



City Council Agenda

Monday, April 8, 2024

6:00 PM

City Council Chambers

(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. Introduction of Antonio Montez, Equity & Inclusion Manager
- 6:18 p.m. **6. Items Removed from Consent Agenda**
- 6:20 p.m. **7. Convene as Board of Appeals and Adjustment**
a. Consider an appeal to the Variance Board's denial of an electrified, 10-foot-tall fence at Caliber Collision, 1914 County Road C
- 8. Adjourn Board of Appeals and Adjustment and Reconvene as the City Council**
- 9. Business Items**
- 6:50 p.m. a. Consider Ordinance Amending Chapter 801 of Roseville City Code, Private Water Supplies
- 7:05 p.m. b. Approve Issuance of Request for Proposal for the Replacement of the playground at Lexington Park
- 7:25 p.m. c. Discuss feedback regarding the Human Rights, Inclusion and Engagement Commission Scope and Duties
- 7:55 p.m. d. Discuss Missing Middle Housing legislation known as House File 4009/Senate File 3964
- 8:25 p.m. e. Discuss Proposed Special Legislation to Create Ramsey County Economic Development Authority
- 8:40 p.m. f. Consider Approval of Hotel Licensing Ordinance
- 10. Council Direction on Councilmember Initiated Agenda Items**
- 9:00 p.m. **11. Approval of City Council Minutes**
a. Approve Minutes from the March 18, 2024 City Council Meeting
b. Approve Minutes from the March 11, 2024 City Council Meeting
- 9:05 p.m. **12. Approve Consent Agenda**
a. Approve Payments
b. Approve General Purchases Exceeding \$10,000 or Sale of Surplus Items
c. Approval of 2 Temporary Gambling Permits, and 1 Temporary Liquor Permit

- d. Adopt Resolution Awarding Contract for Construction of New Park at 2381 County Road B.
- e. Approve Professional Services Agreements for McCarrons Retaining Wall Project 22-22, Construction Services
- f. Approve a Short-Term Rental License for 419 Judith Avenue
- g. Adopt a Resolution approving motor vehicle repair, auto body shop, and motor fuel sales as a Conditional Use for Troy's Auto Care, 2171 Hamline Avenue
- h. Appoint Youth Commissioner Members to the Public Works, Environment and Transportation Commission
- i. Approve Service Agreements for City Facilities Garbage Services
- j. Adopt Resolution Awarding Contract for 2024 Sanitary Sewer Lining Project
- k. Approve Resolution Awarding Contract for County Road B Reconstruction and 2024 Pavement Management Project
- l. Award 2024-2026 BMP Maintenance Program Contract

9:10 p.m. **13. Future Agenda Review, Communications, Reports, and Announcements - Council and City Manager**

- a. Future Agenda Review

9:20 p.m. **14. Adjourn**

REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 5.a.

Department Approval

City Manager Approval

Item Description: Introduction of Antonio Montez, Equity & Inclusion Manager

Background

Policy Objectives

Racial Equity Impact Summary

Budget Implications

Staff Recommendations

Requested Council Action

Prepared by:

Attachments: None

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 7.a.

Department Approval

Janice Gundlach

City Manager Approval

Samuel Truog

Item Description: Consider an appeal to the Variance Board's denial of an electrified, 10-foot-tall fence at Caliber Collision, 1914 County Road C

Background

Caliber Collision is an automotive body work company located at 1914 County Road C. In recent years, they have been experiencing increased vandalism on vehicles that are stored within a 6-foot tall, screened enclosure to the rear of the property. Amarok Ultimate Perimeter Security desires to install a 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security system inside of the screened enclosure to secure the vehicle storage area and discourage vandalism and theft to the stored vehicles.

The proposal to install the electrified security enclosure initially was submitted under a building/electrical permit, which came to the Planning Division for review and approval. At that time, the City Planner determined the security enclosure was considered a fence and would be subject to the fence regulations outlined in the Zoning Code, as defined in the attached Variance Board materials (Attachment 1). The City Planner also determined the 10-foot security enclosure exceeded the 6-1/2-foot height maximum for a fence and that an electrified fence was not permitted. The City Planner informed Amarok if their client, Caliber Collision, desired to move forward with the project a variance would be required.

Amarok submitted a completed Variance application seeking approval to install a 6-1/2-foot tall, electrified fence enclosure. After discussing the proposal with members of the Development Review Committee, including representatives from the Police Department, Planning Division staff communicated to the applicant that if they wished to proceed staff could not support variances for a 10-foot tall, electrified fence. The applicant indicated a desire to proceed and after holding a public hearing to consider the request on March 6, 2024, the Variance Board supported the staff recommendation to deny. Draft minutes of the Variance Board's discussion are provided as Attachment 3.

On Friday, March 15, 2024, the applicant submitted a written request to appeal the Variance Board decision (Attachment 2). The process for hearing an appeal is outlined in the Zoning Code under Section 1009.08 and is to be heard 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 applicant maintains the proposed structure is an alarm/security system, not a fence, and as such the fence regulations should not be applied. Planning Division staff does not dispute the structure is an alarm/security system, but it is also a fence and should be subject to the fence regulations provided in the Zoning Code.

Policy Objectives

Fences are governed by Zoning Code Sections 1011.08.A.3.

Appeals are governed by Zoning Code Sections 1002.06.H and 1009.08.

The objective with any Zoning Code regulation is to govern the use of all land and structures in the City.

Racial Equity Impact Summary

Racial equity impacts were not evaluated for this request.

Budget Implications

Appeals of a commercial nature require submission of a \$300 application fee, which the applicant has paid.

Staff Recommendations

Uphold the decision of the Variance Board to deny the requested 10-foot tall, electrified security fence at Caliber Collision, 1914 County Road C, based on the findings of the Variance Board.

Requested Council Action

Adopt the Resolution provided as Attachment 4 affirming the Variance Board's denial of a 10-foot tall, electrified security fence at Caliber Collision, 1914 County Road C based on the Variance Board's findings.

Prepared by: Thomas Paschke, City Planner

Attachments:

1. March 6, 2024 Variance Board Materials
2. Draft VB Meeting Minutes from March 6, 2024
3. Caliber Appeal Request dated March 14, 2024
4. Resolution RE Appeal Decision

ROSEVILLE
REQUEST FOR BOARD ACTION

Date: **3/6/2024**Item No.: **5.b.**

Department Approval

Agenda Section

Janice Gundlach

Public Hearing

Item Description: Request by Amarok Ultimate Perimeter Security, in cooperation with Caliber Collision, for VARIANCES to §1011.08.A.3 Fences in All Districts, in support of permitting a 10-foot tall electrified security perimeter fence at Caliber Collision

Application Information

Applicant: Amarok, LLC on behalf of Caliber Collision
 Location: 1914 County Road C
 Application Submission: October 4, 2023
 City Action Deadline: Multiple Extensions - currently April 1, 2024
 Zoning: Employment Center (E-2)

Background

Caliber Collision is an automotive body work company located at 1914 County Road C. In recent years, they have been experiencing increased vandalism on vehicles that are stored within a 6-foot tall screened enclosure to the rear of the property. Amarok Ultimate Perimeter Security desires to install a 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security system inside the screened enclosure to secure the vehicle storage area and discourage vandalism and theft of the stored vehicles.

Review of Request

Roseville City Code **§1011.08.A.3, Fences in All Districts** (below), limits a fence, other than a screen fence, to a maximum height of 6-1/2 feet and does not permit electrified fences. The proposed security enclosure has been deemed a fence per the definition below and thus can only be a maximum of 6-1/2 feet in height.

A. General Requirements: Fences may be constructed, placed, or maintained in any yard or adjacent to a lot line in accordance with these requirements.

1. The owner of the property upon which a fence is located shall be responsible for locating all property lines prior to constructing said fence.

2. All fence posts and supporting members shall be placed within the property lines of the property on which the fence is located.

3. Fences in front yards shall not exceed 4 feet in height. Notwithstanding this limitation, fences in front yards which are adjacent to the side or rear yards of abutting lots may be as tall as 6.5 feet.

4. Fence height shall be measured from the average grade adjacent to the bottom of the fence to the top of the fence material. Fence posts may extend an additional 6 inches.

5. All fences shall be constructed so that the finished side or more attractive side of the fence faces the adjacent property or the public right-of-way.

6. All fences shall be constructed of durable, uniform, weather-resistant, and rust-proofed materials.

7. All fences shall be maintained and kept in good condition.

8. Fences exceeding 4 feet in height shall require a permit from the City.

9. Temporary snow fencing is allowed seasonally, when snow is present, without a permit.

10. Non-residential Fences: In addition to the requirements of this section, fences in all non-residential

districts shall conform to the screening requirements of Section 1011.03B of this 4076 Chapter.

11. Fencing of Play Areas: For public or private parks and playgrounds located adjacent to a public right-of-way or railroad right-of-way, a landscaped yard area no less than 30 feet in width or a fence no less than 4 feet in height shall be installed between the facility and the right-of-way.

FENCE: A structure providing enclosure or serving as a barrier, such as wooden posts, wire, iron, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

Planning Division staff has not historically supported fence heights in excess of 6-1/2 feet in commercial or industrial areas of Roseville, except for screen fences, which per §1011.03.B, are required to be a minimum of 6 feet in height. The Planning Division is also opposed to the allowance of an electrified fence as this is prohibited under the Code and seems extreme given other available alternatives. Similarly, the Roseville Police Department does not support the proposed electrical security system. The Police Department has typically recommended crime prevention strategies that are consistent with Crime Prevention Through Environmental Design Strategies ([CPTED](#)). An electrified fence would not be consistent with the CPTED principles. However, the Police Department has recommended the property/business owner look at other impactful alternatives to harden the target, such as hostile vegetation, strengthening existing fencing, improving cameras/surveillance and investing in other technology and strategies to help deter thefts.

Staff Recommendation

Variance Analysis

Planning Division staff has historically been reluctant to support a variance from the standards set forth in the fence regulations section of the City Code given the practical difficulty (or former hardship standard) cannot easily be met. In the past 20+ years the City has issued only two variances for increased fence height in the commercial/industrial zoned areas of Roseville. Calyxt (2016) and Koch & Sons Trucking (2017) each received a variance to increase the height of security fencing in the front yard of their property from 4 feet to 6 feet in height. The Planning Division is unaware of any electrified fencing or fencing greater than 6 1/2 feet in height that secures portions of a commercial or industrial site in Roseville.

Section 1009.04 (Variances) of the City Code explains the purpose of a variance is “to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning.” State Statute further clarifies that “economic considerations alone do not constitute practical difficulties.” Planning Division staff does not find there are practical difficulties present, other than economic, to justify City approval to deviate from the Code standards as there are other permitted options available that have not been explored that could potentially address the vehicle vandalism occurring at Caliber Collision without the need of a variance.

When evaluating this requested variance, it's important to understand the reasons behind the prohibition of electric fencing and the limits on maximum height. Specific to fencing in all zoning districts in Roseville, the current standards have been in the Zoning Code since prior to the 2010 zoning code update, where it was determined these standards were appropriate and applicable to remain. Planning Division staff continues to support these standards. Additionally, staff have concluded electrical or electrified fencing is a drastic measure when options such as increased screen fencing height, security cameras, and other forms of deterrents and monitoring are available. Further, this type of electrified fencing is typically used in rural/agricultural settings or for security for correctional facilities, and not typically found in an urban setting. Planning staff is also not aware of any surrounding urban municipality that permits electrical fencing in their commercial/industrial areas.

Fence height is also a common regulation in urban communities. Most municipalities limit fencing in front yards to 4 feet in height, as does Roseville, while fencing limits for side and rear yards vary. However, most communities permit up to 6 or 6-1/2-foot non-screen fence height in commercial and industrial areas for the primary reason of preventing the unsightliness caused by fence type and/or excessive

height. Roseville's 6-foot maximum height, for fencing other than for screening, has been in place for decades and has proven to work well in most all situations. Similarly, Planning staff has not come across other businesses desiring to install fences in excess of 6 feet or install electrified fencing as a means to secure a property or parking area as a deterrent to vandalism and theft.

Section 1009.04C of the City Code establishes a mandate that the Variance Board make five specific findings about a variance request as a prerequisite for approving the variance. Planning Division staff have reviewed the application and offer the following draft findings:

1. *The proposal is consistent with the Comprehensive Plan.* Planning Division staff believe the proposal is generally consistent with the Comprehensive Plan because it represents the type of continued investment promoted by the Comprehensive Plan's goals and policies. However, there is nothing specifically stated in the Roseville 2040 Comprehensive Plan concerning commercial/industrial property fencing or security.
2. *The proposal is in harmony with the purposes and intent of the zoning ordinance.* With respect to the request, the Planning staff finds the proposal is not in harmony with the purpose and intent of the Code. Specifically, staff believes the purpose and intent of the adopted fence standards is to reasonably accommodate fencing of property that provides security while not being overly obtrusive. An electrical or electrified fence in excess of 6 feet in height for security purposes is a harsh alternative to other available options, such as extending the height of the existing screen fence, strengthening the existing screen fence and/or adding surveillance cameras, all permitted options available to the business and in harmony with the purpose and intent of this standard.
3. *The proposal puts the subject property to use in a reasonable manner.* This finding seeks to determine whether the requested deviation will put the property to use in a manner reasonably consistent with the standards set forth in the Code. Planning Division staff conclude the proposal is not reasonably consistent with the standards set forth in the Code. Specifically, electrical or electrified fencing is prohibited and an extreme measure to combat vandalism given the urban setting. The installation of the proposed 10-foot tall electrified security fence, 4 feet taller than the existing screen fence, will be out of character with current non-screening fencing and would be the first of its kind in Roseville, potentially setting a precedent. Lastly, other less extreme options have not been pursued, many of which are permitted by Code.
4. *There are unique circumstances to the property which were not created by the landowner.* Although vandalism of stored vehicles could be considered a unique circumstance not caused by the property owner, staff has determined the installation of the proposed 10-foot tall electrified security system is not a security method essential to combat the instances of vehicle vandalism occurring on the premises. As has been stated previously, other options are available that have not been pursued, nor has the business sought out assistance from the Roseville Police Department.
5. *The variance, if granted, will not alter the essential character of the locality.* The Planning Division has determined the granting of these two variances in support of a 10-foot tall electrified security fence could alter the essential character of the locality and are not appropriate given Roseville's urban environment. Support of these deviations could be precedent setting, creating unintended consequences. Planning staff would also note that variances are granted only when all reasonable options have been exhausted and there are unique circumstances at play, which staff would deem not to be the case in this instance. The only reason for the variance offered by the applicant to justify the request is economic, which can't be considered under State Law.

Requested Planning Commission Action

The Planning Division finds the applicant has not demonstrated practical difficulties preventing compliance with the fence regulations of §1011.03.B of the City Code and would recommend the Variance Board **adopt a resolution (Attachment 4) denying the requested variances for an**

electrified security barrier and fence of 10-feet in height at Caliber Collision, 1914 County Road C, based on the content of this report and associated plans provided as attachments, public input, and Variance Board deliberation.

Alternative Actions

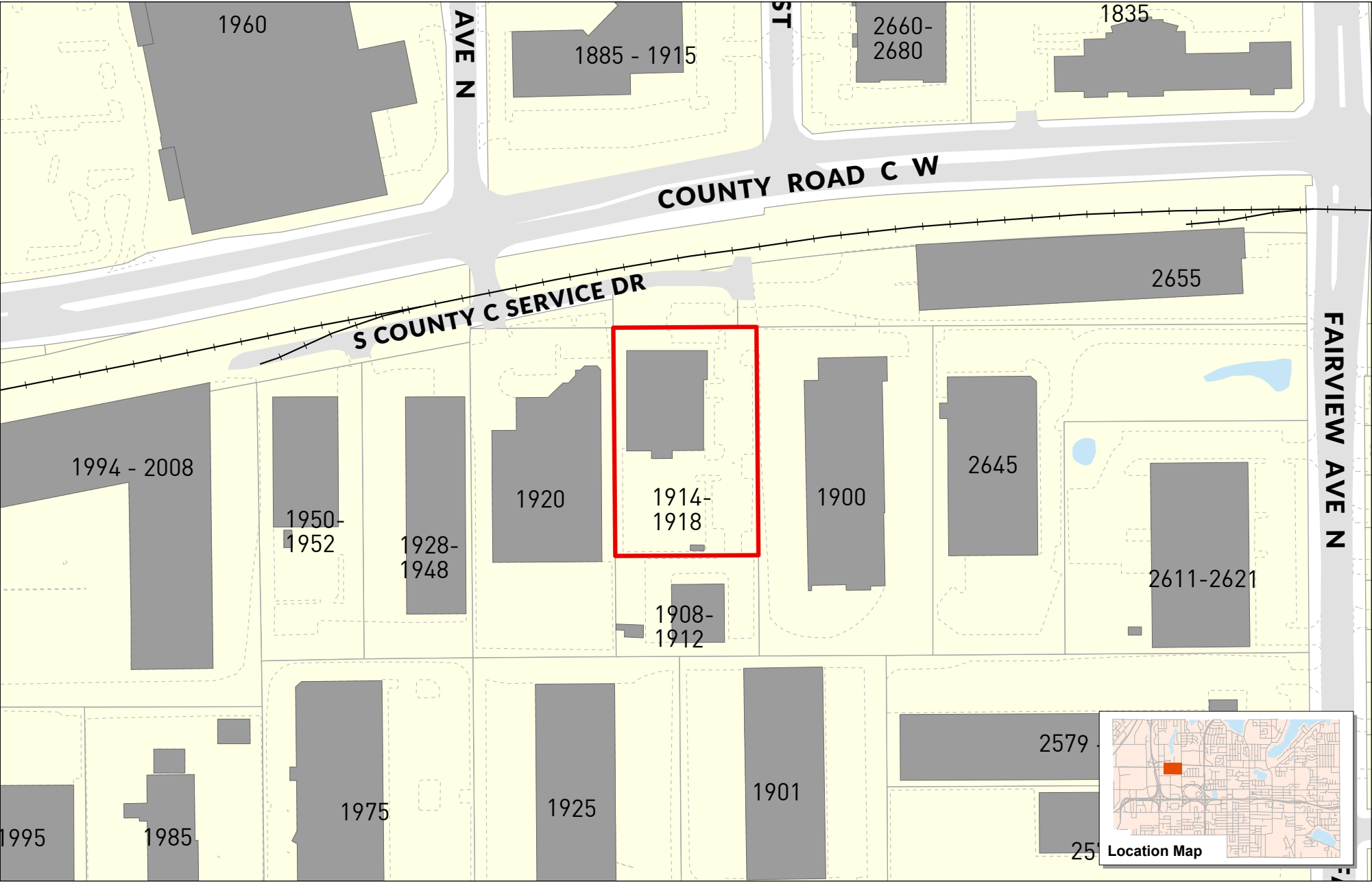
1. **Pass a motion to table the item for future action.** An action to table consideration of the variance request must be based on the need for additional information or further analysis to reach a decision on one or both requests. Tabling may require extension of the 60-day action deadline established in Minn. Stat. 15.99 to avoid statutory approval.
2. **Adopt a resolution approving the requested variances.** An approval should be supported by specific findings of fact based on the Variance Board's review of the application, applicable zoning regulations, and the public record.

Prepared by: Thomas Paschke, City Planner

Attachments:

1. Map
2. Aerial Photo
3. Applicant Narrative
4. Draft Denial Resolution

Attachment 1: Planning File 23-012



Attachment 2: Planning File 23-012

City Council Case Attachment 1



Prepared by:
Community Development Department
Printed: October 16, 2023

Data Sources

* Ramsey County GIS Base Map (10/6/2023)
* 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

This map is neither a legally recorded map nor a survey and is not intended to be used as one. 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 represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 Feet



Justification for Variance Approval (HEIGHT)
1914 COUNTY ROAD C WEST – CALIBER COLLISION

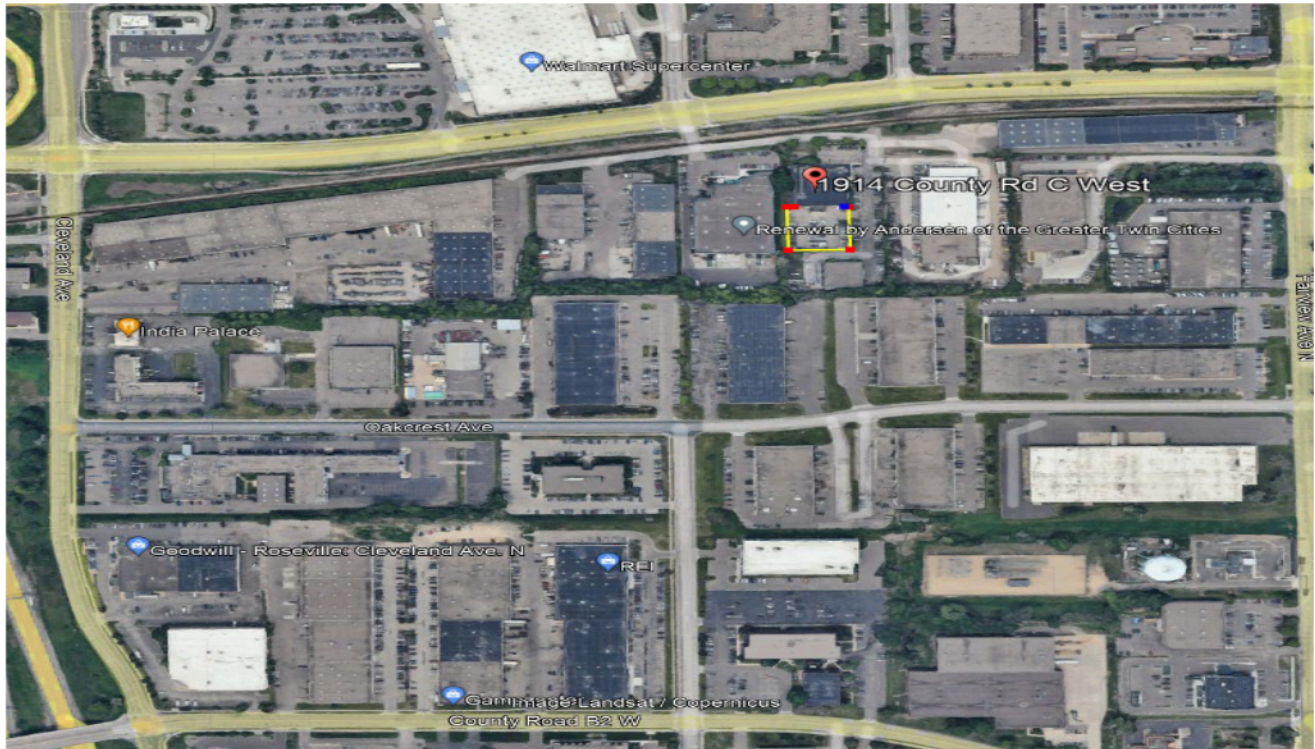
AMAROK, LLC on behalf of CALIBER COLLISION, is respectfully requesting the City of Roseville to approve a variance for the security system application which has been submitted to the City of Roseville; allowing the installation of a 10' tall low-voltage, 12V/DC battery-powered, pulsed electric security system to secure the property of CALIBER COLLISION safely and effectively. The property is located at 1914 County Road C West, Roseville, MN 55113 and is zoned E2 – Employment Center. The installation of this security fence is safely located inside/behind of the existing 6'-0" tall fence to secure the property during non-business hours.

The AMAROK security fence has proven to be the most effective theft and crime deterrent for businesses across the country such as CALIBER COLLISION. Even in cases where businesses were experiencing frequent theft and loss, the installation of our security fence immediately results in the prevention of any further attempted break-ins, vandalism, and theft.

Below are statements justifying the need for this requested Variance:

Appellant seeks to install a perimeter security system for the protection of the property from crime/break-ins. The property/business is CALIBER COLLISION, a well-known, automotive body work company. The business has been increasingly targeted and victimized by criminals breaking in to steal catalytic converters, batteries, auto parts and anything that can be easily sold on the black market or to metal recyclers.

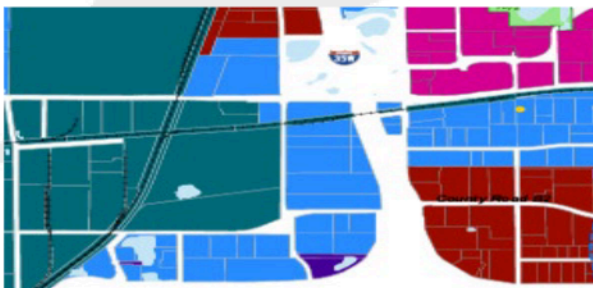
The business sits off a main road, accessed through a "service road". There are various entrances and exits from the business location through wooded areas to parking lots, and other streets, providing the ability to enter and exit the property undetected. As a result, this makes detection of criminal trespass difficult for police patrols. The ability to "see" activity behind a business is impossible for any vehicle or person driving or walking by the business. The requested security fence will be located behind/inside of existing fence, in the rear of the property, behind the business, well away from road frontage making any visual, aesthetic impact negligible.





The system is virtually invisible to passing vehicular traffic, making it necessary for would-be thieves to get close to the perimeter fence to slowly begin to discern the interior security fence/system as they approach. The system is completely safe and deters crime from the area for the benefit of the community (not just the subject property/business). The security fence is a known and proven commodity, with thousands deployed across the United States for more than 30 years. Once a system is installed, crime typically drops to zero. Once crime is deterred from the area, property values increase for everyone in the area which increases tax revenue to the city. This also benefits the city by allowing police resources to be economized towards life safety rather than on property crime.

The practical difficulty is not one created by the appellant but rather by the criminal element which is outside of the control of the appellant. Criminal activity threatens the safety of employees, business assets, customers, and customer vehicles at the business. With the installation of the security system, the threat of physical criminal violence decreases and employees will feel safer knowing there is a deterrent to criminal activity in place. Customers will feel an additional level of security from theft or vandalism when left at appellant's business for repairs.



The areas adjacent to the variance property are zoned for business enterprise. These locations are vulnerable to the criminal element. The security fence will in no way adversely affect the surrounding area but do the exact opposite; enhance the vicinity by effectively deterring crime. Lower crime equals higher property values which in turn increases revenue for the city. The installation of the security fence aids in the city's objectives and frees up police resources, allowing them to place their focus and efforts on more pressing life safety matters rather than expended on property crimes.

The strict application of the terms of the Zoning Ordinance results in practical difficulties in the use of the property by preventing the business from having the security they need to keep out criminals/crime. The property is significantly setback from the street frontage

making it difficult for passing police to detect criminal activity. Because the business has a significant number of vehicles, they are targeted by criminals to steal catalytic converters, batteries, and any other auto parts which can be quickly and easily sold on the black market or to metal recyclers. These mounting losses are unsustainable to the business. CALIBER COLLISION needs the proposed security system/fence to protect themselves from crime.

The appellant is requesting to go to a total height of 10'. More than 30 years of security industry experience with the system deployed in thousands of locations across the United States definitively shows that a height of ten feet effectively deters crime whereas lower heights still allow determined criminals the ability to get over the fence to continue plundering the business.

The granting of the variance will allow the business and its assets to be protected, alleviating the practical difficulty and resulting hardship that has not been caused by applicant. Based on the information and evidence provided to the Board, we respectfully request the granting of this variance approval for CALIBER COLLISION.



