Facility Management, LLC

Background

The City of Roseville has had a contract with McGough Facility Management since 2015, to provide support for facility management of the City Hall complex, Maintenance Facility and the License Center. The contract was extended in 2020, but it expires in 2023.

Staff met with representatives from McGough Facility Management to discuss the current contract and make some minor changes. Overall, the majority of the contract remains the same. There are two key changes to the new contract. The first change is at the fire department. Normal routine management is included per the current contract, but for projects in excess of \$10,000 there will now be a 3% management fee. The second major change is that McGough will now manage the license center facility (Lexington Shoppes) once the current agreement with Gaughan Companies expires in September. McGough will take over leasing and other facility maintenance similar to the current contract. The cost for this service is \$2,000 per month, which is the same cost as the Gaughan contract. McGough currently charges \$500 per month to help manage the License and Passport Center, so this will result in a \$500 per month savings. Additionally, by having one property management company manage City sites, staff believes some additional savings can be realized by combining some of the maintenance contracts, such as garbage and lawn care.

The following is a summary of the list of management duties under the proposed contract between the City of Roseville ("Owner") and McGough Facility Management ("Manager"):

- Facility Management for City Hall, Maintenance Facility, Fire Station and Lexington Shoppes.
- Assist with any special project management that may occur to the buildings from time to time.
- Meet and coordinate any additional subcontractor work that may be required to maintain buildings.
- Review all monthly invoices for correctness.
- Perform regular and routine general building assessments, noting items that require repair.
- From time to time, meet with service technicians to review equipment operations.
- On a monthly basis, or as required, meet with an assigned representative to review building operations.
- On a yearly basis, meet with an assigned representative to review annual "Facility Management Report."
- Provide "best value" in pricing out required subcontracting work.
- Use of Internet-based work order system and will provide work order updates via email. Any Corrective Maintenance to be completed by one of Manager's qualified Service Technicians or one of their subcontractor partners on a "Time and Materials" basis.

- Perform Preventive Maintenance (PM) and maintain PM database using Internet-based PM work order system. Preventive Maintenance to be completed in a timely fashion by qualified Service Technicians or subcontractor partners on a "Time and Materials" basis.
- Provide 24/7 on-call support services. After hours service to be charged on a "Time and Materials" basis.
- Upon termination of this Agreement, "Manager" shall provide "Owner" with all maintenance, service and accounting records pertaining to the facilities.
- "Manager" will honor and abide by all City of Roseville's existing service contracts and work in conjunction with existing service providers.

The term of this agreement is for a minimum of three years (with acceptable provisions for early termination) and allows one-year extensions for an open time period. Staff will review the cost and performance on an annual basis before deciding to extend the agreement.

The agreement is largely the same as the previous agreement with the exception of the fees. In 2020, the annual management fee for City Hall, Maintenance Facility and Fire Station was \$3,500 per month (\$42,000 annually) and \$500 per month (\$6,000 annually) for the License and Passport Center for a total annual cost of \$48,000. That fee increased 3% per year and is currently \$3,605 per month (\$43,260 annually) for City Hall, Maintenance Facility and Fire Department and \$500 per month (\$6,000 annually) for the License and Passport Center.

The fees under this agreement will start at \$3,700 per month for City Hall, Maintenance Facility and Fire Station (\$44,400 annually) and \$2,000 per month for the License and Passport Center (\$24,000 annually). The new total annual fee will be \$68,400. This represents a 2.6% increase over last year's cost for City Hall, Maintenance Facility and Fire Station. The additional \$1,500 for the Shoppe's includes the additional duties of managing tenants and leases and managing the entire building instead of just the License and Passport Center spaces. With the current Gaughan Companies management fee being \$2,000 per month, there should be a \$500 savings for the Lexington Shoppes fund since McGough contract only increased \$1,500 to cover Gaughan Companies current duties.

The fee can increase annually up to 5% with a sixty-day notice from McGough. The agreement would be effective August 1, 2023 through July 31, 2026. The fees and services for the Lexington Shoppes will begin once the agreement with Gaughan Companies expires.

Policy Objectives

The City and the Public Works Department strive to provide efficient and effective services utilizing skilled staff or professional services from the private sector. Service delivery needs can change over time due to technology changes or available skilled resources.

Racial Equity Impact Summary

There should be no equity impacts associated with this agreement.

Budget Implications

The total cost will be \$44,400 for City Hall, Maintenance Facility and the Fire Station and \$24,000 for the License and Passport Center for a total of \$68,400. The base increase in the contract amount is 2.6% over last year plus the additional \$1,500 per month to manage the Lexington Shoppes. There should be a \$500 per month savings to the Lexington Shoppes budget. This is within the current proposed 2024 budgets for contract maintenance for the Building Maintenance budget and the Lexington Shoppes budget.

Staff Recommendations

Staff recommends approval of the Facility Management Agreement with McGough Facility Management, LLC, as presented in Attachment 1.

Requested Council Action

Approve Facility Management Agreement with McGough Facility Management, LLC.

Prepared by: Jesse Freihammer, Public Works Director

Attachments: 1. Facility Management Agreement

MANAGEMENT SERVICE AGREEMENT (Limited Services)

This Agreement is entered into this 1st day of August 2023 (the "Effective Date") by and between **City of Roseville** ("Owner") and **McGough Property Management, LLC d/b/a McGough Facility Management**, a Minnesota limited liability company ("Manager").

The parties agree as follows:

1. Term. This Agreement is effective as of the Effective Date and shall terminate on July 31, 2026 but will be automatically renewed for subsequent one-year periods unless otherwise terminated as provided in this Agreement.
2. Premises. The Premises included in this agreement are those common areas, grounds, parking lots, or buildings identified on Schedule D – Description of Premises.
3. Insurance. Owner will maintain (a) commercial general liability insurance in the minimum amount of Three Million and No/100 Dollar's (\$3,000,000) for any single occurrence of bodily injury or property damage and naming Manager as an additional insured and (b) property insurance for the full replacement cost of the Premises. Owner shall provide to Manager evidence of such insurance upon request from Manager.
4. Manager's Authority. This Agreement is not one of employment by the Manager for Owner but one with the Manager engaged independently in the business of managing properties on its own behalf as an independent contractor. Nothing in this Agreement shall be construed as creating a partnership, joint venture, or any other relationship between the parties to this Agreement except that of owner and manager, or as requiring Manager to bear any portion of losses arising out of or connected with the Premises.
5. Manager's Duties. Manager, acting on behalf of Owner, will perform the duties set forth on Schedule A (attached hereto) in a diligent and efficient manner. Notwithstanding anything to the contrary set forth herein, Manager's duties and responsibilities ~~shall~~ be limited to the duties and responsibilities specifically described herein and no additional duties shall be implied. Any additional duties, managed facilities, and manager compensation, as may be agreed upon from time to time by both parties, may be incorporated into this agreement by amendment, or formal Scope of Work document, and referencing the terms and conditions of this agreement.
6. Hold Harmless; Waiver of Subrogation. Owner will defend, indemnify and hold Manager free and harmless from all liability, claims, damages, losses, and judgments arising out of the ownership, management, operation, or maintenance of the Premises, except with respect to claims or demands arising from Manager's breach of this agreement, gross negligence, or willful misconduct. Notwithstanding the foregoing, Owner and Manager each waives, releases and discharges the other, but only to the extent of available insurance proceeds, from all claims or demands which each may have or acquire against the other, or against each other's subsidiaries, affiliates, directors, officers, agents, employees, independent contractors or partners, with respect to any claims for any losses, damages, liabilities or expenses (including attorneys' fees) incurred or sustained by either of them on account of injury to persons or damage to property or business arising out of the ownership, management, operation and maintenance of the Premises, regardless whether any such claim or demand may arise because of the fault or negligence of the other party or its subsidiaries, affiliates, officer's, employees, directors, agents or independent contractors. Each policy of insurance maintained in accordance with this Agreement shall contain a specific waiver of subrogation reflecting the above.
7. Restriction on Manager's Duties. Manager's duties are subject to the following restrictions:
 - a) Except as stated in this Agreement, the Manager has no right to incur any liability on Owner's behalf or to bind Owner by any contract or obligation.
 - b) Manager will not contract for any repairs or other work without first obtaining Owner's consent, except for repairs or other work of an emergency nature, in which case no such consent shall be required.
 - c) All condemnation and casualty loss matters are exclusively within the control and direction of Owner.
 - d) Manager shall not contract for on-going services, including but not limited to plowing, lawn care, etc. Such on-going service contracts shall be negotiated, entered into, and maintained by Owner to ensure compliance with Owner's cost principals and requirements.
 - e) When acting as purchasing agent for the Owner, Manager shall endeavor to procure goods and services in a manner consistent with Federal Cost Principals as provided in 45 CFR Part 75, Subpart E: Cost Principles ("Cost Principles"), but only to the extent the provisions are directly applicable to the goods and/or services procured by Manager in furtherance of the Manager's Duties as outlined in Exhibit B.

8. Termination. This Agreement may be terminated by either party upon thirty (30) days' written notice in the event Manager or Owner defaults under the provisions of this Agreement unless the defaulting party begins and completes a cure within that period. In addition, this Agreement may be terminated by either Owner or Manager for any reason upon sixty (60) days' written notice to the other. The sale of any individual building owned by Owner will release that building from this contract agreement.
9. Termination on Sale. If there is a sale of the Premises, this Agreement will terminate upon the earlier of (i) the effective date of the closing of any such sale or (ii) thirty (30) days' written notice from one party to the other. Owner shall provide to Manager no less than thirty (30) days' prior write notice of the anticipated closing date of a sale of the Premises.
10. Management Compensation. As consideration for the services to be provided by Manager, Owner will compensate Manager as set forth in Schedule B attached hereto. All payments, reimbursements, fees, or other amounts owed to Manager from Owner, including, without limitation, any amounts which become owed pursuant to Schedule B below, shall be paid promptly to Manager' within thirty (30) days of invoice, and such payment shall be without off-set, counter claim or reduction of any nature whatsoever. Notwithstanding the foregoing, if Manager deposits or otherwise accepts payment in amount less than an invoice, such acceptance shall be construed only as acceptance of partial payment and shall not be deemed an accord and satisfaction in the amount received. Any unpaid balance not paid within the time provided for in this Section 10 shall accrue interest at a rate of eight percent (8%) per annum.
11. Expense Reimbursement. In addition to the fees payable to Manager for its services in connection with the management of the Premises as set forth in Schedule B, Owner shall reimburse Manager within thirty (30) days after receipt of an invoice for the following costs and expenses:
- a) Manager's costs:
- Any cost and expenses relating to the performance of the duties described in Schedule A.
 - Any license fees relating to the performance of the duties described in Schedule A, provided, however, that such fees shall not include any license fees Manager is required to pay to any governmental entity to engage as a facility or property manager.
- b) 3rd Party costs:
- Utility, maintenance, legal, and other' expenses relating to the performance of the duties described in Schedule A.
 - Manager's costs and expenses relating to any repairs or improvements to the Premises performed in accordance with this Agreement.
12. Crime Coverage. Manager's employees who handle Owner's funds shall be covered by insurance that provides crime coverage for employee theft to the extent required by applicable law in form and amount reasonably approved by Owner.
12. Purchasing Agent. The parties agree to execute the letter attached as Schedule C, which is hereby made a part of this Agreement.
13. Assignment. This Agreement or any rights hereunder shall not be assigned by Manager without Owner's prior written consent. If Manager seeks Owner's consent for assignment, Owner shall have the option to either consent or to immediately terminate this Agreement with immediate effect. This shall not, however, limit the right granted to Manager to employ contractors, subcontractors, employees, and agents to perform the services described in the Agreement. Upon prior written notice to Manager', Owner may assign its rights and obligations to any successor in title to the Premises, and upon such assignment, shall be relieved of all liability hereunder accruing after the effective date of such assignment.
14. Notice. Any notice required by this Agreement shall be delivered in person or by certified or regular mail to the parties at and addressed as follows:

Owner City of Roseville
 2660 Civic Center Dr.
 Roseville, MN 55113
 Attn: Patrick J. Trudgeon

Manager McGough Property Management, LLC
 d/b/a McGough Facility Management
 2737 Fairview Avenue North
 St. Paul, MN 55113
 Attn: Tim Kuharski

15. Successors and Assigns. This agreement shall be binding upon the successors and assigns of the undersigned, subject to the restrictions and conditions set forth in this agreement.
16. Entire Agreement: This Agreement constitutes the entire Agreement between the parties, and not modifications thereof will be effective unless made by supplemental agreement in writing and executed by the parties.
17. Governing Law. This Agreement shall be interpreted and construed in accordance with the State of Minnesota.
18. Schedules. The following Schedule(s) in/are part of this agreement:
- Schedule A- Managers Duties
 - Schedule B- Management Compensation
 - Schedule C- Purchasing Agent Letter
 - Schedule D- Description of Premises
19. Access to Records. Owner reserves the right for Owner's employees, or others appointed by Owner, to conduct examinations, with reasonable advance notice, of the books and records maintained for Owner by Manager no matter where books and records are located. Any and all such audits conducted either by Owner's employees or its appointees will be at the sole expense of the Owner.
- a) Upon reasonable advance notice, Manager will provide access to Owner the above-mentioned materials, that are related to the services performed to ensure that all activities are carried out in accordance with the provisions of the Agreement. The review shall be conducted without charge to the Owner.
 - b) Manager will provide Owner with documents that substantiate the work performed as part of invoicing for the billing period. This includes, but is not limited to, work orders and invoices paid by Manager on behalf of the Owner.
20. Final Accounting. Upon termination of this Agreement for any reason, Manager shall deliver to Owner the following with respect to premises:
- a) A final accounting of Manager's services for the Premises as of the date of termination, which final accounting shall be delivered within sixty (60) days after such termination.
 - b) Any balance of monies of Owner or tenant security deposits, or both, held by Manager with respect to Premises, which shall be delivered within a reasonable period of time upon such termination.
 - c) Upon request from Owner, a copy of all records, contracts, receipts for deposits, unpaid bills and other papers or documents which pertain to the Premises, which shall be delivered within a reasonable period of time after Manager's receipt of such request. Upon such termination, Manager shall have no further obligations hereunder, except as set forth in this Section 20, and Owner will assume all responsibilities of Manager hereunder, including, without limitation, payment of all unpaid bills.

Owner and Manager have executed and delivered this Agreement as of the Effective Date.

OWNER:
City of Roseville

MANAGER:
**McGough Property Management, LLC
d/b/a McGough Facility Management**

By: _____

By: _____

Its: _____

Its: _____

By: _____

Its: _____

SCHEDULE "A"
Schedule of Manager' Duties

Facility Management- Manager will administer the following services at the **City Hall, and Maintenance Facility** Building premises. The management fee as noted in Schedule B, Section 1- Schedule of Management Compensation.

- Assist with any special projects that may occur to the building from time to time. Extra cost may be incurred in conjunction with the cost of the project as stated in Schedule B, The Fixed Fees section item .
- Assist with the preparation of the annual operating budget, forecasting all revenue sources and expenses.
- Meet and coordinate any additional subcontractor work that may be required to maintain the building.
- Review and approve monthly invoices for accuracy.
- Perform regular and routine general building inspections, noting items that require repair and or maintenance.
- Meet with McGough service technicians and HVAC technician to review equipment
- On a monthly basis, or as required, meet with an assigned representative to review building operations.
- Provide "best value" in pricing out required subcontracting work.
- McGough to provide use of its Internet based work order system and will provide work order updates via email, any corrective maintenance to be completed by one of McGough's qualified service technicians or one of McGough's subcontractor partners on a "Time and Materials" basis.
- McGough to perform Preventive Maintenance (PM) and maintain PM database using its Internet based work order system. Preventive Maintenance to be completed in a timely fashion by one of McGough's qualified Technicians or one of McGough's subcontractor partners on a "Time and materials" basis.
- Provide 24/7 on-call support services After-hour service to be charged on a "Time and Materials" basis.
- Supervise other contract services including construction, mechanical, electrical, and plumbing contractors as directed by owner.

Facility Management- Manager will provide Facility Management support for the **Fire Station** which is not included in the monthly management compensation.

- Manager shall receive a three percent (3%) fee for Project Management and Facility Management Service support, in excess of \$10,000 per project. Upon request, Manager will coordinate and manage small facility projects (ex: carpet replacement, painting, replacement and maintenance of existing building finishes, furniture moves, lighting, etc.).
- Service fees as noted in Schedule B, Section 3- Schedule of Management Compensation.

Property Management- Manager shall provide the following services as it relates to the **Lexington Shoppes** premise. *Services included in Management Fee as noted in Schedule B, Section 1- Schedule of Management Compensation.*

- Management and upkeep of electrical utilities – includes electrical panels, transformers & power feeds.
- Management, repair and replacement of lighting fixtures and bulbs – both interior & exterior, including building perimeter, parking, and walkway areas
- Management, repair and replacement of plumbing fixtures and systems
- Management, repair, and maintenance of mechanical systems
- Management, maintenance, and repair of the building structure – includes roofing, windows, and walls.
- Management, repair, and maintenance of the grounds (green areas) includes public areas and building entrances.
- Management, maintenance, and repair of the parking lot & sidewalks – includes snow removal, trash pickup, oversight of illegally parked vehicles, and related issues.
- Management and maintenance of all refuse – includes dumpster & recycling programs.
- Manage third party facility service contracts for as directed by the owner (grounds, snow removal, HVAC, pest control, etc.) will be held directly between the property owner and the service provider. Manager will oversee and manage these facility services on the owner's behalf.
- In the event of an emergency the Manager, in good faith and reasonable judgement is authorized to make necessary expenditures on behalf of the owner to protect persons or property.
- Management and inspection of the life safety equipment – fire systems, fire extinguishers, emergency & exit lighting.
- Lease administration and management – act as owners' representative in all property related contact with tenants including repair requests, late payment notification, tenant compliance with lease provisions. Manager will maintain periodic contact with tenants.
- Work with brokerage representatives on marketing or promotional efforts to retain and attract new tenants.

SCHEDULE "A"
Schedule of Manager Duties (continued)

Financial Management & Bookkeeping- *Services included in Management Fee as noted in Schedule B, Section 1- Schedule of Management Compensation.*

- Develop and manage an operating budget that is in line with industry standards and meets the owner's approval.
- Invoicing and collections of rents
- Occupancy reporting
- Capital improvement forecasting and tracking.
- Annual Tenant CAM reconciliations
- Other specific financial reporting as requested by owner.
- Operating account funded by Owner with access to deposit and withdraw funds for the operation of the building: collecting rent and payment of invoices.

Maintenance Tech/Building Services- *Management fee will cover overhead/ operating costs, labor will be provided on a T&M basis as noted in Schedule B, Section 2- Schedule of Management Compensation.*

- Inspect and Maintain lighting throughout the premises.
- Inspect and Maintain Fire Life Safety Systems, including emergency lighting, fire extinguishers, fire sprinkler system, fire detection & alarm system as applicable.
- Verify that spaces are maintaining appropriate heating and cooling setpoints and make corrections as needed to provide building efficiency and comfortability.
- Perform mechanical/ HVAC system operations and post appropriate licensing.
- Perform preventive maintenance checks to building and site equipment as needed.
- Respond to work requests submitted through Manager's web-based work order system.
- Complete facility related projects as assigned.
- Other requirements TBD.

SCHEDULE "B"
Schedule of Management Fees

Facility Management Compensation shall be paid as follows:

1. Three Thousand Seven Hundred dollars (\$3,700.00) per month for the **Roseville City Hall and Maintenance Facility** buildings.
2. Two Thousand dollars (\$2,000) per month for the **Lexington Shoppes** Strip Mall.