Michael Pate
Director, Government Relations

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Michelle Affronti
Compliance Manager

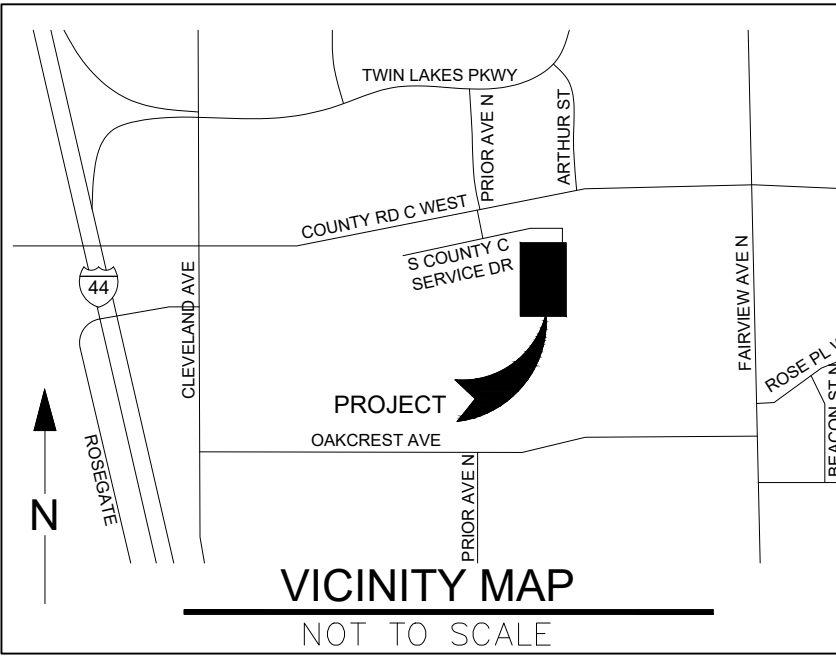
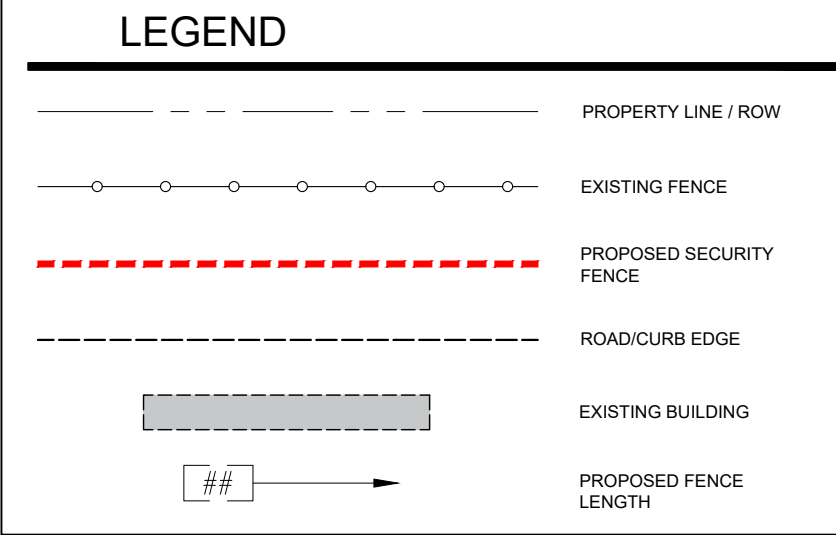
AMAROK, LLC
Mobile: (803) 923-2715
maffronti@amarok.com
www.AMAROK.com

ULTIMATE PERIMETER SECURITY

PROPERTY OWNER
CASI FAMILY INVESTMENTS LLC
5438 LEXINGTON AVE N
SHOREVIEW, MN 55126

PROJECT DATA
APN: 09-29-23-21-0015
ZONING: E-2
ACRES: 1.73

SITE PLAN
REQUEST TO AUTHORIZE A
SECURITY FENCE FOR:
CALIBER COLLISION
1914 COUNTY RD C WEST
ROSEVILLE, MN 55113

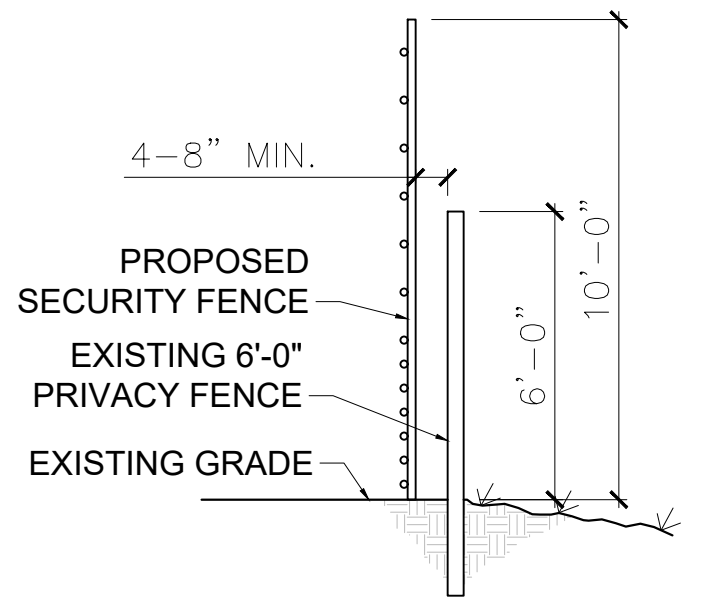


NOTES

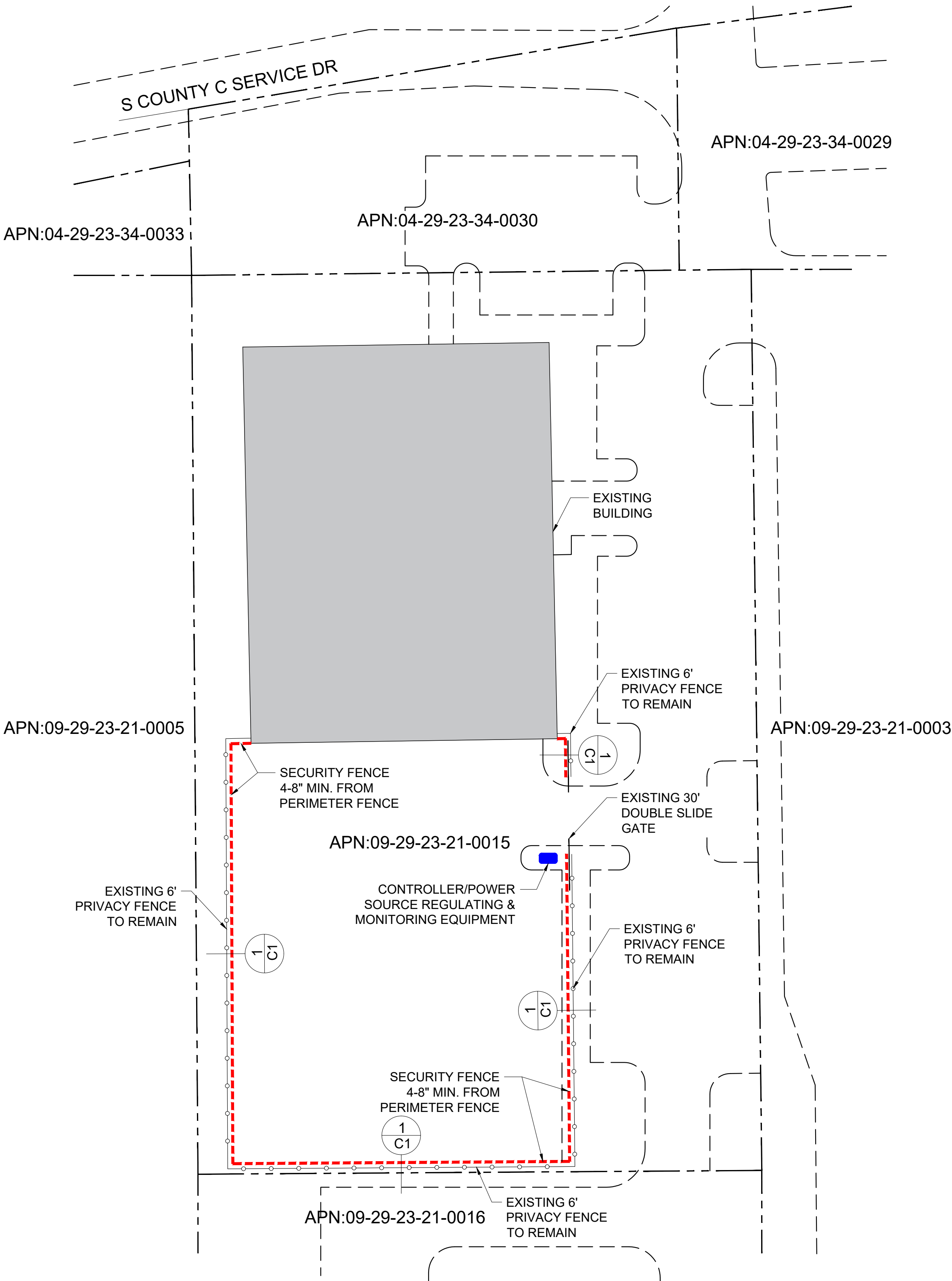
POLE LOCATIONS:
STEEL POLES: TO BE LOCATED APPROXIMATELY ON EACH SIDE OF GATE(S) & EVERY 90° (OR GREATER) TURN IN FENCE LINE.
FIBERGLASS/INTERMEDIATE POLES: TO BE LOCATED APPROXIMATELY EVERY 30'

DISCLAIMER:
POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS

STORM DRAIN:
NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT



1 PERIMETER FENCE SECTION
C1 NTS



SITE PLAN
SCALE : 1" = 40'-0"



*PROPOSED LOCATION OF ELECTRONICS ONLY, SUBJECT TO CHANGE BASED ON SITE CONDITIONS.



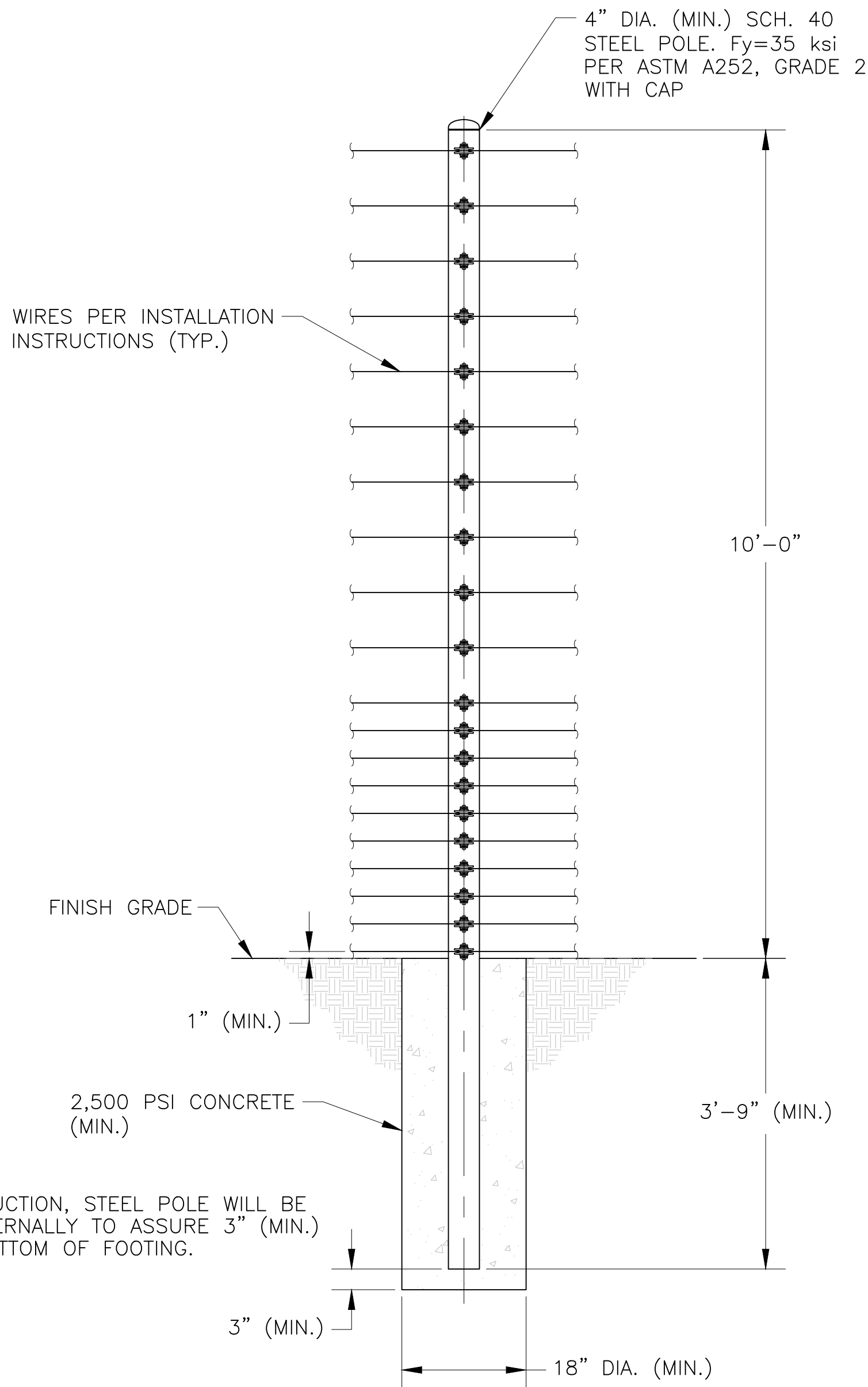
PROJECT: CALIBER COLLISION
1914 COUNTY RD C WEST
ROSEVILLE, MN 55113

SHEET TITLE: SITE PLAN

APPLICANT: AMAROK
550 ASSEMBLY ST 5TH FL
COLUMBIA SC 29201
803-404-6189

DATE: 7/10/2023
DRAWN BY: RLR
SCALE: SEE PLAN

SHEET
C1
of 3

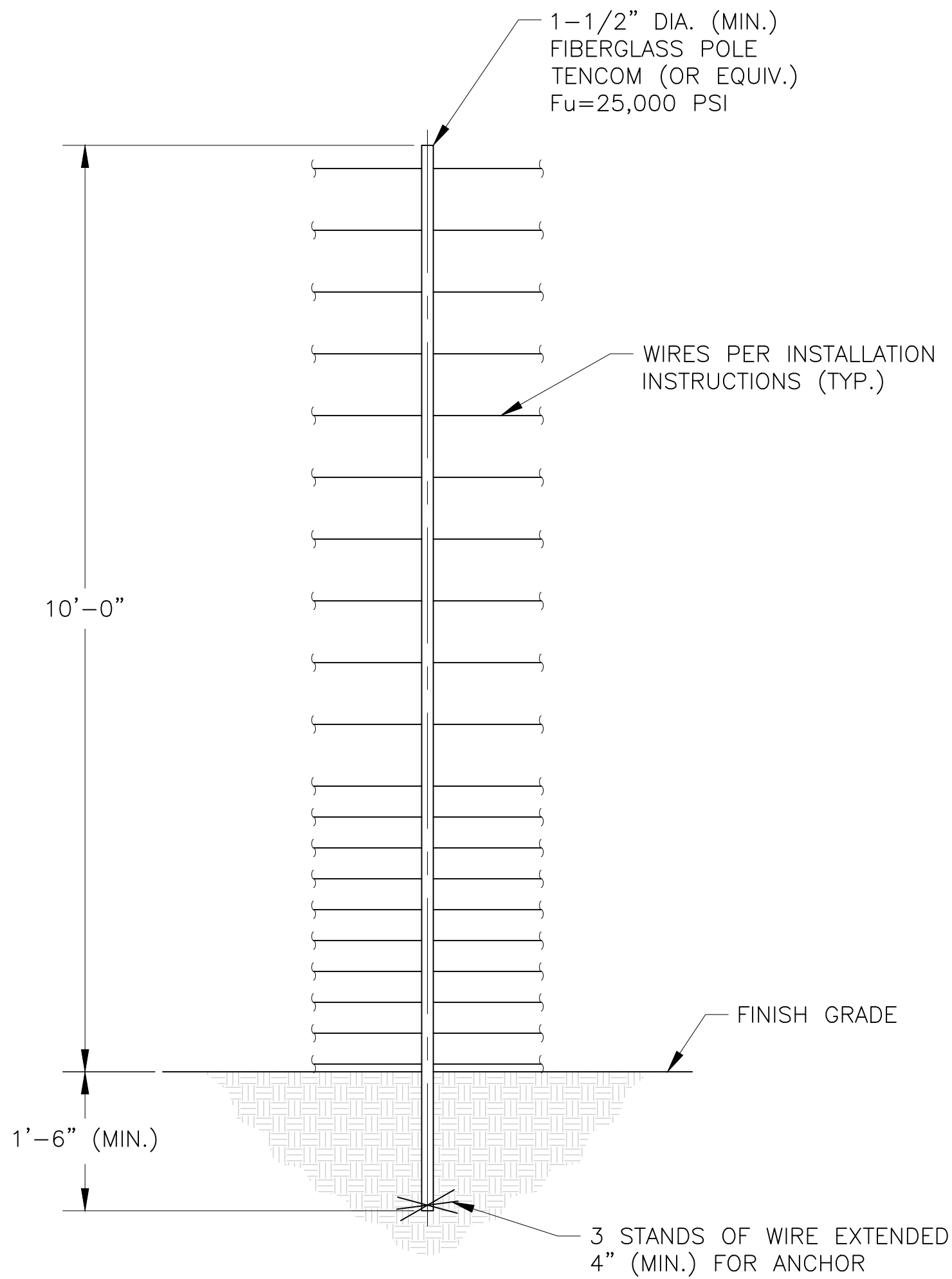


STEEL POLE DETAIL
SCALE: NONE
(STRUCTURAL)



WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND MAX 30 FEET ON CENTER THEREAFTER

EXAMPLE WARNING SIGN @ 9"x12"



FIBERGLASS POLE DETAIL
SCALE: NONE
(NON-STRUCTURAL, NON-LOAD BEARING WIRE SEPARATOR)

GATE DETAIL NOTES:

1. BRACE BANDS ARE INSTALLED AS HIGH AS POSSIBLE UNDER #3 AND #9, 2" (MIN.) UNDER #12, #15, AND #17, UNDER #19 AND AS HIGH ON THE GATE AS POSSIBLE. MAXIMUM DISTANCE OF 2' BETWEEN BRACE BANDS.
2. SPRINGS ARE LOCATED ON HINGE SIDE OF SWING GATE AND REAR OF SLIDE GATE.
3. ALL CONTACTS MUST INCLUDE SPRINGS.
4. ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
5. ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREW.
6. EVERY GATE PANEL MUST HAVE A SIGN.
7. ALL GATE CONTACTS MUST BE SECURE IN A MANNER THAT ENSURES CONTACT WILL EASILY BE MADE.
8. GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE.

RAPID TIGHTENERS

RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION – BETWEEN 6" INCHES AND 3 FEET FROM A FIBERGLASS POLE – TOWARD THE CENTER OF THE RUN.

THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT GROUNDS FROM HITTING WIRES WITH CURRENT.

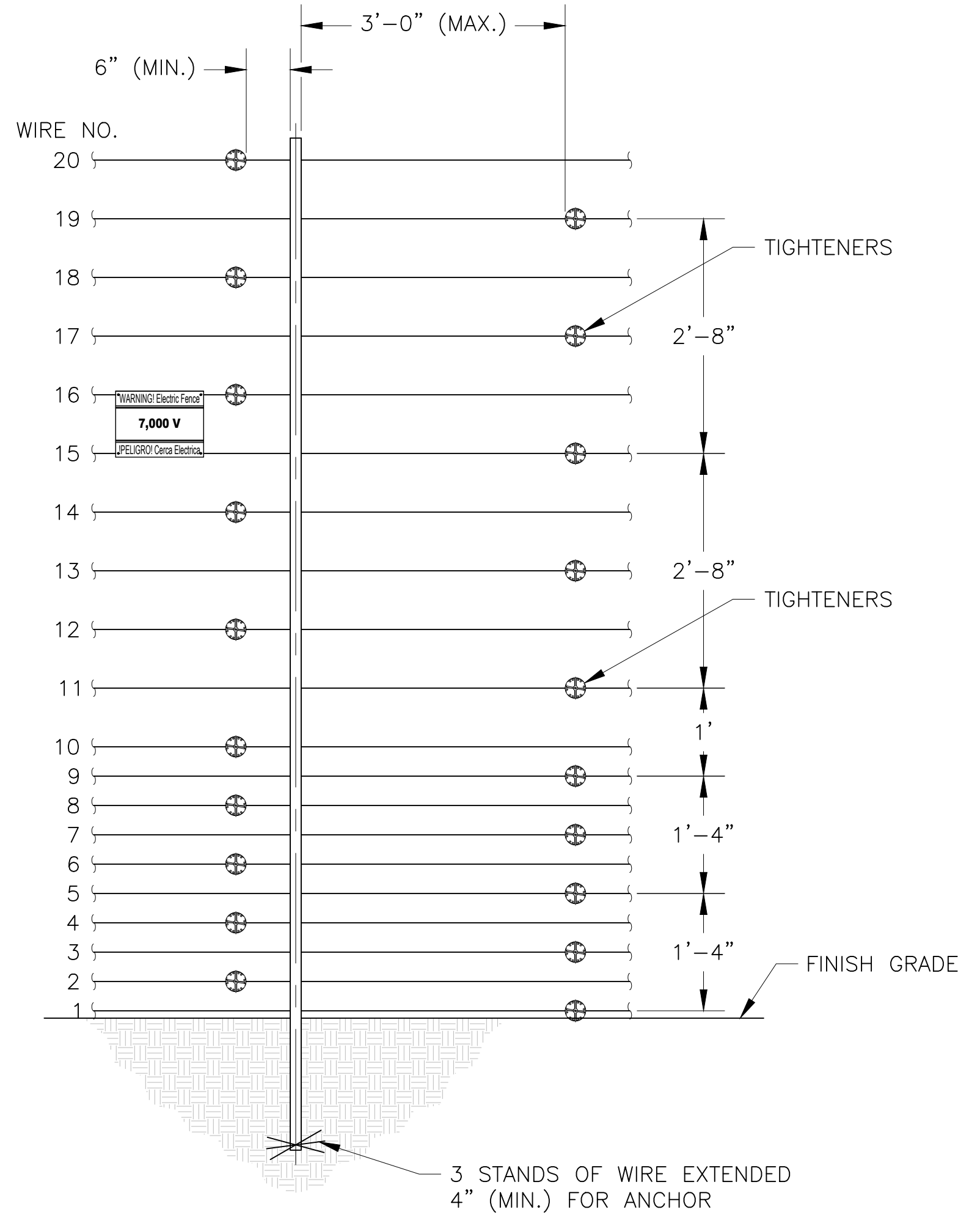
WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.

WARNING SIGNS

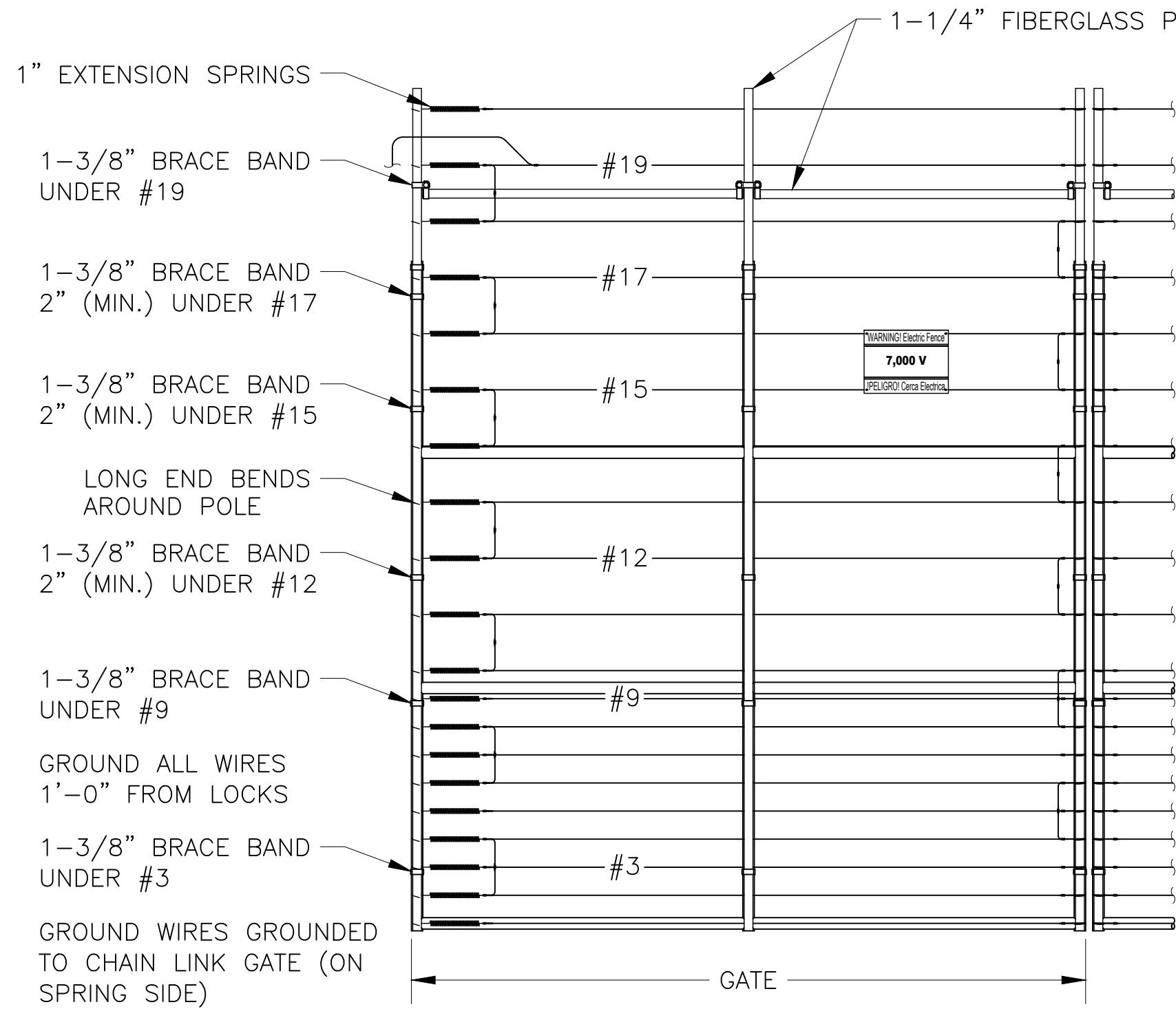
WARNING SIGNS MUST BE INSTALLED EVERY 30 FEET, WHICH IS THE MAXIMUM DISTANCE BETWEEN SIGNS.

ALL WARNING SIGNS SHOULD BE MOUNTED EITHER BETWEEN WIRES 15 & 16 OR AT BEST VISIBLE HEIGHT.

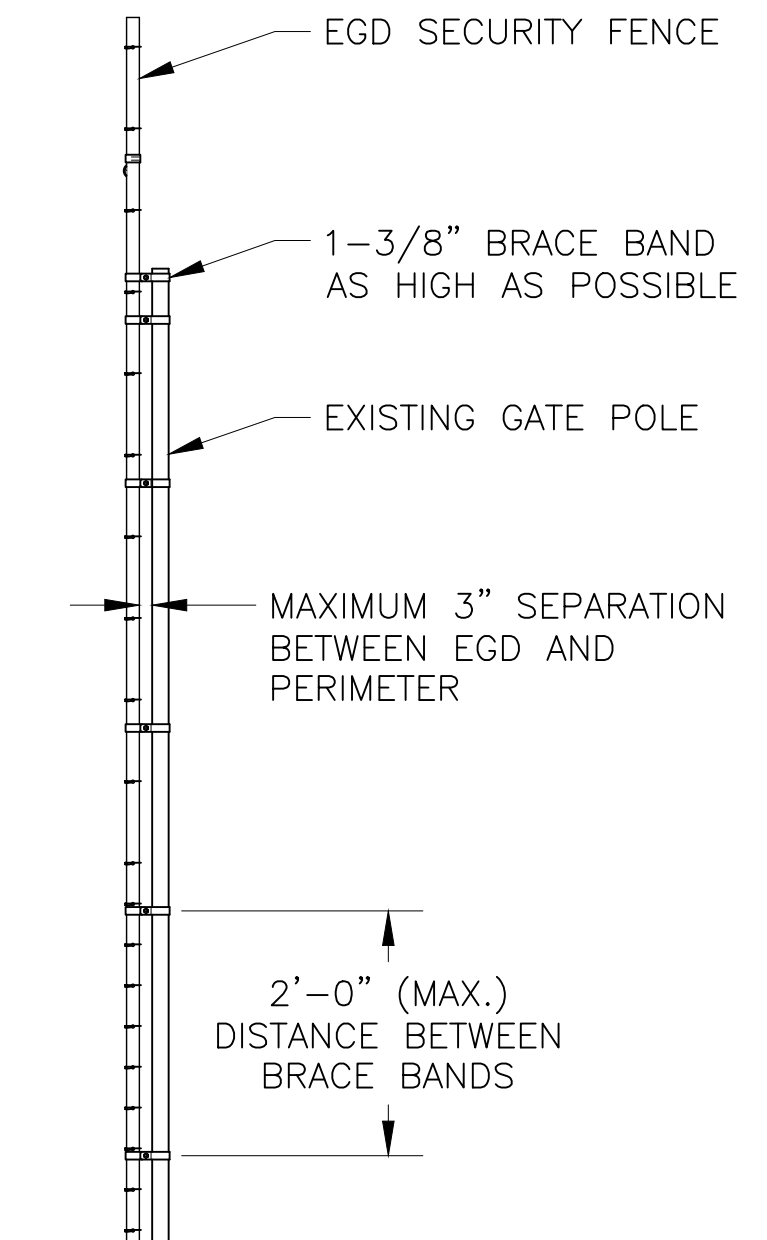
IF INSTALLED BEHIND A SOLID FENCE, WARNING SIGNS SHOULD ALSO BE PLACED ON OR ABOVE THE PERIMETER FENCE.



WIRE CONNECTIONS
SCALE: NONE
(FIBERGLASS POLE)



DOUBLE PANEL GATE
GATE DETAIL
SCALE: NONE



SIDE VIEW

#	DATE / DESCRIPTION



PROJECT: CALIBER COLLISION
1914 COUNTY RD C WEST
ROSEVILLE, MN 55113

SHEET TITLE: TYPICAL DETAILS

APPLICANT: AMAROK
550 ASSEMBLY ST 5TH FL
COLUMBIA SC 29201
803-404-6189

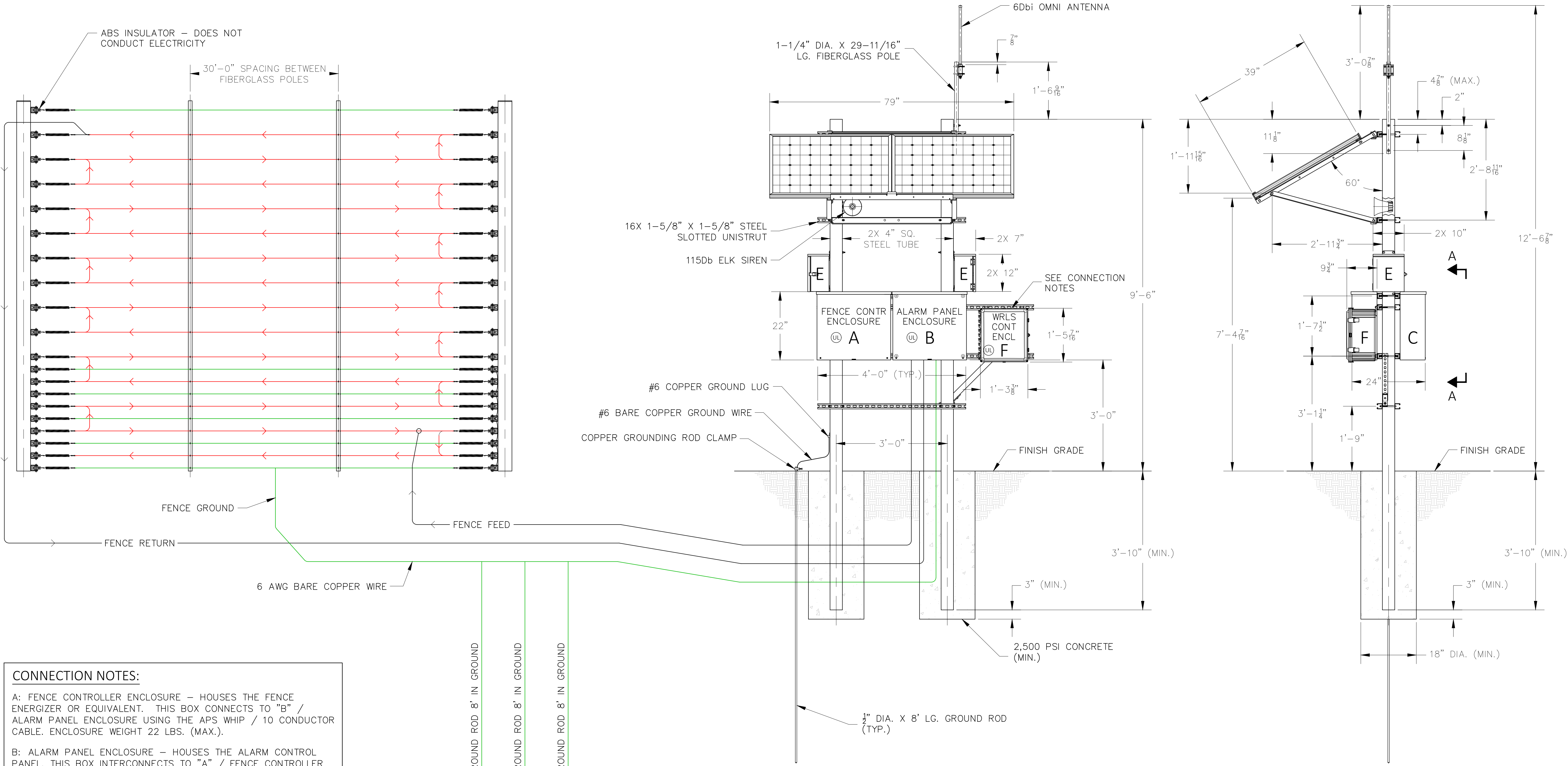
DATE: 7/10/2023
DRAWN BY: RLR
SCALE: SEE PLAN

SHEET

C2

of 3

WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH STEEL POLE DETAIL



CONNECTION NOTES:

A: FENCE CONTROLLER ENCLOSURE – HOUSES THE FENCE ENERGIZER OR EQUIVALENT. THIS BOX CONNECTS TO "B" / ALARM PANEL ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE. ENCLOSURE WEIGHT 22 LBS. (MAX.).

B: ALARM PANEL ENCLOSURE – HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "A" / FENCE CONTROLLER ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE AND "C" / SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. ENCLOSURE WEIGHT 21 LBS. (MAX.).

C: SOLAR CHARGE CONTROLLER ENCLOSURE – HOUSES POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR SOLAR, BATTERY, AND LOAD CONNECTIONS. POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER. THE ELECTRONICS POWER IS CONTROLLED BY BY THE LOAD BREAKER. ENCLOSURE WEIGHT 25 LBS. (MAX.).

D: BATTERY ENCLOSURE – HOUSES THE BATTERIES AND INTERCONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G AND 10G THWN WIRES. ENCLOSURE WEIGHT 50 LBS. (MAX.).

E: KEYPAD ENCLOSURE – HOUSES THE KEYPAD. THIS BOX INTERCONNECTS TO "A" USING 10 CONDUCTOR / 18 AWG WIRE. ENCLOSURE WEIGHT 12 LBS. (MAX.).

F: WIRELESS CONTROLLER ENCLOSURE – HOUSES THE WIRELESS RADIO CONTROLLER AND RELAYS. CONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G THWN WIRES. ENCLOSURE WEIGHT 21 LBS. (MAX.).

GENERAL NOTE:

EQUIPMENT ARRANGEMENT AND ELEVATION SHOWN ARE FOR REFERENCE ONLY. ACTUAL EQUIPMENT ARRANGEMENT, SHAPE, SIZE, LOCATION, AND QUANTITY ARE CUSTOMER SITE SPECIFIC AND CAN VARY FROM DRAWING DEPICTION.

NOTES:

MOUNT 4 SILVER BOXES TO A PAIR OF HSS TUBE 4"x4"x10GA. (0.134" WALL THICKNESS) ASTM A500 GRADE B OR C 55KSI YIELD (MIN.) STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM OF 3 FEET ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE EMBEDDED AT A MINIMUM OF 3'-10" BELOW GROUND LEVEL.

FRONT ELEVATION

RIGHT SIDE ELEVATION

ASSEMBLY WEIGHT CHART

DESCRIPTION	WEIGHT (LBS.)
SOLAR PANELS	61.6
SOLAR PANEL MTG. KIT	27.0
UNISTRUT	108.8
OMNI ANTENNA ASSEMBLY	3.59
SIREN	1.5

ELECTRONICS ARMATURE

LOCATION	DESCRIPTIVE NAME
MAIN GATE	HEAD-END ELECTRONICS



PROJECT: CALIBER COLLISION
1914 COUNTY RD C WEST
ROSEVILLE, MN 55113

PROJECT:

APPLICANT: AMAROK
550 ASSEMBLY ST 5TH FL
COLUMBIA SC 29201
803-404-6189

DATE: 7/10/2023
DRAWN BY: RLR
SCALE: SEE PLAN

SHEET

C3

of 3

EXTRACT OF MINUTES OF MEETING OF THE VARIANCE BOARD OF THE CITY OF ROSEVILLE

Pursuant to due call and notice thereof, a regular meeting of the Variance Board of the City of Roseville, County of Ramsey, Minnesota, was held on the 6th day of March, 2024, at 5:30 p.m.

The following Members were present: Member _____;
and _____ was absent.

Variance Board Member _____ introduced the following resolution and moved
its adoption:

VARIANCE BOARD RESOLUTION NO. _____

A RESOLUTION DENYING A VARIANCE TO §1011.08.A.3, FENCES IN ALL DISTRICTS, OF THE ROSEVILLE CITY CODE, AT 1914 COUNTY ROAD C (PF23-012)

WHEREAS, the subject property is assigned Ramsey County Property Identification
Number 092923210015 and is legally described as:

Lot 1, Block 1, CASCI Addition

WHEREAS, City Code §1010.02 (Definitions) and §1011.08.A.3 (Fences in All
Districts) states the following concerning fences:

1010.02 - FENCE: A structure providing enclosure or serving as a barrier, such as wooden posts, wire, iron, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

1011.08.A.3 - A. General Requirements: Fences may be constructed, placed, or maintained in any yard or adjacent to a lot line in accordance with these requirements.

- 1. The owner of the property upon which a fence is located shall be responsible for locating all property lines prior to constructing said fence.*
- 2. All fence posts and supporting members shall be placed within the property lines of the property on which the fence is located.*
- 3. Fences in front yards shall not exceed 4 feet in height. Notwithstanding this limitation, fences in front yards which are adjacent to the side or rear yards of abutting lots may be as tall as 6.5 feet.*
- 4. Fence height shall be measured from the average grade adjacent to the bottom of the fence to the top of the fence material. Fence posts may extend an additional 6 inches.*
- 5. All fences shall be constructed so that the finished side or more attractive side of the fence faces the adjacent property or the public right-of-way.*
- 6. All fences shall be constructed of durable, uniform, weather-resistant, and rust- proofed materials.*
- 7. All fences shall be maintained and kept in good condition.*

8. *Fences exceeding 4 feet in height shall require a permit from the City.*
9. *Temporary snow fencing is allowed seasonally, when snow is present, without a permit.*
10. *Non-residential Fences: In addition to the requirements of this section, fences in all non-residential districts shall conform to the screening requirements of Section 1011.03B of this 4076 Chapter.*
11. *Fencing of Play Areas: For public or private parks and playgrounds located adjacent to a public right-of-way or railroad right-of-way, a landscaped yard area no less than 30 feet in width or a fence no less than 4 feet in height shall be installed between the facility and the right-of-way.*

WHEREAS, Amarok Ultimate Perimeter Security on behalf of Caliber Collision, seeks a variance from §1011.08.A.3, Fences in All Districts, in support of a desire to install a 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security system inside of the screened enclosure to secure the vehicle storage area and discourage vandalism and theft to the stored vehicles; and

WHEREAS, §1011.08.A.3, limits a fence, other than a screen fence, to a maximum height of 6-1/2 feet and does not permit electrified fences. The proposed security enclosure has been deemed a fence per the definition and requirements outlined in the Roseville Zoning Code, which includes a maximum height allowance of 6-1/2 feet; and

WHEREAS, City Code §1009.04 (Variances) establishes the purpose of a variance is "to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning; and

WHEREAS, the Variance Board has made the following findings:

- a. *The proposal is not consistent with the Comprehensive Plan.* While the proposal is generally consistent with the Comprehensive Plan because it represents the type of continued investment promoted by the Plan's goals and policies, there is nothing specifically stated in the Roseville 2040 Comprehensive Plan concerning commercial/industrial property fencing or security which justifies this type of fence.
- b. *The proposal is not in harmony with the purposes and intent of the zoning ordinance.* With respect to the request, the Variance Board finds the proposal is not in harmony with the purpose and intent of the Code. Specifically, staff believes the purpose and intent of the adopted fence standards is to reasonably accommodate fencing of property that provide security while not being overly obtrusive. An electrical or electrified fence in excess of 6 feet in height for security purposes is a harsh alternative to other available options, such as: extending the height of the existing screen fence, strengthening the existing screen fence and/or adding surveillance cameras. These are all permitted alternative options available to the business and would be in harmony with the purpose and intent of this standard.
- c. *The proposal does not put the subject property to use in a reasonable manner.* This finding seeks to determine whether the requested deviation will put the property to use in

a manner reasonably consistent with the standards set forth in the Code. The Variance Board concludes the proposal is not reasonably consistent with the standards set forth in the Code. Specifically, electrical or electrified fencing is prohibited and an invasive measure to combat vandalism given the urban setting. The installation of the proposed 10-foot tall electrified security fence, which is 4 feet taller than the existing screen fence, will be out of character with current non-screening fencing and would be the first of its kind in Roseville, potentially setting a precedent. Lastly, other less invasive permitted options have not been pursued.

- d. *There are not unique circumstances to the property which were not created by the landowner.* The Variance Board has determined the installation of the proposed 10-foot tall electrified security system is not a security method essential to combat vehicle vandalism occurring on the premises. As has been stated previously, other options are available that have not been pursued, nor has the business sought out assistance from the Roseville Police Department.
- e. *The variance, if granted, will alter the essential character of the locality.* The Variance Board has determined the granting of these variances in support of a 10-foot tall electrified security fence could alter the essential character of the locality and are not appropriate given Roseville's urban environment. Support of these deviations could be precedent setting and create unintended consequences. The Variance Board finds that variances are granted only after all other reasonable options have been exhausted and when unique circumstances exist. In this instance, the applicant has offered the reason for the variance is economic, yet economic hardships cannot be considered as justification for a variance per State law.

WHEREAS, Section 1009.04 (Variances) of the City Code also explains that the purpose of a VARIANCE is "to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning." The Variance Board finds the proposal does not satisfy the above requirements essential for approving this requested variance. Specifically, the Variance Board finds the applicant has not demonstrated practical difficulties preventing compliance with the fence regulations of the Zoning Code, as it relates to the proposed 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security system as alternative security measures and/or fence construction methods and design could be utilized to achieve similar results.

NOW THEREFORE BE IT RESOLVED, the Roseville Variance Board DENIES the requested variance to §1011.08.A.3, Fences In All Districts, of the City Code concerning the installation of a 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security system inside the screened enclosure a Caliber Collision, 1914 County Road C, based on the content of the Variance Board report dated March 6, 2024 and associated plans provided as attachments to the written report, public input, and Variance Board deliberation.

The motion for the adoption of the foregoing resolution DENYING the request variance was duly seconded by Variance Board Member _____ and upon vote being taken thereon, the following voted in favor: Members _____;
and _____ voted against;

WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

WITNESS MY HAND officially as such Manager this 6th day of March 2024.

SEAL

EXTRACT OF THE MARCH 6, 2024, VARIANCE BOARD MEETING MINUTES**a. PLANNING FILE 23-012****Request by Amarok Ultimate Perimeter Security for a variance to fences in all districts.**

City Planner Thomas Paschke reviewed the variance request for this property, as detailed in the staff report dated March 6, 2024.

Mr. Michael Pate, Director of Business Development with Amarok, addressed the Commission regarding the variance proposal.

Member Bjorum asked what the perimeter made out of if it is not fencing.

Mr. Pate explained this will be on private property behind an existing permitted fence line. He explained the system has thirty wires on one system and twenty wires on another one. It depends on which one is being installed. He indicated the wires are four inches apart and horizontally placed up to about three and a half to four feet and separated eight inches apart and are strung between insulated fiberglass poles because there is a current going through them and is a non-scalable device that cannot be climbed. It does not function like a fence. It is not on the property line and is non-scalable. This is also not going to stop any visual acuity of anyone behind it because it cannot really be seen. The only reason a person would be able to recognize where it is because Amarok is required by the standard to put signs on it to warn people not to touch it.

Member Bjorum asked if someone or something comes up and touches it, it is his understanding by what Mr. Pate stated, this would only trigger the alarm system connecting to the different groups but now the Commission is being told there is an actual current running through the fence so if someone touches it the person will be shocked like a cattle fence.

Mr. Pate indicated that is correct. He indicated that is the deterrent effect of the device. People do not like to be shocked. He noted the current is not as strong as a cattle fence current but will deter people from trying to get by it.

Member Bjorum indicated he would agree with staff that this is an electrified fence. He indicated what Mr. Pate described to the Commission is not any different than a perimeter fence would be. This is just an electrified fence.

Member Bjorum asked Mr. Paschke what the existing fence is that is currently there.

Mr. Paschke believed the current fence is made of wood. It is a screen fence.

Member Bjorum asked if the company has tried any other types of deterrents other than just the fence.

Mr. Paschke indicated he was not aware of anything else used.

Mr. Pate explained the fence is a slated cedar fence and not very good for security. There is also lighting on the backside of this but will not stop anyone. There are also cameras up in the corners. Cameras are used for observation of a crime while what he is proposing is a deterrent.

Chair Schaffhausen thanked Mr. Pate for the information. She asked if there was anyone at the meeting who wanted to come forward. There was no one who wished to come forward.

40 Chair Schaffhausen closed the public hearing at 5:53 p.m.
41 Member Aspnes indicated she can appreciate the frustration of the applicant. Her concern is
42 that the applicant has gone from what sounds like fairly passive security to very sophisticated
43 security with nothing in between and she was not comfortable with an electrified fence in
44 Roseville. Appreciating the security needs but this is not something she was comfortable
45 granting a variance for.

46 **MOTION**
47 **Member Bjorum moved, seconded by Member Aspnes, adoption of Variance Board**
48 **Resolution No. 164 (Attachment 4), entitled “A Resolution Denying a Variance to**
49 **§1011.08.A.3, Fences in All Districts, of the Roseville City Code, at 1914 County Road**
50 **C.”**

51 **Ayes: 3**
52 **Nays: 0**
53 **Motion carried.**
54

March 14, 2024

City of Roseville MN
2660 Civic Center Drive
Roseville MN 55113

RE: Planning Commission Denial -Caliber Collison -1914 County Road C

To Whom It May Concern:

This letter is to serve as a formal appeal for the denial of the Planning Commission for a variance to install a 10' tall, 12V/DC battery powered security system at 1914 County Road C for our client Caliber Collision specifically on the items listed below:

REVIEW OF REQUEST

Roseville City Code **§1011.08.A.3, Fences in All Districts** (below), limits a fence, other than a screen fence, to a maximum height of 6-1/2 feet and does not permit electrified fences. The proposed security enclosure has been deemed a fence per the definition below and thus can only be a maximum of 6-1/2 feet in height. the height over a fence over 6 ½' and does not permit electrical fences.

The system proposed is a monitored security alarm system which alerts a monitoring company when the system is breached. The system is not a fence. While you may call it a fence, it is not classified as a fence. The system is ***classified and regulated as an alarm system***. We are considered an alarm system through the State of Minnesota. The State regulates technology and wiring in alarm systems, and issue licenses for Technology Contractors meeting the State guidelines. Therefore, it should not be deemed a fence for zoning or permitting purposes but rather what the system is which is a ***monitored security system***. ***A fence cannot call a monitoring company but an alarm system that detects trespass can*** alert a monitoring company or owner to be able to notify the police with a verifiable breach of criminal activity.

The proposal is consistent with the comprehensive plan which is designed to engage businesses to locate and remain in the city of Roseville while providing a safe area to work and live. Denying the property owner/business owner the right to secure the property denies the owner the ability to operate a business, ensure employee safety as well as resident safety. Allowing the security system would benefit not only the business but surrounding businesses and residents.

The proposal is in harmony with the purposes and intent of the zoning ordinance which is in place for a standard but does allow for deviation and variances to the plan. Those deviations are determined on a case-by-case basis. By disregarding the facts as presented, the commission erred in their denial. There are no options that have not been utilized or not in utilization that have stopped the unwanted criminal activity and danger to human life. The customer has lighting and cameras in place to deter criminals. The fence in place is 6' tall and even a higher fence or different fence will not deter the criminal element. Fences are cut, broken or scaled and cameras only capture the event for later viewing. Shrubbery and plants only provide more cover for the criminals to hide from passerby while they are working to commit the crime, whether it be theft vandalism or personal injury to another.

The proposal puts the subject property to use in a reasonable manner. The installation of a perimeter security system is not extreme but rather a means to protect property and employees from theft and bodily harm. The property is a business with vehicles owned by residents of the local community. When the cars are damaged through criminal activity the community is hurt as well as the business owner. When items are stolen from the business the business is hurt but also are employees who are residents of the community. Theft and criminal activity hurts everyone, it is not a victimless crime, nor should a business be allowed to suffer losses due to the unwillingness of a city to allow a business to protect its assets, property, and employees from damage due to dangerous, uncaring criminals. Other options have been tried and currently are in use but do not stop the criminal activity which remains an issue. Ignoring the facts will not make the criminal element go away, nor does it enhance the safety of the area but rather causes all to be a potential target. By securing the property with this security system, the overall public health, safety, and welfare are improved by crime being deterred from the area by the Security system.

The Surrounding Properties would benefit from the proposed security system which is classified as an alarm system not a fence. The security system is not scalable and does not act as a boundary but rather a means of deterring unwanted criminal activity and notification if a breach of the perimeter fence occurs. The security system is an alarm and safe for use, regulated and tested to the IEC standards.

The unique circumstances were not created by the property owner operating a tax generating business to the community but rather by the unwanted criminal element which are attracted to businesses where they can obtain items quickly, easily and sell for a profit. The property is located on a service road with various entrances and exits through the wooded areas to parking lots and other streets. This is no fault or making of the business but rather the property. The business owner does not cause the crimes to be committed and has no hand in the activity. The

circumstances are created by the criminal element and by those stopping the business from having the ability to protect the property.

The practical difficulty is not one created by the appellant but rather by the criminal element which is outside of the control of the appellant. Criminal activity threatens the safety of employees, business assets, customers, and customer vehicles at the business. With the installation of the security system, the threat of physical criminal violence decreases and employees will feel safer knowing there is a deterrent to criminal activity in place. Customers will feel an additional level of security from theft or vandalism when left at appellant's business for repairs.

The variance will not alter the essential character of the neighborhood as this property is in a business area not a residential area. The security system is virtually invisible to the passerby. The security system is installed behind a perimeter fence and would be on the sides and rear of the business. It cannot be seen from the road frontage of the property which is on a service road. The business is set back significantly from the road which makes it hard for police or anyone to see the area of the business where the criminal activity is occurring. Only those people visiting the business area that is closed in with a fence would see the security system which would be employees as this is a storage and holding area. Anyone just driving down the road would not see or notice the security system. If one encountered the security system, they would be criminally trespassing in an area that is for employees of the business.

Caliber Collision believes in providing a safe area for their employees and strives to keep customers' assets secure while in their care. Caliber does not want employees' lives at risk by encountering someone who has criminally trespassed in the evening to be startled by employees opening the business or simply going to move a vehicle. Trespassers who are looking for a place to go and are using the business as a place to seek refuge are dangerous to employees and residents alike. A criminal could be waiting to harm an employee or hiding from police after committing a crime in the neighborhood. As a business that repairs cars, customers are already hurt from the loss of a vehicle and Caliber does not want them to experience more loss due to the criminal element. By allowing Caliber to install a safe, effective security system to protect the property, residents and employees are protected as well as a business being able to remain in business and bring a tax base to the city.

The security system proposed is safe, effective and will not alter the neighborhood or detract from the neighborhood. By not allowing the business to secure the property, the city is part of the problem with criminal activity by allowing it to continue and not working to assist businesses to remain in the city and keep residents employed safely.

Respectfully, we ask that the appeal of the denial of the planning commission be vacated, and the security system allowed to be installed at Caliber Collision.



Michael Pate

Director, Government Relations

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Michelle Affronti

Compliance Manager

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ULTIMATE PERIMETER SECURITY

**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 8^h day of April 2024, 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.

**RESOLUTION OF DECISION OF THE BOARD OF ADJUSTMENTS AND APPEALS
CONCERNING THE APPEAL BY AMAROK ULTIMATE PERIMETER SECURITY
AND CALIBER COLLISION OF 1914 COUNTY ROAD C OF THE VARIANCE
BOARD'S DENIAL OF A FENCE VARIANCE**

WHEREAS, on October 4, 2024, Amarok Perimeter Security Systems made application for a variance to Section 1011.08.A.3, Fences In All Districts, on behalf of Caliber Collision, 1914 County Road to install a 10-foot tall, low voltage, 12V/DC battery powered, pulsed electric security fence on the interior of the existing screen fence that currently secures vehicles on the premises; and

WHEREAS, on March 6, 2024, the Roseville Variance Board held the duly noticed public hearing concerning the requested variances; and

WHEREAS, Section 1009.04 (Variances) of the City Code also explains that the purpose of a VARIANCE is "to permit adjustment to the zoning regulations where there are practical difficulties applying to a parcel of land or building that prevent the property from being used to the extent intended by the zoning."

WHEREAS, The Variance Board determined in a 3-0 vote the requested variance did not satisfy the requirements essential for approving the requested variance. Specifically, the Variance Board concluded the applicant did not demonstrate practical difficulties preventing compliance with the fence regulations of the Zoning Code, specifically that alternative security measures and/or fence construction methods and designs could be utilized to achieve similar results.

WHEREAS, On March 15, 2024, Amarok filed an appeal to the decision of the Variance Board; and

WHEREAS, a public meeting date was scheduled for April 8, 2024, consistent with the requirements under Section 1009.08.B.3; and

WHEREAS, on April 8, 2024, a public meeting was held by the City Council, acting as the Board of Adjustment and Appeals to hear the appeal and issue a decision.

38 NOW, THEREFORE, BE IT RESOLVED, that the Board of Adjustment and Appeals of
39 the City of Roseville [AFFIRMS/REVERSES] the Roseville Variance Board's DENIAL of the
40 requested variance to §1011.08.A.3, Fences In All Districts, of the City Code concerning the
41 installation of a 10-foot tall, low-voltage, 12V/DC battery-powered, pulsed electric security
42 system inside the screened enclosure a Caliber Collision, 1914 County Road C, based on the
43 following findings:

44 A.

45 B.

46 C.

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

50 and the following voted against the same: .