Payment of the full fee (\$5,700.00) shall commence on the Effective Date. Notwithstanding the foregoing, Manager shall have the right, with sixty (60) days prior written notice to increase the management fee not to exceed 5% annually. Management Fees will be adjusted at each one (1) year anniversary of the Effective Date

The Fixed Fee includes the following:

- Account Manager time for all regular contract requirements and mileage
 - Manager's Liability insurance
 - Accounting services required by this agreement.
 - Annual property budgeting input
 - Use of internet-based world order system
 - All Manager's IT costs including personal computer, servers, I.T. support, software, and phone service to support Owner
 - Purchasing support of premise, as related to purchases and services such as belts, filter's, rental rugs, janitorial services, etc.
 - Manager's profit and other overhead related costs
 - Verification, approval, and disbursements of vendor invoices
 - Capital improvement forecasting and tracking.
 - Other specific reporting as requested by owner.
3. Special projects not covered- Manager shall receive a fee for supervision of projects in the amount of three percent (3%) of owner leasehold improvements and major repairs and improvements in excess of \$20,000 per project.
 4. Hourly Services for Preventive Maintenance, Repair's and all other's services:
 - General Service Technicians - \$85.00 per hour, 7:00 a.m. to 3:30 p.m. Monday through Friday. Scheduled Overtime Monday through Saturday (time and a half \$127.50), and (double-time \$170.00) on Sunday and holidays. Rates subject to change each calendar year.
 - HVAC Engineering Technicians - \$95.00 per hour, 7:00 a.m. to 3:30 pm, Monday through Friday. Scheduled Overtime Monday through Saturday (time and a half \$142.50), and (double-time \$190.00) on Sunday and holidays. Rates subject to change each calendar year.
 - On-call support (after hours)
 - After-hours emergency calls that require on onsite emergency response will be billed at double-time the rate of service type, with a two (2) hour minimum. Time and billing for emergency calls starts from one the service technician is in route to when they leave the site.
 - A truck service charge of \$50.00 will apply to all non-scheduled maintenance visits, as well as for travel required to procure needed supplies during scheduled site visits. Unless there is an urgent request, Manager will strive to combine multiple work requests into a single visit. Truck service charge subject to change each calendar year.
 - Project Management and Facility Management Services not included in Schedule A or for will be billed at \$125.00 per hour.
 5. Materials:
 - All supplies and materials required to perform Manager's duties as outlined in Schedule "A" and in providing preventive maintenance work, purchased by Manager will be invoiced to the owner at a pass-through rate with no markup.
 6. **TIMING OF PAYMENT AND INTEREST CHARGE FOR LATE PAYMENTS.** Payment terms are Net Thirty-days. 8% interest to be charge on any outstanding balance after thirty-days (30).

SCHEDULE "C"
Purchasing Agent Letter



The purpose of this letter is to amend our letter agreement of August 1, 2023 ("Agreement") by providing that certain goods and services acquired under the Agreement by **McGough Property Management, LLC d/b/a McGough Facility Management** for the benefit of **City of Roseville** shall be purchased by **McGough Property Management, LLC d/b/a McGough Facility Management** as purchasing agent for **City of Roseville** in accordance with the provisions of this letter.

1. The **City of Roseville** appoints and designates **McGough Property Management, LLC d/b/a McGough Facility Management** as the **City of Roseville** purchasing agent for the purchase of all goods and services acquired under the Agreement by **McGough Property Management, LLC d/b/a McGough Facility Management** for the benefit of the **City of Roseville** that would be subject to sales and use taxation if purchased by a non-exempt entity but that would qualify for exemption from such taxation if purchased by a "nonprofit organization" as defined in Minn. Stat. § 297A.70, subd. 4. References to "Agency Items" in this letter are to the goods and services purchased through **McGough Property Management, LLC d/b/a McGough Facility Management** pursuant to this agency appointment. The **City of Roseville**, not **McGough Property Management, LLC d/b/a McGough Facility Management**, shall be responsible for payment for Agency Items. **McGough Property Management, LLC d/b/a McGough Facility Management**, as purchasing agent, shall purchase Agency items in the name of the **City of Roseville**. All right, title and interest to Agency Items shall vest immediately in the **City of Roseville**, not **McGough Property Management, LLC d/b/a McGough Facility Management**, at the point of delivery, and all incidents of ownership shall remain in the **City of Roseville** at all times. The risk of loss with respect to Agency Items is that of **City of Roseville**, not **McGough Property Management, LLC d/b/a McGough Facility Management**. The **City of Roseville** not **McGough Property Management, LLC d/b/a McGough Facility Management**, is responsible for all defective Agency Items. However, to the extent the **City of Roseville** prejudiced by the lack of timely notice as provided in paragraph 2.1 below, **McGough Property Management, LLC d/b/a McGough Facility Management** shall be responsible for any resulting damages to the **City of Roseville**. Warranties against inherent defects in Agency Items from the vendors, not **McGough Property Management, LLC d/b/a McGough Facility Management**, to the **City of Roseville**.

2. **McGough Property Management, LLC d/b/a McGough Facility Management** has and shall perform the following duties:

2.1 Except to the extent that the **City of Roseville** otherwise requires the use of a specific supplier or vendor, **McGough Property Management, LLC d/b/a McGough Facility Management** shall be responsible for the selection of suppliers and vendors of Agency Items. **McGough Property Management, LLC d/b/a McGough Facility Management** shall use its best skill and judgment in inspecting Agency Items and shall promptly notify the **City of Roseville** of any and all defects as **McGough Property Management, LLC d/b/a McGough Facility Management** becomes or reasonable should become aware of them. As agent for the **City of Roseville**, **McGough Property Management, LLC d/b/a McGough Facility Management** shall contact the manufacturer or supplier for immediate replacement or correction of defective Agency Items and to obtain all other remedial action for breaches of warranty.

2.2 **McGough Property Management, LLC d/b/a McGough Facility Management** shall notify all vendors and suppliers of Agency Items that **McGough Property Management, LLC d/b/a McGough Facility Management** is the **City of Roseville** purchasing agent and that obligation for payment is that of the **City of Roseville** and not **McGough Property Management, LLC d/b/a McGough Facility Management**. All contracts, purchase orders and other documents executed by **McGough Property Management, LLC d/b/a McGough Facility Management** in the course of its duties as the **City of Roseville** purchasing agent, including those furnished to vendors, suppliers and other parties shall clearly reflect the agency relationship and shall include or be accompanied by the following statement:

This purchase is made by **McGough Property Management, LLC d/b/a McGough Facility Management** (“MCGOUGH FACILITY MANAGEMENT”) as purchasing agent for the **City of Roseville**. Title to the purchased goods or services shall pass directly from seller to the **City of Roseville**. The obligation to pay for the purchased goods or services is solely that of the **City of Roseville**, but invoices may be submitted for payment to **McGough Property Management, LLC d/b/a McGough Facility Management** as agent for the **City of Roseville**. The **City of Roseville** is exempt from Minnesota sales and use taxation on this purchase. A copy of its Certificate of Exempt Status is attached. Accordingly, no sales or use tax should be imposed on the transaction.

2.3 Prior to issuing any purchase order or other agreement as the **City of Roseville** purchasing agent; **McGough Property Management, LLC d/b/a McGough Facility Management** shall review the proposed purchase order or other agreement with the **City of Roseville** for approval. **McGough Property Management, LLC d/b/a McGough Facility Management** shall not issue any such purchase order or agreement without **City of Roseville** .

2.4 On behalf of the **City of Roseville**, **McGough Property Management, LLC d/b/a McGough Facility Management** shall review invoices for Agency Items to reasonably ensure that such invoices are valid, that items on such invoices have not been previously billed, and that sales or use tax is not charged on such invoices. If **McGough Property Management, LLC d/b/a McGough Facility Management** determines that an invoice is proper, it shall forward a copy to the **City of Roseville** shall pay the invoice on behalf of the **City of Roseville** and shall be promptly reimbursed by the **City of Roseville**.

3. The **City of Roseville** shall indemnify, defend, and hold harmless **McGough Property Management, LLC d/b/a McGough Facility Management** from and against all claims for sales or use tax, penalty, or interest payable by **McGough Property Management, LLC d/b/a McGough Facility Management** related to, in connection with, or arising out of the purchase of Agency Items. To be indemnified, **McGough Property Management, LLC d/b/a McGough Facility Management** must give the **City of Roseville** prompt notice of any challenge to the exemption from tax and opportunity to fully defend against the challenge at the **City of Roseville** expense to a final determination (including appeals).

Sincerely,

**McGough Property Management, LLC
d/b/a McGough Facility Management**

By _____

Date: _____

It's _____

We agree with the provisions of this letter.

City of Roseville

By _____

Date: _____

Its _____

SCHEDULE "D"
Description of Premises

Roseville City Hall
2660 Civic Center Dr.
Roseville, MN 55113

Roseville Maintenance Facility
1140 Woodhill Dr.
Roseville, MN 55113

Roseville Fire Department
2701 Lexington Ave. North
Roseville, MN 55113

Lexington Shoppes
2719 North Lexington Ave.
Roseville, MN 55113

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.e.

Department Approval



City Manager Approval



Item Description: Adopt Resolution Prohibiting Parking on Dale Street by the Nature Center

Background

City of Roseville staff and Ramsey County staff have identified vehicles parking near the crosswalk on Dale Street between the Nature Center and the Arboretum. When vehicles park too close to the crosswalk it makes it more difficult for pedestrians to be seen by motorists. In order to alleviate this safety concern and to provide better site visibility to the crosswalk, the County is supportive of installing a no parking zone approximately 100 feet on either side of the crosswalk. Since this is on a county road, the County requires a resolution from the City to establish the no parking zone. If passed, the County would install the signs in the areas as shown on the map in Attachment 2.

Policy Objectives

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

Racial Equity Impact Summary

There should be no equity impacts associated with this no parking resolution.

Budget Implications

There are no costs to the City. All signs will be installed by Ramsey County Public Works.

Staff Recommendations

Staff recommends Council adopt the resolution prohibiting parking on Dale Street by the Nature Center.

Requested Council Action

Motion to adopt the resolution prohibiting parking on Dale Street by the Nature Center.

Prepared by: Jesse Freihammer, Public Works Director

Attachments: 1. Resolution
2. Map

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 24th day of July 2023, at 6:00 p.m.

The following members were present:
and the following were absent:

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION PROHIBITING PARKING ON
PORTION OF DALE STREET NEAR NATURE CENTER**

WHEREAS, Dale Street, south of County Road C, is a Ramsey County Road within the City of Roseville; and

WHEREAS, the City of Roseville and Ramsey County wish to establish a no parking area near the Nature Center to provide better site visibility; and

WHEREAS, Ramsey County requires a no parking resolution so no parking zone can be established, and

WHEREAS, parking will be restricted on the street and “no parking” signs will be posted as per the map in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that parking is hereby prohibited on Dale Street approximately 100 feet on either side of the crosswalk near the Nature Center as shown in Exhibit A.

The motion for the adoption of the foregoing resolution was duly seconded by Member , and upon a vote being taken thereon, the following voted in favor thereof: , , and.

and the following voted against the same:

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 24th day of July, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 24th day of July, 2023.

SEAL

Patrick J. Trudgeon, City Manager



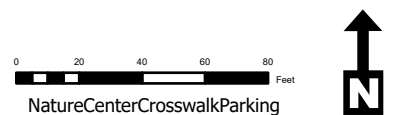
Nature Center/Arboretum Crosswalk Parking



Prepared by: Engineering Department
7/18/2023

Data Sources
 * Ramsey County GIS (7/3/2023)
 * City of Roseville Community Development
 * City of Roseville Finance Department

DISCLAIMER:
 This map is a legally recorded map and is a survey and is not intended to be used as a map. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not warrant that the GIS Data can be used for navigational, trading or any other purpose requiring accurate measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-752-0175. The preceding disclaimer is provided pursuant to Minnesota Statute §465.03, Subd. 21 (2005), and the user of the map acknowledges that the City will not be liable for any damages, and expressly waives all claims, indemnity, and hold harmless the City from any and all claims brought by them, its employees or agents, or third parties which arise out of the user's access or use of data provided.



NatureCenterCrosswalkParking

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.f.

Department Approval

Janice Gundlach

City Manager Approval

Sam Truog

Item Description: Approve a resolution providing preliminary approval of the Villas of Reservoir Woods Major Plat of two existing parcels as six lots with an existing home remaining on one of the lots (PF23-001)

Background

Applicant: Cara Builders LLC
Location: 691 & 711 Shryer Avenue
Open House Meeting: February 28, 2023
Application Submittal: Submitted April 7, 2023; Considered complete May 18, 2023
City Action Deadline: 9/15/2023, per Minn. Stat. 462.358 subd. 3b

Land Use Context

	Existing Land Use	Guiding	Zoning
Site	One-family, detached residential	LR	LDR
North	One-family, detached residential	LR	LDR
West	One-family, detached residential	LR	LDR
East	One-family, detached residential	LR	LDR
South	One-family, detached residential	LR	LDR

Notable Natural Features: decreasing elevation from south to north; several mature trees
Land Use History: none

Level of City Discretion in Decision Making: quasi-judicial

Proposal Summary

The applicant began this project by conducting the pre-application community engagement (i.e., “open house”) in February 2023, proposing to remove the existing home and replat the three lots comprising 711 Shryer Avenue into four lots for development of detached homes. During the community engagement process, the owner of 691 Shryer Avenue approached the applicant about including that parcel in the subdivision proposal, resulting in a plat of six lots with the house at 691 Shryer Avenue remaining in place within one of the new lots.

Although the current proposal is not identical to what was proposed and discussed during the open

house process, it remains a development of single-family homes that is effectively the same as the original proposal for the purposes of reviewing an application for preliminary plat approval. However, because the revised proposal is somewhat different from what the open house participants understood it would be, the applicant has communicated with the participants to briefly explain the change before City staff mailed the public hearing notices. Plans and other information detailing the proposed preliminary plat are included with this RCA as Attachment 3.

When exercising the “quasi-judicial” authority on subdivision requests, the role of the City is to determine the facts associated with a particular proposal and apply those facts to the legal standards contained in the ordinance and relevant state law. In general, if the facts indicate the application meets the relevant legal standards and will not compromise the public health, safety, and general welfare, then the applicant is likely entitled to the approval. The City is, however, able to add conditions to subdivision approvals to ensure that potential impacts to parks, schools, roads, storm sewers, and other public infrastructure on and around the subject property are adequately addressed. Subdivisions may also be modified to promote the public health, safety, and general welfare, and to provide for the orderly, economic, and safe development of land, and to promote housing affordability for all levels.

Plat Analysis

Roseville’s Development Review Committee (DRC) met on several occasions to review the proposed subdivision plans. Some of the comments and feedback based on the DRC’s review of the application are included in the analysis below, and the full comments offered by DRC members are included with this RCA as Attachment 4.

Proposed Lots

The required minimum lot width and area for detached dwellings such as those in proposed preliminary plat are 85 feet and 9,350 square feet. The smallest of the proposed lots is 88 feet wide and 9,359 square feet. Although impervious coverage and building setbacks are not specifically reviewed and approved as part of a plat application, the buildings represented in the development plans do appear to conform to the pertinent requirements of the LDR district.

Park Dedication

The Parks and Recreation Commission reviewed the proposal at its May 2 meeting and recommended a dedication of cash in lieu of park land. An excerpt of the May 2 PRC meeting minutes is included with this RCA as part of Attachment 4. Because the land subject to the preliminary plat comprises Lots 10-13, Block 1 of the 1948 *Hoffman’s Garden Tracts* plat, the proposed six-lot plat represents a net increase of two lots. At the current rate of \$4,250 per dwelling unit, the two additional lots will require \$8,500 to be paid before the City will release the signed plat to be recorded at Ramsey County.

Tree Preservation

The tree preservation and replacement plan requirements in City Code §1011.04 provide a way to quantify the amount of tree material being removed for a given project and to calculate the potential tree replacement obligation. The current removals plan and the preliminary calculation of the obligation to plant about 20 replacement trees are included in Attachment 3.

Storm Water Management

The grading and storm water management plan illustrated in Attachment 3 addresses the proposed development on the lots as required. Like the tree preservation plan, the storm water management

plan reviewed with a plat proposal is not intended to be approved with the plat as the final storm water management plan. Instead, the tree preservation and storm water management plans reviewed with a plat proposal are intended to demonstrate that the standard City Code requirements can be met as the proposed project is implemented, which the City Engineer has confirmed by her comments in Attachment 4.

Public Comment

Plat applications creating four or more lots require the developer to hold an “open house meeting” to engage nearby community members, answer their questions, and address their concerns. A summary of this engagement is included with this RCA in Attachment 5. Additional feedback elicited by the applicant’s follow-up with the participants about the proposed revision, and these responses are included as well. At the time this RCA was drafted, Planning Division staff has spoken with one nearby homeowner who opposed the idea of building houses along that portion of Skillman Avenue and another who expressed ambivalence about new homes being built in that location and who was seeking to better understand the subdivision process.

A public hearing for the preliminary plat proposal was held by the Planning Commission on June 7, 2023. Members of the public who spoke at the hearing were generally opposed to the proposal, citing concerns about increased traffic, and the replacement of what they perceive as open space in line with other back yards in that area with new homes. Some concerns were also expressed regarding the overhead electric utility. At the conclusion of the public hearing, the Planning Commission voted unanimously to recommend approval of the request consistent with the conditions recommended by staff. Draft minutes of the public hearing are included as part of Attachment 5. Since the Planning Commission held the public hearing, one additional comment was received via the website, citing opposition to new homes and removal of trees, as well as concerns surrounding the overhead power lines and the possibility the new homes don’t sell.

Policy Objectives

Establish public-private partnerships to ensure life-cycle housing throughout that City attracts and retains a diverse mix of people, family types, economic statuses, ages, and so on.

Ensure all subdivisions of land lying within the incorporated limits of the City fully comply with the regulations set forth in the Subdivision Code or Subdivision Variances are granted where necessary. Regulations and requirements for the subdivision of land are necessary to preserve the health, safety, general welfare, convenience, and good order of the community.

Racial Equity Impact Summary

A land use request like this is considered routine in nature as it meets all requirements of the Comprehensive Plan and Zoning Code. As such, specific impacts to racial equity have not been considered.

Budget Implications

Acquisition of \$8,500 park dedication. Refer to DRC comments in Attachment 4.

Staff Recommendations

Adopt a resolution approving the proposed Villas of Reservoir Woods preliminary plat based on the content of this RCA, public input, the recommendation and findings of the Planning Commission, and City Council deliberation, with the condition that, pursuant to the memo from Parks and Recreation Department staff in Attachment 4 of this RCA, the applicant shall submit payment of the \$8,500 park dedication fee before the City will release the signed mylars for recording at Ramsey County.

Requested Council Action

Adopt a resolution approving the proposed Villas of Reservoir Woods preliminary plat based on the content of this RCA, public input, the recommendation and findings of the Planning Commission, and City Council deliberation, with the condition that, pursuant to the memo from Parks and Recreation Department staff in Attachment 4 of this RCA, the applicant shall submit payment of the \$8,500 park dedication fee before the City will release the signed mylars for recording at Ramsey County.

Alternative Actions

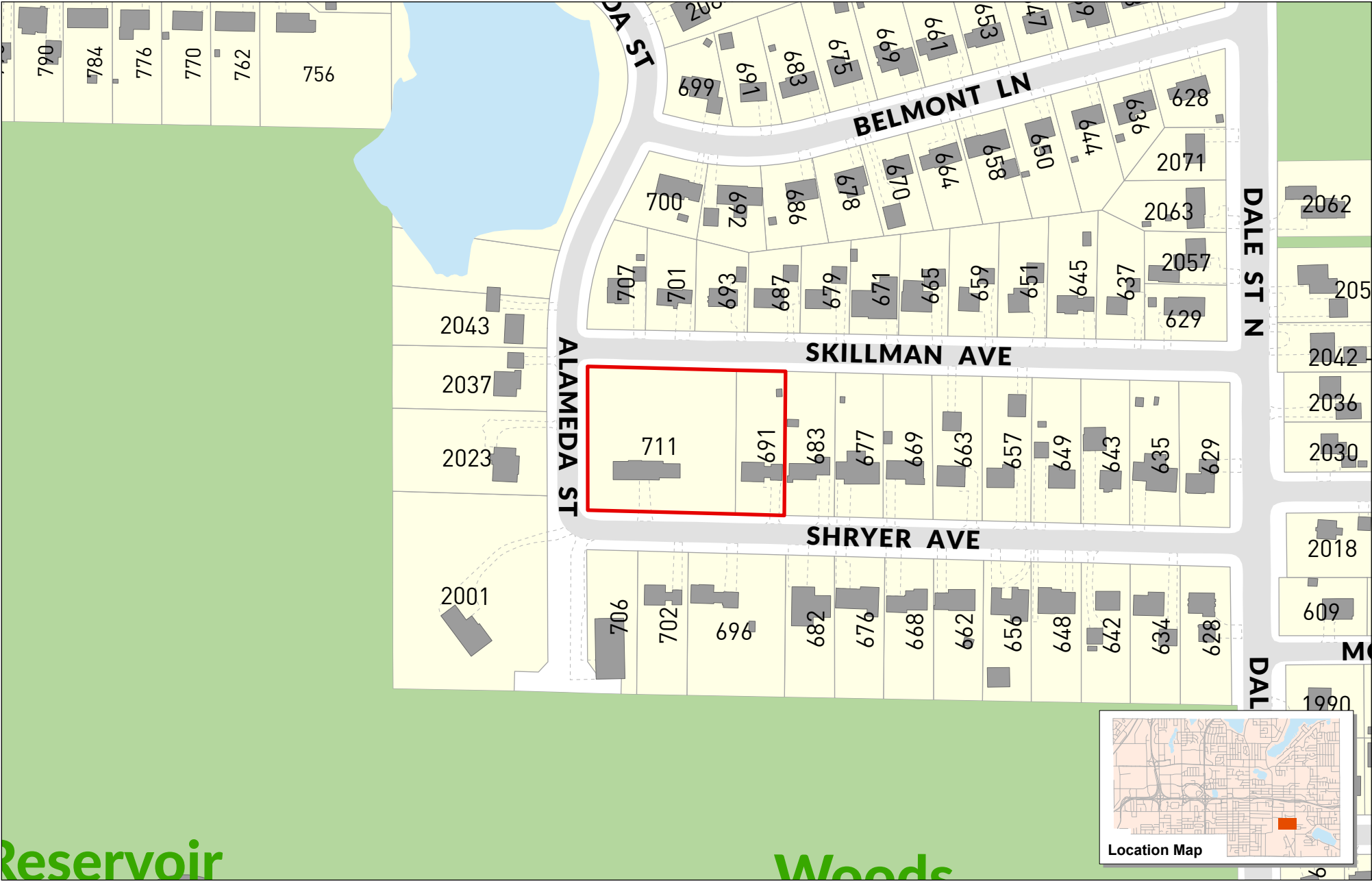
- Pass a motion to table the request for future action. An action to table consideration the request must be based on the need for additional information or further analysis to make a decision. Tabling beyond September 11, 2023, may require an extension of the action deadline mandated in Minnesota Statute to avoid statutory approval.
- Adopt a resolution to deny the request. A denial should be supported by specific findings of fact based on the City Council's review of the application, applicable zoning or subdivision regulations, and the public record.