51 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 8th day of, April, 2024, 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

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 9.a.

Department Approval



City Manager Approval



Item Description: Consider Ordinance Amending Chapter 801 of Roseville City Code,
Private Water Supplies

Background

At the February 26, 2024 City Council meeting, staff presented an updated ordinance to Chapter 801.22 of the Roseville City Code that regulates private water supplies, also known as wells. Currently, the ordinance prohibits new wells from being drilled unless some specific requirements are met. No new wells have been installed for at least the last 10 years. Existing wells can continue to be used until they fail. Staff is aware of 24 residential wells that are used for domestic use and are not connected to the City system. There are also likely other wells that are just used for irrigation that were previously used for domestic use.

Based on Council's discussion, staff did some additional research to determine what the appropriate distance should be from a watermain to require a City water connection.

Based on GIS analysis, staff determined the following:

- Parcels with existing City water connections
 - There are 43 existing parcels with water connections greater than 200'.
 - There are 6 existing parcels with water connections greater than 300'.
 - There is 1 existing parcel with a water connection greater than 400'.
 - There are 0 existing parcels with water connections greater than 500'.
- Parcels with existing private wells
 - There are two current wells properties that are over 200' from watermain.
 - One parcel is approximately 375' from the watermain.
 - The second parcel is unique. The house is approximately 275' from the watermain. They have City water for the garage which is located near the street, but not the house which is deeper in the lot. The connection from the garage where water is available to the house is approximately 175'.

Based on this analysis, staff proposes to require existing homes on wells that are within 400 feet of a watermain be required to connect to the City water system by July 31, 2035. Once connected to City water, they could still use the well for irrigation.

Staff is proposing to add this regulation to further reduce the risk of cross connections and to properly meter sewer discharges. Currently, these properties all have an assumed sewer use. The date chosen was to give residents adequate time to plan for the change. Additionally, as these wells get sealed, it further reduces the risks of contaminating the groundwater supply.

Recently, we have had about 1-2 wells per year get changed over to the City system as homes are sold or the wells began to fail. At this rate, there would likely only be a few wells that would need to be connected in 2035. All of the existing wells were drilled before the 1960's so they are over their expected design life.

All 24 well owners were notified of the council meeting to discuss the proposed ordinance change and were given a copy of the revised draft ordinance.

The overall ordinance update also further clarifies that new construction must connect to City water, regardless of availability of watermain. The only new wells allowed would be for monitoring purposes.

The City Attorney helped draft and reviewed the proposed ordinance.

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 with this ordinance.

Budget Implications

This ordinance amendment should have no overall impacts to the budget.

Staff Recommendations

Staff recommends adopting an ordinance amending Title 8, Chapter 801, of Roseville's City Code.

Requested Council Action

Consider adopting an ordinance amending Title 8, Chapter 801, of Roseville's City Code.

Prepared by: Jesse Freihammer, Public Works Director

Attachments: 1. Ordinance Amendment

City of Roseville
ORDINANCE NO.

AN ORDINANCE AMENDING
TITLE 8, SECTION 801.22

AMENDING TITLE 8 SECTION 801.22 OF THE ROSEVILLE CITY CODE TO
UPDATE REGULATIONS REALTED TO PRIVATE WATER SUPPLIES

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title 8, Section 801.22 is hereby amended to read as follows:

801.22: PRIVATE WATER SUPPLIES:

- A. Connection to Water System Prohibited: No water pipe of the municipal water system shall be connected with any pump, well, tank or piping that is connected with any other source of water supply. (~~Ord. 388, 4-22-1963~~)
- B. Continued Use after Connection to System: Private wells may be maintained and continued in use after connection is made to the water system, provided there is no means of cross-connection between the private well and ~~Municipal~~ municipal supply at any time. Hose bibbs that will enable the cross-connection of the two systems are prohibited on internal piping of the well supply system. The threads on the boiler drain of the well volume tank shall be removed or the boiler drain bibb replaced with a sink faucet. Where both private and ~~City~~ municipal systems are in use, outside hose bibbs shall not be installed on both systems. Existing wells that discharge to the sanitary sewer systems must have a water meter installed to calculate sanitary sewer charges.
- C. New Construction: All new construction must connect to the municipal water system.
 - ~~1. Water Main Available: All new homes or buildings shall connect to the Municipal water system if a water main is available to the property unless the City Council approves a private well where unusual circumstances exist.~~
 - ~~2. Water Main Unavailable: Where new homes or buildings do not have a water main available to the property, the City Council shall determine whether and under what conditions the Municipal water system will be extended to serve the property or a private well allowed. (Ord. 530, 3-20-1967)~~
- D. Existing Private Water System: ~~Existing private water systems may be continued and maintained.~~ All properties that are currently served by a private water system, but have municipal water available, must connect to the municipal water system no later than July 31, 2035. A property is considered to have "municipal water available" if the structure to be served is within 400 feet of a watermain. The City will impose a non-compliant property connection charge on the utility bill on all properties that do not connect to the municipal water system by July 31, 2035. The City fee schedule in Section 314.052 will establish the charge. Existing private water systems may continue to be used for irrigation, provided that

no connection to the municipal water system as described in Paragraph A above exists. Private wells serving such systems must meet the requirements of 801.22.B. may not be drilled without a permit from the Director of Public Works or the City Council. (Ord. 891, 12-14-1981)

E. Permit Required: No person shall drill any well without first obtaining a permit from the City and the Minnesota Department of Health. Application for such permit shall state the character, location and size of the proposed well. The permit fee shall be set by City Council resolution established in the City fee schedule in Section 314.053. (Ord. 891, 12-14-1981)

F. Requirements For Issuance: The ~~Director of Public Works~~ Director shall issue such permits only if one of the following exists:

~~1. The well will only serve one single family residence, and the use of the Municipal system would create a health problem for the occupants of such single family dwelling.~~

1. The well is to be used for monitoring purposes only and will be abandoned in accordance with State regulations at a set future date.

2. All other wells shall require a permit from the City Council. The City Council will issue such permits only after a determination that the private well will not interfere with the ~~Municipal~~ municipal system and that the property cannot be served by the existing ~~Municipal~~ municipal system. (Ord. 891, 12-14-1981; 1995 Code)

3. Upon the completion of the drilling of each and every well, the well driller shall notify the ~~Chief Code Enforcement Officer~~ Building Official and shall furnish the ~~Chief Code Enforcement Officer~~ Building Official with Minnesota Department of Health approved well records. with a visual pumping test of sufficient duration to determine the yield which shall be of a minimum rate of ten (10) gallons per minute. Within ten days after such a test of a well, the well driller shall file an affidavit with the Chief Code Enforcement Officer setting forth the results of the test, the capacity of the well, the pumping level, the depth of casing from grade and a description of the screen or rock formation. (Ord. 276, 5-19-1959; 1995 Code)

G. Well Pumps: No person shall install or replace a pump without first obtaining a permit to do so. Application for a permit to install or replace a pump for a well shall be made in writing to the ~~Chief Code Enforcement Officer~~ Building Official and shall state the manufacturer, type, horsepower, and rating of the proposed pump to be installed or replaced. The permit fee shall be set by City Council resolution established in the City fee schedule in Section 314.053. (Ord. 873, 12-22-1980; 1995 Code) (Ord 1590, 10-12-2020)

SECTION 2: Effective date. This ordinance shall take effect upon its passage and publication.

92 Passed by the City Council of the City of Roseville this ____ day of _____ 2024.

93
94
95 **Ordinance – *Title of Ordinance*** _____

96
97
98 (SEAL)

99
100
101 CITY OF ROSEVILLE

102
103
104 BY: _____
105 Daniel J. Roe, Mayor

106
107 ATTEST:

108
109
110 _____
111 Patrick Trudgeon, City Manager

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 9.b.

Department Approval



City Manager Approval



Item Description: Approve Issuance of Request for Proposal for the Replacement of the playground at Lexington Park

Background

As part of the City's Capital Improvement Program, all playgrounds in the City are on an asset replacement schedule in which playgrounds are generally planned for replacement when they reach the end of their expected life (typically 20 years), and their condition warrants. In the past two years, the playgrounds at Owasso Hills Park, Pioneer Park, and Keya Park were replaced as part of this program.

This year the playground at Lexington Park (2131 Lexington Avenue N) is due for replacement. The current playground is more than 20 years old and is showing its age both aesthetically and in overall condition.

Several factors make the Lexington Park playground unique in our system, including:

- Lexington Park is the second most visited park in the Parks and Recreation system.
- Lexington Park has a relatively new park building that includes a gathering space, warming house (for winter skating), and accessible restrooms which are open year round.
- Lexington Park has a large service area, which includes significant residential density and multifamily housing.
- The existing playground at Lexington Park is significantly larger than most Roseville playgrounds.

The adopted 2024 Capital Improvement Plan includes \$385,000 for the replacement of this playground. This budget takes into account the large size and unique footprint of the current playground. In preparation for the replacement of this playground, in October 2023, the Parks and Recreation Commission visited the site and provided some initial feedback. Commissioners generally felt that this asset replacement could be an opportunity for creativity and a special play experience for park users. In view of the opportunities that the site provides, the Friends of Roseville Parks (FOR Parks) has expressed interest in providing some additional funding to the project to allow for additional inclusion experiences, as opportunities are identified in the design process.

Staff are ready to begin planning for this project and seeking to engage a vendor who can participate throughout the engagement and planning process.

The attached draft Request for Proposal (RFP) utilizes the Best Value procurement method to identify a vendor who can most effectively utilize their experience and expertise to create a special play space for the park. Specifically, it is anticipated that a selected vendor and staff will engage stakeholders and will work collaboratively with the neighborhood to design, construct, and install the new playground on site.

38 Although a specific timeline will be proposed by the vendor as part of the procurement process, staff
39 currently anticipates the following milestones:

- 40 • June 2024: Vendor Selected and Contract Awarded
- 41 • Summer/Fall 2024: Community Engagement and Planning
- 42 • Spring/Summer 2025: Anticipated Project Completion

43
44 The Parks and Recreation Commission reviewed the project and discussed the proposed process and
45 issuance for the RFP at their April 2, 2024 meeting. The Commission recommended moving forward as
46 outlined above.

47 **Policy Objectives**

48 Completion of this project is consistent with the City's adopted Capital Improvement Plan and the Parks
49 and Recreation System Master Plan's goal of investing in aging infrastructure to ensure modern, well-
50 maintained parks.
51

52 **Racial Equity Impact Summary**

53 Parks and play spaces are key drivers of a more equitable community, in that they provide physical and
54 mental health benefits, connect neighbors across diverse backgrounds, and play an integral part to
55 creating a welcoming community.
56

57
58 Lexington Park's primary service area generally aligns with Census tract 27123041800. That tract
59 contains roughly 30% people of color and 7% people living with a disability. Vendors will be asked to
60 outline their community engagement strategy to ensure diverse perspectives are considered throughout
61 the process and reflected in the final product.

62
63 Additionally, staff and planners will continue to work with individuals with disabilities who have
64 participated in previous playground planning efforts.
65

66 **Budget Implications**

67 The current project budget is \$385,000, as was included in the 2024 adopted Capital Improvement Plan.
68 It is anticipated that this budget would be sufficient for a replacement playground that is similar in size
69 and play experience to what is currently on site.
70

71 The best value procurement process is unique in that it allows an experienced expert vendor to propose
72 potential opportunities for improvement upon a project based on their expertise and experience. Such
73 potential improvements would be discussed prior to issuance of notice to proceed and could be funded
74 through support from the Friends of Roseville Parks and other non-CIP funding sources.
75

76 **Staff Recommendations**

77 A motion authorizing staff to issue an RFP for the Replacement of the Lexington Park Playground, as
78 outlined above.
79

80 **Requested Council Action**

81 A motion authorizing staff to issue an RFP for the Replacement of the Lexington Park Playground, as
82 outlined above.
83
84

Prepared by:

Attachments: 1. Lexington Playground RFP DRAFT
2. Presentation



REQUEST FOR PROPOSAL

Lexington Park Playground Replacement

April 15, 2024

DRAFT

City of Roseville

REQUEST FOR PROPOSAL

April 15, 2024

SUBMITTAL GUIDELINES

Mail or deliver proposals in a sealed envelope or package with the respondent's name and address, Project number, and RFP title clearly marked on the outside of each sealed envelope or package. **Mail or hand deliver one (1) sealed envelope including: (1) signed and original and two (2) paper copies of your proposal to:**

Danielle Christensen
2660 Civic Center Dr.
Roseville, MN 55113

PROPOSALS MUST BE RECEIVED NO LATER THAN

11:00am . CDT TBD

**Late proposals will NOT be considered.
Do not submit copies to any other person**

INQUIRIES

The person designated below shall be the only contact for all inquiries regarding any aspect of this process and its requirements. All questions or inquiries should be sent via email. Do not contact any other employee or representative regarding this RFP unless specifically indicated or instructed to do so in writing by the person designated below.

Danielle Christensen
Danielle.Christensen@cityofroseville.com

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SECTION 1 - OVERVIEW OF THE RFP PROCESS AND GENERAL INSTRUCTIONS TO RESPONDENTS

1.1 QUESTIONS AND INQUIRIES

- Carefully read the information contained in this RFP and submit a complete response to all requirements specifications and directions, as directed.
- Respondents are requested to hold questions until the “Pre-Proposal Education for Vendors” meeting. Respondents who have questions about the RFP after the meeting should e-mail such questions to the Contact for the RFP Inquiries by the date noted in the tentative schedule of events. Responses to written questions which involve an interpretation or change to this RFP will be issued in writing by addendum and e-mailed to all parties recorded by the City as having received a copy of this RFP. All such addenda issued by the City prior to the time that proposals are received shall be considered part of the RFP.
- Respondents receiving this proposal other than directly from the City of Roseville are responsible for notifying the Contact for the RFP Inquiries that they are in receipt of a proposal package, and are responsible for providing a name, address, and e-mail in the event an addendum is issued.
- Only additional information provided by formal written addenda shall be binding. Oral and other interpretations or clarifications, including those occurring at the pre-proposal meeting, site visits, tours, etc. will be without legal effect.

1.2 TENTATIVE SCHEDULE OF EVENTS

- Be advised that these dates are subject to change as the City deems necessary.

RFP Issued	April 16
Pre Proposal Education for Vendor/s *	April 24
Vendor/s questions and inquiries deadline	May 8
RFP Responses due date	May 13
Short listing	May 15
Interviews	May 21
Identification of Potential Best Value (BV)	May 23
Clarification Phase Kick Off Meeting (Potential BV only)	May 29
Clarification Phase Summary Meeting (Potential BV only)	TBD
Final Council Approval	June 17
Anticipated Notice to Proceed	June 21

*** The Pre Proposal Meeting is mandatory and will be held online. Visit www.cityofroseville.com/parkrfp for meeting information.**

1.3 EVALUATION CRITERIA

- The vendor/s selected for an award will be the vendor/s whose proposal is responsive, responsible, and the most advantageous to the City, as determined by the City in its sole discretion. The City anticipates awarding to the best valued vendor. The vendor will be prioritized based on price, past performance of the vendor/s, and current performance capability as outlined in this document. The City anticipates that all vendors will have a fair and reasonable opportunity to provide service.
- Evaluation criteria will be weighed according to the following categories:

CATEGORY	WEIGHT	CRITERIA
Responsiveness	Pass/Fail	Reference RFP Section 3.1
Milestone Schedule	Pass/Fail	Reference RFP Section 3.9
Interview	350 Points	Reference RFP Section 3.8
Risk Plan	100 Points	Reference Attachment E
Project Capability	200 Points	Reference Attachment F
Value Added Plan	100 Points	Reference Attachment G
Cost	200 Points	Reference Attachment D
Past Performance Information	50 Points	Reference Attachment H; Exhibit 1

- The City reserves the right to add/delete/modify criteria or weights if it is in the City's best interest, as determined by the City in its sole discretion.

1.4 ISSUANCE OF RFP AND AWARD PROCESS

- Issuance of this RFP does not compel the City to award a contract. The City reserves the right to reject any or all proposals wholly or in part; to waive any technicalities, informalities, or irregularities in any proposal at its sole option and discretion. The City reserves the right to request clarification or additional information. The City reserves the right to re-solicit for proposals, or to temporarily or permanently abandon the procurement.
- If the City awards a contract, it will award the contract to the Respondent whose proposal is the most advantageous to the City, as determined by the City in the exercise of its sole discretion.

1.5 PROPOSAL SUBMISSION

- **NUMBER AND DESCRIPTION OF ORIGINAL AND COPIES:** Mail or hand deliver proposal sets as specified on the Submittal Guidelines Page (Page 2). All documents should be 8½" x 11". The copies should be bound in a manner that facilitates easy handling, photocopying, and reading by the evaluation committee. The original and the copies must read exactly the same.

- **LATE SUBMISSION:** Proposals received by the City after the Submittal Date and Time indicated on the Submittal Guidelines Page (Page 2) **WILL NOT** be considered. The Respondent assumes the risk of the method of dispatch chosen. Postmarking by the Submittal Time and date shall not substitute for actual proposal receipt.
- **RESPONDENT'S OFFER – SIGNATURE AND CERTIFICATION FORM:** The Respondent's Signature and Certification Form (Attachment A) must be signed by an authorized representative of your company. Include this signed document with the original proposal, and provide a copy of it with each copy of the proposal.

1.6 OWNERSHIP OF PROPOSAL

- All materials submitted in response to this request become the property of the City, and may become a part of any resulting contract. Award or rejection of a proposal response does not affect this right.

1.7 RELEASE OF CLAIMS, LIABILITY, AND PREPARATION EXPENSES

- Under no circumstances shall the City be responsible for any proposal preparation expenses, submission costs, or any other expenses, costs, or damages of whatever nature incurred as the result of a Respondent's participation in this RFP process. The Respondent understands and agrees that it submits its proposal at its own risk and expense, and releases the City from any claim or damages or other liability arising out of the RFP and award process.

1.8 PUBLIC PROPOSAL OPENING

- The City will open the responses on the Submittal Date and Time indicated. Respondents may attend the proposal opening. Only the names of the Respondents will be made public at the opening.

1.9 DURATION OF RESPONDENT'S OFFER

- The proposal constitutes an offer by the Respondent that shall remain open and irrevocable for the period specified on the Respondent's Offer – Signature and Certification Form (Attachment A).

1.10 ERRORS IN PROPOSALS

- The City shall not be liable for any errors in the Respondent's proposal. Except during negotiations initiated by the City, no modifications to the proposal shall be accepted from the Respondent after the Submittal Date and Time. The Respondent is responsible for careful review of its entire proposal to ensure that all information is correct and complete. Respondents are responsible for all errors or omissions contained in their proposals.

1.11 WITHDRAWING PROPOSALS

- Respondents may withdraw their proposal at any time prior to the Submittal Date and Time by submitting a written request to the Contact for RFP Inquiries indicated on

the Submittal Guidelines Page (Page 2). The written request must be signed by an authorized representative of the Respondent. The respondent may submit another proposal at any time prior to the Submittal Date and Time. No proposal may be withdrawn after the Submittal Date and Time without approval by the City. Such approval shall be based on the Respondent's submittal, in writing, of a reason acceptable to the City in its sole discretion.

1.12 ADDENDUM

- The City reserves the right to issue an addendum to the RFP at any time for any reason. If any addenda are issued such addenda shall be issued by The City prior to the time that proposals are received and shall be considered part of the RFP.

1.13 RESPONSES SUBJECT TO PUBLIC DISCLOSURE

- The City considers all information, documentation and other materials (collectively, "Materials" or "Items") submitted in response to this RFP to be of a non-confidential and/or non-proprietary nature, and therefore shall be subject to public disclosure after a contract is awarded. By submitting a proposal, the Respondent agrees to release the City from any liability resulting from the City's disclosure of such information. If submitting information in response to this RFP that you believe to be trade secret materials, as defined by the Minnesota Government Data Practices Act, Minnesota Statute Section 13.37 (MGDPA), follow these instructions:
 - A. Clearly and conspicuously mark any Materials you believe to contain trade secret information.
 - B. Enclose such Materials in a separate envelope, which itself is clearly and conspicuously marked "Confidential."
 - C. Include in the envelope an attorney's opinion for each item indicating the legal basis for regarding it as trade secret under the MGDPA.
- Your proposal may be rejected by the City in the exercise of its sole discretion if any of these three requirements are not met. The Respondent also agrees to defend any action seeking release of the Materials believed to be trade secret, and indemnify and hold harmless the City, its Regents, agents, and employees from any judgments or damages against the City in favor of the party requesting the Materials and any and all costs connected with that defense. Additionally, the Respondent understands and agrees that in the event a request is made under the MGDPA, the City will notify the Respondent of such request, but under no circumstances shall the City be required to commence or defend any action to prevent the disclosure of any Materials which the Respondent believes to be trade secret or confidential.

1.14 RESPONSIBLE PROPOSERS (RESPONDENTS)

- The City reserves the right to award project contracts only to the responsible respondents. Responsible respondents are defined as companies that meet the requirements of this RFP and demonstrate the financial ability, resources, skills, capability, willingness, and business integrity necessary to perform the contract. The

City's determination of whether a Respondent is a responsible respondent is at the City's sole discretion.

1.15 NOTIFICATION OF AWARD

- If the City makes an award as a result of this RFP process, the City will deliver to the selected Respondent a notice of selection. The resulting project contract shall consist of (but not limited to):
 - a. The terms, conditions, specifications, and requirements of this RFP and its attachments,
 - b. Any addenda issued by the City pursuant to this RFP,
 - c. All representations (including, but not limited to, representations as to performance, and financial terms) made by the Respondent in its proposal and during any interview(s), meeting(s), or presentation(s) or demonstrations for the benefit of the City,
 - d. Any mutually agreed upon written modifications to the terms, conditions, specifications, and requirements to his RFP or to the proposal,
 - e. Risk Assessment and Value Added Plan
 - f. The Clarification Phase Document
 - g. Proposal Form

1.16 SUBCONTRACTING

- Unless otherwise agreed to in writing by the City, the successful Respondent(s) shall be responsible for the performance of any subcontractors. Use of subcontractors in the performance of the contract is subject to City consent. The awarded consultant(s) must ensure that any subcontractors abide by all terms and conditions of the contract.

SECTION 2 - BACKGROUND / SCOPE OF WORK

2.1 BACKGROUND

Parks and Recreation Mission Statement and Promise

- **Parks and Recreation Mission Statement**
Roseville Parks and Recreation exists to provide diverse programs and facilities, sustain park lands and preserve natural resources for today's citizens and future generations.
- **Community Promise**
As citizens and customers you deserve the best possible service, programs and facilities. We, the Roseville Parks and Recreation staff, promise to do everything possible to cheerfully and respectfully serve you by providing clean, safe facilities; enjoyable, safe programs; and timely and effective service, which includes listening and responding to your suggestions and concerns.

Parks and Recreation System Profile

Roseville Parks and Recreation maintains 32 parks, 679 acres of parkland and open space, 67 miles of trails and walkways; manages a variety of recreation, leisure and sport facilities and offers thousands of recreation and leisure programs and special events annually. Roseville is a suburban community of 36,254, located in the northern Minneapolis/St. Paul metropolitan area. Located on two major highways (I-35W & State Highway 36), it borders both Minneapolis and St. Paul, and is a short commute to either downtown area. Roseville is considered the retail and commercial hub of the northeast suburban area. Roseville was incorporated as a city in 1948 with a population of 4,589. The City experienced dramatic growth in both population and commercial development in the 1950s and '60s. Since then, the City has shifted its focus from planning to redevelopment and preservation. Today Roseville is a mixed-land use community with established neighborhoods, ample open space, and vibrant retail and commercial development.

Roseville Parks and Recreation is a dynamic organization that works to develop, plan, promote and manage a variety of recreation activities and facilities to meet community preference and needs. Roseville Parks and Recreation understands that quality of life is vital to the residents of Roseville. The many facilities and numerous recreation programs and special events contribute directly to the health and well-being of the entire community.

2.2 DETAILED SCOPE OF WORK

The City of Roseville invites Respondents to submit a proposal for services required for the design and implementation of the Playground area upgrade at Lexington Park located at 2131 Lexington Avenue. The City's preliminary anticipated budget is \$375,000.

The current playground at Lexington Park was installed in 2002. The playground is Roseville's third most-used, and has a service area that spans the whole City. When planning the playground, specific attention shall be provided to understanding the needs of historically underrepresented populations.

At minimum, the new playground should be similar in size (roughly 9,000 square feet), and play value to what is currently on site.

The services will include the following

1. Propose a neighborhood engagement process to engage the community in a collaborative design process. Neighborhood engagement process must ensure the new play area aligns with identified neighborhood and community program and create positive intergenerational and diverse ongoing play experiences for all Roseville Park System users.
2. Propose methods of installing play areas that rely on a single play area contractor selected through this RFP process and/or that require collaboration with other contractors performing work at the park
3. The play structure and all components must meet all CPSC guidelines. The structure must meet ADA standards. This includes the provision of accessible safety surface leading to access points. Additionally, the City would like this project to favor heavily in inclusivity. The surfacing requirements should reflect this.
4. Work with City staff to identify and document the highest value standards for play area construction and implementation. These may include safety surface, play pan construction, amenities, shade structures, fencing, accessibility methods, and other features of play areas using current play philosophies and methods of creating safe, engaging, and compelling play experiences.
5. Recommend options for re-use, recycling, or disposal of existing equipment to be replaced, considering economic, environmental, and social factors.
6. Work with City Staff to establish program for fully implementing design and construction standards for play area that results in a consistent and integrative approach to play area design, installation, and maintenance.
7. Identify any purchasing programs that could be utilized to maximize value for the City.
8. Define a construction schedule that allows for play area improvements to be completed by June 1, 2025.
9. Provide an operations and maintenance manual including manufacturer's detail sheets for each component included in the construction; the manual shall be submitted in draft form for review by City staff; the project shall not be considered complete and any warranty periods shall begin until the manual has been approved by City staff.
10. Proposals shall be accepted for complete turnkey play areas and shall include all play components, site work, play area curbs and paths/walks, drainage systems, safety surfacing, and other related components and the installation of all components. The work shall include construction fencing sufficient to protect the public from construction activities and equipment, to prevent public access to the construction site, and to maintain construction site safety. The contractor shall also be responsible for erosion control, protection of existing improvements intended to remain, and procurement of any permits required for construction of the improvements.
11. Coordinate planning and installation efforts in concert with Park and Recreation Staff,. Utilize City of Roseville Parks Superintendent as much as possible to keep cost to the City down. Identify the role of the Parks Superintendent in the neighborhood engagement process, design, and implementation of play areas considering ways in which the greatest value can be achieved in the play area improvements."

Services Provided by City

The City of Roseville will provide the following:

1. Technical assistance and information as requested
2. Input and review as requested
3. Staff liaison
4. Electronic base maps of existing conditions for current Playground area
5. Mailings to neighborhoods and constituents

The City Parks and Recreation Division will provide primary support for the vendor/s. The Parks and Recreation Director and the Parks Superintendent will be heavily involved in the entire process and will collaborate with the Respondent at all levels. Other City Staff will be involved as appropriate, i.e. City Communications will be involved in coordinating public awareness, recreation program staff will be involved in identifying trends, obstacles, communicating public meetings, etc. The City of Roseville has several media outlets, including a web site, social media and City newsletters among other methods that may be used to keep the public informed on the process. Because of the publication deadlines, communications to the public will often need to be planned well in advance.

2.3 DELIVERABLES

The vendor/s is expected to deliver fully operational “turnkey” play area projects per standards and schedule as outlined above. As the projects move forward through the vendor’s design process, we will require final approval from the City. This approval will serve as the “go-ahead” for the construction process and production of final project deliverables. The deliverables shall include:

1. Proposed play area designs per information provided within this RFP
2. Electronic copies and 3 hard copies of proposed playground design documents including full site plans
3. Electronic “As Built” drawings
4. Construction/installation of proposed designs
5. Supply City warranty information

Project Schedule

Once the vendor or vendors have been selected, the actual planning schedule will be solidified for each project. An implementation schedule has been proposed as a part of this RFP. This proposed schedule shall be used as a basis to provide a detailed schedule for neighborhood meetings and implementation of play areas. Vendor/s shall provide a detailed work plan that addresses all major tasks and milestones to be accomplished throughout the process. The City desires complete installation no later than May 15, 2025.

Task Timeframe

It is expected that upon a contract award the vendor/s will begin work immediately in a manner that is consistent with the final work plan developed in cooperation with and approved by the City of Roseville. The final work plan will include detailed methods and milestones, incorporate expectations described in the RFP, and the scope of work.

2.4 TERMS AND CONDITIONS

The selected Respondent will enter into a contract substantially similar to the example below with the City of Roseville. The contract shall be effective from the date it is entered into until full completion and required approval of the above deliverables. Respondents should clearly identify any proposed deviations from the contract terms and conditions in their proposal response.

Example contract

SAMPLE CITY STANDARD PROFESSIONAL SERVICES CONTRACT

CITY OF ROSEVILLE PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made on the _____ day of 20____, between the City of Roseville, a Minnesota municipal corporation (the “City”), and [NAME OF CONTRACTOR], a [TYPE OF ENTITY] (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 [DATE]. Unless extended by written agreement of the Parties, this Agreement will terminate no later than [DATE], or upon completion of the Work, whichever occurs first. This Agreement may be terminated earlier by the City with or without cause, by delivering, a written notice at least thirty (30) days prior to the date of such termination to Contractor. 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 B** 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.

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: [NAME, TITLE]

To Contractor:

Attn: _____

6. Assignment or Subcontracting. Unless noted otherwise in Exhibit A, 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, at Contractor’s expense, as follows:

- a. Workers Compensation insurance for all employees performing Work under this agreement in accordance with Minnesota law. The Contractor shall also provide Employer’s Liability Insurance with minimum limits as follows:
 - \$500,000 – Bodily Injury by Disease per employee
 - \$500,000 – Bodily Injury by Disease aggregate
 - \$500,000 – Bodily Injury by Accident

If Minnesota Statutes, Section 176.041 exempts the Contractor from Workers’ Compensation insurance, the Contractor must provide a written statement, signed by an authorized representative, indicating the qualifying exemption that excludes the Contractor from the Minnesota Workers’ Compensation requirements.

- b. [CHECK WITH CITY ATTORNEY] Professional/Technical (Errors and Omissions) Liability Insurance

For contractors providing professional services as determined by the City, the Contractor is required to maintain Professional Liability (Errors and Omissions) Insurance that provides coverage for all claims the Contractor may become legally obligated to pay resulting from any actual or alleged negligent act, error, or

omission related to the Contractor's professional services required under the contract.

The Contractor is required to carry the following minimum limits:

- \$2,000,000 – per occurrence
- \$2,000,000 – annual aggregate

The retroactive or prior acts date of such coverage shall not be after the effective date of the contract and the Contractor shall maintain such insurance for a period of at least two (2) years, following completion of the work. If such insurance is discontinued, extended reporting period coverage must be obtained by the Contractor to fulfill this requirement.

- c. [CHECK WITH CITY ATTORNEY] Commercial General Liability Insurance: The Contractor is required to maintain Commercial General Liability Insurance protecting it from claims for damages for bodily injury, including death, and from claims for property damage, which may arise from operations under the contract. This policy shall have no coverages removed by endorsement. Insurance minimum limits are as follows:

- \$1,500,000 – per occurrence
- \$2,000,000 – annual aggregate
- \$2,000,000 – annual aggregate – Products/Completed Operations

The following coverages shall be included:

- Premises and Operations Bodily Injury and Property Damage
- Personal and Advertising Injury
- Blanket Contractual Liability
- Products and Completed Operations Liability

The City, including its elected and appointed officials, employees, and agents, must be endorsed as an Additional Insured using ISO Form CG 20 10 or equivalent for Ongoing Operations and ISO Form CG 20 37 or equivalent for Products/Completed Operations.

- d. Business Automobile Liability Insurance.

The Contractor is required to maintain Business Automobile Liability Insurance protecting it from claims for damages for bodily injury, including death, and from claims for property damage resulting from the ownership, operation, maintenance or use of all autos which may arise from operations under the contract. Insurance minimum limits are as follows:

- \$1,000,000 – per occurrence Combined Single Limit for Bodily Injury and Property Damage
- The following coverages shall be included: Owned, Hired, and Non-owned Automobiles.

e. Additional Insurance conditions:

- The Contractor's policies shall be primary insurance and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the Contractor's performance under the contract.
- An Umbrella or Excess Liability insurance policy may be used to supplement the Contractor's policy limits to satisfy the full policy limits required by the contract.
- All insurance shall be provided on an occurrence basis and not on a claims-made basis, except professional liability insurance or other coverage not reasonably available on an occurrence basis; provided that all such claims-made coverage is subject to the approval of the City Attorney.
- Any insurance limits in excess of the minimum limits shall be available to the City.
- All policies, except professional liability, shall be endorsed with a waiver of subrogation in favor of the City, including its elected and appointed officials, employees, and agents for losses arising from activities under the contract.
- Deductibles and self-insured retentions must be declared to and approved by the City. The City may require the Contractor to provide proof of ability to pay losses and related expenses within the deductible and retention.
- The Contractor is required to submit a Certificate of Insurance acceptable to the City as evidence of the required insurance coverage requirements.
- The Contractor's policies and Certificate of Insurance shall contain a provision that coverage afforded under the policies shall not be cancelled without at least thirty (30) days' advanced written notice to the City, or ten (10) days' written notice for non-payment of premium.
- The Contractor is responsible to review and ensure all subcontractors comply with the insurance provisions contained herein and said insurance is maintained as specified.
- If the City authorizes the Contractor to be self-insured, a Certificate of Self-Insurance must be attached.
- The Contractor shall obtain insurance policies from insurance companies having an "AM BEST" rating of A- (minus); Financial Size Category (FSC) VII or better, and authorized to do business in the State of Minnesota, or as approved by the City.
- The City reserves the right to immediately terminate the contract if the Contractor is not in compliance with the insurance requirements and retains all rights to pursue any legal remedies against the Contractor.

- All insurance policies must be open to inspection by the City, and copies of policies must be submitted to the City's authorized representative upon written request.
- The City's failure to approve or disapprove the Contractor's policies or certificates shall not relieve the Contractor of full responsibility to maintain the required insurance.
- If the coverage period shown on the Contractor's current certificate of insurance ends during the duration of the project, the Contractor must, prior to the end of the coverage period, obtain a new certificate of insurance showing that coverage has been extended.
- No representation is made that the minimum insurance requirements are sufficient to cover the obligations of the Contractor under the contract.
- 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.

(The remainder of this page has intentionally been left blank.)

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IN WITNESS WHEREOF, the undersigned Parties have entered into this Agreement as of the date set forth above.

CITY OF ROSEVILLE

[CONSULTANT]

By: _____
Mayor

By: _____
Its: _____

By: _____
City Manager

By: _____
Its: _____

DRAFT

SECTION 3 - STRUCTURE AND CONTENT OF SUBMITTAL

3.1 RESPONSIVENESS (Pass/Fail)

- Respondents must prepare submissions that follow the format and sequence specified in this RFP. This includes adherence to the format of any attachments.
- The following conditions/criteria must be met in order to be considered responsive:
 - (1) The Respondent will complete and provide all information in **Attachment A**.
 - (2) The Respondent will complete and provide all information in **Attachment B**.
 - (3) The Respondent will complete and provide any exceptions in **Attachment C**.
 - (4) The Respondent will complete and provide all information in **Attachment D**.
 - (5) The Respondent will complete and provide all information in **Attachment E**.
 - (6) The Respondent will complete and provide all information in **Attachment F**.
 - (7) The Respondent will complete and provide all information in **Attachment G**.
 - (8) The Respondent will complete and provide all information in **Attachment H**.
 - (9) The Respondent will complete and provide all information in **Attachment I**.

3.2 FORMATTING REQUIREMENTS

- The formatting requirements apply to the following Attachments. Any additional formatting requirements will be identified each Attachment's description.
 - Attachment E – Risk Plan
 - Attachment F – Project Capability Plan
 - Attachment G – Value Add Plan
- In order to minimize any bias, the attachments identified above must NOT contain any names that can be used to identify who the Respondent is (such as company names, personnel names, project names, product names, etc.). A template for each Attachment is provided in this document and must be used by all Respondents. Respondents are NOT allowed to re-create, re-format, or modify the template (cannot alter font size, font type, font color; add colors, pictures, diagrams, etc.). An electronic copy of this document is available for download and must be used. Each individual attachment must NOT exceed **two (2) pages** and should be completed only on the front side of each page.
- Indicate the applicable Project Number(s) on the attachments identified above.

3.3 PROPOSAL INFORMATION

- The Respondent will prepare and submit a proposal form (Attachment D)
- All required information must be filled out

3.4 RISK PLAN

- Respondent should list and prioritize major risk items on this project could cause the Respondent's "vision" or "plan" to deviate or not meet the expectations of the client (i.e. risks that the Respondent does not control). This includes sources, causes or

actions that are beyond the scope of the contract that may cause cost increases, delays, change orders, or dissatisfaction from the Owner. Do not include in this submittal any risks caused by a lack of the Respondent's technical competency. The risks should be described in simple terms so that non-technical personnel can understand the risk. The Respondent must also explain how they will mitigate, manage, and/or minimize the risk from occurring. A mitigation and management plan with supporting documented performance references is required for a high rating from the selection committee. This performance information may include where the mitigation plan was used previously, and the impact on performance in terms of customer satisfaction and the number of times it was used and successful.

Evaluation

- The Evaluation Committee will review and rate each Risk Plan document. To receive a high rating, the Respondent must support / document their capability to mitigate, manage, and minimize the risk with either verifiable performance metrics or best value practices with performance measurements references. A submittal that does not support a claim of risk mitigation with performance measurements (previous job customer satisfaction measurements, scope of the measured projects, on time and on budget percentages, deviation rates or a combination of performance measurements that support the claim) may not help the Respondent to gain a high rating.

3.5 PROJECT CAPABILITY PLAN

- The Respondent must submit Attachment F. The Project Capability Plan is to allow the Respondent to differentiate their capability to meet the requirements of this project with a plan that meets time and cost goals. The Respondent must also identify their "vision" or "plan" on the alignment of their expertise over the duration of the project, minimizing risk by tracking time and cost deviation of the project as a capability. The Respondent should also address cash flow and disbursements on the project, and how it is integrated into the schedule. All activities associated with capabilities listed in the Plan must be included in the Respondent's base cost and schedule.

Evaluation

- The Evaluation Committee will review and rate each Project Capability Plan. The evaluators will not be provided with names or any other information prior to evaluating the Plan (to minimize any personal bias). To receive a high rating, the Respondent must use either verifiable performance metrics or best value practices with performance measurements references. The performance information is the documentation that supports the Respondent's claims and which will lead to a high rating.

3.6 VALUE ADDED PLAN

- The Respondent must submit Attachment. G. The Value Added Plan provides Respondents with an opportunity to identify any value added options or ideas that may benefit the Owner. These options or ideas may also be referred to as additional or optional services. Where applicable, the Respondent should identify:
1) what the client may have excluded or omitted from its scope; and 2) how these options or ideas have been successful through verifiable performance information and/or best value practices. The Respondent should identify and briefly describe any options, ideas, alternatives, or suggestions to add value to this project, and indicate how the items will increase or decrease cost (note: a Value Added option **must** have

an associated cost impact). All items should be listed in terms of a proposed dollar amount for the value add (either addition or subtraction). The ideas identified in the VA Plan must NOT be included in the Respondent's Total Cost. If applicable, the Respondent should identify if the Value Added claim increases or decreases schedule.

Evaluation

- The Evaluation Committee will review and rate each Value Added Plan. The evaluators will not be provided with names or any other information prior to evaluating the Plan (to minimize any personal bias). To receive a high rating, the Respondent must support value-added options or ideas with either verifiable performance metrics or best value practices with performance measurements references.

3.7 PAST PERFORMANCE INFORMATION

- The Respondent will be required to submit a separate Attachment H for each entity listed below. Past Performance Information (PPI) will be analyzed on the critical entities listed below:
 - Vendor
 - Project Manager
- Please refer to the documents referenced in Exhibit 1 for information on how to collect and submit the PPI Surveys, and information on accessing the PIPS Closeout Survey database. Failure to submit PPI Surveys for a particular entity, if a PIPS Closeout Survey Score is not on file, may jeopardize your proposal's competitiveness.

3.8 INTERVIEWS

- The City may shortlist (if necessary) the top rated Respondents. The shortlisted Respondents will be required to participate in an interview period. Each Respondent should be prepared to discuss and substantiate any area of its proposal, its own proposals for the services required, and any other area of interest relevant to its proposal. The City may interview all critical team members, including (**but not limited to**):
 - Project Manager
- The Owner may also request to interview additional personnel. The City will interview individuals separately. No other individuals (from the Respondent's team or company) will be allowed to sit in, or participate during, the interviews. The City may request additional information prior to interviews. Interviews will consist of a list of questions asked by the City to the Interviewee. Respondents will not be permitted to give a formal presentation, bring in notes, or distribute handouts.
- Important Note: All proposed team members must be available in person for interviews on the date specified in this solicitation. No substitutes, proxies, phone interviews, or electronic interviews will be allowed. Individuals who fail to attend the interview may be given a score of "1" (out of "10"), which may jeopardize the firm's competitiveness. Information presented during the interview may be incorporated into the Contract Documents.

3.9 MILESTONE SCHEDULE

- The Respondent will prepare and submit information regarding their proposed milestone schedule for the Project. The Respondent must take into account any critical dates identified in Section 2 when building their schedule. The milestone schedule is not weighted, nor rated by the Evaluation Committee, but the milestone and detailed schedules will be reviewed and clarified during the Clarification Phase. Failure to complete may result in disqualification.

SECTION 4 - SELECTION OF BEST VALUED CONTRACTOR

4.1 ANALYSIS OF PROPOSALS

- All responsive Respondents will be evaluated based on the criteria outlined in Sections 1.3 and 3. The City may use a decision making tool to assist them in analyzing and prioritizing the Respondents based on the submitted information. All responsive proposals will be evaluated based on the criteria and weights outlined in Section 2.3. The City will initially evaluate each project separately.
- The City will determine the potential best-valued Respondent who, in the sole judgment of the City, best meets the requirements of the project. The City reserves the right to clarify or seek additional information on any proposal. The City also reserves the right to re-scope the project, waive irregularities and informalities, and/or cancel and reject all proposals.
- The City shall use a simple linear relationship model to assist in analyzing and prioritizing the proposals based on the submitted information. This model will assign the most points to the Respondent with the best score in each criterion, and fewer points to the other Respondents (based on their relative distance from the best). See the example below (this is only an example).

No	Criteria	Weight	Firm A	Firm B	Firm C	Firm A (Score)	Firm B (Score)	Firm C (Score)
1	Interview	350	5.5	7.0	9.5	203	258	350
2	Cost Proposal	250	\$10,000	\$15,000	\$12,500	250	167	200
3	Risk Plan rating	150	3.5	3.0	8.5	62	53	150
4	PC Plan rating	100	6.5	5.0	7.5	87	67	100
5	VA Plan rating	100	7.2	7.0	9.0	80	78	100
6	PPI score	50	9.5	9.1	9.8	48	46	50
Overall Score:						730	668	950

- In the "Score" column, Firm A receives "250" points for cost because they have the lowest cost. Firm B receives "167" points for cost ($\$10,000/\$15,000 \times 250$ points). Firm C receives "200" points for cost because ($\$10,000/\$12,500 \times 250$ points). The same procedure is repeated for all the criteria/data, and then the Overall Score is calculated for each Firm.

4.2 IDENTIFICATION OF POTENTIAL BEST VALUE

- After prioritizing all of the Respondents by project, the City will identify the potential

best valued vendor/s in the following manner:

- 1) If the highest ranked vendor/s's Total Cost is within budget and their cost is not more than 15% higher than the next highest ranked consultant's Total Cost, then they will be invited to the Clarification Phase.
 - 2) If the highest ranked consultant is within budget, but is greater than 15% of the second highest ranked consultant's Total Cost, the City reserves the right to invite the second highest ranked consultant to the Clarification Phase.
 - 3) If the highest ranked consultant's Total Cost is over-budget, the City reserves the right to proceed to the highest ranked consultant within the budget (or the City may seek additional funding to proceed with a Consultant that is over the budget).
 - 4) If all of the consultants' Total Costs are over-budget, the City may: obtain additional funds, re-scope the project, or cancel the project.
- If any proposal has a Total Cost that is greater than 15% above or below the average Total Cost of all proposals, the City reserves the right to not consider the proposal.

4.3 CLARIFICATION PHASE

Overview

The Clarification Phase is carried out prior to the signing of the contract. The City's objective is to have the project completed on time, without any Respondent cost increases or delays, and with high customer satisfaction. At the end of the project, the City will evaluate the performance of the Respondent based on these factors, so it is very important that the Respondent pre-plans the project to ensure there are no surprises.

It is the Respondent's responsibility to ensure it understands the scope of the project and clearly identify what they are delivering, and to manage and mitigate the risk of the project. It is the City's responsibility to ensure that it conveys any potential concerns and issues before the contract is signed.

The Clarification Phase provides the Respondent with an opportunity to identify "what is in" and "what is out" of their proposal. This is attached with a milestone schedule and a cost. The City has the right to accept or deny this proposal. The City also has a right to identify their perceived risks, concerns, and issues which it will require the Respondent to mitigate and manage. The major products of the Clarification Phase include the scope of the project, the milestone schedule, the Risk Management Plan (RMP), the cost breakout of the project, and the weekly risk report (WRR). The pre-planning should include all coordination and identification of all risks that cannot be controlled by the Respondent.

In many cases, one of the Respondent's biggest risks (in terms of delivering the service with high satisfaction) is the client. Therefore, it is in the Respondent's best interest to identify any issues or concerns ahead of time during the Clarification Phase. The Respondent should minimize their risk by creating documentation that assists them to be proactive in mitigating risk.

Pre-Planning and Coordination

Respondents may be required to provide the City with supporting documentation of any information listed in their submittals before entering the Clarification Phase. Once the potential best value Respondent is notified, the City may provide a list of risks identified by the other Respondents and a list of any City issues or concerns.

The City requires that the Respondent conduct a Kick-Off Meeting to present their

proposal, the milestone schedule, their risk management plan (RMP), and to seek additional issues or concerns that the City may have. It is also an opportunity to meet all participants who may be a stakeholder in the project. The Respondent is required to perform the following functions as part of, or in preparation for, this Kick-Off Meeting:

- Ensure that the City has invited all City stakeholders and participants to the meeting (including client, subcontractors, designer / AE, interested parties, etc.)
- Present the scope of their services (“what is in” and “what is out”).
- Present their milestone schedule and their risk management plan (RMP). This includes risks and potential mitigation to the risks.
- Identify client responsibilities.
- Identify any RFIs that the Respondent may have.
- Listen to concerns, issues, and comments from the stakeholders.
- Propose a schedule to complete the Clarification Phase and the contract documents.

Once the Clarification Phase Kick-off Meeting is held, and if the City is comfortable with the Respondent's proposal, the Clarification Phase begins. The Respondent will be required to complete the following:

- Revisit the site/buildings/campus to do any additional investigating.
- Coordinate with all parties that will be involved with the project.
- Resolve concerns and issues they have with mitigating actions.
- Finalize the Clarification Phase Documents (contract, WRR, milestone schedule, RMP, project scope.)

Clarification Phase Documents

The final Clarification Phase Document must include the following:

- Finalized scope documents
- Risk Management Plan (RMP)
- Milestone schedule
- Weekly Risk Report format (WRR)
- Project financial summary.
 - The Respondents Original Project Cost
 - A list of agreed/accepted Value Added Options (with impact to cost)
 - A list of agreed upon Scope Changes or Additional Work (if applicable) (with impact to cost)
- Complete detailed project or services schedule.
- Project action item checklist of client actions.
- Project and emergency contact list.

Clarification Phase Summary Meeting

The Clarification Phase Summary Meeting is held at the end of the Clarification Phase and is used to present a summary of what was developed and agreed upon during the Clarification. The Clarification Phase meeting is not a question and answer session. All coordination and planning with the client should be done prior to the meeting.

The Respondent should give a presentation, which walks the City through the entire project and summarizes all of the coordination and planning done during the Clarification Phase. The Respondent should bring their team. The Respondent should come with documents explaining what the City is responsible for in this project and should identify

exactly what they want from the City with due dates. The Respondent must convince the City that they have minimized all risks and will not be surprised once the project begins. The Clarification Phase Summary meeting presentation (and meeting minutes, if applicable) will become part of the contract along with the other documents from the Clarification Phase Document.

SECTION 5 – POST AWARD PROCEDURES

POST PROJECT EVALUATION

Upon completion of each project, the Respondent will be evaluated based on their performance on the project. This includes, but is not limited to: overall quality, ability to manage the project, ability to minimize complaints, ability to minimize City's efforts, ability to minimize project delays, ability to minimize cost increases, and submission of accurate weekly reports.

The final rating will be replace the Consultant's PPI score, and may be considered on future projects.

ATTACHMENTS

ATTACHMENT A:	Respondent Offer- Signature and Certification Form
ATTACHMENT B:	Respondent Profile Form
ATTACHMENT C:	Exception to Award Terms and Conditions
ATTACHMENT D:	Proposal Form
ATTACHMENT E:	Risk Plan Template
ATTACHMENT F:	Project Capability Plan Template
ATTACHMENT G:	Value Added Plan Template
ATTACHMENT H:	Reference List and Past Performance Information Score
ATTACHMENT I:	Statement of Non-Collusion
EXHIBIT 1:	Past Performance Information

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ATTACHMENT A

RESPONDENT OFFER - SIGNATURE AND CERTIFICATION FORM

The undersigned has carefully examined all instructions, requirements, specifications, terms and conditions of this RFP; understands all instructions, requirements, specifications, terms and conditions of this RFP; and hereby offers and proposes to furnish the products and/or services described herein at the prices quoted in the Respondent's proposal, and in accordance with the requirements, specifications, terms and conditions of this RFP.

The Respondent also certifies:

1. Its proposal is a valid and irrevocable offer for the City's acceptance for a minimum of 90 days from the Submittal Date and Time shown in the Submittal Guidelines (Page 2) of this RFP to allow time for evaluation, negotiation, selection, and any unforeseen delays, and that its proposal, if accepted, shall remain valid for the life of the contract.
2. It is a reputable company regularly engaged in providing products and/or services necessary to meet the requirements, specifications, and terms and conditions of this RFP.
3. It has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the requirements, specifications, and accepts terms and conditions of this RFP.
4. It is aware of, is fully informed about, and is in full compliance with all applicable federal, state, and local laws, rules, regulations, and ordinances.
5. All statements, information, and representations prepared and submitted in response to this RFP are current, complete, true, and accurate. The Respondent acknowledges that the City will rely on such statements, information, and representations in selecting the successful Respondent.
6. It is not currently debarred or suspended from doing business with the Federal Government, the State of Minnesota, the City of Roseville, or any of their respective agencies.
7. It shall be bound by all statements, representations, warranties, and guarantees made in its proposal, including but not limited to, representations as to performance, and financial terms.
8. Submission of a proposal indicates the Respondent's recognition that some subjective judgments may be made by the City as part of the evaluation.

Signature:

Name (type or print):

Title (type or print):

Date:

ATTACHMENT B

RESPONDENT PROFILE FORM

Purchase Orders should be faxed to:

Vendor Name:	
Contact Person:	Title
Street:	
City, State, Zip:	
Phone:	Fax:
Web Address:	
E-Mail Address:	

Payments should be mailed to:

Vendor Name:	
Contact Person:	Title:
Street:	
City, State, Zip:	
Phone:	Fax:
Do you accept Master Card?	Yes: _____ No: _____
Payment Terms: Net 30	
Federal Tax ID# or Social Security #:	MN State Tax ID#:
Signature of Authorized Agent:	Date:

ATTACHMENT D

PROPOSAL FORM

PROJECT TEAM

Name Vendor:

Name of Project Manager:

PRELIMINARY PROPOSAL

Briefly summarize your initial proposal including amount of equipment, type of surfacing, play value and other elements. It should be understood by the vendor that this preliminary proposal will likely change significantly through the community engagement process.

FOOTPRINT

What is the proposed footprint of your preliminary proposal (what is the square footage, and would you use existing curb or repour).

ENGAGEMENT PLAN

Briefly summarize a plan for engaging with the community to ensure that the final proposed plan meets the needs of the neighborhood.

BINDING PROJECT COMPLETION DATE

Please indicate the date on which the project will be available for use (completely installed), if the above proposal and engagement plan are implemented.

COST

NOTE: Annotate "N/A" in the lump sum field if the Respondent is not proposing on certain Project(s)

(project budget)

\$ _____ (Lump Sum)

BINDING PROJECT COMPLETION DATE

Include a brief summary and renderings of two projects that your company completed that are similar in size and cost to what was proposed above. Summary should include the final turnkey budget, and any other relevant information.

Name of Company

Printed Name of Firm Representative

Signature of Firm Representative

Phone

Fax

Date

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ATTACHMENT E

RISK PLAN

This template must be used. The Risk Plan should address the risks that the Respondent **does NOT control**. The risks should be prioritized (list the greatest risks first). The Respondent may add or delete Risk table templates, but do not exceed the **2-page** limit. Do NOT include any identifying information in the Plan. Information listed under the "Documented Performance" line may describe where the Respondent has used the approach or solution previously, and what the results were in terms of verifiable metrics.

APPLICABLE PROJECT NUMBER(S): _____

Risk 1 Description:

Solution:

Documented Performance:

Risk 2 Description:

Solution:

Documented Performance:

Risk 3 Description:

Solution:

Documented Performance:

Risk 4 Description:

Solution:

Documented Performance:

Risk 5 Description:

Solution:

Documented Performance:

ATTACHMENT F

PROJECT CAPABILITY PLAN

This template must be used. The Project Capability Plan should identify the Respondent's **capability to meet the project's requirements** with a plan that meets time and cost goals. The capability claims should be prioritized (list the most important claims first). The Respondent may add or delete Project Capability Claim table templates, but do not exceed the **2-page** limit. Do NOT include any identifying information in your Plan. Information listed under the "Documented Performance" line may describe where the Respondent has used the approach or solution previously, and what the results were in terms of verifiable metrics. Be sure to include all key elements of the project including **engagement, design, and installation**; and budget of the project.

APPLICABLE PROJECT NUMBER(S): _____

Project Capability 1 Claim: _____
Documented Performance: _____

Project Capability 2 Claim: _____
Documented Performance: _____

Project Capability 3 Claim: _____
Documented Performance: _____

Project Capability 4 Claim: _____
Documented Performance: _____

Project Capability 5 Claim: _____
Documented Performance: _____

ATTACHMENT G

VALUE ADDED PLAN

Identify any options, ideas, alternatives, or suggestions to add value to this project. Include a short description of how it adds value to the project and identify if the items will increase or decrease schedule, cost, or satisfaction. All cost and schedule impacts associated with these value added options must NOT be included in your base cost/schedule. You may add/delete additional rows if necessary but do not exceed the **2-page** limit.