Prepared by: Bryan Lloyd, Senior Planner

Attachments:

1. Area map
2. Aerial photo
3. Proposed plans
4. Comments from DRC
5. Public Comment
6. Draft approval resolution

Attachment 1: Planning File 23-001



ROSEVILLE
Prepared by:
Community Development Department
Printed: May 30, 2023


Site Location

Data Sources
* Ramsey County GIS Base Map [5/4/2023]
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer
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0 50 100 150 Feet



Attachment 2: Planning File 23-001



Prepared by:
Community Development Department
Printed: May 30, 2023

Data Sources

* Ramsey County GIS Base Map (5/4/2023)
* Aerial Data: EagleView (4/2022)

For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

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0 50 100 Feet



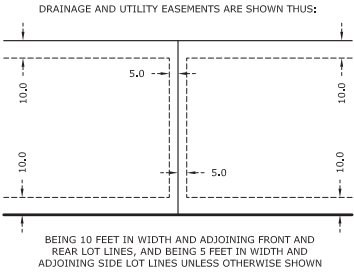
PRELIMINARY PLAT

~for~ CARA BUILDERS, LLC
~of~ VILLAS OF RESERVOIR WOODS

EXISTING OWNERSHIP

Lots 11, 12, and 13, Block 1, HOFFMAN'S GARDEN TRACTS, Ramsey County, Minnesota.
PID: 14-29-23-14-0011
OWNER: CARA BUILDERS, LLC.
ADDRESS: 711 Shryer Avenue

Lot 10, Block 1, HOFFMAN'S GARDEN TRACTS, Ramsey County, Minnesota.
PID: 14-29-23-14-0010
OWNER: ANDREW RYDLUND
ADDRESS: 691 Shryer Avenue



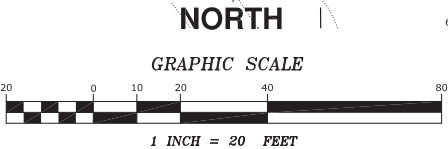
LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- x 932.36 DENOTES EXISTING SPOT ELEVATION
- ⊕ DENOTES HYDRANT
- ⊙ DENOTES MISCELLANEOUS MANHOLE
- ⊙ DENOTES GUY WIRE
- ⊙ DENOTES POWER POLE
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊙ DENOTES STORM SEWER MANHOLE
- ⊙ DENOTES TREE
- DENOTES PROPOSED BUILDING SETBACK LINE
- DENOTES EXISTING SANITARY SEWER
- DENOTES EXISTING STORM SEWER
- DENOTES EXISTING WATER MAIN
- DENOTES UNDERGROUND ELECTRIC LINE
- DENOTES UNDERGROUND GAS LINE
- DENOTES PROPOSED RETAINING WALL
- DENOTES FENCE
- DENOTES EXISTING CONTOURS
- DENOTES OVERHEAD UTILITY
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER RAMSEY COUNTY TAX INFORMATION)

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 02/06/23, and 03/13/23.
- Bearings shown are on Ramsey County datum.
- Parcel ID Numbers: 14-29-23-14-0011 (711 Shryer Ave)
14-29-23-14-0010 (691 Shryer Ave)
- Curb shots are taken at the top and back of curb.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- Contours are shown using a combination of field gathered topography and LIDAR data as provided by mnDNR.
- This survey is based upon information found in the commitment for title Insurance prepared by Stewart Title Guaranty Company, File No. L22120169, dated effective December 26, 2022 at 12:00 A.M.
- Proposed grading and utility information is shown per civil plans prepared by Plowe Engineering dated 6-27-23.
- Location of utilities existing on or serving the surveyed property determined by:
 - Observed evidence collected pursuant to Section 5.E.14..
 - Record drawings provided by the City of Roseville's engineering department.

E.G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701



BENCHMARK

RAMSEY COUNTY BENCHMARK NO. 9169
ELEVATION = 889.845 (NAVD 88)

EXISTING ZONING / LOT STANDARDS

EXISTING ZONING IS LOW DENSITY RESIDENTIAL (LDR)

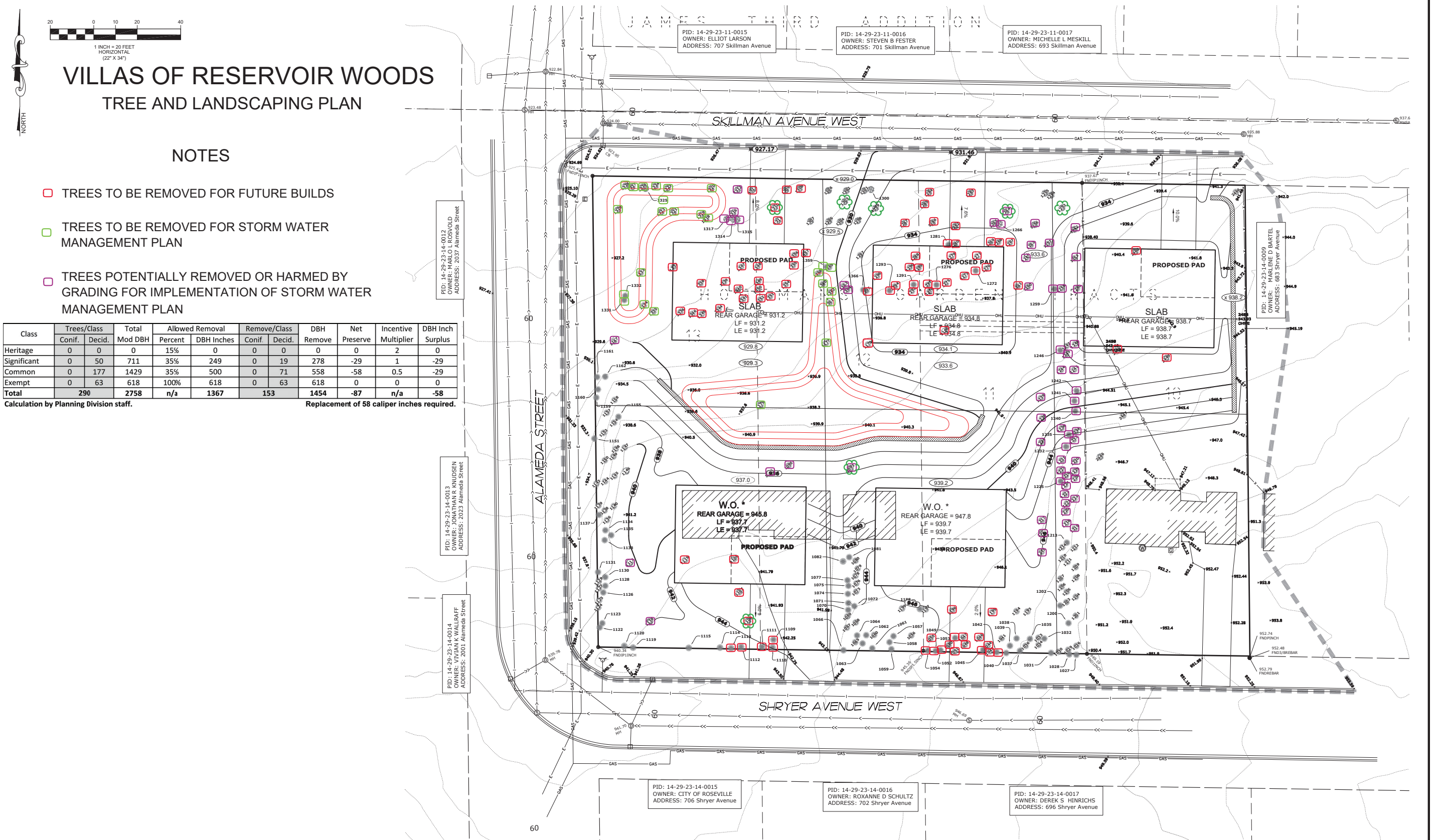
MINIMUM FRONT YARD SETBACK: 30 FEET
MINIMUM REAR YARD SETBACK: 30 FEET
MINIMUM SIDE YARD SETBACK: 5 FEET
MINIMUM SIDE YARD/CORNER SETBACK: 10 FEET
MINIMUM LOT WIDTH: 85 FEET
MINIMUM LOT AREA: 9,350 SQ. FT.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD
Date: 6/26/2023 License No. 41578

DRAWN BY:	CMB	JOB NO:	230025PP	DATE:	01/25/23
CHECK BY:	JER	FIELD CREW:	DT / CT / MR		
1	3-20-23	REVISE PROPOSED LAYOUT	CMB		
2	3-24-23	ADD PARCEL	CMB		
3	3-30-23	REVISE LAYOUT	CMB		
4	6-26-23	UPDATE EASEMENTS	CMB		

230025PP



? PROJECT NAME?
ROSEVILLE, MN
GRADING, DRAINAGE & ESC PLAN
PREPARED FOR: CARA BUILDERS, LLC

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
PRELIMINARY
ADAM GINKEL
Date: 04.14.2023 License No. 43963

1		
2		
3		
4		
5		
6		
7		
8		
NO.	DATE	DESCRIPTION

DRAWN BY: AG
JOB NO: 23-2083
CHECK BY: CWP
DATE: XXXX



PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

SHEET
C1.1



INTEROFFICE MEMORANDUM

Date: May 20, 2023

To: Bryan Lloyd, Senior Planner

From: Matthew Johnson, Parks and Recreation Director

RE: The Villas at Reservoir Woods (691-711 Shryer Avenue)

The Parks and Recreation Commission (PRC) reviewed this proposed project regarding park dedication on May 2, 2023 (DRAFT minutes attached). They recommended cash at the 2023 fee of \$4,250 per unit. Based on the proposal, the developer would pay \$21,250 (five units at \$4,250 per unit).

The Parks and Recreation System Master Plan does not specifically identify a need for additional land in this constellation.

**ROSEVILLE PARKS AND RECREATION COMMISSION
MEETING MINUTES FOR
MAY 2, 2023 6:30 p.m.**

PRESENT: Arneson, Beckman, Boulton, Baggenstoss, Brown, Dahlstrom, Raygor
ABSENT: Matts-Benson, Ybarra
STAFF: Johnson

1) INTRODUCTIONS

2) ROLL CALL/PUBLIC COMMENT

Roll Call Commissioners: Arneson, Beckman, Boulton, Baggenstoss, Brown, Dahlstrom, Raygor.

Chair Dahlstrom called for public comment by members of the audience. No audience members indicated that they wish to speak.

3) APPROVAL OF MINUTES – APRIL 4, 2023 MEETING

Commissioner Boulton moved to approve the minutes. Commissioner Raygor seconded.

Roll Call

Ayes: Arneson, Beckman, Boulton, Baggenstoss, Brown, Dahlstrom, Raygor.

Nays: None.

Abstain: None.

4) BUSINESS ITEMS

a) **Park Dedication Recommendation - 691-711 Shryer Avenue**

Staff reviewed the purpose, process and options to satisfying Park Dedication. Maps were provided to show the location of the 691-711 Shryer Avenue parcel. The proposed development is located in Constellation M of the Parks and Recreation system. There are no specific plans identified for parkland in this area

The proposal includes five new units on a 1.5-acre development. The project qualifies for Park Dedication. The cash amount for the five additional units would be \$21,250 (\$4,250 per unit). The required land amount would be 10% of 1.5 acres or 0.15 acres.

Staff reiterated that the role of the Parks and Recreation Commission is to review the proposed development and relevant parks and recreation system plans and goals; and to make a

recommendation as to whether the City should accept land, cash, or a combination, to satisfy the Park Dedication requirement.

The developer was present at the meeting to answer any questions. The developer provided the history of the purchase of the parcel.

Commissioner Arneson relayed that he would support recommending cash in lieu of land as the parcel is not connected to Reservoir Woods.

The Commission discussed the small size of the potential 0.15 acres park and if that land could be useful as a pocket park. They agreed that the size and location would not be a beneficial addition to the park system.

Commissioner Brown moved to recommend cash in lieu of land to satisfy Park Dedication at 691-711 Shryer Avenue to the City Council. Commissioner Arneson seconded.

Roll Call

Ayes: Arneson, Beckman, Boulton, Baggenstoss, Brown, Dahlstrom, Raygor.

Nays: None.

Abstain: None.

b) Park Dedication Recommendation - 2560 Fry Street

Maps were provided to show the location of the 2560 Fry Street parcel. The proposed development is located in Constellation I of the Parks and Recreation system. Staff noted that Constellation I is largely commercial and Rosebrook Park effectively serves the residential homes in that constellation.

The developer had relayed to staff that they don't have land available to allocate towards a park in the current proposal and that a recommendation of land could inhibit their ability to move forward with the project.

The proposal includes ten units on a 1.17-acre development. The project qualifies for Park Dedication. The cash amount for the nine additional units would be \$38,250 (\$4,250 per unit). The required land amount would be 10% of 1.17 acres or 0.117 acres.

Staff noted that the Master Plan does not specifically call out additional park land in this area. The Comprehensive Plan does state a goal of procuring land adjacent to existing park parcels. Upcoming Capital Improvements at Rosebrook over the coming years include the pool and playground.

**INTEROFFICE MEMORANDUM**

Date: May 31, 2023

To: Bryan Lloyd, Senior Planner

From: Jennifer Lowry, Roseville Public Works

RE: 691-711 Shryer Avenue Preliminary Plat

The Public Works Department reviewed the proposed plans for the project noted above and offer the following comments with regard to the project's impact on City services and/or infrastructure:

1. Site Plan

- Due to the minimal amount of lots created, the development did not meet the threshold per City policy to conduct a traffic study. A traffic study was not conducted but any increase to traffic on adjacent streets is expected will not create any significant issues.

2. Utilities

- Water
 - Watermain is available for connections
- Sanitary
 - Sanitary sewer main is available for connections.
- Storm Sewer
 - The development has to meet city stormwater standards. These standards include water quality, rate, and volume requirements that will ensure the property will protect downstream surface waters and not add to any local drainage and flooding issues. Submittals from the developers consulting engineer can meet the requirements of the city. Engineering staff are confident the developer will be able to meet the stormwater requirements with minor plan revisions.
 - The storm sewer improvements within the site would be private.
 - Capitol Region Watershed District Permit required.
 - NPDES Permit required.
 - City Erosion Control, Grading and Storm Water Permit required.

Thank you for the opportunity to provide feedback and on this project at this time. As the project advances, Public Works Department staff will continue to review any forthcoming plans and provide additional reviews and feedback as necessary. Please contact me should there be questions or concerns regarding any of the information contained herein.

1 **b. Request for Approval of a Preliminary Plat of Two Parcels as Six Lots with an**
2 **Existing Home Remaining on One of the Lots (PF23-001)**

3 Chair Pribyl opened the public hearing for PF23-001 at approximately 6:54 p.m. and
4 reported on the purpose and process of a public hearing.

5
6 Senior Planner Bryan Lloyd summarized the request as detailed in the staff report
7 dated June 7, 2023.

8
9 Member McGehee wanted to be very clear with looking at the drawing and what Mr.
10 Lloyd has on the screen if it is overlapped on the map the middle area has nothing
11 now and will have nothing and will be the stormwater area and all of the trees on the
12 boundary will be removed.

13
14 Mr. Lloyd explained there are several trees in different areas that will be preserved
15 but with any redevelopment of a sight there will be a significant loss of existing tree
16 cover. The Zoning Code allows for that and requires replacement based on a certain
17 calculation that is established in the Zoning requirements. It is not without impact but
18 is allowed to proceed according to the normal standards. He explained he has had a
19 couple of conversations with some residents, and one was opposed to seeing new
20 homes, especially along the Skillman side. The other person he spoke with asked
21 more questions about the process and what is allowed and expressed some
22 disappointment.

23
24 Chair Pribyl asked if the applicant would like to add to the presentation.

25
26 Mr. Sean Keatts, Cara Builders, provided a presentation to the Planning Commission.

27
28 **Public Comment**

29
30 Mr. Mike Beers, 608 Shryer, explained he has lived at his home for eighteen years
31 and he wondered how this is improving the quiet neighborhood. The five or six
32 homes being added do not really fit in the neighborhood scenario. Every house on the
33 north side of Shryer has the long yards and there is no access outside of Dale Street.
34 He wondered if there would be enough power for more homes. There are storm
35 sewer concerns, neighborhood concerns, increased traffic, he wondered how this is all
36 going to fit and how will it benefit the current neighbors. He wondered what this
37 would do to their taxes and is all of the concerns addressed being addressed in this
38 plan or just an opportunity for someone to make a bunch of money.

39
40 Ms. Jan Brudvig, 677 Shryer, explained she had some concerns because this is a very
41 quiet residential neighborhood and leads into Reservoir Park. This is not a thorough
42 street so bringing more traffic into the area really causes a lot of safety concerns for
43 her. There are a lot of beautiful trees that add to the neighborhood. She thought this
44 is a traffic concern.

45
46 Mr. Derek Hinrichs, 696 Shryer, asked what version of the City Code is being used to
47 get the 9,350-foot minimum for a lot. He also wondered regarding the two lots on the
48 far east side are approximately 9,350 feet, the absolute minimum and he thought the
49 builder could do better than the absolute minimum required by code.

Mr. Dave Kautz, 683 Shryer, indicated the owner at 691 Shryer recently tried to sell his house and was not able to sell it and currently has a renter there and there are a couple of other houses in the area where the same thing has happened. His concern is if these houses do not sell, will there be a variety of renters in the neighborhood. The other concern he has is how this will affect their tax base.

Ms. Roxanne Schultz, 702 Shryer, explained she lives on the reservoir side of Shryer and wondered if there was a possibility that houses could be proposed to be put behind her house on a reservoir property to change it since it is now called Reservoir Woods Park.

Mr. Mike Collins, 2043 Alameda, explained his only concern was when he went to the meeting to discuss the initial proposal the things, he took away from the meeting were the developer was going to try to stick as close to the neighborhood that they already have, and he thought this was as far away from the neighborhood that is there right now. He enjoys looking at the property the way it is now because there are trees all over and the deer are always there. It is a natural piece of land in the middle of the City. He did not necessarily think having new houses in the neighborhood is a bad thing, he just thinks the way it is setup is a little excessive. He thought two or three lots would be a perfect scenario with keeping the backyard in line with the rest of the streets or the houses on that street. He was not against improvement in the neighborhood but something to consider.

Ms. Marlene Bartell, 683 Shryer, indicated her concern is she has a nice large lot in the back and if this goes through there will be a large house right next to her. She wondered how much of it would be by her property and would she be able to see the trees and the deer.

Ms. Schultz stated when the developer had the first meeting the neighborhood was under the impression that most of the trees would stay and if looking at the plans it looks like all of the trees will be gone.

Mr. Lloyd answered resident questions regarding the Zoning Code. He also addressed the concern about homes going in on the southside of Shryer, he indicated in all likelihood there would not be any homes built in that area due to the Zoning being Park and Recreation District and a lot of changes would need to occur for that to happen.