APPLICABLE PROJECT NUMBER(S): _____

Item 1 Claim:	_____
How will this add value?	_____
Documented Performance:	_____
Cost Impact (%):	_____
Schedule Impact (%):	_____
Item 2 Claim:	_____
How will this add value?	_____
Documented Performance:	_____
Cost Impact (%):	_____
Schedule Impact (%):	_____
Item 3 Claim:	_____
How will this add value?	_____
Documented Performance:	_____
Cost Impact (%):	_____
Schedule Impact (%):	_____
Item 4 Claim:	_____
How will this add value?	_____
Documented Performance:	_____
Cost Impact (%):	_____
Schedule Impact (%):	_____
Item 5 Claim:	_____
How will this add value?	_____
Documented Performance:	_____
Cost Impact (%):	_____
Schedule Impact (%):	_____

ATTACHMENT H

REFERENCE LIST AND PAST PERFORMANCE INFORMATION SCORE

A **separate** Attachment H is required for **each** Entity (those without a PIPS Closeout Survey) as identified in the RFP. Refer to Exhibit 1 for instructions on how to collect the customer surveys. NOTE: Firms (company) entities must submit **5 surveys**, and individual (person) entities must submit **3 surveys**.

Name of Entity:

Reference List

NO	FIRST NAME	LAST NAME	PHONE NUMBER	COMPANY NAME	PROJECT NAME	DATE COMPLETED	PROJECT COST (\$)
1							
2							
3							
4							
5							

Past Performance Information Score

No	Criteria	Survey 1	Survey 2	Survey 3	Survey 4	Survey 5	Average
1	Ability to manage the project cost (minimize change orders)						
2	Ability to maintain project schedule (complete on-time or early)						
3	Quality of workmanship						
4	Professionalism and ability to manage						
5	Close out process						
6	Communication, explanation of risk, and documentation						
7	Ability to follow the users rules, regulations, and requirements						
8	Overall customer satisfaction and comfort level hiring again						
9	Ability to engage the public and overall design process						
10	Is the project completed (final payment sent to contractor)?						N/A
Overall Average Score:							

Attachment I

Statement of Non-Collusion

The following statement shall be made as part of the Consultant proposal.

I affirm that I am the Consultant, a partner of the Consultant firm, or an officer or employee of the Consulting corporation with authority to sign on the Consultant's behalf.

I also affirm that the attached has been compiled independently and without collusion or agreement, or understanding with any other consultant designed to limit competition.

I hereby affirm that the contents of this proposal have not been communicated by the Consultant or its agent to any person not an employee or agent of the City.

Signed

Print Name

Title

Firm Name

Address

City / State / Zip Code

Telephone and Fax Numbers

Email Address

EXHIBIT 1

PAST PERFORMANCE INFORMATION

Include copies of the survey.

DRAFT

Lexington Park Playground Replacement

Parks and Recreation

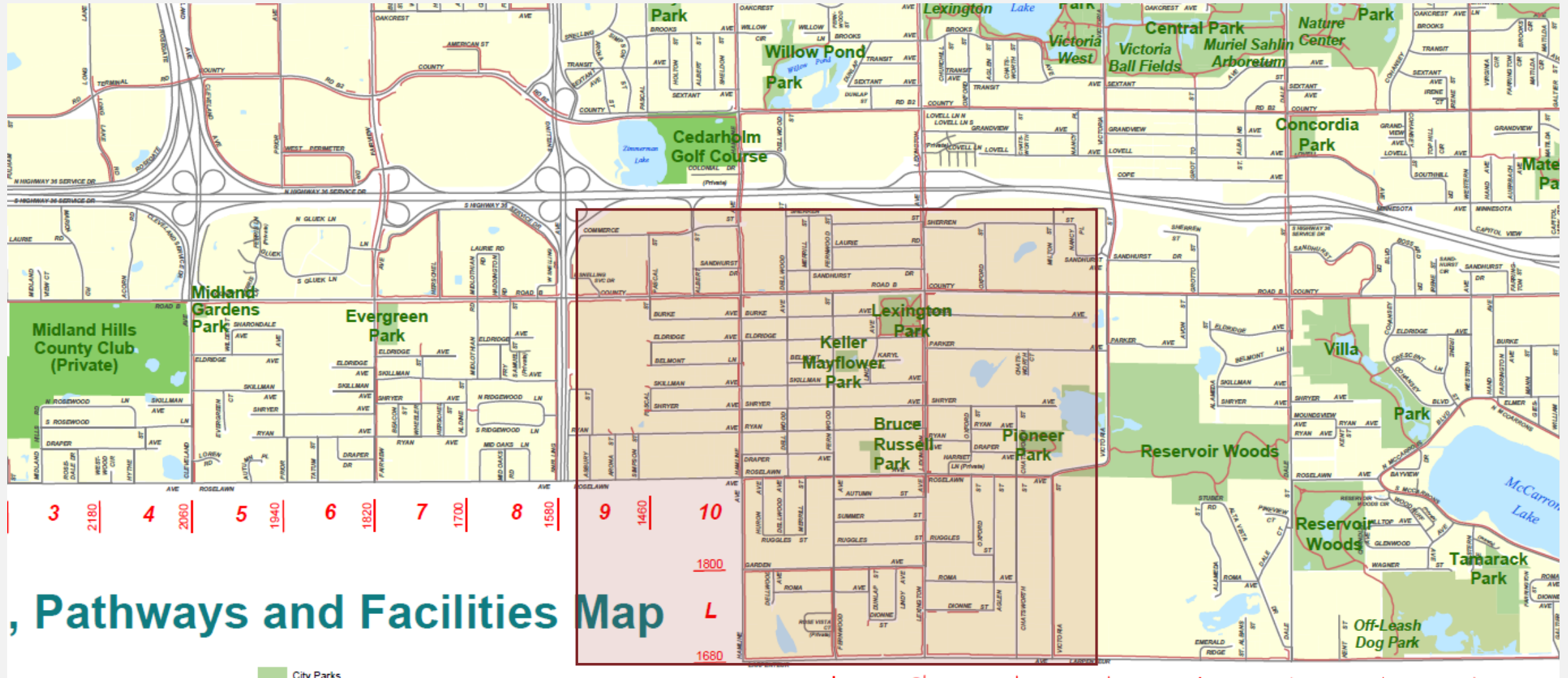


Capital Improvement Program: **Park assets** are replaced when they meet the end of their expected life, and are showing **significant signs of deterioration**.



The playground at Lexington Park is more than 20 years old and is showing significant signs of deterioration.

Lexington Park is a unique site that provides unique opportunity for an upgraded play opportunity due to site park usage, infrastructure, and layout.



Lexington Park is a site that provides unique opportunity for an upgraded play experience due to site park **usage**, **infrastructure**, and **layout**.



Lexington Park is a site that provides unique opportunity for an upgraded play experience due to site park **usage**, **infrastructure**, and **layout**.



Project Plan

Utilize the **Best Value Procurement Method** to identify a vendor who offers the best combination of **capability, past performance, quality, and price.**

CATEGORY	WEIGHT
Responsiveness	Pass/Fail
Milestone Schedule	Pass/Fail
Interview	350 Points
Risk Plan	100 Points
Project Capability	200 Points
Value Added Plan	100 Points
Cost	200 Points
Past Performance Survey	50 Points



Project Plan

Plan for a traditional playground replacement but identify opportunities for **enhanced play experiences** and **greater inclusion** throughout the project.

Funding Sources

- 2024 CIP (\$385,000)
- Friends of Roseville Parks Support
- Park Impact Fee from area development



Project Plan

Anticipated project completion by **summer 2025**.

Preliminary Project Timeline

- April 2024 – Issue RFP
- June 2024 – Select Vendor
- Summer 2024 – Engagement
- Fall 2024 – Verify Design
- Spring/Summer 2025 – Implement





Questions?



THANK YOU

Department Name

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 9.c.

Department Approval



City Manager Approval



Item Description: Discuss feedback regarding the Human Rights, Inclusion and Engagement Commission Scope and Duties

Background

At the March 11, 2024 Council meeting, Council members discussed the structure and scope and duties of the Human Rights, Inclusion and Engagement Commission (HRIEC). As part of that discussion, the City Council requested feedback from the commission related to several topics. The feedback requested by council is included as part of the HRIEC agenda packet materials along with further information regarding the structure of the Multicultural Advisory Commission (MAC) in Attachment 1.

Staff attempted to summarize the discussion that occurred during the HRIEC commission meeting. However, given the various viewpoints and depth of the conversation surrounding this topic, viewing the meeting is encouraged. The recording of the March 20th HRIEC commission meeting can be viewed at this link:

<https://webstreaming.ctv15.org/viewer.php?streamid=6954> and the discussion begins around the 16:07 mark. The other point to note is that the summary below is a high-level summary and reflects *general* consensus around topic areas. This does not mean that every commission member agrees with everything in the summary, but rather it reflects the overall conceptual agreement. Furthermore, one commission member felt that they did not necessarily support the general consensus and wanted to include their specific thoughts directly. (Attachment 2)

Listed below is a high level summary of the discussion with the HRIEC at their March 20, 2024 meeting.

What types of things should the group be tasked with?

- Reviewing and evaluate policies, ordinances, etc. to consider the impact(s) on different groups of proposed actions/policies.
- Support the work around the city's Strategic Racial Equity Action Plan (SREAP). This can be the constant, or the scope that sustains the work of the commission.
- Offer feedback and serve as a sounding board for actions tied to the city's SREAP. Take a critical look at these items, find the strengths and weaknesses and try to improve them.
- Work could also tie to the Community Aspirations, strategic plan, or Racial Equity Impact Summaries on council items.

- The scope should be narrowed. There should be boundaries around what the commission should work on.
- Engagement should naturally flow from the work that is tied to the SREAP.
Example: the Commission reviews a policy and feels more engagement is needed with specific stakeholders. The commission can recommend further engagement, which could include additional engagement on the behalf of the commission and/or to support staff with engagement.
- Provide informational and educational activities around Human Rights. Serve as a resource or guide on how to navigate human rights processes.

Is the commission structure the best structure or would a model more similar to the Multicultural Advisory Committee (MAC) work better?

- The commission structure would work best. Doing the hard work related to equity and inclusion in a public forum is important to demonstrate the government process can incorporate equity principles, even if it is messy.

Policy Objectives

Chapter 201.02 of the City Code states that "Advisory Commissions are established to provide a method for citizen input and are advisory to the City Council." The existence of city commissions is supportive of the Community Aspiration to be "Welcoming, inclusive, and respectful" and "Engaged in our community's success as citizens, neighbors, volunteers, leaders, and business people."

Racial Equity Impact Summary

By providing a platform for diverse voices to be heard, the city can facilitate inclusive decision-making, and can promote inclusivity and representation within our community. By bringing together individuals from various backgrounds, experiences and perspectives, the city can ensure the voices of all residents are considered in the formulation of policies and initiatives.

The current demographics of the City of Roseville reflect the following based on the 2022 American Community Survey data.

White alone	73.7%
Black or African American, alone	8.2%
American Indian and Alaska Native, alone	.6%
Asian, alone	8.2%
Native Hawaiian and other Pacific Islander, alone	0.0%
Two or More Races	8.0%
Hispanic or Latino	4.9%

Additional demographic data includes:

Persons with a disability	7.0%
Language other than English spoken at home	15.1%
Persons 65 years and over	22.3%
Persons under 18 years	23.6%
Persons, foreign-born	10.8%

Although demographic surveys conducted over the past few years of the city's commissions demonstrate that during certain snapshots-in-time, the racial makeup of our commissions somewhat reflect the demographic makeup of our community, it should be noted that it is primarily concentrated within one commission, the HRIEC and not across the depth and breadth of city commissions as a whole. Additionally, over time, this commission has not maintained the racial diversity reflective of the community. However, with several seats open on the current HRIEC or with any other group structure there will be intentionality to fill these seats with residents who reflect the community in a variety of identities.

Budget Implications

There are no budget implications.

Staff Recommendations

To help guide the Council in determining next steps regarding the feedback received from the Human Rights, Inclusion and Engagement Commission, it may be helpful to focus first on the purpose, scope, and role of the group before deciding what the structure of a group could be. Below is a suggested framework for the City Council to follow for this work.

1. Define the purpose of the group.

- Why does the group exist? For what purpose is this group gathering?
- What are the outcome(s) are you seeking by having this group?

2. Define the Subject Area of the group.

- What specific issues, policies, and initiatives should the group focus on?
- Should the scope be tied directly to the city's Strategic Racial Equity Action Plan?
- Are there other subject areas that should be included in the scope?

3. Define the Role of the group.

- What role should the group play ? (For example: Reviewing, evaluating, educating, informing, engaging, recommending, providing feedback, etc.)
- How can the group support the implementation of the SREAP and other citywide initiatives related to equity, inclusion and human rights?

Given the depth of the questions above, the City should be intentional about next steps. Staff recommends holding a facilitated conversation at the Council Work Session on May 13 to have the City Council address these specific questions around the purpose, scope and role of the group. The intent is to come to a consensus on what the purpose of the group should be, the subject area of the group, and the role of the group. The facilitated

discussion will be led by Assistant City Manager Rebecca Olson and Equity and Inclusion Manager Antonio Montez. It is the intention to use most, if not all, of the time at the work session to discuss the purpose, scope, and role of the group.

Once these questions are addressed, staff can bring forward options for the City Council to consider as a structure for the group that would allow the group to function best based on Council's definition of purpose, scope and role. In the interim, until such time a final decision is made, the current HRIEC commission can continue to meet and staff can bring more information and education around the Strategic Racial Equity Action Plan, the milestones as well as other work within the city that impacts equity and inclusion.

Requested Council Action

Provide direction on next steps regarding the Human Rights, Inclusion and Engagement Commission.

Prepared by: Rebecca Olson, Assistant City Manager

Attachments:

1. HRIEC packet excerpt
2. Commissioner Comments
3. Draft Council Minutes
4. Draft HRIEC Minutes

Roseville Human Rights, Inclusion and Engagement Commission Agenda Item

DATE: March 20, 2024

ITEM: 4.b.

ITEM DESCRIPTION: Debrief and provide feedback regarding potential HRIEC changes

Background

At the March 11, 2024 Council meeting, council members discussed the structure and scope and duties of the Human Rights, Inclusion and Engagement Commission (HRIEC). As part of that discussion, they asked the HRIEC to reflect on the discussion and provide further feedback on some of the topics that were discussed that evening. Attached is a document they would like the Commission to discuss and provide feedback on. Council has also requested that the attached matrix be completed as part of this discussion. The video of the council meeting can be found [here](https://webstreaming.ctv15.org/viewer.php?streamid=6934): <https://webstreaming.ctv15.org/viewer.php?streamid=6934>, or by going to the city website and clicking on Agendas and Minutes. The discussion starts around 1:27:00.

Given that the discussion points reference the MAC (Multicultural Advisory Committee), the attached document provides some background and history of the MAC for those that may not be familiar with it, along with a recent article in the City News highlighting the MAC for informational purposes.

Recommendation

Provide feedback related to the questions and issues brought up by Council and outlined in the attached document.

Attachments

1. HRIEC change discussion points
2. Discussion Matrix around HRIEC future
3. MAC Background
4. City News_MAC article

HRIEC change discussion points

Tasks-work areas

What types of things should the group be tasked with?

What are specific (and reasonable) roles or tasks the group should have with respect to any of these they should be tasked with - where is the line in each case between staff work and volunteer group work, for example?

Where does the line fall in any of these interest areas between the group talking/ evaluating/ planning/ making recommendations and the group taking actions?

Work related to the Strategic Racial Equity Action Plan (SREAP)

Work related to the Community Aspirations

Work related to the Racial Equity Impact Summary on Requests for Council Action (RCAs)
(Could/should these Summaries be expanded to not just focus on race?)

Policy/Ordinance review, evaluation, advice

Human Rights issues education/awareness for the community (and from the community to the City)

Engagement & education (Who is engaged or educated? About what? For what purpose?)

One of the three areas of the HRIEC members' proposed revised scope & duties was the concept of serving as a City "Ambassador."

What is the scope of the work of an Ambassador? Ambassador to whom - what specific individuals or group(s)? What would an Ambassador bring to the people with whom they interact? What would those interactions bring back to the City?

If pursued, what is the best format/structure (commission, volunteer program, other?)

Structure of the group

Is the commission structure the best structure, or would a model more similar to the Multicultural Advisory Committee (MAC) work better? What are the pros and cons of each type of structure in terms of effectiveness of operations, appeal to participants, preventing exclusion of marginalized voices, etc.?

If retained as a Commission, could the commission rules be adjusted for just the HRIEC to allow greater flexibility? What rules would need to change?

Might it be possible that different tasks or groups of tasks (above) are best handled by different organizational structures? (Possibly resulting in more than one commission/committee/group of people?)

If a MAC-type format is used for some portion of the work

What process would be used to select members? Application, invitation, open door?

How would we ensure the group is ongoing and keeps its important role?

What rules/structure would be used for this type of group?

Discussion Matrix around HRIEC future:

Topic Area	Role for the group? (If so, what is the role)	Discuss? Act? Both?	What does group do?	What does staff do?
SREAP work				
Community Aspiration Work				
Racial Equity Impact Summary work				
Policy/Ordinance review, evaluation, advice work				
Human rights issues education work				
Engagement & education work				
Ambassador work				

Multicultural Advisory Committee (MAC)

HISTORY

The MAC was created in August of 2020 (approx.) in response to the increased demand for positive police and community relationships, communications, and accountability.

Police Department staff, with City Manager approval, decided to create a committee rather than a commission to afford more flexibility with structure and meeting frequency, and a non-televised and informal setting for the likely emotional and sensitive conversations on deck.

PROMOTION AND INTERVIEWS

Invitations to submit an application to participate in the MAC were promoted through Police Department social media profiles and newsletter, the City's main social media profiles, eNews, and City News (print newsletter). 64 applications were received. Staff reduced the applicant pool to 18 and invitations to interview were delivered. Ultimately, staff chose to build a team that included as many different backgrounds and lived-experiences as possible. Staff intentionally looked for a variety of voices to represent different races, ages, genders, sexual identities, religions, industries, education levels, citizenship status, residential tenure, homeowner/renter status, socioeconomic status, etc.

Chief Scheider (Deputy Chief at the time) and Community Relations Coordinator Corey Yunke were the panelists for 18 interviews for 14 slots. Interviews were conducted via zoom (July 2021). 14 slots were chosen as it was anticipated that not all 13 would attend each meeting due to 'life' and 14 would be the most manageable number of attendees when factoring in an additional two to four staff/presenters at each meeting.

The interviews were intentionally kept short and concise to accommodate applicants and to not give the sense of an 'interrogation.' The questions asked why applicants were interested in joining the MAC and what relevant work, education, or other experience (E.g. lived-experience) that could contribute to positive police and community relations. We also used the interviews to gather feedback about when applicants would be available to meet and what was a palatable meeting frequency and length. Overall, the questions were fairly redundant to the application questions, but the interview offered a chance to describe the new program and offer that it would be co-developed with participant input.

MAC MEMBER DEMOGRAPHICS

The first MAC members included a mix of genders, races, ages, socioeconomic status (self-identified, not asked), renters/owners, religions, abilities, parents, single, married, grandparents, and relevant professional and lived-experiences.

Industry backgrounds included a principal of St. Paul Public Schools, a local pastor, a self-employed community member who works in Roseville youth athletics, a software engineer, retired social worker, attorney, retail manager, medical doctor, local cultural liaison, Minnesota Department of Education employee, St. Paul School Board Coordinator, Nexus Community Partners facilitator, a project manager, and a customer service representative. Languages spoken: English, Spanish, Hmong, Cambodian, French, and Fon.

MEETING STRUCTURE

Initially, meetings were held virtually as that was the norm in fall of 2020. Staff hosted the first meeting as a welcome, ice breaker, and to sort out some logistics. The MAC and staff co-created a meeting schedule where members and staff shared responsibilities of hosting and facilitating – depending on the topic. Topics were chosen by the group and often pivoted to contemporary issues. E.g. Discussion on Asian Violence in reference to March 2021 incident in Atlanta, Georgia; Fence Consortium in reference to civil unrest at Brooklyn Park and Capitol; No Knock Warrants in reference to Minneapolis incident; etc.

The MAC started meeting monthly, then had some interruptions during the turnover from Corey Yunke to City Administration, and again, from Tim Hunt to Tom Pitzl. Currently, the MAC has returned to meeting monthly and as-needed. Meetings run from 1.5 hours to 3 hours, depending on the agenda, topic, and meeting objectives. Meetings rotate between virtual and in-person. In-person locations are usually on campus by decision of the committee for ease. Sentiments were solicited and no discomforts expressed with being on City turf. E.g. PD, Skating Center, Council Chambers, etc.

EXAMPLES OF OUTPUT

In addition to a better understanding of the department and the needs of the community, MAC members have served on various hiring and promotional panels, helped secure participants in Shop with a Cop, presented at council meetings, participated in ride-alongs and PD tours, and have represented the committee at various events and functions. The MAC helped staff craft language to notify the public if the City utilizes fencing during a protest, provided feedback and encouragement for the Letters Instead program, and has helped bring awareness of City initiatives and efforts to the community. Conversely, the committee has brought issues from their respective communities to the department to aid in understanding and decision making.

CURRENT STATUS

The MAC is currently soliciting new members to fill a few slots from general and expected turnover. E.g. Too busy, new Job, moved out of Roseville, and cumulative feeling after time and consistent interactions that PD is on a good track. With the PD Community Relations Specialist in flux for eight of the past 24 months and ongoing staffing challenges in public safety, there was little capacity to continue the MAC with the same enthusiasm as when fully-staffed. Now that Tom Pitzl is up and running, efforts to the MAC are increasing.

Multicultural Advisory Committee helps Officers to Better Understand the Community's Perspective



Community members drive the conversations on Roseville Police Department’s Multicultural Advisory Committee.

Police leaders intentionally take a backseat, explains Roseville Police Chief Erika Scheider.

Community members speak frankly about their perception of police officers and law enforcement policies. They ask questions. They share their personal experiences with officers - both good and bad – and, at times, challenge the police perspective.

“The Multicultural Advisory Committee (MAC) is really there for us in law enforcement to listen and learn. We are not there to talk at people. We listen to their concerns and see how we can do better,” Scheider said. “It’s about flipping that whole narrative and doing it differently than we’d done in the past.”



Formed in 2020, the MAC is now helping to shape Roseville Police hiring practices, policies, and procedures. It’s also further bolstered the department’s relationship with the community it serves.

The committee meets between 8 to 12 times per year and includes about a dozen community members from a variety of backgrounds, said Roseville Police Community Relations Specialist Tom Pitzl, who serves as the MAC staff liaison.

“This has been a wonderful opportunity for the City of Roseville to lead by example and show the world what effective community-based policing looks like,” said MAC member Terry Newby. “There are a lot of places that don’t have this and, frankly, don’t want it. For Roseville, this partnership with the police is so important.”

MAC members have been involved with the officer candidate interview process.

“We make sure that police candidates understand the complexities and nuances of working in a community like ours, which is racially and ethnically diverse,” Newby said.



MAC visited Roseville Area High School and spoke with students about their perceptions of police. MAC feedback was also instrumental in the creation of Roseville Police’s Letters Instead program, which launched in January 2023.

Now, when Roseville officers observe minor equipment violations including expired tabs or burnt-out headlights or taillights, Roseville police are sending letters instead of initiating a traffic stop. MAC members provide insights to police leaders as they crafted the Letters Instead policy.

“The data indicates those stops disproportionately affect people of color and low-income people. The data also shows when you pull people over for those sorts of things, you almost never get evidence of an existing crime or a larger crime,” Terry said. “Roseville has really led the way.”

Roseville has sent more than 1,800 letters to motorists notifying them of minor equipment violations, eliminating 1,800 non-public safety traffic stops. The letters include information about how to obtain a free voucher to fix a burnt-out headlight, turn signal, or brake light through a non-profit partnership with Microgrants and their Lights On program.

“This is a wonderful, wonderful thing and I am so happy we are doing it. It feels good,” said MAC member Etienne Djevi.

MAC members made clear in their feedback to police that economic strains, not defiance of the law, is often why people are driving with minor equipment violations.

“It’s not a crime to be poor,” Djevi said. “If people don’t have enough money to fix their broken taillight and we give them a ticket, we’re contributing to the poverty that started this cycle in the first place.”

Deputy Chief Joe Adams said it’s wonderful to have that honest community feedback. MAC members are encouraged to share their committee discussions with neighbors, friends, and colleagues and report back to amplify the community’s voice.

“We in law enforcement are often looking at things from a 10,000 feet view. MAC members can give us that real-world tangible human perspective,” Adams said.

Adams said spirited, thoughtful discourse is always welcome.

“We are not looking for everyone to come in and agree with us, then tell us we are doing a great job,” he said. “We are looking for people to ask some tough questions and say, “wait a minute, have you thought of this perspective?””

MAC is currently accepting applications for new members, apply at CityofRoseville.com/MAC



MAC Member Profile: Terry Newby

Roseville resident Terry Newby was driving home the night a police officer from a neighboring community fatally shot school cafeteria worker Philando Castile during a traffic stop.

The death of Castile, a black motorist, sent shockwaves through the Twin Cities and the nation in 2016. It also had a profound impact on Newby.

“The night of the killing, I drove past the scene right after it happened,” Newby recalls. “It struck me: That very easily could have been me. I was driving in a car. I am a Black man.”

Newby immediately began calling every Roseville city and police official he could find. Newby’s persistence helped create Imagine Roseville - a series of public dialogues between the Roseville Police Department and the community it serves.

“I understood this tragedy wasn’t in Roseville, but we needed to get on top of this. I am a Roseville resident and I want to make certain that if I am driving, this doesn’t happen to me,” he said.

The Roseville Police Department’s Multicultural Advisory Committee (MAC), formed in 2020, is a continuation of the conversations and brainstorming that took place during Imagine Roseville.

Today, the committee of about a dozen residents advises the police department on policies, community priorities, and police officer candidates and promotions.

“Police Chief Erika Scheider mentioned early on she didn’t want the police to be driving the conversation and I agreed wholeheartedly,” Newby said. “It has to be driven by members of the community.”

Newby, an intellectual property attorney and father of three, said the conversations aren’t always easy. Many MAC members bring their own experiences and sensibilities to this work. Newby grew up in the Milwaukee area and he said his first experiences as a teen driver with police were negative.

“My hometown was a primarily white suburb and I was getting pulled over by police all the time, searched, thrown out of the car. You name it - that stuff happened to me. I got pulled over for what cops called ID checks, which I later confirmed were absolutely illegal.”

Newby, who has lived in Roseville since 2001, said he has not had negative encounters with Roseville officers, but with Castile’s death so close to home, it weighed heavily on him.

He acknowledges he had to overcome a certain amount of anger around those unjust experiences with police when he was a teen in Wisconsin. “I had to make certain that I didn’t allow my former experiences with law enforcement or the Philando Castile event to color my view of Roseville Police because it wasn’t actually Roseville Police,” he said.

Newby offered that he’s proud of the work happening at MAC including their strong push for the Letters Instead program, which has eliminated traffic stops for minor equipment violations.

“MAC was a driving force behind that policy. That’s something more people need to know about,” he said. “This committee is making a difference in people’s lives.”

MAC is now focusing on that intersection of mental health and enforcement. They support RPD’s new Community Action Team made up of officers and social workers. MAC also initiated a letter writing campaign urging state and federal lawmakers to better fund these programs.

“We wrote all the legislators and told them, if you really want to get serious about public safety, you have to start addressing mental health issues because those drive a lot of police calls. We had data to back it up,” Newby said.

Newby said as a Black man, he made a conscious decision to work within the system to push for changes. “I feel like I can do more good working with the police department than viewing them as an adversary. As I look at communities that are really successful with reforms, I realized I needed to have a seat at the table.”