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new developments and seeing zero trees. This plan is a pretty aggressive plan, in his opinion, he foresees not as many trees being removed. They are keeping as many trees as possible along the western side as well as along the eastern side and as many as possible on the Shryer Avenue side. Along Skillman there will be some trees removed but if the Watershed District says the trees do not need to be removed in northwest corner, for example, his company will not remove them. This is an aggressive plan for removal, and he hoped that not as many trees would be removed.

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The Commission asked staff about traffic concerns.

Member Bjorum added that this is a preliminary plat hearing, and he did not see anything from a legal standpoint that would allow the Planning Commission to deny moving this forward in the process.

MOTION

Member Bjorum moved, seconded by Member Schaffhausen, to recommend to the City Council approval of a Preliminary Plat of Two Parcels as Six Lots with an Existing Home Remaining on One of the Lots. (PF23-001).

Ayes: 6

Nays: 0

Motion carried.

From: [Pat Trudgeon](#)
To: [Janice Gundlach](#); [Bryan Lloyd](#)
Subject: Fw: Online Form Submittal: Contact City Council
Date: Monday, July 10, 2023 8:51:12 AM

Patrick Trudgeon | City Manager

O: 651.792-7021 | | F: 651.792.7020

pat.trudgeon@cityofroseville.com



2660 Civic Center Drive | Roseville, MN 55113

[Facebook](#) | [Twitter](#) | [YouTube](#)

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, July 10, 2023 8:35 AM
To: *RVCouncil <city.council@cityofroseville.com>; Rebecca Olson
<Rebecca.Olson@cityofroseville.com>; Pat Trudgeon <Pat.Trudgeon@cityofroseville.com>
Subject: Online Form Submittal: Contact City Council

Caution: This email originated outside our organization; please use caution.

Contact City Council

Please complete this online form and submit.

Subject	711 Shryer Ave West Properties
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Contact Information

Name:	Janet Brudvig
-------	---------------

Address:	677 Shryer Avenue West
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City:	Roseville
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State:	Minnesota
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Zip:	55113
------	-------

This form goes to the Mayor, all Councilmembers and certain City Staff. Due to the volume of emails submitted, a personal reply is not always possible.

How would you prefer to be contacted?
Remember to fill in the corresponding contact information.

No Reply Necessary

Email Address:

Phone Number:

Please Share Your Comment, Question or Concern

My comment to the City council is about the changes that are coming to 711 Shryer Avenue and also to 791 Shryer Avenue West properties.

The proposal will change the the neighborhood with the addition of three more house and removal of a significant removal of trees.

To me it appears that the current set up for the power lines will be over the new construction something that needs to be addressed, also the addition of power use by the new home owners.

After the construction of these 5 homes and these homes do not sell will the neighborhood be saddled with empty houses? None of us knows what the housing market will be in the future, especially when you will now have 5 houses on much smaller lots then the rest of the neighboring streets going on the market at the same time.

A suggestion for improvement of the planning committee possibly the city council that all the committee members actually go out to the site(s) they are recommending approval on especially when neighborhoods are being altered.

Thank you for your time.

Unless restricted by law, all correspondence to and from Roseville City government offices, including information submitted through electronic forms such as this one, may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

Email not displaying correctly? [View it in your browser.](#)



DEVELOPER OPEN HOUSE MEETING SUMMARY

A Developer open house was held February 28th at the Villa Park Building located at 2055 Cohansey Blvd, from 6:00-8:00pm.

Approximately 15 neighbors showed up for a PowerPoint demonstration, followed by a Q & A session.

I had received a few emails and voicemails prior to the meeting. Summary is as follows:

- Spoke with one neighbor who lives on Alameda St. who called and asked questions about the types of houses that will be built, the sizes, commencement dates, etc. He is opposed to any development of the property but was happy with the answers he got.
- Spoke with a neighbor who lives a few doors down from my property, who was out of town the night of the meeting. Simply put, he wished me good luck with the project.
- Received a voicemail from a neighbor who lives on Alameda St. stating their desire for the lot to remain wooded, with no changes.
- Received four emails. See Appendix A, Appendix B, Appendix C and Appendix D.

At the open house, I summarized my desire to build mid-sized ramblers with architectural appeal that will fit into the neighborhood. I also shared my desire to keep as many trees as possible. We had a good open forum that I feel was productive for all involved.

At the end of the meeting, I spoke with a few neighbors who wanted to further discuss the types of houses I would build. I stressed my intent to build ramblers, not two-story houses or overly large houses that would dwarf the neighboring houses. All seemed content with my answers.

On the eve of the Developer Open House Meeting, I received a phone call from the neighbor at 691 Shryer Ave., Mr. Andrew Rydlund, with a proposal to include his lot in with my current plat, thus proposing an overall split of six total lots. After multiple discussions, we struck an arrangement to do this, which is reflected on the updated Preliminary Plat that includes his lot.

In summary, the Developer Open House went well. Many of the questions and comments I received were expected and welcomed. I truly understand the concerns of all the neighbors, and respect what they had to say.

Thank you,

Sean C. Keatts

APPENDIX A

Feb 22,
2023,
12:49 PM

Hello Sean Keatts & Team,

This letter is in regards to the proposal to subdivide the three existing plats of 711 Shryer Ave as four lots for new residential development. Thank you kindly for your time and connecting with our community for feedback - we live across the street from 711 Shryer.

Reservoir Woods is a beautiful area and I'm sure folks are excited to live as close to nature as we are - we look forward to sharing the nature with new neighbors! :)

I saw on your website (<https://www.carabuilders.com/rosevilleddevelopment>) that you already are advertising "coming this summer - 4 brand new rambler homes in the heart of Roseville!" Has the subdivision of the plot already been approved or the letter asking for feedback we received just a formality?

- Is the intent of subdividing into smaller lots so that you can build more homes to address the lack of affordable or low-income housing in Roseville?
- Are there stormwater impacts or water and sewer infrastructure available to meet the demand of four homes?
- With the increase of folks asking for green homes and spaces - what are the plans for tearing down the existing mature trees or the adverse impact on wildlife? Will there be any plans to replant trees to provide much needed shade and carbon offsetting or landscaping for windbreaks/water drainage?
- What is your goal timeline for the project start to end?
- Will the neighborhood be notified if/when the number of subplots are confirmed and the dates/times/hours of construction so we can plan accordingly? Can we expect notifications about the completion or delay in the project?

Change can be difficult, with a toddler I can't say I look forward to an unknown number of months or years of construction outside our home during naptime or playing in the yard or woods - but I hope that the transition will go smoothly and the lot, when it is divided, fits the character and appeal of the neighborhood and can provide more affordable conditions for families.

As you have received other questions and concerns about this development, I sincerely appreciate your time and consideration.

Hope you and your team stay safe and warm this weekend with all the snow! :)

Thank you and best regards,
Kiah

Feb 23,
2023,
8:21 AM

Hi Kiah,

Thank you for your email and questions. Let me answer in order ...

- No, 4 lots have not been approved. My apologies. I should have put on my website the same disclaimer as the Little Canada Development: "pending City Council approval."

The format for lot splits in a small development such as this is as follows: preliminary plat proposed to the city planning commission, then on to the city council. If approved, this process is repeated with the final plat proposal process.

Technically, the letter you received is a city requirement. With that said, though, I always reach out to neighbors at the initial stages of a project and discuss things with them - and listen and heed their comments, concerns & suggestions.

- My intent is to subdivide into four lots so four more families can enjoy living in the City of Roseville. These lots will be over 12,000+ square feet, far exceeding the minimum city limits of 9,500 square feet per lot.

I will not be building 2-story houses or larger houses that will dwarf neighboring houses. My intention is to build modest ramblers that will fit the community and neighborhood. With material and construction costs nowadays, the end sales prices is still TBD, but honestly will not be geared towards low income housing prices.

- Every process like this is reviewed by the watershed district and I cannot proceed until they approve and pass the proposal, just like the application process with the city. Currently, they are reviewing documents from my engineer and we continue to work with them to meet all of their requirements.

- With all of my projects, I am very cognizant of trees. Obviously there will be trees removed for the builds. I always aim to keep this to a minimum. I never remove trees unnecessarily. The city has a tree replacement program as well. So, for every tree that is removed, 1 or more are planted.

- Once the builds commence, each house generally takes 4-5 months from start to finish. Given the varying stages of development, we usually overlap the builds versus doing just one at a time. This process will not linger for years.

- Yes, neighbors will be notified of final decisions. This is public information as well. Regarding dates/times/hours of construction, I am more than willing to provide that; as well as ongoing information as things progress.

I am an open book. I am always accessible, so feel free to reach out with any questions at any time. Once we start a build, I will have a better idea as to timeframes and such, and will share accordingly.

Lastly, I can tell you that at the beginning of every job I have a discussion with my subcontractors. (It's kind of like raising children ... repeated conversations over and over again!) I stress the importance of on-site professionalism and respect for neighbors.

These guys have worked with me for years. I know their work. I know their personalities. I know that they are professional. We adhere to neighbor's requests as best as possible regarding noise, parking, etc., and listen to neighbors when they have something to say.

I hope this helps you. I look forward to meeting you at the builder open house on Tuesday if you plan on attending.

Please reach out at any time with questions/comments or concerns.

Thank you,
Sean

Feb 23,
2023,
11:49 AM

Hello Sean,

Thank you for getting back to me so quickly. I appreciate your thoughtful and thorough responses.

You've addressed my concerns and questions at this time. Thank you again for taking the time to respond.

Pending how naptime and bedtime goes, I or my partner hope to be there on Tuesday to say hello.

My kiddo is just getting into trucks and diggers, so hopefully the noise and new folks working on the project aren't too much of a scary change. :)

Thank you again and have a lovely weekend.

All the best,
Kiah

APPENDIX B

Mon, Feb
27, 6:06 PM

Sean,

I live in the neighborhood of 711 Shryer Avenue Roseville and will be late to the open house tomorrow night 2-28-23.

I would like to give my input as I have lived here for 36 years and this has come up before the dividing of the lots on Shryer Avenue.

I am opposed to dividing 711 being divided into 4 lots. I have no problem with 2 being built on Shryer in line with the other on the street.

1. I am concerned about the extra traffic as that corner/ curve can be a little dangerous with drivers coming South on Alamenda and heading East on Shryer. There are a number of walkers alone that route going in to the woods.

2. Also, the houses in this neighborhood for the most part are ramblers and 1 ½ story homes, I do not know the plans for the style of homes you are planning on. Will they blend into the neighborhood.

3. With the additional homes would the power structure need to be changed to accommodate all the street?

4. How many trees will be destroyed in building the new homes?

5. Another concern is if you are allowed to proceed with dividing the lot into 4 separate lots what does that mean for the future of those of us with lots extending from Shryer to Skillman? In the future when people sell their lots will they

be able to sell their lots as 2? I have lived in this neighborhood for 36+ years, I enjoy having the large backyard and not having a house behind me nor in my neighbors yard.

Thank you for your time.

Jan Brudvig
677 Shryer.

***Given the timing of Jan's email, I discussed her concerns at the Developer Open House.**

APPENDIX C

Hi Sean -

I was at the open house Feb. 28 for the 711 Shryer Ave W project in Roseville. I was able to stay until the end of the meeting so I just wanted to reach out and thank you for taking the time to share information about your plans with the neighborhood. I also appreciate that you are taking into account the look and feel of the neighborhood with the design and size of the homes.

Best of luck with the project.

Sarah Berg
668 Shryer Ave W

APPENDIX D

Tue, Feb
28,
5:23 PM

Dear Mr. Keatts,

Thank you for reaching out to neighbors and making yourself available for discussion on this topic. My partner and I moved into our first house on Skillman Ave in 2018. Finding an affordable house in good condition and on a large lot near the cities was (and continues to be) a huge blessing. We are saddened that the Shryer Ave property will be redeveloped to maximize density in our low density neighborhood. We walk by with our dogs everyday, and see woodpeckers, red squirrels and deer, and hoards of fireflies in the summer. Intellectually, we fully understand that this is a zoned residential lot/private property, and it really doesn't matter how we feel about it! We just want you to acknowledge the joy and added value this large parcel brings to the neighborhood.

All of that being said, we are also happy and excited that more people will be able to live, grow up, and grow old in this little Roseville nook. Given the lot structure along Shryer Ave W and Skillman Ave W, it is our opinion that the three lots (instead of four) would be a better fit for the neighborhood. Development in this manner would feel more natural, would reduce the disturbance of directly adjacent neighbors, and limit the potential for increased traffic on our streets that currently do not have sidewalks. It would also reduce impacts on the Reservoir Woods ecosystem.

Thank you for taking the time to listen to our views on your proposed plan. We have a few questions below:

Do you live in Roseville?

Can you provide examples where you took the opinions and concerns of a community into consideration when planning a new development? What was the nature of the concerns and how did you address them?

Can you please describe the nature of sale of the property? The original purchaser turned around sold the property in less than a month. Did your colleagues, friends, or family members benefit in any way from this transaction?

Can you please describe your rationale for splitting the three zoned parcels into four? What are your perceived benefits and drawbacks of this plan?

We understand that increased density is a part of Roseville's 2040 plan, which seeks to develop a strategy to understand and meet the housing needs of the community. Can you describe how your proposed plan meets the priorities of the housing study?

Will the proposed development provide homes that are affordable to first time homeowners? Or are they intended for a specific and wealthy demographic?

What is the property type you intend to build? We see from your website that you build custom homes. What will this process look like for the proposed Shryer Ave development? Will you be building homes and then selling them, or building custom homes? How will you ensure these homes "fit in" to the neighborhood? Will they

tasteful new constructions that add to the value of our neighborhood, or will they be modern monstrosities that stand out and detract from the overall feel of the neighborhood?

If this proposal is passed and you build four new properties, what is your projected profit?

As you are aware, this property and neighborhood is nestled right up to the Reservoir Woods. This is not only an invaluable resource to the community, but is home to a multitude of wildlife, including the endangered rusty patch bumble bee. Have you considered the environmental impact that will occur through the process of building? ie the noise, light pollution, increased carbon emissions, and sediment runoff that will have direct and negative impacts on the reservoir woods ecosystem? How will you mitigate these impacts?

How will you address the Roseville Tree Preservation and Restoration Ordinance (1011.04)?

Thank you in advance for providing honest answers to the questions above. We look forward to hearing more about this project.

Sincerely,
Amanda and Brian
University of Minnesota



***Given the timing of Amanda's email, I spoke with her at the Developer Open House. She was one of the neighbors who I had a lengthy discussion with at the end of the night and seemed to part with a greater understanding of things after I had shown her samples of rambler houses that I would like to build in her neighborhood.**

1 **b. Request for Approval of a Preliminary Plat of Two Parcels as Six Lots with an**
2 **Existing Home Remaining on One of the Lots (PF23-001)**

3 Chair Pribyl opened the public hearing for PF23-001 at approximately 6:54 p.m. and
4 reported on the purpose and process of a public hearing.

5
6 Senior Planner Bryan Lloyd summarized the request as detailed in the staff report
7 dated June 7, 2023.

8
9 Member McGehee wanted to be very clear with looking at the drawing and what Mr.
10 Lloyd has on the screen if it is overlapped on the map the middle area has nothing
11 now and will have nothing and will be the stormwater area and all of the trees on the
12 boundary will be removed.

13
14 Mr. Lloyd explained there are several trees in different areas that will be preserved
15 but with any redevelopment of a sight there will be a significant loss of existing tree
16 cover. The Zoning Code allows for that and requires replacement based on a certain
17 calculation that is established in the Zoning requirements. It is not without impact but
18 is allowed to proceed according to the normal standards. He explained he has had a
19 couple of conversations with some residents, and one was opposed to seeing new
20 homes, especially along the Skillman side. The other person he spoke with asked
21 more questions about the process and what is allowed and expressed some
22 disappointment.

23
24 Chair Pribyl asked if the applicant would like to add to the presentation.

25
26 Mr. Sean Keatts, Cara Builders, provided a presentation to the Planning Commission.

27
28 **Public Comment**

29
30 Mr. Mike Beers, 608 Shryer, explained he has lived at his home for eighteen years
31 and he wondered how this is improving the quiet neighborhood. The five or six
32 homes being added do not really fit in the neighborhood scenario. Every house on the
33 north side of Shryer has the long yards and there is no access outside of Dale Street.
34 He wondered if there would be enough power for more homes. There are storm
35 sewer concerns, neighborhood concerns, increased traffic, he wondered how this is all
36 going to fit and how will it benefit the current neighbors. He wondered what this
37 would do to their taxes and is all of the concerns addressed being addressed in this
38 plan or just an opportunity for someone to make a bunch of money.

39
40 Ms. Jan Brudvig, 677 Shryer, explained she had some concerns because this is a very
41 quiet residential neighborhood and leads into Reservoir Park. This is not a thorough
42 street so bringing more traffic into the area really causes a lot of safety concerns for
43 her. There are a lot of beautiful trees that add to the neighborhood. She thought this
44 is a traffic concern.

45
46 Mr. Derek Hinrichs, 696 Shryer, asked what version of the City Code is being used to
47 get the 9,350-foot minimum for a lot. He also wondered regarding the two lots on the
48 far east side are approximately 9,350 feet, the absolute minimum and he thought the
49 builder could do better than the absolute minimum required by code.

Mr. Dave Kautz, 683 Shryer, indicated the owner at 691 Shryer recently tried to sell his house and was not able to sell it and currently has a renter there and there are a couple of other houses in the area where the same thing has happened. His concern is if these houses do not sell, will there be a variety of renters in the neighborhood. The other concern he has is how this will affect their tax base.

Ms. Roxanne Schultz, 702 Shryer, explained she lives on the reservoir side of Shryer and wondered if there was a possibility that houses could be proposed to be put behind her house on a reservoir property to change it since it is now called Reservoir Woods Park.

Mr. Mike Collins, 2043 Alameda, explained his only concern was when he went to the meeting to discuss the initial proposal the things, he took away from the meeting were the developer was going to try to stick as close to the neighborhood that they already have, and he thought this was as far away from the neighborhood that is there right now. He enjoys looking at the property the way it is now because there are trees all over and the deer are always there. It is a natural piece of land in the middle of the City. He did not necessarily think having new houses in the neighborhood is a bad thing, he just thinks the way it is setup is a little excessive. He thought two or three lots would be a perfect scenario with keeping the backyard in line with the rest of the streets or the houses on that street. He was not against improvement in the neighborhood but something to consider.

Ms. Marlene Bartell, 683 Shryer, indicated her concern is she has a nice large lot in the back and if this goes through there will be a large house right next to her. She wondered how much of it would be by her property and would she be able to see the trees and the deer.

Ms. Schultz stated when the developer had the first meeting the neighborhood was under the impression that most of the trees would stay and if looking at the plans it looks like all of the trees will be gone.

Mr. Lloyd answered resident questions regarding the Zoning Code. He also addressed the concern about homes going in on the southside of Shryer, he indicated in all likelihood there would not be any homes built in that area due to the Zoning being Park and Recreation District and a lot of changes would need to occur for that to happen.

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Member McGehee noted the residents need to address the tax concerns to Ramsey County because Roseville itself does not handle the taxes at all.

No one else wished to address the Commission. Chair Pribyl closed the public hearing.

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The Commission asked staff about traffic concerns.

Member Bjorum added that this is a preliminary plat hearing, and he did not see anything from a legal standpoint that would allow the Planning Commission to deny moving this forward in the process.

MOTION

Member Bjorum moved, seconded by Member Schaffhausen, to recommend to the City Council approval of a Preliminary Plat of Two Parcels as Six Lots with an Existing Home Remaining on One of the Lots. (PF23-001).

Ayes: 6

Nays: 0

Motion carried.

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 24th day of July 2023 at 6:00 p.m.

The following Council Members were present: _____;
and _____ were absent.

Council Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. ____
A RESOLUTION APPROVING THE PROPOSED VILLAS OF RESERVOIR WOODS
PRELIMINARY PLAT (PF23-002)

WHEREAS, Cara Builders, LLC, and Integritas Properties, LLC, have jointly submitted a valid application for approval of the proposed Villas of Reservoir Woods preliminary plat of the property addressed as 691-711 Shryer Avenue; and

WHEREAS the proposed subdivision conforms to all of the applicable standards of the City of Roseville zoning and subdivision codes; and

WHEREAS, the Roseville Planning Commission held the duly noticed public hearing for this application on June 7, 2023, and having closed said public hearing, voted 6-0 to recommend approval of the proposed preliminary plat with certain conditions based on the public record and the Planning Commission's deliberation with certain conditions; and

NOW THEREFORE BE IT RESOLVED, by the Roseville City Council, to approve the proposed Villas of Reservoir Woods preliminary plat, based on the public record and City Council deliberation, with the condition that, pursuant to the memo from Parks and Recreation Department staff, the applicant shall submit payment of the \$8,500 park dedication fee before the City will release the signed mylars for recording at Ramsey County.

WHEREUPON said resolution was declared duly passed and adopted.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.g.

Department Approval



City Manager Approval



Item Description: Accept State of Minnesota Auto Theft Prevention Grant Award

Background

In May 2021, the Roseville Police Department was awarded two auto theft prevention grants through the Minnesota Department of Commerce. One grant provided funding for an auto theft investigator dedicated to reducing automobile related thefts, increasing education and awareness in our community, responding to automobile theft incidents, and prosecuting offenders. The grant was a two-year grant (2021-2023) and covered up to \$100,000 per year towards the salary/benefits of the investigator. The second grant awarded funding for equipment used to respond to automobile related crimes (tire deflation devices, covert cameras, and GPS vehicle tracking devices to be utilized in catalytic converter theft and auto related investigations).

On May 17, 2021, the Roseville City Council voted to accept the grant funding. At that time, staff recommended if the auto theft investigator position was beneficial, RPD would seek grant funding to continue the position at the end of the grant cycle (June 30, 2023) or explore other funding sources.

Roseville experienced a 34% increase from 2021 to 2022 in auto-related crimes. Without the dedicated position, many of these cases would not have been investigated and the number of crimes could be much higher. As a result of the grant funded position, Roseville has hosted a number of catalytic converter etching events, proactive patrols of hot spots, carjacking details, and building partnerships with businesses and citizens to proactively reduce auto-related crimes. In 2022, our investigator also played an integral role in helping take down a national ring believed to be responsible for a high number of catalytic converter thefts in the metro area.

According to statistics compiled by the Minnesota Bureau of Criminal Apprehension (BCA), Roseville reported 224 motor vehicle thefts in 2022. Referring to the FBI's average valuation of \$8,886 per stolen vehicle in 2019 (an amount likely much higher in 2022), Roseville residents and visitors incurred an estimated \$1,990,464 in losses associated with auto theft. While the negative economic impact of auto theft is significant, of even more importance is the perceived risk and associated trauma of victimization in the community.

Over the years, RPD has applied a multi-prong approach to addressing automobile theft, obtaining funding through numerous Minnesota Department of Commerce auto theft prevention grants. Past funding successes have included implementing an Automated License Plate Recognition (ALPR) system; fully outfitting a Bait Car currently in use, officer-

lead auto theft and carjacking details, purchasing evidence equipment to process fingerprints and expanding the job duties and associated salary of RPD's Investigative Aide to enhance auto theft crime analysis.

The Department plans to build upon past auto theft prevention grant successes while focusing on new prevention initiatives. On February 13, 2023, the Roseville City Council approved applying for the 2023 Department of Commerce automobile theft prevention grant. On July 14, 2023, the Roseville Police Department received notification we were awarded funding through the Auto Theft Prevention Grant- Dedicated Auto Theft Investigator grant allowing RPD to assign a full-time officer to the Community Action Team (CAT) to investigate motor vehicle theft crimes. The dedicated auto theft investigator grant provides funding for three years (July 2023 – June 2026). The grant covers up to \$100,000 each year towards salary/benefits and \$3,000 each year for specialized training, allowing the Roseville Police Department to continue the current dedicated auto theft investigator position, in place since 2021, for an additional three years.

The MN Department of Commerce awards RPD the following for a period of three years (July 1, 2023 through June 30, 2026):

FY 2024 (Attachment A Exhibit B)

- \$100,000 for a full-time auto theft investigator
- \$3,000 for training and travel

FY 2025 (Attachment A Exhibit B)

- \$100,000 for a full-time auto theft investigator
- \$3,000 for training and travel

FY 2026 (Attachment A Exhibit B)

- \$100,000 for a full-time auto theft investigator
- \$3,000 for training and travel

The State of Minnesota grant contract (Attachment A) has been reviewed and approved by the City Attorney.

Policy Objectives

Authorize the Roseville Police Department to accept grant funding awarded through the Minnesota Department of Commerce Auto Theft Prevention- Dedicated Auto Theft Investigator grant. The \$300,000 in funds will pay for the majority of the salary and benefits and specialized training for a dedicated Auto Theft Investigator position for the next three years. The opportunity enhances the Department's on-going effort to reduce motor vehicle thefts and the economic strain and trauma associated with victimization through specialized equipment, enhanced investigations, education and awareness and a partnership with RPD's Community Action Team (CAT).

Racial Equity Impact Summary

Studies have shown crime, including auto theft, disproportionately affects disadvantaged communities. Owning a vehicle is an opportunity to escape poverty through the ability to earn an income. Losing a vehicle to theft can have disparate impacts on families hit hardest by poverty, many of whom identify as BIPOC, due to a potential loss of wages and the fact

that older model vehicles are most frequently targeted for theft. Enhanced investigations through continuing the department's dedicated Auto Theft Investigator grant-funded position will allow the department to build upon our multi-prong approach employed to reduce automobile theft, a crime that is not just a nuisance to public safety, but also discourages quality of life, significantly affecting the lives of all Roseville community members, especially historically disadvantaged groups.

Budget Implications

The investigator grant (\$309,000 over three years) covers the majority of the salary, as well as specialized training, of a continued auto theft investigator. Any salary or benefits expenses over \$100,000 per year would need to be covered by the City. For 2023, the Police Department's operating budget will be able to absorb any costs for the position in excess of \$100,000. For 2024 and 2025, any salary costs in excess of \$100,000 would be included in the department's operating budget requests. There is no obligation for the city to fund the position at the end of the grant. If proven successful over the next three years, RPD would look at additional grant opportunities through the Department of Commerce or other grants to continue the position. There is no obligation to the City to continue the position after the grant expiration.

Staff Recommendations

Staff recommends authorizing the Roseville Police Department to accept a funding award for the Minnesota Department of Commerce Auto Theft Prevention- Dedicated Auto Theft Investigator grant, allowing commencement of agreed upon activities extending the current grant funded auto theft investigator position, which was set to expire June 30, 2023.

Requested Council Action

By motion, authorize the City Manager to sign, via DocuSign, the State of Minnesota Department of Commerce Auto Theft Prevention Grant Contract: State of Minnesota FY24-FY26 Grant Contract- Dedicated Auto Theft Investigator.

Prepared by: Erika Scheider, Chief of Police

Attachments: 1. Attachment 1 FY24-FY26 Dedicated Investigator Contract Roseville Police Department

**STATE OF MINNESOTA
GRANT CONTRACT**

This grant contract is between the State of Minnesota, acting through its Commissioner of Commerce ("State") and Roseville Police Department, 2660 Civic Center Dr, Roseville, MN, 55113 ("Grantee").

Recitals

1. Under [Minn. Stat. § 216C.02](#), subd. 1, the State is empowered to enter into this grant.
2. The State is in need of assistance to reduce the incidence of automobile theft and automobile theft-related crime.
3. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract to the satisfaction of the State. Pursuant to [Minn. Stat. § 16B.98](#), subd.1, the Grantee agrees to minimize administrative costs as a condition of this grant.

Grant Contract

1 Term of Grant Contract

- 1.1 **Effective date:** 07/01/2023, or the date the State obtains all required signatures under [Minn. Stat. § 16B.98](#), subd. 5, whichever is later. Per, [Minn. Stat. § 16B.98](#), subd. 7, no payments will be made to the Grantee until this grant contract is fully executed. **The Grantee must not begin work under this grant contract until this contract is fully executed and the Grantee has been notified by the State's Authorized Representative to begin the work.**
- 1.2 **Expiration date:** 06/30/2026, or until all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3 **Survival of Terms.** The following clauses survive the expiration or cancellation of this grant contract: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 12. Publicity and Endorsement; 13. Governing Law, Jurisdiction, and Venue; and 15. Data Disclosure.

2 Time

The Grantee must comply with all the time requirements described in this grant contract. In the performance of this grant contract, time is of the essence.

3 Grantee's Duties

The Grantee, who is not a state employee, will:

- 3.1 Comply with required grants management policies and procedures set forth through [Minn. Stat. § 16B.97](#), Subd. 4 (a) (1).
- 3.2 Execute the duties set forth in Exhibit A, which is attached and incorporated into this grant contract.
- 3.3 Reporting Requirements
 - 3.3.1 Financial Reporting. Grantee shall submit a financial reporting form to the State's Authorized Representative utilizing the format identified by the State within 30 days after the end of the reporting period.
 - 3.3.2 Progress Reporting. Grantee shall use forms prescribed by the State to submit a quarterly progress detailing progress achieved towards the accomplishment of the program goals and objectives within 30 days after the end of the reporting period.
 - 3.3.3 Auto Theft Data. Grantees, who are local or county law enforcement agencies, shall provide reports of all reported motor vehicle thefts and reported stolen vehicle recovered in by their agency to the State at least monthly and within five (5) business days of the end of each month. Such information shall include the following fields: Date of theft or recovery, license plate, VIN, vehicle year, vehicle make, and vehicle model, and location of theft or recovery.
 - 3.3.4 Other Requirements. Grantee shall submit such other reports and attend meetings and training as State shall reasonably request.
 - 3.3.5 Evaluation. The State shall have the authority, during the course of this grant period, to conduct evaluations of the performance of the Grantee.
 - 3.3.6 Requirement Changes. The State may modify or change all reporting forms at its discretion during the grant period.

3.3.7 Special Requirements. The State reserves the right to include in the grant, at any time during the term of the grant, special administrative requirements deemed necessary to assure the Grantee's successful implementation of the program. The State will notify the Grantee in writing of any special administrative requirements.

3.4 Equipment

3.4.1 Definitions. Equipment and materials include items and supplies purchased with grant funds. This may include, but is not limited to, GPS trackers, cameras, computer software, ALPR's, and bait cars. Capital equipment is defined as a single item purchased with a value of \$5,000.00 or more.

3.4.2 Purpose. All equipment and materials purchased with grant funds shall be used primarily for the purpose of the grant for the entire duration of the term of the agreement.

3.4.3 Inventory. The Grantee shall place all equipment and materials having a value of over \$100 purchased with grants funds on a grant property inventory form. The inventory form must be submitted with quarterly reports. The Grantee shall provide a copy of the grant inventory to the State's Authorized Representative.

3.4.4 Inspection. The Grantee shall make all equipment and materials purchased with grants funds available for inspection by the State's Authorized Representative.

3.4.5 Replacement. The Grantee is responsible for replacing or repairing property which is lost, stolen, damaged or destroyed. Any loss, damage or theft of equipment must be investigated and fully documented and made part of the official grant contract records. Stolen property must be reported promptly to the appropriate law enforcement agency and a copy of the report retained in the program files.

3.4.6 Discontinuation of Use During Grant Term. If the Grantee ceases using equipment (including capital equipment) or materials for the intended purpose during the term of the agreement, the Grantee shall contact the State's Authorized Representative for disposition of property instructions. Disposition may include sale, transfer to the State, or transfer to another grantee.

3.4.7 Discontinuation of User of Capital Equipment. Capital equipment must be retained in inventory for a five-year period or when the value of the equipment has depreciated to less than \$5,000, whichever comes first. If the Grantee ceases using capital equipment for the intended purpose during this time, the Grantee shall contact the State's Authorized Representative for disposition of property instructions. Disposition may include sale, transfer to the State, or transfer to another grantee.

3.5 Personnel. If the grant provides funding for personnel, the funded personnel shall work on grant activities. Full-time funded positions must work exclusively on grant activities, excluding ancillary duties such as training, meetings, covering a court calendar, assisting others on a short-term project. Part-time or overtime funding positions must keep a record of their hours spent on grant activities. The Grantee shall inform the State's Authorized Representative of the staff names who are assigned to and funded by the grant. If staff are reassigned or discontinued for more than 14 days, the grantee shall promptly notify the State's Authorized Representative.

4 Consideration and Payment

4.1 **Consideration.** The State will pay for all services performed by the Grantee under this grant contract as follows:

4.1.1 **Compensation.** The Grantee will be paid, upon reimbursement, an amount not to exceed:

4.1.1.1 \$103,000.00 available for fiscal year 2024

4.1.1.2 \$103,000.00 available for fiscal year 2025

4.1.1.3 \$103,000.00 available for fiscal year 2026

of actual eligible costs incurred in the performance of the Grantee's duties according to the breakdown of costs contained in the grant budget (Exhibit B), which is attached and incorporated into this grant contract.

4.1.2 **Total Obligation.** The total obligation of the State for all compensation and reimbursements to the Grantee under this grant contract will not exceed: \$309,000.00.

4.2 Line-Item Changes. Expenditures specified in Exhibit B may not be moved from one line-item to another unless in accordance with the requirements listed below:

- 4.22.1 Any changes to the line-item budget must advance the purpose of the Automobile Theft Prevention Grant Program and must remain within the total dollar amount available for each fiscal year.
- 4.22.2 Any fund transfers must be approved in advance in writing by the State's Authorized Representative and will not be effective until an amendment to this Agreement has been executed.
- 4.22.3 The State may refer approval requests for line-item transfer(s) to the Automobile Theft Prevention Advisory Board to review for reasonableness.

4.23 Payment

- 4.23.1 **Invoices.** The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted timely upon completion of services, but not more often than monthly. The state fiscal year is July 1 to June 30 of each year. Amounts submitted on each invoice must reflect goods ordered and services rendered during the specific invoice period for each invoice. The final invoice pertaining to each state fiscal year of this grant contract must be received by the close of business on July 31 following the end of the fiscal year.
- 4.23.2 **Unexpended Funds.** The Grantee must promptly return to the State any unexpended funds that have not been accounted for annually in a financial report to the State due at grant closeout.
- 4.24 **Contracting and Bidding Requirements.** Per [Minn. Stat. § 471.345](#), Grantees that are municipalities as defined in subd. 1 must do the following if contracting funds from this grant contract agreement for any supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property.
 - 4.24.1 If the amount of the contract is estimated to exceed \$100,000, a formal notice and bidding process must be conducted in which sealed bids shall be solicited by public notice. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in [Minn. Stat. § 16C.28](#), subd. 1, paragraph (a), clause (2).
 - 4.24.2 If the amount of the contract is estimated to exceed \$25,000 but not \$100,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in [Minn. Stat. § 16C.28](#), subd. 1, paragraph (a), clause (2) and paragraph (c).
 - 4.24.3 If the amount of the contract is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the governing body. If the contract is made upon quotation it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after their receipt. Alternatively, municipalities may award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in [Minn. Stat. § 16C.28](#), subd. 1, paragraph (a), clause (2).
 - 4.24.4 Support documentation of the bidding process utilized to contract services must be included in the Grantee's financial records, including support documentation justifying a single/sole source bid, if applicable.

- 4.24.5 For projects that include construction work of \$25,000 or more, prevailing wage rules apply per [Minn. Stat. § 177.41](#) through [177.44](#). These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.

6 Authorized Representative

The State's Authorized Representative is **Joseph Boche**, Special Agent, Phone 651-539-1608, or their successor, and has the responsibility to monitor the Grantee's performance and the authority to accept the services provided under this grant contract. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

The Grantee's Authorized Representative is **Patrick Trudgeon, City Manager**, Phone 651-792-7021, E-mail patrick.trudgeon@cityofroseville.com or their successor. If the Grantee's Authorized Representative changes at any time during this grant contract, the Grantee must immediately notify the State.

6.1 Activities Requiring Approvals. Changes or derivations of the following activities from the grantee's proposal require prior written approval from the State's Authorized Representatives

6.1.1 The following material program modifications

6.1.1.1 Modifying your geographic area served

6.1.1.2 Changing organizations involved in activities provided in Exhibit A (expansion, contraction or revision)

6.1.1.3 Revising activities and timelines in Exhibit A

6.1.1.4 Amending the number of activities or number of individuals you proposed to serve

6.1.1.5 Revising your target population

6.1.2 Purchase of capital equipment not specified in Exhibit B.

6.2.3 Purchase of equipment not specified in Exhibit B.

6.2.4 Reallocation of funds in Exhibit B from one line item to another.

6.2.5 Sub-Contracts, according to Clause 4.3 Contracting and Bidding Requirements, of \$5,000.00 or more.

6.2.6 Out of state travel when grant funds are used.

6.2.7 Disposal of equipment purchased with grant funds during the term of the grant according to Clause 3.4.

6.2.8 Disposal of capital equipment at any time during the during the term of the grant, and for 5 years from the date of purchase of the equipment or when the equipment has a value less than \$5,000.00, whichever comes first.

7 Assignment, Amendments, Waiver, and Grant Contract Complete

- 7.1 **Assignment.** The Grantee shall neither assign nor transfer any rights or obligations under this grant contract without the prior written consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this grant contract, or their successors in office.
- 7.2 **Amendments.** Any amendments to this grant contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract, or their successors in office.
- 7.3 **Waiver.** If the State fails to enforce any provision of this grant contract, that failure does not waive the provision or the State's right to enforce it.
- 7.4 **Grant Contract Complete.** This grant contract contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant contract, whether written or oral, may be used to bind either party.

8 Liability

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this grant contract by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant contract.

9 State Audits

Under [Minn. Stat. § 16B.98](#), subd. 8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant contract or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant contract, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

10 Government Data Practices and Intellectual Property Rights

- 10.1 **Government Data Practices.** The Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant contract. The civil remedies of [Minn. Stat. § 13.08](#) apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law.
- 10.2 **Intellectual Property Rights.** The Grantee shall own all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the works and documents. The "works" means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant contract. "Works" includes documents. The "documents" are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or subcontractors, in the performance of this grant contract.
- 10.3 **License to the State.** Subject to the terms and conditions of this grant contract, the Grantee hereby grants to the State a perpetual, irrevocable, no-fee right and license to make, have made, reproduce, modify, distribute, perform and otherwise use the works and documents for any and all purposes, in all forms and manners that the State, in its sole discretion, deems appropriate. The Grantee shall upon the request of the State, execute all papers and perform all other acts necessary, to document and secure said right and license to the works and documents by the State. At the request of the State, the Grantee shall permit the State to inspect the original documents and provide a copy of any of the document to the State, without cost, for use by the State in any manner the State, in its sole discretion, deems appropriate.
- 10.4 **Obligations.** Grantee represents and warrants that materials produced or used under this grant contract do not and will not infringe upon any intellectual property rights of other persons or entities including but not limited to patents, copyrights, trade secrets, trade names, and service marks and names. Grantee shall indemnify and defend the State, at Grantee's expense, from any action or claim brought against the State to the extent that it is based on a claim that all or part of the materials infringe upon the intellectual property rights of another. Grantee shall be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages including, but not limited to reasonable attorneys' fees arising out of this grant contract, amendments and supplements thereto, which are attributable to such claims or actions.

If such a claim or action arises, or in Grantee's or the State's opinion is likely to arise, Grantee shall, at the State's discretion, either procure for the State the right or license to continue using the materials at issue or replace or modify the allegedly infringing materials. This remedy shall be in addition to and shall not be exclusive to other remedies provided by law.

11 Workers' Compensation

The Grantee certifies that it is in compliance with [Minn. Stat. § 176.181](#), subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

12 Publicity and Endorsement

12.1 **Publicity.** Any publicity regarding the subject matter of this grant contract must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this grant contract. All projects primarily funded by state grant appropriations must publicly credit the State of Minnesota, including on the grantee's website when practicable.

12.2 **Endorsement.** The Grantee must not claim that the State endorses its products or services.

13 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this grant contract. Venue for all legal proceedings out of this grant contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14 Termination

14.1 **Termination by the State.** The State may immediately terminate this grant contract with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

14.2 **Termination for Cause.** The State may immediately terminate this grant contract if the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

14.3 **Termination for Insufficient Funding.** The State may immediately terminate this grant contract if: 1) it does not obtain funding from the Minnesota Legislature, or other funding source; or 2) if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or electronic notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the grant contract is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

15 Data Disclosure

Under [Minn. Stat. § 270C.65](#), subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

--signature line on next page--

1. STATE ENCUMBRANCE VERIFICATION

*Individual certifies that funds have been encumbered as required by
Minn. Stat. §§ 16A.15 and 16C.05*

Signed: _____

Date: _____

Grant Contract / PO: _____

2. ROSEVILLE POLICE DEPARTMENT

*The Grantee certifies that the appropriate person(s) have executed
the grant contract on behalf of the Grantee as required by applicable
articles, bylaws, resolutions, or ordinances.*

3. MN DEPARTMENT OF COMMERCE

(with delegated authority)

By: _____

Title: _____

Date: _____

Distribution:

MN Dept. of Commerce, Accounting Dept.