Tasks / Work Areas

1. Be advisors to the city
Be ambassadors to the community
Support Human rights for all stakeholders
2. -Staff advises the commission and works with chair and Vice chair to develop priorities.
-Commission tasked with outreach to the community to gather input, discuss community input with whole commission and, if appropriate, advise council to make or change policy or ordinances.
-Inform council about community concerns
3. - after discussing and agreeing to a work plan, Commission presents proposed plan for council approval
- once approved or altered by council, commission proceeds to implement work plan
4. SREAP - receive updates from staff
5. Use community aspirations from 2024 to inform/ influence work plan discussions and work plan direction
6. RCA - HRIEC has never been a part of the process
7. All groups within the city should be considered when making decisions
8. Policy / ordinance reviews should be a staff responsibility and reported to the HRIEC as appropriate
9. Awareness of Human Rights and educating stakeholders about those rights should be an overarching concern of the HRIEC, other commissions, City Council, and all other government functions
10. Engagement/ education objectives are reflected in the yearly work plan developed by HRIEC and approved by council
11. -An ambassador is a representative of the city to the community.
-Yearly work plans will identify specific groups to be approached.
-HRIEC would engage with the community and convey information about volunteer opportunities to the city and encourage participation with the city
-Form relationships that can be used now and in the future to help inform HRIEC, elected officials city departments and staff to improve life in Roseville
-HRIEC acts as a conduit of information from the city to the community and from the community to the city. the HRIEC can be the “ears” for the city

- a formal commission would have the imprimatur of the city's engagement with the community as relationships are formed.
- An additional volunteer program could be created to work along with the HRIEC.
- An Additional commission could be appointed to take responsibility to address the "talking" responsibilities (SREAP, RCA's, policy/ordinance review, etc) while the HRIEC itself would be an action/ outreach group.

STRUCTURE of the GROUP

A -A MAC group and an HRIEC commission can work together in parallel

PROS

OFFICIAL Commission

- 1.Has an official status when interacting with the community
- 2.More responsible and responsive to the Council, with the possibility of having back and forth conversations
- 3.Council can make specific "asks" of a Commission
- 4.Provides more transparency of the commission workings as well as ability to attend and comment at regular meetings
- 5.Has greater access to city resources and staff
- 6.Increased continuity with 3 year appointments

MAC type group

- 1.can pursue individual interests without seeking prior commission approval
- 2.Can react more nimbly is critical issues arise
3. Rules regarding Rosenberg Rules, open meeting laws, quorum issues, official notification of meetings, agendas, or location etc. may not apply
- 4.Greater flexibility in meetings and actions pursued
5. marginalized communities may feel safer to participate
- 6.unlimited number of people can serve
7. members can move in and out of participation reflective of their personal schedules and responsibilities

CONS

1. Having a give/take discussion between HRIEC and Council is cumbersome and mostly non-existent
 2. Quorum rules can impede action
 3. Council and HRIEC should be working more closely - a plan is needed to make this happen
 4. Rigidity of timing, location, advance notice etc limits ability to respond to a developing situation or community need
 5. Only a limited number of people can serve on the commission - applicants may not choose to reapply
 6. Personal information being available to public may hinder applications
 7. Applicants may be averse to public access to meetings (live or televised)
1. Less responsive to council overview
 2. Actions undertaken may not coincide with city or council priorities
 3. Public does not have access nor are workings/ activities transparent
 4. Less access to support from staff
 5. It will take months or years for group to become fully functional and achieve its potential, and if the HRIEC is abolished the city will have no group to pursue outreach and inclusion
 6. Structure and organization must be fully worked out before advertising for applicants
 7. Members can lose interest and choose not to participate- continuity is not assured

B . -The major constraint on commission flexibility is a lack of direction/ communication with City Council and the constant refrain: "What did council authorize us to do?"

-Work plans can be developed by the HRIEC as long as it is consistent with the 205 Scope and presented to council as information rather than ask for approval.

-Establish a system where regular give and take opportunities exist.

-Council should inform HRIEC if there are concerns about the functioning of the commission.

C. - A MAC-like committee can exist along with the Official Commission and can share information and coordinate activities.

- Another commission charged with "Talking only" topics like SREAP, RCA, Policy / ordinance review and evaluation of them can be established while the HRIEC continues to focus on outreach and building relationships within the community

- Current HRIEC has already established a new organizational structure with plans to continue working on organizational issues not already addressed

Drawing up a MAC-like group structure and format is not within our purview. It is a council responsibility.

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meeting was added rather than it be a complicated process where the Commission has to vote to cancel the meeting.

Councilmember Strahan asked if that would be a conflict if the Commissions were to have smaller breakout meetings or would this be the full Commission meeting.

Mayor Roe indicated it would be the entire Commission meeting.

Councilmember Etten asked if there was a reason to have the monthly piece in there, just get rid of the extra pieces that are there.

Mayor Roe explained this could go back to the original language as well.

Councilmember Etten indicated he would just revert back to “Commissions shall meet at least quarterly”.

Public Comment

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

Etten moved, Groff seconded, enactment of Ordinance No. 1669 entitled, “An Ordinance Amending Title 2 Chapters 201, 202, 203, 204, 206, 207 and 208 to Clarify the Purpose, Membership, Schedule, Duties, and Functions of Certain Roseville Advisory Commissions with changes as discussed.”

Roll Call

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

Nays: None

Schroeder moved, Strahan seconded, authorization to publish Ordinance No. 1670 entitled, “Approving Publication of an Ordinance Summary of the Amendment to Title 2, Chapters 201, 202, 203, 204, 206, 207, and 208 of the Roseville City Code in Order to Clarify the Purpose, Membership, Schedule, Duties, and Functions of Certain Roseville Advisory Commissions.”

Roll Call (2/3 Majority Required)

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

Nays: None

c. **Discuss Human Rights, Inclusion, and Engagement Scope, Duties and Functions**

Mayor Roe briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 11, 2024.

Councilmember Etten reviewed the proposed changes the subcommittee drafted for the Human Rights, Inclusion, and Engagement Commission (HRIEC).

Ms. Olson indicated she has had some conversations with some past and current Commission members as well as talking with Culture Brokers briefly on this topic. Some of the feedback she has heard is there is a distinct disconnect between what the expectation is of joining the Commission and what the reality is. She has heard a lot of different viewpoints on various things but for the most part, she thought clear direction is most important. The Council has had conversations regarding the concept of human rights, whether that is something that should stay in the title. With Commission members and people she has spoken to, there was some confusion on that piece, because it is not a Commission that reports or does investigations.

Ms. Olson explained when speaking with Culture Brokers, who helped the City get the strategic racial equity action plan up and running, they felt a good role for that would be helping the City maintain accountability and progress on the racial equity action plan. Some specific tasks are outlined in that. Culture Brokers also talked about aligning it with the governance of making sure the group is keeping diverse voices as a part of those decisions. There has also been discussion about the role of the Commission being a conduit for somebody who can connect them to different services. That is something staff has heard as well.

Ms. Olson stated, as mentioned, the main theme of what she has heard is there has to be understanding and clear direction around the purpose of the group that is doing the work and to make sure that it is communicated clearly. She indicated that is the feedback she has heard so far.

Councilmember Etten explained he had the opportunity to speak with several current members and a couple of past members and other diverse leaders in the City. Thinking about what their feedback was, he thought it absolutely echoed this and one of the biggest things is having that clear focus and what is important for the City. He noted he included that in his report. What he kept hearing was what is the City doing to keep moving forward with equity and inclusion and for him to start thinking about this, it was based on the feedback from Culture Brokers.

Councilmember Etten noted that without an Equity and Inclusion Manager right now, the Council is not getting the updates and reviewing what the Council wants to do in the next year or two and who would help usher that through. Thinking about that is a very specific target for the future and is critical for what the City is doing and for the interests of diverse members of the community.

Mayor Roe thanked staff for the bench handout which included the existing Code as it stands right now for the HRIEC, as well as the language that was proposed by members of the HRIEC, thoughtfully so and discussed at the previous joint meeting

as well as some of the minutes from those discussions to help refresh conversations between the Council.

Councilmember Schroeder explained when reviewing the minutes and reflecting on them, their environment has changed quite a bit since the beginning of this Commission when two Commissions were brought together. She wanted to remind people that Commissions are established for citizen input and are advisory to the City Council. She thought the Council needed to think about this in a bigger way because if they look at what is written, something to consider would be if there is a better way to do this other than just a Commission. Maybe something like the MAC would work and work on it like that. Her thought is maybe this should be looked at as something a little broader than just how to redefine the Commission versus what is the work the City wants to have done and what would be the most effective way to do it.

Councilmember Schroeder thought it needs to be something that people want to get passionate about but then it also needs to be beneficial for the citizens and City as well. She stated, with all the feedback, how come this is not working, and there are so many changes, she was not surprised so many people are confused. She liked the idea that the Council is going to clarify this and come up with a way that would be very helpful for the City and Council, as well as give people worthwhile work and another way to support its DEI work. She would like to see the Commission go towards that direction to concentrate in that area versus going out and help human rights in general.

Councilmember Groff indicated that he has come at this from a little different perspective because he has been involved in this work since 1989. He does remember times when the Commission did refer cases to the State, and it was a human rights issue. He also looks at the Commission as something that declares to people that Roseville is a welcoming and inclusive community. He explained if the City were to get rid of a Commission like this, the signal to people that are marginalized is that the City does not care about them, now whether that is the intent or not. It does not matter but that will be the message that is sent out. There are always people that are marginalized. He would say with the attacks on Transgender people, the City has to be very careful about making any changes that would make them feel excluded. He noted when the Council is making these changes, the Council needs to look at that aspect.

Councilmember Strahan stated during the conversation at a previous meeting, she pulled up the State Human Rights Commission's page and focused on the fact that it says they are investigating and protecting civil rights. But part of the need or focus of why you would have a local human rights commission is to promote equity and inclusion. She thought it would be sad for the City to remove its name on the list of cities within Minnesota that have human rights commissions. She felt that

would send a signal to people that the City does not want to have but it is good that the City tries to bring that focus around.

Councilmember Strahan stated to her, it is almost as they look into the DEI piece, sometimes in Diversity, Equity and Inclusion there is that B for Belonging and she would ask what does it mean to belong? There are many people that experience the feeling of not belonging on a daily basis so she suggested reframing what the focus is. She thought there could still be a Human Rights Commission without investigating human rights violations. But, she did think everybody wants to understand what the City Council wants from them.

Councilmember Strahan stated she appreciates the City's Request for Council Action when it says racial impact and she does not know why the City does not task this Commission with looking at things that are coming forward with helping them look at it with a racial impact. The Council can task that with the new DEI Manager but again, that is one person. If this could be tasked to a Commission who could look at it from nine different viewpoints, she felt all of the different ideas could be brought forward and feed it through the SREAP and the Racial Equity Toolkit and have a conscious decision that is made. She would like the work by the HRIEC have something to do with looking at the City's policies and ordinances where the Commission looks at it from that equity and inclusion lens.

Mayor Roe thought that focuses in a similar way to what is being discussed in the memo from the subcommittee in terms of looking at that aspect of what they do as a City. He noted the question out there may still be, is the confinement and limitations of being within the Commission structure the best model for that work, only in the sense that it is something the City has heard from people in terms of the constrictions of the open meeting law requirements. Also, this is a Council appointment to a three-year term and some of those things that certainly a group, like the MAC, was mentioned does not have.

Mayor Roe asked if there are benefits to being in that model as opposed to the formalized Commission model in terms of the satisfaction of participants, the ability to have good conversations, and the ability to do the work in that area without some of those restrictions that the formal Commission process has. He did not know the answer to that for sure, but thought that was one of the things the City was hearing through the feedback process, that the formal Commission process is a bit stifling for people who have a lot of energy and enthusiasm and creativity in these areas. He wanted to listen to and understand that but at the same time, think about what Councilmembers Groff and Strahan said about the notion that if something is no longer a Commission, is that a demotion or the perception of that because he certainly wanted to make sure that the Council gets that right. He wanted to be thoughtful about that and make sure the Council is looking at all of those different perspectives to make sure there is a good understanding of that going forward.

491 Mayor Roe explained he wanted to acknowledge one of the items in the proposal
492 from the Commission about serving as an ambassador and supporting people's
493 interaction or connection with the City. He thought that was a very good suggestion
494 and something that he would like them to do better as a City. He noted that might
495 be something that does not have to be a Commission activity but could be a group
496 of interested parties that can connect with the City's Volunteer Manager and/or
497 Community Engagement Staff and work through a process to have a group of
498 people who are interested in doing that who can be deployable by the City in those
499 situations and be an asset to that connection between what they do as a City and
500 the people that they serve in the community as sometimes that disconnect is out
501 there. He appreciated and acknowledged that, he thought it was important not to
502 get lost in the process.
503

504 Mayor Roe noted one of the things that came out of their last discussion jointly with
505 the Commission members was how to deal with the human rights part of this
506 because the City does not necessarily do the investigations or that sort of thing. He
507 stated previous Code language talked about educational programs, bringing to the
508 Council issues that seem to be rising in the community on a human rights basis, and
509 perhaps the City needs to be doing something with that. He thought the challenge
510 was lack of clear guidance and it has not always seemed to be something that
511 Commissioners were that interested in doing. He explained there are groups in the
512 community that do an excellent job, Do Good Roseville is one that has done a good
513 job over the years and pushed conversations in the community that have been great.
514 This is something that he was not sure the City, with all of the official restrictions,
515 could have done as effectively. He appreciated that and wanted to make sure the
516 City is taking full advantage of that and force a full Commission to be that. He
517 wanted to keep the human rights aspect on the table as a part of this discussion and
518 figure out if there is a way to make it work and how. He did think the notion of
519 being very much advisory to the Strategic Racial Equity Action Plan, both as the
520 City is implementing as well as thinking about adding things in the future, and next
521 steps, makes a lot of sense.
522

523 Councilmember Schroeder indicated she wanted to blend two things that
524 Councilmembers Groff and Strahan had both touched on. She liked the idea of
525 having them look at the impact on the statement, but thought it was too narrow and
526 the impact statement needs to include the other groups that do not get heard, which
527 is what Councilmember Groff is talking about. She thought possibly this group
528 could help expand that area, not just on the racial side, but the other groups as well
529 so then more voices are heard.
530

531 Councilmember Schroeder stated the reason she mentioned the MAC is because in
532 the Commission format, it is recorded and very structured. With the MAC format,
533 people can have very raw conversations and she wondered if that format would give
534 people who are underserved a better ability to talk and feel less intimidated. She
535

536 thought this was important work that the City needs to figure out how to support.
537 She also thought the DEI Manager will end up being a part of this as well. She was
538 thinking of expanding it beyond the racial side and having it involve more groups,
539 including Trans, disabled, and others. She would like to see more of those voices
540 in this group to add to the color of the conversation.

541
542 Mayor Roe wondered if the City's current setup actually excluded people that could
543 be a part of the process if it weren't the notion of it being a formal commission with
544 all of those restrictions. He was not sure he knew the answer but knew there were
545 two sides to it.

546
547 Councilmember Strahan explained she wanted to challenge the Council as well. If
548 the Council is asking any commission to bring the concerns, that the Commission
549 hears back from the Council. The Council is asking the Commission to be that
550 conduit between the public and the Council, so the Council then must be willing to
551 entertain the options the Commission provided. She explained in the years she has
552 been on the Council, the HRIEC has brought forward for consideration the City
553 paying Commissioners and the Council did not give that any consideration. The
554 HRIEC brought forward for consideration including students from the high school
555 who spend so much of their day in the City but who do not live within the City
556 borders, and the Council did not consider that. Even the changes that were brought
557 a couple months ago about changing the process and focus of the Commission, she
558 felt like the Commissioners were shut down right away.

559
560 Councilmember Strahan stated the Council has to walk it and be willing to take
561 more time to find out more about it. She felt a lot of those things were brushed
562 away. She noticed that since the Council said no students could be on commissions
563 outside of Roseville residents, there has not been any youth applicants or any youth
564 coming to the meetings.

565
566 Councilmember Strahan stated the Council has to be willing to also change and
567 address how the Council relates to this particular Commission. She did not think
568 the Council had historically done a good job of making this Commission feel like
569 they belong, and it was disingenuous to acknowledge Do Good Roseville in this
570 process when that group started because they did not feel like they fit on the HRIEC.

571
572 Mayor Roe indicated he hoped it was not the case that the Council was shutting
573 down the Commission's suggestions at the last joint meeting. He noted it was an
574 opportunity for the Council to get answers to understand better what was being
575 proposed in some cases because there was a question about how some things were
576 worded and what it meant, and the Council was trying to understand that. He noted
577 that was where he was coming from in trying to be thoughtful about this whole
578 thing. He did not know if he agreed with that characterization specific to this. He
579 thought the Council did have discussions about some of the other things that were
580 mentioned and came to conclusions about them that may not have been the

conclusions that people liked. He did not know that the Council could draw the conclusion, necessarily, that because the City continued its existing policy of not having Commission members from outside the city, that is the reason Commission members from within the City are not participating as youth commissioners.

Mayor Roe stated he thought the Council was trying to have a conversation and figure out how to move forward. He thought constructive things were said but the Council may not have the answer at this meeting and need to continue to move forward to what an answer might be. He did not know if it is one answer, as it may be a number of different things. That is the perspective he is coming from. He wanted to make sure the Council hears from the public as well because that is part of this discussion.

Councilmember Groff indicated he was not married to the term Human Rights. That does not have to be in the title, but he wanted to make sure that diversity and inclusion were included. He thought it might help the City to clarify something from the past and is no longer there. He also thought that if this does not remain a Commission, there is a greater chance of losing it over time because volunteers drop off and things change, so it could eventually go away. He would be very concerned if this was not a Commission. He did think discussions off camera were important but discussions on camera were very important as well, especially for people who have been ignored or excluded in the past.

Councilmember Etten appreciated all of the comments. He agreed with the the ambassador idea but was not sure it fit the role of a Commission with providing feedback. He has already had conversations with staff and staff is trying to figure out how to fit this into something the City does through the Volunteer Manager or some other avenue because there can be a positive role for that.

Councilmember Etten stated in thinking about the human rights piece, he appreciated all perspectives provided. He noted that none of what is in the feedback and proposed direction, framing information is his, but rather taken from conversations that he has had with more diverse folk than he is. He noted this is not from him, and his goal is that the City find a way to critically look at how the City is doing with DEI, how the City is doing with the SREAP, how the City moves forward with an update to the SREAP. That should not come first from the Council. He noted that certainly other cities do things differently. He looked at the eight suburbs that touched Roseville, from Maplewood and looping all the way around to Lauderdale, and only one has a Human Rights Commission besides Roseville. A lot of other cities do not even have a look at this, so he wants to make sure that people understand the City is not abandoning it but rather trying to delve into stuff that is important right now and important to people in the community.

Recess

Mayor Roe recessed the meeting at approximately 8:00 p.m., and reconvened at approximately 8:08 p.m.

Mayor Roe opened the meeting for public comment.

Public Comment

Mayor Roe offered an opportunity for public comment.

Ms. Jeena Gurung Vomhof, HRIEC Commissioner

Ms. Gurung Vomhof stated she liked the conversation and back and forth between the Council. She explained she is the only member that wants compensation, and she wanted the Council to give that as an option. She is a mom to two kids and has to answer to her husband by going to the meeting for two to three hours so she thought if she had compensation, she could do more because she knows she will be compensated for her time, and she can provide to her family. Also, being a business owner in the community, she gets contacted by many people about the commissions and how it works and asks about compensation as well. She explained they want to give back to the City but do need compensation for that because they need babysitters.

Mr. David Tidball, HRIEC Commissioner

Mr. Tidball expressed his appreciation for the seriousness the Council is taking in this discussion. He was at the joint meeting in February where the Commission had a chance to talk to the Council. He explained he has been taking notes and a couple of notions he would like to share is that he heard some things about evaluative processes that he had not heard before. Talking about Culture Brokers and wanting a group of citizens to follow up on what the City is doing with its DEI processes, policies, and things like that. Personally, he thought that was a good idea, but the Commission specifically toned that down in the new scope because the folks that had history on the Commission indicated it was not something they had been doing in the past. The second thing was about human rights is not so much about regulating that as promoting it. Again, the educated piece of that and simply holding that up as an important thing seems valuable to him and as far as the Commission goes, might be another aspect of how the Commission's work can be structured.

Mr. Tidball stated the thing that interests him, that he has not heard about, is that several Commissioners at the last meeting noted how much of what the Commission has put in its scope document is what came out of the aspirations process. The kind of community that people think Roseville aspires to involves the kind of work that the Commission talked about in the scope document. There may be a way for the City, because the aspirations are going to have to be implemented on an ongoing basis, somebody is going to have to have input on an ongoing basis as to how that happens, how broad a scope of input you get into seeing, and how that happens. Mr. Tidball stated it seems to him, working with that content which

is already an official City project, might give the Council the content guts of what the Council wants the Commission to do. If that is the case, the Council may want to find some type of modified rule structure for this Commission to operate under in order to do a particular kind of work that other Commissions are not called upon to do.

Mr. Richard James, HRIEC Chair

Mr. James explained he would like to correct a few things he heard tonight that he thought are wrong perceptions. Earlier, Councilmember Etten commented that the way the Commission is setup is not working, he thought that should be what the Commission had was not working. The Council does not know what the Commission has done since November. He indicated the Council does not have any idea and tonight was one of those nights that the Commission was going to tell the Council what the HRIEC has been doing, how the Commission has been restructured, how it organized and reorganized themselves in order to accomplish things, and things the Commission thinks are important. However, since he has been a member of the Commission, since 2019, the Council has not told the Commission what it thinks is important for them to do. The Commission has been coming up with what the members think is important and if it has not matched up with what the Council thinks is important, the Council has not told the Commission that.

Mr. James stated he cannot believe that the entire Council decided at the end of January that the Commission is not working anymore and something different needed to be done with it. He explained if the Council had concerns about how the HRIEC is functioning, how the HRIEC can structure themselves, why didn't the Council bring that to the Commission and present it to them. The Commission would have listened, changed, helped, and done things differently but the Commission has not had that direction from the Council. He indicated the Council has not done their job as Councilperson Strahan pointed out.

Mr. James explained the Council should be able to direct the Commission to focus on things every year so the Commission can work on a workplan and bring it back to the City Council for approval. That is not the way it has been happening. It has been the Commission coming to the Council to tell the Council what the Commission thinks the Council wants the HRIEC to work on. He explained that is not fair to the Commissioners. It is not fair to the Commission to be judged that the HRIEC has not done the right thing without the Council telling the HRIEC what the right thing should be. He indicated the Commission is left in limbo and does not know what the Council wants the them to do.

Mr. James asked the Council what the HRIEC is supposed to do after March 31st when people leave the Commission? He hoped the Council had thought about this. He thought that was a decision that needs to be made tonight by the Council, so the HRIEC has some direction going forward.

Mr. James believed the Council focus on the human rights aspect of Chapter 205 is misguided. He explained since he has been on the Commission, members have never discussed going out to talk to people about human rights. The Commission does not do that. The Commissioners go out and listen and if someone has an issue with human rights, the Commission will talk about it and give it to the Council. The Commissioners do not want to direct the Council; the Commissioners want to tell the Council and be ambassadors to the community. In the past, the Commission has not had a lot of opportunities other than standing around to talk to people and bring back to the Council what is being talked about in the community and what are believed to be important issues. He explained the Commission has a plan to do that this coming year. He indicated the Commission does not expect solutions this evening, which is why urgency is needed from the Council for what the Commission is to do starting in April.

Mr. James explained he personally has a bunch of ideas about how the Council can put all of these things together, have an evaluative group working, have a group of non-commission people perhaps working with the Commission so that there is a formal Commission but also another group that is coordinating with the Commission. He has a lot of ideas, but no one has reached out to him or to the Vice-Chair to find out what they think, what the Commission is doing, or what is planned. He takes that as a personal insult and thought it was disrespectful to the Commission.

Mr. Elliot Franke, HRIEC Commissioner

Mr. Franke stated he appreciated this discussion. He has felt some of the frustrations the Council has been talking about. He stated when the HRIEC has its meetings, the Council may not know about the work that has been done so far, which has been a lot of work led by Commissioner James, Commissioner Tidball, and Ms. Olson who turned these into focus groups so that the Commission could develop a scope and workplan for the Council. He thought it would be wonderful if, when the HRIEC holds these meetings and starts to get the actual work done, if at least one Councilmember could occasionally attend a meeting. If that cannot be done, he suggested the Council at least look at the meeting minutes and have a little discussion amongst the Council and communicate directly through the HRIEC Chairperson. He explained communication is everything, the meeting tonight is wonderful for everyone, and the Commission appreciates this conversation, and appreciates the ability to serve the community.

Mr. Namit Bhalla, HRIEC Commissioner

Mr. Bhalla explained he wanted to bring something different to the table other than the things on paper, that what is being talked about is humans. When the City puts out their wordings as human rights and looking for people to come on as volunteer positions, the City is going to get people who are very sacrificial and passionate.

That is what he sees on the Commission overall, a very compassionate group of people.

Ms. Amanda Becker, HRIEC Commissioner

Ms. Becker indicated her last meeting will be this month as a Commissioner, but she is excited about this discussion, and she thinks it is important to have tension, which is what the HRIEC is all about. She thought this was a very passionate Commission and she encouraged the City to think about how to use people like herself and other people on the Commission within the City's parameters. She thought it was important that people like the Commissioners are invited to the table. She knows there is some formalization to being invited but that is an opportunity to feel included, separate from having a volunteer Commission where anyone can participate. She thought it was important to have a part of government struggle through this publicly, and to show vulnerabilities, to talk about when the Commission feels like it is not represented enough at the table or have trouble speaking at the table. Some of her concerns that bubbled up were hearing about some these frustrations.

Ms. Becker stated she joined the Commission at the end of the creation of the SREAP and wondered what role the Commission would have with that. But, no one knew because it was new and was a learning process for everyone trying to figure it out together. She thought that was a part of the process and these are all growing pains but to just walk away and abandon it distresses the Commission because that is the struggle the Commission comes to every month. This is why she shows up for the meetings, with the hope and intention of working through these challenges and trying to figure out how the Commission can participate in City government.

Ms. Becker stated she was pushing the idea of ambassadors because that is what it felt like when she was at the meetings. She felt it was a group of people that wanted to be ambassadors that showed up, gave their time, had a lot of passion for the work being done, cared about the umbrella idea of human rights, and the idea of not being excluded. She appreciated all of this dialogue and was saddened that next week would be her last meeting.

Councilmember Strahan thought it was important to mention that the City's SREAP is not just about racial equity, but talks about any marginalized community and how the City can include people. It is about the whole IDEA. It is about accessibility of people.

Mayor Roe stated the Council appreciated the public input and explained the Council needs to provide the direction about where to go from here as a Commission. His initial thought is that certainly he would like to see an opportunity for the members of the Commission to think about what has been said at the meeting tonight, all the different thoughts about what the Commission can do, and what the

structure could be. He appreciates the feedback in terms of that as well. He suggested this item be on the agenda for the next HRIEC meeting to have that conversation about what has been talked about at this meeting and provide reflection and feedback to the Council for subsequent discussion. Mayor Roe indicated speaking for himself, he does try to follow all of the minutes of the meetings and to watch the videos as well.

Councilmember Groff asked how the Council feels about attending HRIEC meetings.

Mayor Roe thought if there are three or more Councilmembers at the meeting, there needs to be separation without any conversations. He did not know if that was prohibited or not, but the meeting could be posted as well. He explained he does not try to influence meetings he attends and is very conscious of that.

Councilmember Strahan indicated she has encountered that as well and has absented herself from being at the meetings so that her presence does not impact on the meeting. She noted the Council is following and knows what is going on in the Commissions but certainly could know more.

Councilmember Etten agreed with Mayor Roe that where the Commission goes after April is an important topic. He indicated this would not be a long-term plan, but he wondered where the Council was at for its own next steps.