Grantee

State's Authorized Representative (copy)

Grantee's Duties

A. Project Goal: __Dedicated Investigator Grant – Full Time_____

B. The Grantee shall do all things necessary to complete the following tasks according to the following schedule:

Task	Description	Completion Date
Task 1. Investigations & Case Review		Ongoing
1.1.	A single investigator (Auto Theft Investigator) shall be assigned to auto theft and review all cases in the service area where a stolen vehicle was taken, recovered, or involved.	
1.2.	As determined by agency priorities the Auto Theft Investigator will follow up on those cases.	
1.3.	The Auto Theft Investigator will only be assigned to cases related to the theft of a motor vehicle. (Auto theft related includes not only the theft of a vehicle, but also, parts, theft from and crimes committed where the vehicle is used to facilitate other crimes, for example, theft of mail, shoplifting, burglary.) (The investigator may continue to assist other investigators as needed from time to time.)	
1.4.	The investigator will track their activities and provide, a case log, statistics, and a narrative report quarterly.	
Task 2. Training		At least annually
2.1.	The investigator will attend auto theft related trainings.	
2.2.	Training activities will be reported quarterly.	
Task 3. Meetings		Every other Month
3.1.	The investigator will attend intelligence meetings/trainings organized by the State.	
Task 4. Reporting/Invoicing		Ongoing
4.1.	Conduct conferences as needed with the State's Authorized Representative to apprise him/her on progress accomplishments and issues encountered.	
4.2.	Schedule project update meetings as necessary to inform the State's Authorized Representative of deviations to the project schedule, the need to modify the scope of the project or at the request of the State's Authorized Representative to discuss any item related to the project's progress.	
4.3.	Keep the State's Authorized Representative apprised of any changes to personnel assigned to work on the grant.	
4.4.	On monthly basis submit (within 5 business days following the end of the month):	
4.4.1	A list of the vehicles reported stolen/recovered the grantee agency, such reports shall include the date, location, VIN, License plate, year, make, and model.	7/1/2023 – 6/30/2025
4.5.	On a quarterly basis submit (within 30 days following the end of the quarter):	
4.5.1	Invoices and supporting documentation to the State for the preceding quarter's work completed within the project scope; and	
4.5.2	Budget overview for the preceding quarter's expenses and expenses to date using the details in Exhibit B.	
4.5.3	Statistical reports (template provided by the State) related to motor vehicle thefts for the past quarter.	
4.5.4	Reports (template provided by the State) documenting the activities funded investigators for the past quarter.	
4.5.5	A narrative report (template provided by the State) documenting grantees progress, challenges and suggestions.	
4.6.	Submit the Final Report, including executive summary, and a final invoice to the State upon completion of the project.	7/30/2025

Grantee's Budget

Budget: The Grantee's eligible costs include actual costs incurred invoiced as reimbursement per State requirements. These costs include labor/fringe, subcontractors, equipment, marketing, printing, materials, supplies, and travel (subject to the guidelines of the "Commissioner's Plan"). These costs are reflected in the following categories which align with the Tasks in Exhibit A.

Category	FY 2024	FY 2025	FY 2026	Total Amount
Personnel	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 300,000.00
Training/Travel	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 9,000.00
Total Grant Award:	\$ 103,000.00	\$ 103,000.00	\$ 103,000.00	\$ 309,000.00

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 7/24/2023
Item No.: 10.h.

Department Approval



City Manager Approval



Item Description: Approve Agreement for Professional Services for County Road B and Snelling Avenue (TH 51) Pedestrian Traffic Study 23-11

Background

The intersection of County Road B and Snelling Avenue is a major commercial corridor in Roseville which connects more than 500 units of affordable housing neighborhoods (Section 42 and Section 8) to jobs, commercial services and Metro Transit's BRT line. The high levels of vehicle traffic combined with the intersection layout can be problematic for pedestrian safety and access through the intersection.

Through various City engagement efforts, the public has expressed a desire to improve pedestrian safety in this area. The intersection is governed by State and County agencies, making collaboration on planning for improvements logistically difficult.

Traditional pedestrian improvement options to increase safety and quality of experience in this dense and high-traffic area are expensive, in most cases prohibitively so. Ramsey County awarded Roseville a Critical Corridors Grant to study traffic, produce and evaluate non-traditional improvement alternatives to increase pedestrian safety and connectivity through the intersection.

City staff has solicited proposals from five engineering consulting firms specializing in pedestrian-focused transportation planning and design for work on the County Road B and Snelling Avenue (TH 51) Pedestrian Traffic Study. Four proposals were submitted. City engineering staff discussed proposals with representatives from Ramsey County Public Works and MnDOT staff. SRF's proposal was selected as the preferred choice, and it is expected they will bring local knowledge and expertise to the Study. SRF has a strong background in MnDOT design and pedestrian-focused projects. The staff members on the proposal have also worked on traffic and transportation design both directly for Roseville and for nearby regional projects: Fairview Avenue/County Road B2 Transportation Study, Roseville's Regional Transportation Project Concept Design, Roseville's Regional Multimodal Infrastructure Concept Project, MnDOT Snelling Avenue in St. Paul and Snelling Avenue BRT VISSIM Evaluation.

**County Road B-Snelling Avenue Pedestrian Improvement Study, 23-11
Scoring Summary**

	Alta Planning + Design	Bolton & Menk, Inc.	SRF Consulting Group	WSB Engineering
Fee	\$68,957	\$69,889	\$63,680	\$68,820

Policy Objectives

The County Road B and Snelling Ave (TH 51) Pedestrian Traffic Study 23-11 demonstrates

the Roseville's 2024 Transportation Goals to "encourage the use of non-motorized transportation by providing and supporting development of a high-quality network of both off-road and on-road pathways and ensure that bicycle and pedestrian routes are safe, efficient and attractive."

Roseville's 2040 Comprehensive Plan included a Special Study Area for Har Mar Mall, which described a need for connections from the street to the mall.

This study will also follow the Roseville Pathway Master Plan's policies to develop improvement concepts to improve safety and access.

Racial Equity Impact Summary

The County Road B and Snelling Avenue (TH 51) Pedestrian Traffic Study 23-11 is committed to making a positive impact in racial equity, as the area around the study includes populations of racial diversity. The study is intended to increase access and safety of pedestrian and transit use in the area and will include outreach to historically disadvantaged communities to identify their specific concerns for the intersection. An equity lens will be used in evaluation of pedestrian improvements identified by the study within consideration of the City's recently adopted Strategic Racial Equity Action Plan (SREAP) Racial Equity and Inclusion.

Budget Implications

The proposal from SRF Consulting, Inc., is in the amount of \$63,680. The study will be funded through a combination of sources: The Critical Corridors Grant award of \$25,000, Ramsey County Public Works will fund an additional \$25,000, and the City of Roseville's Engineering Service fund will contribute \$20,000.

Staff Recommendations

Staff recommends the City Council approve the Critical Corridors Grant Agreement for County Road B and Snelling Avenue (TH 51) Pedestrian Traffic Study 23-11.

Requested Council Action

Motion to approve the proposal and enter into a professional services agreement with SRF Consulting, Inc., for County Road B and Snelling Avenue (TH 51) Pedestrian Traffic Study, 23-11.

Prepared by: Stephanie Smith, Assistant City Engineer

Attachments:

1. Agreement
2. Proposal
3. Study Location Map

CITY OF ROSEVILLE PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made on the 24th day of July, 2023, between the City of Roseville, a Minnesota municipal corporation (the “City”), and SRF Consulting Group Inc., a Corporation (the “Contractor”, each a “Party” and together the “Parties”).

1. Scope of Work. The Contractor agrees to provide the professional services described in **Exhibit A** (“Work”) which is attached to this Agreement and incorporated by this reference. All Work provided by Contractor under this Agreement shall be provided in a manner consistent with the level of care and skill ordinarily exercised by professional consultants currently providing similar services.

2. Term and Termination. The term of this Agreement will commence on July 25, 2023. Unless extended by written agreement of the Parties, this Agreement will terminate no later than December 31, 2023, or upon completion of the Work, whichever occurs first. This Agreement may be terminated earlier by either Party with or without cause, by delivering, a written notice at least thirty (30) days prior to the date of such termination to the other Party. The date of termination shall be stated in the notice. Upon termination the Contractor shall be paid for services rendered and eligible reimbursable expenses incurred by the Contractor through and until the date of termination. If the City terminates this Agreement for cause, the notice shall so-state, and no further payment shall be due to the Contractor following the delivery of the termination notice.

3. Compensation for Work. The City agrees to compensate Contractor the in accordance with **Exhibit A** attached hereto for the Work. Any changes in the Work which may result in an increase to the compensation due the Contractor shall require prior written approval of the City.

4. Method of Payment. Following the conclusion of each calendar month, Contractor must submit an itemized invoice detailing actual hours worked and actual expenses incurred for Work performed under this Agreement during the previous month. Invoices submitted shall be paid in the same manner as other claims made to the City. Invoices shall contain the following:

- a. For compensation based on hours worked by various individuals, for each individual, their name, job title, the number of hours worked, rate of pay and description of the Work performed. For reimbursable expenses an itemized listing including, as applicable, receipts for such expenses.
- b. Upon request of the City, Contractor must also provide the City’s project number, a progress summary showing the original (or amended) amount of the Agreement, the current billing, past payments, the unexpended balance due under the Agreement.
- c. A statement dated and signed by the Contractor: “I declare under penalty of perjury that this account, claim, or demand is just and correct and that no part of it has been paid.”

5. Representatives and Notices: The below-named individuals will act as the representatives of the Parties with respect to the work to be performed under this Agreement. Any termination

notice issued under this Agreement shall be either hand delivered or sent by U.S. Mail to the below-named individuals:

To City:

City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Attn: Stephanie Smith, Asst. City Engineer

To Contractor:

Attn: _____

6. Assignment or Subcontracting. The Contractor shall not assign or enter into subcontracts for services provided under this Agreement without the written consent of the City. If subcontracts are approved and entered into, the Contractor shall promptly pay any subcontractor involved in the performance of this Agreement as required by, and the Contractor shall otherwise comply with, the State Prompt Payment Act.

7. Independent Contractor. All Work provided pursuant to this Agreement shall be provided by Contractor as an independent contractor and not as an employee of the City for any purpose. Any and all officers, employees, subcontractors, and agents of Contractor, or any other person engaged by Contractor in the performance of the Work pursuant to this Agreement, shall not be considered employees of the City. Contractor, its employees, subcontractors, or agents shall not be entitled to any of the rights, privileges, or benefits of the City's employees, except as otherwise stated herein.

8. Annual Review. Following the anniversary date of each year of this Agreement, the City shall have the right to conduct a review of the performance of the Work performed by the Contractor under this Agreement. The Contractor agrees to cooperate in such review and to provide such information as the City may reasonably request. Following each performance review the Parties shall, if requested by the City, meet and discuss the performance of the Contractor relative to the remaining Work to be performed by the Contractor under this Agreement.

9. Compliance with Laws and Regulations. The Contractor shall comply with all federal, state and local laws, statutes, ordinances, rules and regulations in the performance of the Work.

10. Non-Discrimination. During the performance of this Agreement, the Contractor shall not discriminate against any person, contractor, vendor, employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age. The Contractor shall post in places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause and stating that all qualified applicants will receive consideration for employment. The Contractor shall incorporate the foregoing requirements in all of its subcontracts for Work done under this Agreement and will require all of its subcontractors performing such Work to incorporate such requirements in all subcontracts for the performance of the Work. The Contractor further agrees to comply with all aspects of the Minnesota Human Rights Act, Minnesota Statutes 363.01, et. seq., Title VI of the Civil Rights Act of 1964, and the Americans with Disabilities Act.

11. Data Practices Act Compliance. Contractor acknowledges that all data provided, produced, or obtained under this Agreement shall be protected, maintained, and administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 (the “Act”), and that with regard to such data Contractor must comply with the Act as if it were a government entity. Contractor will immediately report to the City any requests from third Parties for information relating to this Agreement.

12. Audit Disclosure. Under Minn. Stat. § 16C.05, subd. 5, Contractor’s books, records, documents, and accounting procedures and practices relevant to this Agreement, including books and records of any approved subcontractors, are subject to examination by the City and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years after the termination of this Agreement.

13. Indemnification. The Contractor agrees to defend, indemnify and hold the City, and its mayor, councilmembers, officers, agents, employees, and representatives harmless from and against all liability, claims, damages, costs, judgments, losses and expenses, including but not limited to reasonable attorney’s fees, arising out of or resulting from any negligent or wrongful act or omission of the Contractor, its officers, agents, employees, contractors and/or subcontractors, pertaining to the performance or failure to perform the Work. Nothing herein shall be construed as a limitation on or waiver of any immunities or limitations on liability available to the City under Minnesota Statutes, Chapter 466, or other law.

14. Insurance. Prior to starting the Work and during the full term of this Agreement, the Contractor shall procure and maintain insurance Contractor shall obtain, at Contractor's expense, as follows:

- a. Workers Compensation insurance in accordance with Minnesota law;
- b. Professional Liability Insurance covering any damages caused by an error, omission or any negligent act. AND General Liability Coverage against claims for bodily injury, death, or property damage arising out of Contractor’s performance of duties under this Agreement;
- c. Automobile insurance for owned, hired and non-owned vehicles;
- d. Coverage shall be sufficiently broad to cover to all duties and obligations undertaken by Contractor in this Agreement including duties related to indemnification;
- e. Insurance must be on an “occurrence” basis, and, other than Workers Compensation, the limits of such policies must be no less than \$1,000,000 per occurrence and \$1,500,000 aggregate.

- f. Policies must be held by insurance companies licensed to do business in the state in Minnesota and having a current A.M. Best rating of no less than A-, unless otherwise agreed to by the City in writing.
- g. Contractor must provide a copy of: (i) a certification of insurance satisfactory to the City, and (ii) if requested, the Contractor's insurance declaration page, riders and/or endorsements, as applicable, which evidences the compliance with this Paragraph, must be filed with the City prior to the start of Contractor's Work. Such documents evidencing insurance shall be in a form acceptable to the City and shall provide satisfactory evidence that the Contractor has complied with all insurance requirements.

15. Ownership of Documents. All plans, diagrams, analysis, reports and information generated in connection with the performance of this Agreement (the "Information") shall become the property of the City, but the Contractor may retain copies of such documents as records of the services provided. The City may use the Information for any reasons it deems appropriate without being liable to the Contractor for such use. The Contractor shall not use or disclose the Information for purposes other than performing the Work contemplated by this Agreement without the prior consent of the City.

16. Conflicts. No salaried officer or employee of the City and no member of the City Council of the City shall have a financial interest, direct or indirect, in this Agreement. The violation of this provision shall render this Agreement void.

17. Waiver. Any waiver by either Party of a breach of any provisions of this Agreement shall not affect, in any respect, the validity of the remainder of this Agreement or either Parties' ability to enforce a subsequent breach.

18. Governing Law. This Agreement shall be controlled by the laws of the State of Minnesota. Any disputes, controversies, or claims arising under this Agreement shall be heard in the state or federal courts of Minnesota and the Parties waive any objections to jurisdiction.

19. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be considered an original.

20. Severability. The provisions of this Agreement are severable. If any portion hereof is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision shall not affect the remaining provisions of this Agreement.

21. Entire Agreement. Unless stated otherwise in this, the entire agreement of the Parties is contained in this Agreement. This Agreement supersedes all prior oral agreements and negotiations between the Parties relating to the subject matter hereof as well as any previous agreements presently in effect between the Parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Agreement shall be valid only when expressed in writing and duly signed by the Parties, unless otherwise provided herein.

IN WITNESS WHEREOF, the undersigned Parties have entered into this Agreement as of the date set forth above.

CITY OF ROSEVILLE

SRF CONSULTING GROUP, INC.

By: _____
Daniel J. Roe, Mayor

By: _____
Its: _____

By: _____
Patrick Trudgeon, City Manager

By: _____
Its: _____

EXHIBIT A

WORK & COMPENSATION

Fee Summary										
Task	Description	Tom S PM	Josh C Concepts	Phil K Traffic	Chris B Pedestrians	Jono C Engagement	Sr Prof	Prof	Total	Total Fee
1	Gather Data and Identify Potential Improvements									
1.1	Assemble MnDOT and County Traffic Data	2	0	0	0	0	0	4	6	\$840
1.2	Gather and Analyze User Experience	16	0	0	0	28	0	8	52	\$7,900
1.3	Model LOS and Delay - Existing and No Build	4	0	4	4	0	0	16	28	\$4,100
2	Identify Potential Improvements									
2.1	Investigate Improvement Options	8	4	4	4	0	0	16	36	\$5,620
2.2	Evaluate Options both Short and Long Term	8	0	4	4	0	8	16	40	\$5,820
2.3	Model LOS and Delay - Options	4	0	8	2	0	0	32	46	\$6,490
2.4	Develop growth rate for area with sensitivity tests of +/-10 to 15%	4	0	0	0	0	0	8	12	\$1,680
3	Concepts of Best Options									
3.1	Concept development for 2 or 3 options	4	12	0	0	0	40	0	56	\$8,120
3.2	Model LOS and Delay of Concepts	2	0	4	0	0	0	12	18	\$2,600
3.3	Phasing Plan for the Concepts	2	4	0	0	0	12	0	18	\$2,660
3.4	Cost Estimate of the Concepts	2	4	0	0	0	20	0	26	\$3,660
4	Signal Timing and Coordination Plan									
4.1	Pedestrian movement improvements	2	0	4	2	0	0	4	12	\$1,970
4.2	Future traffic signal timing modifications	2	0	4	0	0	0	4	10	\$1,640
5	Additional Tasks									
5.1A	ADA intersection walkthrough with MnDOT and City	4	4	0	4	0	0	2	14	\$2,420
5.1B	Additional in-person pop-up meeting and survey	4	0	0	0	20	0	16	40	\$5,540
5.3A	Identify funding sources and grant opportunities	4	0	0	4	0	0	2	10	\$1,620
Total Hours		72	28	32	24	48	80	140	424	
Subtotal Fee		\$ 180.00	\$ 200.00	\$ 200.00	\$ 165.00	\$ 145.00	\$ 125.00	\$ 120.00		\$62,680
Expenses (Mileage, Video Counts, Mailing, Equipment)										\$1,000
Total Team Fee										\$63,680



COUNTY ROAD B

Snelling Avenue Pedestrian Improvement Study

CITY OF ROSEVILLE





June 28, 2023

Stephanie Smith
Assistant City Engineer
City of Roseville

Subject: Proposal for County Road B - Snelling Avenue Pedestrian Improvement Study

Dear Stephanie and Members of the Selection Committee:

SRF Consulting Group is pleased to submit this proposal to the City of Roseville to improve pedestrian movements through the County Road B and Snelling Avenue intersection. We know this is a challenging intersection for pedestrians with heavy traffic volumes, number of lanes and long wait times. This is a significant crossing connecting higher-density residential area to retail area and employment opportunities, along with A-Line BRT Stations on either side of Snelling Avenue. We are excited about the opportunity to work with the City, County, MnDOT and Metro Transit and the users of the intersection. The following are some key items concerning our proposal:

We have already been working in the area and identifying pedestrian issues/improvements. SRF has reviewed the pedestrian need at this intersection previously thru our work on the Roseville Regional Multimodal Infrastructure Concept Project (working with TC2) and MnDOT's Principal Arterial Study, Phase 2. Our team will use this information, along with input from the public using the intersection and the ongoing TH 36 Multi-Modal Study (led by MnDOT). Our project team will have a deep understanding of the intersection and surrounding area travel characteristics and behaviors.

We have worked with the same agencies and issues on a near-by project. SRF was the consultant on the County Road B2 and Fairview Avenue Transportation Study around Rosedale Center. Recommendations included removal of channelized right-turn lanes, narrowing pedestrian crossings and updated signal timing along Fairview Avenue and County Road B2. SRF developed sensitivity analysis for volumes in the area (approximately 10 to 15 percent increase) to understand the impacts on peak days (i.e. Black Friday, December Saturdays, Back to School). These peak volumes impact all modes of travel and a similar analysis of the County Road B/Snelling Avenue intersection would be completed given the retail land uses (i.e Har Mar Mall and Target). Ensuring the pedestrian and bicycle travel is adequately accounted for on these peak days is important to ensure equity for all modes of travel. On the Rosdale Center project, SRF worked with Ramsey County (Brad Estochen), City of Roseville (Marc Culver), MnDOT Area Engineer (Nick Olsen) and Metro Transit.

SRF understands how the Snelling Avenue and County Road B intersection operates along with operations along Snelling Avenue. We completed analysis and signal timing on Snelling Avenue and County Road B intersection as part TSP modifications for the A-Line (Snelling Avenue) BRT project. Additionally, we have completed a traffic impact study for the Chic-Fil-A immediately south of this intersection in the outlot in Har Mar Mall.

We have completed many pedestrian safety improvement projects at traffic signals. We are currently working with MnDOT on the Olson Memorial Highway Multi-Modal project in the City of Minneapolis where pedestrian crossing improvements are the highest priority. We have been working with MnDOT on pedestrian safety evaluations and will use this experience in working with MnDOT and Ramsey County. SRF has also worked with communities in developing leading pedestrian interval (LPI) through signal timing. This type of phasing gives pedestrians a head-start while no vehicles are moving to provide a safer and less stressed environment. LPI can be done on conjunction with blankout No Right Turn on Red signs to help alert drivers of the pedestrian crossings.

We believe this experience will be beneficial to improving pedestrian operations at this intersection. Please contact us with any questions at 763-475-0010 or tsachi@srfconsulting.com / pcorkle@srfconsulting.com.

Sincerely,

Tom Sachi, PE
Project Manager

Patrick Corkle, PE, PTOE
Project Director

PROJECT UNDERSTANDING

The project is to complete an evaluation of the existing traffic signal system and intersection geometry at the intersection of Snelling Avenue (TH 51) and County Road B. The intent is to understand the existing and future operation of the intersection and how it might be modified to improve pedestrian movements through signal timing/phasing, geometrics and connections.

Key input will come directly from the pedestrian and bike traffic going through the intersection. These people are traveling between residential and retail/employment opportunities as well as the A-Line BRT Stations on either side of Snelling Avenue. We will work with the City of Roseville along with key agencies including MnDOT, Ramsey County and Metro Transit.

WORK PLAN

Task 1- Gather Data and Identify Potential Improvements

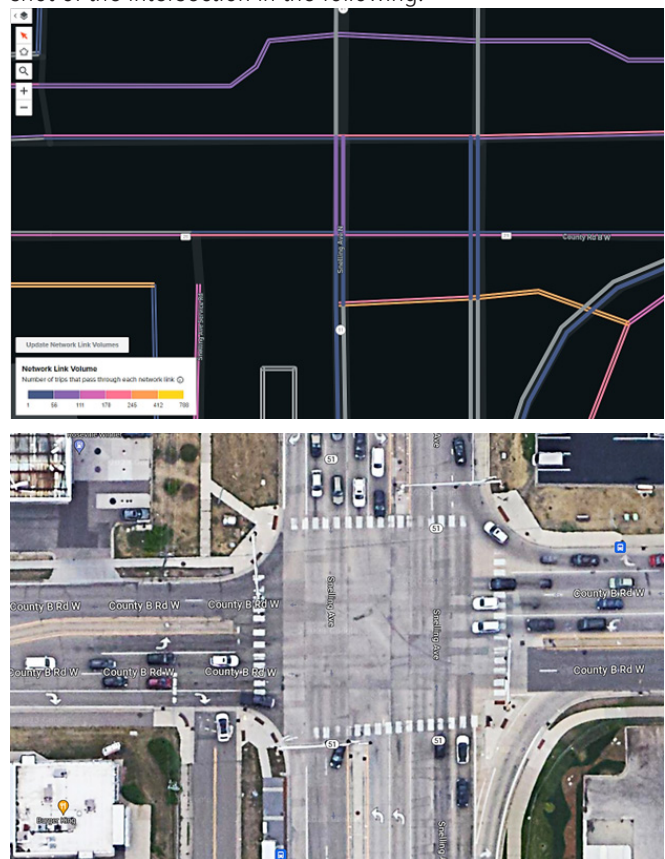
Good decisions are made based upon sound, high-quality data. Data collection is a critical part of analyzing crossing improvements for people walking, rolling, and bicycling to ensure that resources are spent where they have the highest value toward meeting the goals of the project. To understand the solutions and impacts of pedestrian crossing improvements at this intersection, a variety of data analyses and best practice applications will be completed to balance the needs of all modes while prioritizing the most vulnerable users of the transportation network.

SRF plans to review over existing turning movement and pedestrian count and crash data available through City, County, and State resources in conjunction with the ongoing TH 36 multi-modal study that MNDOT is completing through Roseville. Along with count information, existing and future no build modeling information from MnDOT is expected to be available for use in the study. Any model updates will be completed as necessary along with updating level of service, delays, and queueing information. If added, a weekend analysis will also be completed to ensure a baseline of information is complete. If particular pedestrian measures of effectiveness (MOEs) are desired, a VISSIM model will need to be constructed and calibrated to understand specific pedestrian delays.

Using a background growth rate that will be determined by the project team, a future year no build analysis will also be completed. The existing and no build analysis will serve as a basis for which to compare alternatives. Additionally, given the amount of retail uses adjacent to the study roadways, a sensitivity analysis will be completed using volumes that are 10 to 15 percent higher than typical peak hour turning movement counts. SRF previously completed this type of analysis along Fairview Avenue and County Road B2 near the Rosedale Mall immediately north of the study intersection. Note, this sensitivity analysis is particularly crucial

for the peak Saturdays when Rosedale Mall has its highest visitor counts. This helps the project team understand the peaking characteristics of the site and the potential impacts of any geometric modifications on the top five (5) to 10 days per year.

In addition to the provided data, SRF plans to leverage Big Data repositories such as Replica which aggregates data bi-annually to show trips by mode, origins and destinations, and corresponding demographic data of trip users and can be used down to the intersection leg to understand travel patterns. The data is organized using application-based locational cellular phone data that is anonymized and organized by Replica using proprietary algorithms and normalized with sample trip counts, Census Block population information, and nationwide case studies. See the available information from Replica in comparison to an aerial shot of the intersection in the following:



Replica analysis shows the highest used intersection leg (by number of pedestrian and bicycle trips aggregated for the second half of 2022) is the southern leg by nearly double the number of trips as compared to the other three legs. This is likely to due to access to the A Line station and requires people walking, rolling, and biking to cross the channelized right-turn for a total crossing distance of approximately 150 feet (including the pork chop). About 20% of people crossing at the intersection do not own a car and one-third are BIPOC.

All of the rich data that is collected and reviewed will feed into the evaluation process of potential improvements using the latest resources, guidance, and best practices. The evaluation process is critical to ensure the finite resources are maximized and alternatives provide a variety of solutions with clearly documented

scores for comparison purposes. The toolbox of state and national best practices and guidance is rapidly changing and SRF is fully versed in applying these principles across a variety of contexts. This includes MnDOT's Facility Design Manual, Pedestrian and Bicycle Safety Best Practices, among others. Additionally, we will use the following to quantitatively score the existing condition against potential improvements (e.g., free right removal, right-turn on red controls, etc.):

- ODOT's Multimodal Level of Service Assessment to understand how signalized intersection operate for pedestrians and bicyclists.
- NCHRP Report 948 Intersection Design Flag Analysis to understand potential safety, accessibility, operational, or comfort issues for pedestrians and bicyclists traveling through study area intersections.

An ongoing example of how SRF is successfully applying these different tools to analyze a major MnDOT roadway is the Olson Memorial Highway Multimodal Study which SRF is currently leading with MnDOT Metro District.

Lastly, as part of the data collection task of the project is for the project team to solicit feedback from the public and intersection users on their experiences traveling through the intersection. The project team would work with the ongoing MnDOT multimodal study and attend two (2) public engagement opportunities. Additionally, any necessary materials pertinent to the County Road B and TH 51 project would be developed by the project team for use during the MnDOT public engagement and for use at future City/County led engagement efforts.



Task 2 - Identify Potential Improvements

Once existing and future year no build operations are completed and using information collected during engagement opportunities, the project team will develop up to five (5) improvement alternatives for the intersection. These alternatives could include geometric modifications and signal timing optimizations that have a pedestrian focus. The primary goal of the intersection project will be to improve pedestrian connections and safety at the intersection with limiting impacts on other modes of travel (i.e. passenger vehicles, commercial trucks, and bus rapid transit). A high level review of each alternative will be completed for feasibility, operations (LOS and queuing), right-of-way, and cost and

presented to the project team. Alternatives could include both short- and long-term alternatives along with a potential of layering multiple alternatives together over time. Any alternatives will be reviewed against sensitivity analysis volumes to identify if any issues are expected during those peak five (5) to 10 days per year.



Task 3 - Concept-Level Draft of Proposed Improvements

After a detailed review of the alternatives with the project team, up to three (3) concepts will be developed for potential alternatives for the study intersection to improve the safety and mobility of pedestrians. Detailed traffic operations will be completed for the concepts to understand the potential impacts on the LOS and queueing at the intersection. These concepts will be used to find funding and inform other projects. We believe that the project should include a site visit with MnDOT ADA staff to provide modifications to be considered in Task 2 and Task 3.

These concepts will include short- and long-term considerations including the following considerations:

- **Evaluation of traffic signal timing.** Need to keep in mind transit priority, serving vehicles and pedestrian wait times. Observing the intersection on a Saturday, some pedestrians crossing Snelling Avenue waited a long time and one was confused on when to cross.
- **Other Pedestrian improvements.** Make sure that the most recent pedestrian improvements are evaluated at the intersection, countdown timers, APS, leading pedestrian phase, etc.
- **Number of lanes.** Does the intersection have too many lanes, now or in the future? (or too few) Could (or should) lanes be removed, which could result in shorter crossing distances and requiring less time to serve pedestrians?
- **Removal of channelized right-turn lanes.** While these islands can reduce pedestrian crossing distance and reduce the amount of signal timing needed, they can be seen as less safe for pedestrians. Will need to evaluate the benefit of this island(s).
- **Pedestrian connections.** Previous work has identified potential regional connections across TH 36. The existing TH 36/Snelling Avenue interchange is a big barrier to pedestrian travel. Concepts were developed to have a separate pedestrian facility that would tie in Rosedale Center with this

intersection under consideration. Also consideration will be given to a connection from Target to this intersection. The team will also need to watch the pedestrian movements, as crossings are occurring at non-intersection locations.

- **Grade-Separate Facilities.** Snelling Avenue is a very wide roadway and consideration could be to a higher-level improvement.

We will assist the project team in evaluating these alternatives based on the goals of the Team. A summary of the findings and assumptions of the project will be detailed within a technical memorandum, which will include any necessary tables, graphics, and information necessary to complete the evaluation.



Task 4 - Signal Timing and Coordination Plan for Existing Layout

In addition to reviewing alternatives that could be constructed in future years, the SRF team will develop signal timing optimization for the County Road B and TH 51 intersection that could be implemented immediately. SRF has a proven track record of signal optimization within the Twin Cities Metro and originally provided timing and analysis work for the A-Line BRT that runs along TH 51. With this experience, SRF will work with project partners to identify potential optimizations and work with agencies to ensure all stakeholders (i.e. City, County, State, and Metro Transit) are working together to deliver an improved experiences for their users.

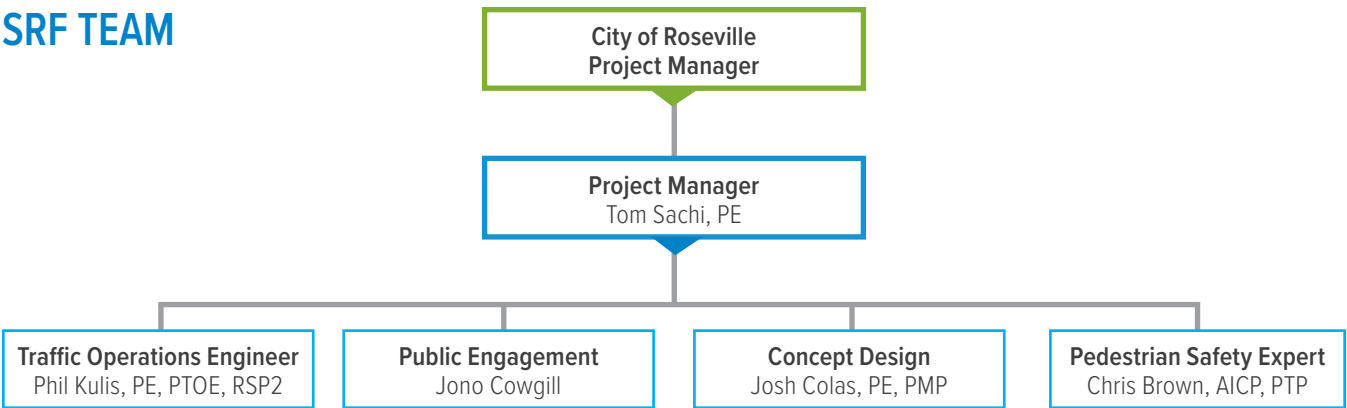


Task 5 – Optional Tasks

Based on our scope of services, we think the base work will be \$15,000 below the budgeted amount. There are several ways that the budget could be used to enhance this project but might depend on how the project development process goes. We offer the following ideas:

1. Funding Application for the proposed improvement(s)
2. ADA walk with MnDOT staff. This was done with the Fairview Avenue project along Rosedale Center. This is very beneficial to understanding ADA improvements. This roadway is difficult to cross and results in long wait time for pedestrians. This task should be done early in the process.
3. StreetLight (Pedestrian O-D). This may or may not be useful and depending on what can be shared from on-street surveys. Observing the intersection, we know pedestrian cross Snelling Avenue from the residential areas to access the retail areas, restaurants and A-Line BRT Stations.
4. Weekend traffic data collection. Based on site visits by the project team and the commercial land uses on the east side of the intersection, it is expected that there is a strong desire for pedestrian connections on the weekend, particularly Saturday. Weekend information will also provide a review of any travel pattern changes for vehicles that may occur outside of the typical commuter peaks. There may also be flexibility in signal timing with the weekend timeframes.

SRF TEAM



Tom Sachi, PE | Project Manager



Tom has over 11 years of experience in SRF's Traffic Studies group, with his work focusing on traffic impact studies, corridor studies, and bicycle/pedestrian/ and transit planning. During this time, Tom has completed several studies for both traffic operations and pedestrian/ bicycle improvements. He is anchored by a team of engineers who are highly experienced using Synchro/SimTraffic and VISSIM. Through his work and research, he has gained valuable experience in traffic operations, traffic forecasting, travel demand management, and neighborhood and pedestrian safety, which provides him a wealth of knowledge on projects small and large.

PROJECT EXPERIENCE

Ramsey County - Fairview Avenue/County Road B2 Transportation Study, Roseville, Minnesota. Tom served as the lead traffic engineer for the Fairview Avenue and County Road B2 corridors surrounding the Rosedale Mall and adjacent shopping centers. This study focused on how to best utilize the corridor width for all modes of transportation while maintaining adequate facilities for the peak retail periods that occurs. Both corridor and interchange modifications were recommended to improve safety for all users along with recommendations to improve pedestrian access to the redevelopment planned for the Rosedale Center, which includes housing and entertainment options. As part of the study, the team worked with City of Roseville, Ramsey County, and MnDOT staff to develop concepts for the TH 36/Fairview Avenue interchange that achieve the goals of both the project and the stakeholders.

Safe Routes to School Engineering Studies, Minnesota. Tom managed eight SRTS Engineering studies, which provided a detailed issues analysis, alternative concept evaluation, cost estimating, and an improvement analysis for vehicular operations, pedestrian safety, and site circulation. These studies provided a guidebook for school districts to plan future projects and to utilize the findings in grant applications. The project team worked through a unique schedule surrounding school availability and contractual obligations.

Allianz Field Soccer Stadium AUAR and TDMP, Saint Paul, Minnesota. Tom was the project manager to complete a transportation analysis to identify any impacts of stadium events or future development. Additionally, a transportation management plan was developed for the proposed Soccer Stadium. Event arrival and departure is heavily dependent on using transit and pedestrian/bicyclist movements. Coordination meetings with City of Saint Paul Public Works and Police Department, Ramsey County, MnDOT, Metropolitan Council, and Metro Transit bus and rail operations were needed to have a successful event management plan implementation.

Dakota County Pedestrian Crossing Study, Dakota County, Minnesota. Tom was the lead traffic engineer and assisted the project team in developing a pedestrian crossing flowchart guidance for various roadway types within the County. The study is completed before and after studies of trial improvements to determine what is suitable for Dakota County and its residents to improve pedestrian and bicyclist safety. The findings were summarized within flow chart and pedestrian crossing enhancement matrix. The guidance is planned to be used by County staff to implement realistic solutions to their crossing issues that national guidance does not cover.

Phil Kulis, PE, PTOE, RSP2 | Traffic Operations Engineer



Phil has ten years of traffic and transportation engineering experience. His work at SRF primarily focuses on traffic operations, including signal timing optimization, operational analysis, signal, traffic studies, multimodal traffic operations analysis and safety analyses. Phil understands the intricacies of signal controller function, along with in-depth experience implementing custom controller logic, making left-turn phasing decisions for intersections with FYA, and testing unique controller operations to ensure what is proposed can be implemented in the field.

PROJECT EXPERIENCE

Ramsey County - Fairview Avenue/County Road B2 Transportation Study, Roseville, Minnesota. Project Engineer. Led the traffic operations of the roadway system around the Rosedale Center. This area experiences recurring congestion, particularly

around the holidays, and the goal of this project was to implement roadway and operational strategies to improve this. Completed a VISSIM analysis to accurately model and evaluate the changes with the close intersection spacing and poor lane utilization.

MnDOT Innovative Ideas – Variable Pedestrian Clearance Interval, Twin Cities, Minnesota. Project Engineer. Led a joint venture to design and deploy a first-in-the-nation test of a video detection system used to extend the flashing don't walk interval at a signalized intersection using existing Econolite signal controllers and commercially available detection cameras. Followed Systems Engineering process to develop and test requirements. Used MnDOT's ATSPM website to gather Measure of Effective data for performance evaluation. Analyzed large data sets using Alteryx. Prepared Tableau dashboard to aid data visualization. Documented system benefits and lessons learned in project report.

Route 54 TSP Evaluation, Metro Transit, Minnesota. Project Manager. Led the traffic analysis to determine locations where it would be beneficial to implement TSP along Route 54 and Route 64 to improve transit operations. Also evaluated signal operations and the potential to provide other transit advantages, such as queue jumps. Prioritized the 41 study intersections so TSP and other improvements could be implemented at the most beneficial locations. Developed TSP parameters for the intersections where TSP is being implemented.

City of Ames Lincoln Way Multimodal Evaluation, Iowa. Project Engineer. Completed the technical evaluation of traffic and pedestrian activity through the corridor from Sheldon Avenue through Beach Avenue adjacent to the Iowa State University campus. The arterial corridor serves as a boundary for the main campus, which results in a mixing area for high pedestrian and vehicle travel. Deliverables of the study focused on cost-effective education, limited geometric improvements and a plan for retiming signals in the corridor.

Jono Cowgill | Public Engagement



Jono has eleven years of experience in community engagement, working in a wide range of public contexts and supporting or leading more than 100 engagement events. An urban planner, Jono's planning expertise spans comprehensive plans, bike and pedestrian planning, and community engagement on public spaces. For Jono, the most exciting aspect of public engagement is the opportunity to bring new voices into a public process.

PROJECT EXPERIENCE

Ramsey County - Fairview Avenue/County Road B2 Transportation Study, Roseville, Minnesota. Jono was the engagement lead for the project. He prepared the public engagement survey asking about travel around the project area, coordination with City and County staff and development of a powerpoint for the public meeting.

Ramsey County – Eustis Street, Lauderdale, Minnesota. Jono is leading the public engagement with Ramsey County in the City of Lauderdale. Working as an extension of County staff, he is preparing material for public meetings and information on the County's website.

University and Fourth Roadway Improvements, Hennepin County, Minnesota. Jono has lead public engagement facilitation and strategy for the University and Fourth Roadway project, which include bike and pedestrian improvements, signalization considerations, and extensive community engagement with the public, businesses, and public agencies.

Ramsey County Battle Creek Master Plan, Ramsey County, Minnesota. Jono served as project manager for the Battle Creek Regional Park Master Plan, providing day to day management of all meetings, materials, and public engagement efforts. The planning process connected with a wide variety of park users and local residents, who guided the future vision for the park space and safe connections to the park.

Brooklyn Boulevard Phase 2, Brooklyn Center, Minnesota. Jono leads the strategy and execution of public involvement and in-construction communication efforts for this critical roadway project in collaboration with Hennepin County. The project includes online and in-person engagement during planning and construction.

Josh Colas, PE, PMP | Concept Design



Josh joined SRF after serving as a project manager for the Minnesota Department of Transportation and Metro Transit. He has 10 years of civil engineering experience focusing on managing transportation projects, which include scoping, environmental documentation, preliminary design, and final design. Josh has also led numerous Trunk Highway and State Aid projects in Minnesota, working across multiple levels of agency jurisdiction.

PROJECT EXPERIENCE

Regional Transportation Project Concept Design and Cost Estimating, Roseville, Minnesota. Josh was the concept design lead for this project. This work included concepts and cost estimating for potential pedestrian connections at the Snelling Avenue/County Road B intersection from Rosedale Center and the Target.

38th and Chicago Revisioning, Minneapolis, Minnesota. Josh is the design task lead developing concepts and cost estimates for the public streets around the George Floyd Memorial. Work includes sidewalk and roadway concept design to accommodate the memorial and visitors to the site.

MnDOT Snelling Avenue, Saint Paul, Minnesota. Project Manager at MnDOT. Obtained an approved Scoping Report (Scoping Worksheets, LWD, TPCE, TMP Worksheet, Risk Registry, Investment Category, Map Book). Performed site investigations. Initiated and managed the P6 schedule. Coordinated with local stakeholders. The \$2 million project included pavement, signals, drainage, ADA, and trail work.

MnDOT Rethinking I-94, Minneapolis and Saint Paul, Minnesota. Project Manager at MnDOT. Managed the high-profile Tier 2 Environmental Impact Statement process as part of NEPA and MEPA focusing on community and government engagement and developing and evaluating alternatives. Instrumental in implementation of the Draft Purpose and Need, Draft Logical Termini, Draft Statement of Goals and Draft Logical Termini. Coordinated with working groups (Environmental, Traffic, Bike and Pedestrian), committees (Policy Advisory, Technical Advisory, Policy and Planning), and workshops (Community Leaders and Livability). Led development of online public engagement site. Gave formal presentations at numerous community organization meetings and the MnDOT Major Project Leadership Team. The seven-mile project included all roadway and structures within the footprint of I-94 between TH A55 in Minneapolis and Marian Street in Saint Paul.

Chris Brown, AICP, PTP | Pedestrian Safety Expert



Chris's focus is primarily transportation planning where he has managed and supported metropolitan and countywide transportation plans, corridor and safety studies, multimodal and transit-oriented development plans, Safe Routes to School studies,

traffic operations analyses and development review, freight plans, university campus plans, comprehensive plans, and grant writing for state and federal funds. Chris strives to enhance mobility options, accessibility, and safety for those of all ages and abilities through detailed data analysis, comprehensive community outreach, and using the latest tools and best practices.

PROJECT EXPERIENCE

Dakota County Pedestrian Crossing Safety Assessment – Dakota County, Minnesota. Chris was the lead planner for the assessment of pedestrian crossings countywide to develop guidance for Dakota County staff to enhance crossings of county roadways consistently and transparently. This data-driven process included a before and after study of five crossings using temporary treatments (i.e., demonstration projects) to develop a data collection and evaluation process, matrix, and guidance

of how to approach pedestrian crossing enhancements for roadways of all types (number of lanes, speeds, and traffic volumes). The final guidance also utilized the latest national research of applicable examples and best practices, guidance documents, and standards. Chris presented to county and city staff several times and was the lead report author.

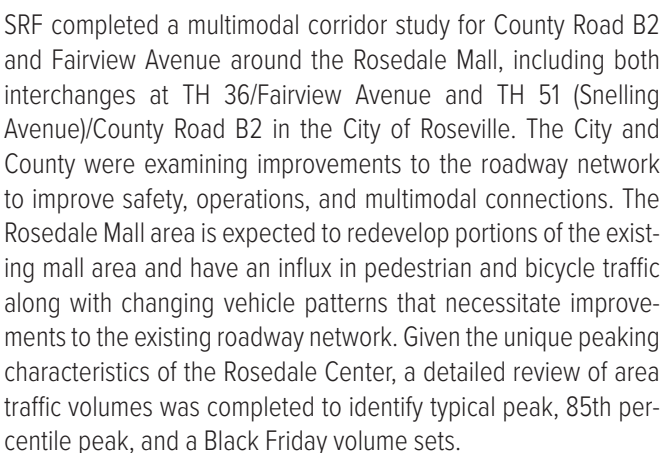
MnDOT High Priority Pedestrian Safety Improvement Plan – Minnesota. Chris is supporting this statewide planning effort by leveraging “Big Data” via StreetLight to understand various roadway conditional data, such as 85th percentile speeds, for a large swath of Minnesota’s state highway system. Chris will complete a detailed quantitative and qualitative data analysis to support the identification of pedestrian safety improvements statewide and an implementation plan for long-term upgrades per MnDOT District to achieve success in all high-priority geographic areas identified in previous statewide planning efforts.

Pedestrian Crossing Studies – Apple Valley, Minnesota. Chris serves as one of SRF’s pedestrian and bicycle experts and internally workshopped ideas for crossing improvements at several locations across Apple Valley that were not straightforward. This included a range of roadway designs and surrounding contexts (i.e., commercial, residential, parks, etc.).

Federal and State Transportation Grants – Minnesota & Colorado. Chris has written ten grant applications for agencies requesting funds from the U.S. Department of Transportation’s TAP, BUILD/RAISE, and INFRA programs, MnDOT via the Safe Routes to School Program and Minnesota Highway Freight Program, Metropolitan Council via their Regional Solicitation for a SRTS project, and CDOT via the Safe Routes to School Program. He has secured nearly \$2 million for his client partners.

University Avenue Corridor Plan – Middleton, Wisconsin. Chris led the multimodal visioning, planning, and high-level conceptual design portions of the broader corridor study. This high-volume, multi-lane commercial corridor is a key artery for the city and required creative pedestrian crossing and bicycle connectivity improvements using the latest best practice and guidance. Chris produced a detailed implementation plan which identified short-, mid-, and long-term project opportunities to upgrade existing pedestrian facilities and construct new enhanced crossings, bikeways, and a multiuse trail. Chris ensured that the plan was easy-to-understand and set-up the city for future success with grant funding requests.

Roseville, Minnesota



A detailed operations analysis was completed using VISSIM to understand delays, queues, and travel times within the study area. Using an iterative process, improvement scenarios were reviewed to understand quantitative improvements to certain delays and queues. Following results of the detailed traffic analysis, SRF prepared design plans and estimates for the City/County for the proposed roadway, multimodal, and ADA improvements. Included in the design were interchange modifications that were coordinated jointly between City, County, MnDOT, and Metro Transit to understand stakeholder concerns.

Roseville, Minnesota

As part of the Roseville Regional Multimodal Infrastructure Concept Project (completed in 2022), Snelling Avenue N and County Road B was evaluated to understand the feasibility of connecting the pedestrian network along, across and near the intersection. Surrounding network gaps with no pedestrian accessibility and increased out-of-direction pedestrian travel were identified at Trunk Highway 36, W Snelling Drive, and Commerce Street. To assist in bridging the pedestrian network amongst the adjacent neighborhoods, Rosedale Mall, Target, and HarMar, the area was assessed based on sidewalk, ADA, roadway, drainage, utilities, right-of-way, and signal constraints. The assessment of constraints was used to develop pedestrian bridge, sidewalk, and trail concepts (including estimates) to document viable options for continuity and linkages within Roseville's regional multimodal infrastructure.



Snelling Avenue BRT VISSIM Evaluation

Saint Paul, Minnesota

SRF recently completed this project to help Metro Transit answer two questions related to the proposed Arterial Bus Rapid Transit (BRT) route along Snelling Avenue in Saint Paul:

1. What are the expected traffic impacts of implementing in-line bus stops along the route, rather than the more typical off-line stops in order to save travel time?
2. How much benefit can be expected through the use of Transit Signal Priority (TSP)?

To address these questions, a 34-intersection VISSIM model was developed. VISSIM was selected as the modeling tool of choice in order to replicate real-world conditions as accurately as possible, which included scheduled transit operations, dwell times, and routing. The model makes use of Econolite ASC/3 software-in-the-loop (SIL) technology at each intersection to exactly model signal controller function, including TSP as it would occur in real life, and accounts for proposed Light Rail Transit (LRT) crossing operations at University Avenue.

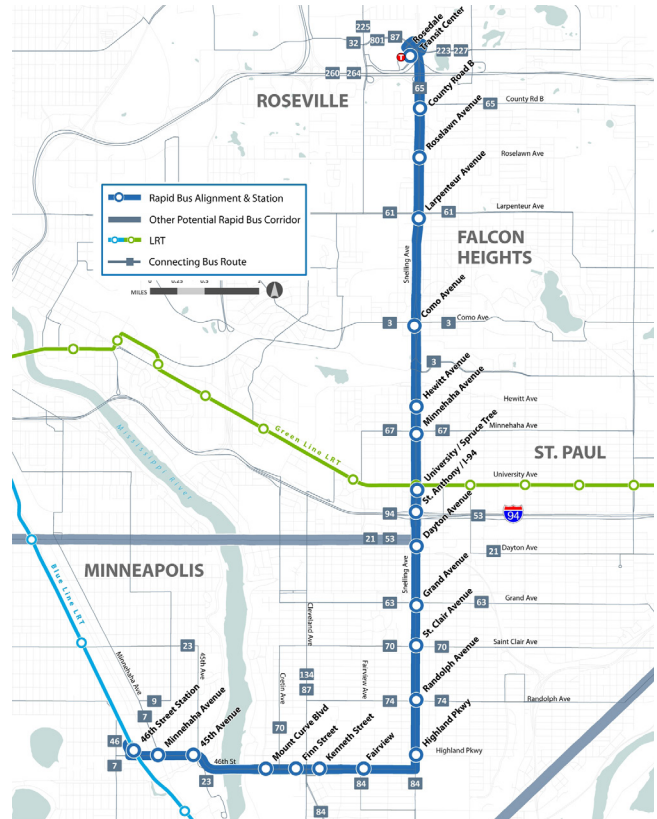
Five scenarios were run for both the AM and PM peak hours: Network delay, travel time, and other measures of effectiveness (MOE) were used to address question #1, comparing impacts across multiple station configuration scenarios. Build condition scenarios with and without TSP were compared to address question #2.

A comprehensive report detailing the project methodology and findings was prepared for Metro Transit upon project completion. SRF presented the results to project stakeholders to help detail important findings and respond to questions.

SRF subsequently shared lessons learned from this unique project at the 2013 ITE Midwest District Meeting in Milwaukee.

Project features included:

- Construction of a 34-intersection VISSIM model with scheduled transit operations.
- Use of Econolite ASC/3 software-in-the-loop controller in VISSIM to model TSP operations.
- Presentation of project findings to stakeholders and lessons learned at ITE conference.



Pedestrian Crossing Safety Assessment

Dakota County, Minnesota



SRF worked closely with Dakota County to achieve their long-term objective of creating an inclusive and accessible multimodal network by organizing detailed guidance to inform county (and local) staff and other interested parties (e.g., elected officials, residents, etc.) of recommended infrastructure enhancements to improved pedestrian crossings of county roadways. SRF reviewed local, state, and national research and best practices and closely reviewed several uncontrolled crossing locations across Dakota County, with each representing a different roadway type by number of lanes, posted speed limit, and surrounding context. Temporary demonstration projects were designed and implemented to understand how marking a crosswalk, in-street pedestrian signage, rectangular rapid flashing beacons, and geometric improvements (i.e., tightened curb radii and pedestrian refuge islands) affected pedestrian and bicycle demand, driver stop compliance, traffic speeds, and other key metrics.

The demonstration projects were evaluated with an extensive before and after data collection effort and community surveys. The effort also included collecting and reviewing crossing data videos and online surveys unique to each location to gauge how the public perceived the temporary treatments. SRF's research and evaluation of demonstration projects lead to the development of data inventory forms and methodology, crossing evaluation matrix, and an infrastructure toolbox unique to the county's needs. The crossing guidance provides an easy-to-understand

four-step process to assist Dakota County in consistent review/evaluation of crossings and identification of improvements. This consistent approach improves the expectations and safety of the traveling public. The final guidance document was completed in July 2022 and joined a limited number of comprehensive pedestrian crossing guidance documents nationwide.



Unique signage at an RRFB crossing designed in partnership by SRF and Dakota County.

FEE AND SCHEDULE

Our proposed fee is \$54,100 for the proposed work. This leaves approximately \$15,000 for option tasks as described in Task 5.

FEE SUMMARY

Task	Description	Tom S	Josh C	Phil K	Chris B	Jono C	Sr Prof	Prof	Total	Total Fee
		PM	Concepts	Traffic	Pedestrians	Engagement				
1	Gather Data and Identify Potential Improvements									
1.1	Assemble MnDOT and County Traffic Data	2	0	0	0	0	0	4	6	\$840
1.2	Gather and Analyze User Experience	16	0	0	0	28	0	8	52	\$7,900
1.3	Model LOS and Delay - Existing and No Build	4	0	4	4	0	0	16	28	\$4,100
2	Identify Potential Improvements									
2.1	Investigate Improvements Options	8	4	4	4	0	0	16	36	\$5,620
2.2	Evaluate Options both Short and Long Term	8	0	4	4	0	8	16	40	\$5,820
2.3	Model LOS and Delay - Options	4	0	8	2	0	0	32	46	\$6,490
2.4	Develop growth rate for area with sensitivity tests of +/-10 to 15%	4	0	0	0	0	0	8	12	\$1,680
3	Concepts of Best Options									
3.1	Concept development for 2 or 3 options	4	12	0	0	0	40	0	56	\$8,120
3.2	Model LOS and Delay of Concepts	2	0	4	0	0	0	12	18	\$2,600
3.3	Phasing Plan for the Concepts	2	4	0	0	0	12	0	18	\$2,660
3.4	Cost Estimate of the Concepts	2	4	0	0	0	20	0	26	\$3,660
4	Signal Timing and Coordination Plan									
4.1	Pedestrian movement improvements	2	0	4	2	0	0	4	12	\$1,970
4.2	Future traffic signal timing modifications	2	0	4	0	0	0	4	10	\$1,640
	Total Hours	60	24	32	16	28	80	120	360	
	Subtotal Fee									\$53,100
	Expenses (Mileage, Video Counts, Mailing, Equipment)									\$1,000
	Total Team Fee									\$54,100

See next page for revised Fees based on additional items added to the scope of work.

Fee Summary										
Task	Description	Tom S PM	Josh C Concepts	Phil K Traffic	Chris B Pedestrians	Jono C Engagement	Sr Prof	Prof	Total	Total Fee
1	Gather Data and Identify Potential Improvements									
1.1	Assemble MnDOT and County Traffic Data	2	0	0	0	0	0	4	6	\$840
1.2	Gather and Analyze User Experience	16	0	0	0	28	0	8	52	\$7,900
1.3	Model LOS and Delay - Existing and No Build	4	0	4	4	0	0	16	28	\$4,100
2	Identify Potential Improvements									
2.1	Investigate Improvement Options	8	4	4	4	0	0	16	36	\$5,620
2.2	Evaluate Options both Short and Long Term	8	0	4	4	0	8	16	40	\$5,820
2.3	Model LOS and Delay - Options	4	0	8	2	0	0	32	46	\$6,490
2.4	Develop growth rate for area with sensitivity tests of +/-10 to 15%	4	0	0	0	0	0	8	12	\$1,680
3	Concepts of Best Options									
3.1	Concept development for 2 or 3 options	4	12	0	0	0	40	0	56	\$8,120
3.2	Model LOS and Delay of Concepts	2	0	4	0	0	0	12	18	\$2,600
3.3	Phasing Plan for the Concepts	2	4	0	0	0	12	0	18	\$2,660
3.4	Cost Estimate of the Concepts	2	4	0	0	0	20	0	26	\$3,660
4	Signal Timing and Coordination Plan									
4.1	Pedestrian movement improvements	2	0	4	2	0	0	4	12	\$1,970
4.2	Future traffic signal timing modifications	2	0	4	0	0	0	4	10	\$1,640
5	Additional Tasks									
5.1A	ADA intersection walkthrough with MnDOT and City	4	4	0	4	0	0	2	14	\$2,420
5.1B	Additional in-person pop-up meeting and survey	4	0	0	0	20	0	16	40	\$5,540
5.3A	Identify funding sources and grant opportunities	4	0	0	4	0	0	2	10	\$1,620
	Total Hours	72	28	32	24	48	80	140	424	
	Subtotal Fee	\$ 180.00	\$ 200.00	\$ 200.00	\$ 165.00	\$ 145.00	\$ 125.00	\$ 120.00		\$62,680
	Expenses (Mileage, Video Counts, Mailing, Equipment)									\$1,000
	Total Team Fee									\$63,680

SCHEDULE

We will be able to meet the schedule as shown in the RFP.

Date	Work Task	Deliverable
July 3, 2023	Contract Start Date	
July 2023	Gather Data and Identify Potential Improvements	Document with count data, user feedback, traffic analysis (Existing and No Build)
August	Identify Potential Improvements	Document of considered improvements, traffic analysis of improvements and sensitivity tests
September and October	Concept-Level Draft of Proposed Improvements	Three concepts with construction costs and implementation plan
October and November	Signal Timing and Coordination Plan for Existing Layout	Timing plan for potential improvement to signal operation



County Road B & Snelling Avenue Intersection

- Parcels
- Multiple Dwelling Buildings
- Pathways and Sidewalks
- Transit Stations

ROSEVILLE
Prepared by: Engineering Department
9/28/2022

DISCLAIMER: This map is a compilation of records, information and data located in various city, county, state and federal offices and other records. It is not intended to be used for any purpose other than for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not warrant that the data is current or that it is accurate. The user of this map acknowledges that the City and its employees or agents, or third parties, who are not the user's agents or use of data provided.

Data Sources
* Ramsey County GIS (9/7/2022)
* City of Roseville Community Development
* City of Roseville Finance Department

0 80 200 200 300 Feet

CtyRdB&Snelling

North Arrow

FUTURE MEETING AGENDA HIGHLIGHTS

July 24, 2023

August 7, 2023 City Council Meeting

- Public Hearing – Liquor License for Smash Park
- Discuss Hotel Licensing
- Receive 2nd Quarter Financial Report

August 21, 2023 City Council Meeting

- Hispanic Heritage Month Proclamation
- Receive League of Minnesota Cities Award of Excellence
- Receive City Manager's Preliminary Budget
- Consider Reasonable Accommodation Ordinance
- Discuss Sacred Settlement Zoning Code Changes

August 24, 2023 City Council Meeting

- Commission Applicant Interviews g Code Changes

Future Agenda Review - Longer Term Initiatives

7/20/2023

(items that likely require council discussion/action)

Item	Initiated By	Target Date	Status/Notes
Accept classification & compensation study & recomm's	Staff/Council	Fall '23	implementation strategies discussion to follow
Envision Roseville final report & RFP for strategic plng	Staff/Council	Fall '23	(City Manager goal item)
Off-sale liquor license holders - 1 day suspension for 1st viola	Etten	Fall '23	Increase fine to \$2000 for 1st, staff will bring ord amend
Rooster Regulations	Council	Fall ' 23	Staff will review for changes in code
Commission scope/duties/functions implementation	Etten/Council	Fall '23	
Short term rental code updates	Council	Fall '23	(Issuance of new licenses suspended pending update)
Update SREAP with new goals/objectives	Staff/Council	Late '23	(City Manager goal item)
Strategic planning	Staff/Council	1st qtr '24	(City Manager goal item)
Roseville Fire role in medical transport	Staff	TBD	Ongoing discussions with Allina, etc.
Review need of pet licenses	Council	TBD	Staff review amount of licenses issued and report back
Sister City Relationship with Indigenous Tribal Nation	Strahan	TBD	
Zero Waste Packaging/Compostable Containers	Etten/Strahan	TBD	PWET will continue to work on issue and report back
City Speed Limit Review on Local Streets	Strahan/Council	TBD	PWET will continue to work on issue and report back
Update on shopping carts left in public r-o-w	Strahan	Summer '24	CD Director provided email 7/14 providing update
City/EDA Budget Process			
Receive City Manager proposed budget (w/ARPA imacts)	Staff/Council	Aug '23	(budget calendar item) (City Manager goal item)
Fin Comm budget recomm's & prelim levy/budget	Staff/Council	Sep '23	(budget calendar item)
Utility Rates & Fee Schedule	Staff/Council	Nov '23	(budget calendar item)
Adopt final budget, levy, utility rates, & fees	Staff/Council	Dec '23	(budget calendar item)