Councilmember Strahan felt like the Council has been asked if it is encouraging this group to continue meeting as an entity since as of April 1, the Commission is no longer in the City Code as one of its groups.

Mayor Roe indicated the Commission is still in the City Code and that has not changed.

Councilmember Strahan asked if the Commission continues with five members going forward while the Council continues to assess.

Councilmember Etten thought that was correct.

Mayor Roe concurred and hoped that all of the work done on the workplan so far does not go away. Hopefully, there is a way to not get active in doing a lot of it, necessarily, just if there is a sense that may or may not match with where things have been going in this conversation. He certainly wants to be respectful of the Commissioners' time and efforts too in the sense that if there is something the Commission is not sure the Council is on board with, maybe that is not an area to focus on. If there are other areas that seem more in line with what the Council has been talking about, then he did not want to discourage people from being involved in those.

Councilmember Strahan wants to make sure that the Council is going forward with the Human Right Commission, whether or not the name changes or how the functions change but that the Commission is not going to be replaced with a MAC-like entity at this point. She would like to operate under that assumption until the Council has made a bigger decision and she was not one hundred percent convinced, after this conversation tonight, that it is shared by everyone on the Council.

Mayor Roe felt that was a fair assessment. He did not know if he had a strong opinion one way or another at this point, as he was still waiting to hear and understand more about the different approaches. He was not sure if he could make that commitment fully tonight but did not want to rule that out completely or rule something else in as much better.

Councilmember Etten stated that the Human Rights Commission continues under the City's current Code 205, probably mostly in response to these discussions. At this time, if a more formal proposal is going to come forward, if the Council wants that, the Commission is prepared to put more things down to be discussed. If the Council gets to the point and wants to do that, then that is going to be continued help that the Commission provides. He also did not think it made sense to jump into a bunch of workplans that are not fitting some of this discussion.

Councilmember Strahan indicated if she were in that group, she would not know if she wanted to continue if she had no idea.

Mayor Roe thought it was pretty clear that the Council needs to finish this process. That is priority one.

Councilmember Strahan argued that if the Commission does not know at the end of this process, and she guessed they never know, the Commissioners could get laid off and be done at the end of this process. She noted it is hard to go to the last day, whenever that is. She felt like the Council has disincentivized the Commissioners even more than they were before.

Mayor Roe hoped everyone that is passionate about these topics and this discussion, whatever the outcome, has a way to continue to participate. He did not think what the Council was saying at the end of this discussion and decision making was that the Commissioners will be done. He indicated the Council needs to figure out how to keep everyone engaged, no matter what it is and hopefully, from his perspective, everybody gets to a point that is generally satisfactory to everyone. He thought that after a couple more meetings, they should get the most out of the people that are involved in the Commission as a part of this process.

Councilmember Schroeder explained regarding going to the meeting or watching the meetings, which is what she has been doing, the Commissioners feel the Council does not know what the Commission is doing, which for her is not true. She also thought the rest of the Council understands and knows what the Commission is doing. It is not like the Council is ignoring it and the Council does feel that the work is important and pays attention to it. She thought it was important for the Council to all be on the same page about this.

Councilmember Schroeder stated Ms. Olson has a lot of input because she is involved in so much in the City and would be an asset during these discussions. She also noted people are being heard. She suggested more work needs to be done on this and the subcommittee could work with staff and come up with some more thoughts. There were a lot of ideas that went around at this meeting, and she could see that everyone is not on the same page. She thought it was important that the Council needed to be on the same page and that is one of the first things to do.

Councilmember Etten suggested the Council wait for any ideas to come forward from the HRIEC meeting in March before the subcommittee works on anything else.

Mayor Roe stated it would be good to get some sort of synopsis of tonight's discussion fairly quickly for both the Council and Commission to review to make sure the thoughts and proposals made do not get lost and make sure everyone has a chance to respond to those. He reviewed a possible outline that Ms. Olson could send out to everyone for discussion moving forward.

Councilmember Strahan appreciated Councilmember Schroeder's interest in getting the Councilmembers all on the same page, but she thought right now it felt like there are three people who are open to disbanding this commission and two are pretty passionate not to disband. She did not see a common ground on that.

Mayor Roe stated that he has not expressed interest in disbanding the Commission. He is interested in making sure that whatever the Council does is in the best interest of the City, best for the people involved, and ultimately, the best outcome for the community. He does not know what that is, so he cannot say.

Mr. James indicated the Commission is going to keep functioning as it has been so the Council can take as long as it needs to make the right decisions. The HRIEC is willing to do that if that is what the Council wants and if there is an end to it, the Commissioners all understand that it might happen.

Mayor Roe thought more or less that was what the Council was saying. He indicated the Council wants to be respectful and does not want to say continue doing what you are doing if some aspect of that just does not seem to be fitting with what the Council has been talking about. He did not want the Commission to continue to do

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these things if the Commission does not think it made sense to spend a lot of time on it. He thought whatever is in the works at the Commission, to continue to work on them, because what could be the harm in getting that work, from the City's perspective.

Ms. Olson recapped the discussion from the meeting and where the Commission is headed for their next meeting.

8. Council Direction on Councilmember Initiated Agenda Items

9. Approve Minutes

10. Approve Consent Agenda

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

Assistant City Manager Olson reviewed the March 18, 2024 City Council meeting, April 8, 2024 City Council meeting and the April 15, 2024 City Council Worksession meeting.

12. Adjourn

Groff moved, Strahan seconded, adjournment of the meeting at approximately 9:03 p.m.

Roll Call

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

Nays: None.

Daniel J. Roe, Mayor

ATTEST:

Rebecca Olson, Assistant City Manager

Human Rights, Inclusion and Engagement Commission
Meeting Minutes
DRAFT – March 20, 2024 - DRAFT

Commissioners Present: Richard James, Amanda Becker, Namit Bhalla, Jeena Gurung Vomhof, Kathryn Macomber, David Tidball, and Lori-Anne Williams

Youth Commissioners: None

Commissioners Absent: Elliot Francke (excused)

Staff Present: Rebecca Olson, Assistant City Manager

Call to Order/Roll Call

The Human Rights, Inclusion, and Engagement Commission (HRIEC) meeting was called to order at 6:30 p.m.

Receive Public Comment

Approve Minutes

a. February 28, 2024 Human Rights, Inclusion and Engagement Commission

Commissioner Williams moved and Commissioner Bhalla seconded a motion to approve the February 28, 2024 Human Rights, Inclusion and Engagement Commission meeting minutes as presented. Motion passed 6 ayes, 0 nays, 1 abstain (Tidball).

New Business

a. Elect Chair, Vice Chair and Ethics Commission Representative

Chair James indicated this item is to elect the Chair, Vice Chair and Ethics Commission Representative.

Ms. Olson reviewed the City Code regarding electing a Chair and Vice Chair as well as the Ethics Commission Representative. She asked if there were any nominations for Chair.

Commissioner Becker nominated Chair James.

Ms. Olson asked if there are any other nominations for Chair. There were none.

There was no formal vote with maker and second, but Ms. Olson asked for a vote of the Commission and the motion passed unanimously.

Chair James asked if there were any nominations for Vice Chair.

Commissioner Williams nominated Commissioner Bhalla.

Commissioner Gurung Vomhof seconded the motion.

Commissioner Williams moved and Commissioner Gurung Vomhof seconded a motion to elect Commissioner Bhalla as Vice Chair of the HRIEC. Motion passed unanimously.

Chair James asked if there was anyone who would like to volunteer for the Ethics Commission.

Commissioner Tidball indicated he would volunteer for the Ethics Commission.

b. Debrief and Provide Feedback Regarding Potential HRIEC Changes

Chair James reviewed the City Council workshop meeting he attended regarding potential HRIEC changes. He indicated the City Council asked the Commission to provide feedback to the Council for discussion at a future City Council meeting. He noted the Commission was provided a feedback sheet and matrix.

Ms. Olson reviewed the matrix and the questions the Council wants the Commission to discuss.

Chair James indicated he was fine with going through the questions and then he and Ms. Olson can go through the matrix after the meeting and fill that in.

1. What types of things should the group be tasked with?

Chair James explained he wrote down the three things the Commission came up with as a part of the scope:

1. Be advisors to the City
2. Be ambassadors to the community
3. Support human rights for all stakeholders

Chair James noted he knew that the Council has some issues with the idea of being an advocate.

Commissioner Williams asked how the Commission would be supportive of human rights for all stakeholders.

Chair James explained as he sees it when the Commission goes out and talks to groups, that part of the Commission's overall thought was the Commission should be promoting human rights altogether in the City. Every Commission, staff and

City Council should be doing that just as an overall thing in the background. Not going out and talking about human rights per say, however, that could be done. He could see the Commission setting up a meeting so that anyone in the community could come and hear from the State Human Rights representative instead of just hearing the Commission talk about it.

Ms. Olson asked if that would be information and educational awareness building around Human Rights.

Chair James indicated that is the way he was seeing this topic to be. He explained he did not see it as something other than what he has just said, education and information.

Commissioner Macomber thought the first place the person could go to could be the HRIEC and from there it would go to staff for a response.

Chair James explained he has a list of Human Rights resources in his file, and he thought a Commissioner could take that on if something came to the Commission with a complaint, it would be a guide for that person to follow to get the help needed. He saw that as the extent of the Commission's active participation in human rights violations in the City.

Commissioner Gurung Vomhof indicated that being new to the country, what Chair James is saying is very confusing for her and the general public and Roseville has a very diverse community, and the City should be speaking simpler than what is being spoken. She explained that was her recommendation because what Chair James just said she did not understand. She explained that if she is saying this as an educated person then what is an immigrant who just moved six months ago going to understand? She thought what is happening since she has come here, a little over a year ago, not understanding what the Commission is even doing. She thought what would be so amazing as a group is to have this in such a way that anybody that comes to find out what the Commission is doing can easily figure it out.

Chair James indicated when the Commission worked on the scope, those three items he listed were in the scope and be able to say to somebody.

Commissioner Gurung Vomhof indicated for her, the role would be to be available to the general people and how does the Commission do that. The Commission talked about having a QR code and being part of different social events happening in the community and she thought is when the Commission needs the staff and the Commission to coordinate. The Commission should support the staff and create a program to support. She thought the three things the to consider are what is the City doing, which department of the City is doing it and how can the Commission support them and be there for them?

Chair James explained this is the Commission's description. What the Council asked the Commission to do is to come up with a description of what the Commission sees themselves doing and the first three items are what the Commission sees themselves doing. This communicates to the Council. He noted the Commission is in limbo because the City has not approved the new City Code 205 and the Commission is functioning under the old City Code 205 right now. He explained the three things he listed are hopefully going to inform the Council about how the Commission sees its function.

Ms. Olson clarified Commissioner Gurung Vomhof' request for the HRIEC to support City Staff.

Commissioner Gurung Vomhof explained Ms. Olson's clarification was correct because what she has heard is that the HRIEC is here to support the City Staff, to encourage, motivate, and to be the volunteer for staff to ask for help from and to support the City. She thought to have that information specifically would be easier than just saying the HRIEC is an advisor to the City. She indicated that sometimes when the HRIEC gives advice it is not even heard or that the change takes time. 'Be Advisors' to the City is a pretty big phrase and she did not know what that even meant.

Chair James explained the phrase is meant to be general. The HRIEC goes to staff or the City Council with recommendations and examples of it. The Council does not respond to the recommendation and there is no system to it that he is aware of, to get feedback. He explained if he were not a member of the HRIEC and was just a citizen and went to the Council for a request or recommendation and never heard back then why would he come before the Council again. He explained the HRIEC is advisory to the Council and thinks the Council needed to set up a way to respond to the people, with the City rules implemented. There should be some type of response to people that come and express their opinion to the Council and right now the Council shows they do not want to talk about whatever the concern is unless it is a part of the agenda.

Ms. Olson thought there is work that can be done in understanding what the processes are and the communication and that is one way to understand that.

Chair James understood the process, but that the process stinks.

Commissioner Gurung Vomhof thought this was amazing and if the Commission can write specific things and what it means, then the Commission can understand and tell the Council that this year the Commission is doing this or that and make it happen.

Commissioner Becker thought what Commissioner Gurung Vomhof was trying to get at is the advisor to the City, the ambassador supporting, it would help to be more tunneled in a specific direction.

Chair James explained a further explanation of that is in the new 205. Each one of those things is addressed in the HRIEC's version of the new 205. This is as few words as possible explanation of that. If anyone needs to get further information than the new 205 can be looked at, which the HRIEC approved and sent to the City Council.

Commissioner Tidball thought what the Commission wrote was really still quite general and the Council asked the Commission to be creative as well and the Council did not like a fair amount of what the Commission created, had problems with it and did not understand what the Commission wanted. What the Commission had been talking about, trying to define, in his mind is what in government circles is referred to as oversight. Citizen oversight of what a particular governmental entity or structure does. Something that he thought Ms. Olson stated at the meeting on the eleventh is that the group that helped the City setup the diversity, equity and inclusion procedure for the City, Culture Brokers, actually recommended that there be some citizen oversight group that follows on with what the City is doing in all of its programming, policies, procedures to make sure that the initiatives the City is taking are ones that the citizens feel are the ones the City should be taken. Oversight always involves some form of evaluation, and he has heard repeatedly from this group that it is something that is not done despite the fact that the old scope document uses that word. It seems to him, in listening to the conversation from the City Council on March 11th, that oversight role is the one the Council feels most comfortable with a Commission doing and it is the one that he gets the impression that actual people sitting on this Commission are the least interested in doing. There is an obvious mismatch there and he thought that is a part of their problem in communicating. If the City had been clear from the beginning that this kind of oversight thing is what the Council really wanted this Commission to do, the original 205 is not really well written. It is difficult to know what the Council really wanted done if interpreting the original 205. In listening to the conversation on March 11th, the impression he got from the Council was the oversight role is what the Council feels most comfortable with a Commission doing and there is something to be said for that being a positive thing for a Commission doing, whether or not it is what any on the Commission would have signed up for if it had been specific.

Commissioner Macomber agreed.

Commissioner Tidball explained that kind of oversight is the kind of thing their commission process is setup to be. When the Commission starts to throw around a word like ambassador, the problem, in what he thought he heard, the Council starts to wonder who they are authorizing to speak for the City, what is the

Council authorizing the Commission to say and is the City going to end up with a bunch of loose cannons going out and saying whatever they want to say as if they represented the City. He thought that is a difficult thing for the Council and perhaps it should be. He did not know exactly where to go with that except that was a problem for the Council but perhaps what the City actually needs is two groups. It is possible that the City needs a Commission that does the oversight type of stuff and perhaps the, particularly the human rights aspect, but perhaps that work is best done in a format like the MAC does and that group might actually be a subgroup of the Commission.

Chair James indicated that was another one of his thoughts. Up until this point, it has almost been from the City Council to either have an HRIEC or a MAC. The idea of having the HRIEC, another commission that looks at oversight, overview, evaluating and a third group that is like the MAC. The groups can work parallel with communicating with each other. Those three things could happen and the HRIEC would be able to pursue what it wants to do and would be able to collaborate with the MAC type group, the group that is interested in sitting around and talking can do the other part of it. That is part of his idea on how things can be worked out and how things can be done.

Commissioner Macomber indicated she could see two groups, maybe. The MAC type group, which could be easier for people to join in that people could participate via Zoom, could be flexible with meeting times and places and would not need open meeting law for compliance and could perform two functions for the HRIEC. One would be to bring the voices of the people to and be the one that maybe brings policy, concept and provides the implications of what could go wrong with programs or what has gone wrong. The other is it could be a funnel for people who want to take what they did with the MAC type group and see it go into policy and be a part of that process and be candidates for the Commission.

Ms. Olson clarified the two groups the Commission has been discussing.

Commissioner Williams thought there is a fear on the City Council because some of what the Commission says sounds like the Commission is going to go around to groups in the City and explain they are from the City and there to help and that is not good news for the City. She thought the Council is right in being nervous about that.

Commissioner Macomber thought the City Council has had past experiences regarding that and are a little shy about that.

Chair James explained in his experience the City Council has not sought to understand that about how the Commission works. The Council has talked to people about what their frustrations are, but the Council has not come to the Commission asking what the Commission is doing other than directing the

Commission to do something. The Council has not sat down to have a conversation with the Commission about this.

Commissioner Bhalla thought this was stating that item number one is important because it is the Commission's mission. He thought it was important to narrow it down because, especially how will the City explain this to someone new. His question is what the Commission is talking about and then the Commission, itself, needs some sort of training in what to say, what to do and what not to do.

The Commission discussed the history of the HRIEC, possible groups that could revolve alongside the HRIEC and what the Commission means to each Commissioner.

Ms. Olson thought the Council was asking for what the Commission can be, what it should be and not what has the Commission been. She thought it was ok if people have different viewpoints on what they signed up for and could be shared with the Council. She thought the Commission is really narrowing down what the Commission could be by the conversation going on and she thought it was really good to know that the Commission has not been what their expectations are and moving forward can the City find something that does meet those expectations. She wondered if the Commission wanted to share with the Council that there should be two groups or should it be one group. Does the Commission want to come to a consensus? Does the Commission want her to put multiple viewpoints into this document and provide feedback to the Council? She wondered how the Commission wants her to present this conversation to the Council.

Commissioner Gurung Vomhof thought the simpler the better. Instead of talking about the past, the Commission should talk about what it wants to do moving forward. Personally, she would just want one group.

Commissioner Bhalla thought one group would be beneficial. He thought the mindset is the Commission is trying to get their passion out there for something the Commissioners want to see and moving forward the Commission wants to see the Council as their friend to work towards the same goal.

Commissioner Macomber explained her take on this is that this kind of work is slow and sometimes it is two to three steps back for every one step forward. She thought this is kind of an evolution. She thought the Commission should work together on one Commission and if a second group is needed that can be down the road.

Chair James thought that everyone on the Commission, besides him, feels that what the Commission is going to recommend is the Commission becomes a talking Commission and not a doing Commission.

Commissioner Tidball thought those were really pejorative words. He likes the word oversight.

Chair James gave the Commission his view on what he thought the Council wants the Commission to be. He did not think the Council wants the Commission to be oversight for them. The Council is not looking for the Commission to look at their items. One of the main objectives is to take away doing action and make this evaluation without being evaluative of them. He explained that is his takeaway of what he has heard from the City Council and what his experience has been as well as what he has heard from a current Councilmember.

Commissioner Williams thought what the Commission was talking about was not being the oversight for the Council, but the oversight for the SREAP, the racial impact summaries, those things and partners with the new DEI person. She did not feel like the Commission is providing oversight for the Council.

Chair James indicated these are Council initiatives, those are policies.

Commissioner Becker thought the Commission will still need to go out to events and wear the HRIEC badge. She thought that picking a path of some oversight was because it gives the Commission something to be present for, it provides a motivation.

Ms. Olson provided some background around the SREAP for the Commission.

The Commission discussed next steps and what kind of group the Commission was looking to be.

c. Recognition of Out-Going Commissioners

Ms. Olson thanked Commissioners Becker, Macomber and Williams for all of the work that was done while on the Commission and she felt that everyone has been valuable voices on the Commission and has been appreciated by the City.

Chair James explained he wished the Commission was a different one for Commissioner Williams because for him she has been an extremely valuable voice. He thanked Commissioner Macomber for being a guiding light for him and has been steadfast and prepared and someone he could always count on. He thanked Commissioner Becker for being a wonderful work partner the past year. He could not have asked for anybody that had the same kind of input, passion, desire and ideas that she has had. He indicated he will miss all of them and thanked them for serving.

d. Work Plan Discussion

The Commission postponed this item.

Other New Business or Reports

a. Staff Updates

Assistant City Manager Olson reported on the following:

- Update Commission Handbook – Representative needed
- Antonio Montez, the new Equity and Inclusion Manager – Starting on March 25th
- April 8th Council discussion on HRIEC
- April 15th Strategic Planning meeting at City Council meeting

Adjournment

Chair James adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Sue Osbeck

TimeSaver Off Site Secretarial, Inc.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024
Item No.: 9.d.

Department Approval

Janice Gundlach

City Manager Approval

Samir Truog

Item Description: Discuss Missing Middle Housing legislation known as House File 4009/Senate File 3964

Background

The Minnesota Legislature is considering several bills that include statewide zoning and land use use preemption provisions aimed at generating more housing, more missing middle housing, and more affordable housing. There are several versions of the bills, in both the House and Senate, including HF 4009/SF 3964 and HF 4010/SF 3980. The bill known as House File 4009 is provided as Attachment 1. This bill includes almost all the provisions offered in the other Housing and Senate bills. The main subjects covered in the legislation include:

- A requirement that multi-family must be permitted in any commercial zoning district, including how a City shall approve these developments, limits on height restrictions less than 150', limits on setback standards, and requirements for off-street parking.
- Limits on minimum residential densities (4,000 SF/unit for Roseville) and associated requirements (building height, lot coverage, floor area ratio, impervious surface, design elements) with greater allowances for affordable housing.
- Sets a base level for density on any residential lot at 2 units.
- Requirement that cities permit "middle" housing types.
- Additional density allowances when all-electric and efficient and/or affordable homes are constructed.
- Language surrounding when, or even if, a City can impose standards that are more restrictive than those outlined in the bill, including that cities cannot impose fees or dedications.
- Requirement that a city must allow Accessory Dwelling Units.
- Provisions requiring administrative reviews to occur within 60-days for multi-family housing projects, including prohibiting approvals from being conditioned on securing certain items, including planned unit development and/or conditional use approvals, completion of studies, or any other item not related to conformity with the city's comprehensive plan, zoning requirements, or state law.
- Provisions requiring administrative subdivision approvals to occur within 60-days for projects permitted under the law, including middle and affordable housing.
- Limits on what a city can require as negotiated through the city's tax increment authority.

Beyond the provisions of the bill that broadly preempt city zoning, land use, and tax increment authorities, staff is concerned about implementation, the timeline for effectiveness, and short and long term enforcement of the legislation.

The League of Minnesota Cities, Metro Cities, Coalition of Greater Minnesota Cities, Minnesota Association of Small Cities, and Municipal Legislative Commission have been opposing the bill, advocating for local control when it comes to local decision-making authority on residential development. Attachment 2 includes a letter sent to various members of the House and a nearly

identical letter has been sent to the Senate. Cities are being encouraged to reach out to their legislators with concerns.

Policy Objectives

The main impetus for these bills is that the State is failing to produce enough housing units to keep pace with demand, which, in turn, affects affordability. The general housing unit needs for the state have risen from 10,000 units per year to nearly 18,000 units per year. Staff would offer that the issues surrounding why this demand is not being met are complicated and not solely a function of local zoning policies.

Racial Equity Impact Summary

This legislation is intended to impact production, cost of production, and ease of production of rental, missing middle, and affordable housing types. In Roseville, BIPOC households are much more likely to be renters, with 72.5% of Black households being renters and 56.9% of Asian households being renters, compared to only 26.7% of White households being renters. Further, the median household income for Black families in Roseville is \$47,283, which is significantly less than the median household income for White families at \$76,297. The 2020 census revealed significant changes in our resident population, specifically increases in all of our BIPOC communities compared to the previous census (+56% African American or Black, +4% American Indian, +41% Asian or Pacific Islander, +25% Hispanic/Latino). These demographics suggest that any legislation aimed at producing more rental units or housing units serving households at lower median household income levels, will impact Persons of Color more than Whites.

Budget Implications

Not applicable

Staff Recommendations

Discuss the legislation and direct staff of any position the City wishes to take with regard to legislation known as HF 4009/SF 3964 (or related bills).

Requested Council Action

By motion, direct staff of any position the City wishes to take with regard to legislation known as HF 4009/SF 3964 (or related bills).

Prepared by: Janice Gundlach, Community Development Director

Attachments: 1. HF4009_02-22-2024
2. LMC_partner letter to House_2-20-2024

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4009

02/19/2024 Authored by Kraft, Howard, Nash, Elkins, Wolgamott and others
The bill was read for the first time and referred to the Committee on Housing Finance and Policy
02/22/2024 Adoption of Report: Amended and re-referred to the Committee on State and Local Government Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to local government; establishing minimum allowable densities on
- 1.3 residential lots in cities; requiring the authorization of middle housing types to be
- 1.4 built on residential lots; authorizing subdivision of residential lots; limiting parking
- 1.5 requirements established by cities; requiring the Minnesota Housing Finance
- 1.6 Agency to create a model ordinance for cities; limiting city aesthetic mandates on
- 1.7 residential building permits; establishing requirements for multifamily residential
- 1.8 developments in cities; proposing coding for new law in Minnesota Statutes,
- 1.9 chapter 462.
- 1.10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.11 Section 1. [462.3571] MULTIFAMILY RESIDENTIAL DEVELOPMENTS.
- 1.12 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
- 1.13 the meanings given them.
- 1.14 (b) "Affordable housing development" means a multifamily residential development in
- 1.15 which:
- 1.16 (1) at least 20 percent of the residential units are for households whose incomes do not
- 1.17 exceed 50 percent of the area median income; or
- 1.18 (2) at least 40 percent of the residential units are for households whose incomes do not
- 1.19 exceed 60 percent of the area median income.
- 1.20 The deed or declaration for an affordable residential unit must also contain a restrictive
- 1.21 covenant requiring the property to remain affordable housing for at least 30 years.
- 1.22 (c) "City" means a home rule charter or statutory city.
- 1.23 (d) "Residential unit" means a residential dwelling for the use of a single owner or tenant.

(e) "Structure" means anything constructed or installed for residential or commercial use which requires a location on a parcel of land.

Subd. 2. Multifamily residential developments. (a) Subject to compliance with all municipal standards, multifamily residential developments are a permitted use in any commercial zoning district. A multifamily residential development may not be constructed on a lot zoned for a single-family home unless otherwise authorized by law, rule, or ordinance.

(b) A multifamily residential development may be mixed use so long as at least 50 percent of the square footage of the development is dedicated to residential use.

Subd. 3. Compliance with comprehensive plan; zoning. A multifamily residential development must be approved by a city if it is consistent with the comprehensive plan on the date of submission and complies with the requirements of this section and all state and municipal standards.

Subd. 4. Applicable zoning standards. (a) A city may not impose more restrictive standards on a multifamily residential development than those that apply to property zoned for the current use of the parcel.

(b) A city must not impose a height requirement on a multifamily residential development that is less than the tallest structure within a one-quarter mile radius of the parcel on which the development will be built, or the maximum height permitted under the city's official controls, whichever is higher, so long as the maximum height of the development is no more than 150 feet.

(c) A city must not impose a setback requirement on a multifamily residential development that is less than the smallest minimum setback distance required of a structure within a one-quarter mile radius of the parcel on which the development will be built.

Subd. 5. Parking requirements limited. A city may not require more than one off-street parking space per residential unit.

Subd. 6. Affordable housing development; height requirements. (a) An affordable housing development must be permitted to exceed both a maximum height requirement and a maximum floor area ratio limitation imposed by city official controls as provided in paragraphs (b) and (c). The authority in paragraphs (b) and (c) that will produce the tallest development with the most number of affordable housing units on the parcel shall be applied to the affordable housing development.

(b) An affordable housing development may either:

(1) exceed the height requirement for the zoning district where the affordable housing development will be located by 35 feet in height; or

(2) match the maximum allowed height in any zoning district within one mile of the affordable housing development, so long as the maximum height is no more than 150 feet.

(c) An affordable housing development must be permitted to do one of the following, whichever results in the largest development:

(1) exceed the maximum density as permitted by city standards or the city's comprehensive plan by 30 percent;

(2) exceed the lot coverage ratio by 30 percent;

(3) exceed the floor area ratio by 30 percent; or

(4) exceed the maximum impervious lot coverage area by 30 percent.

Subd. 7. **Administrative review process.** (a) Notwithstanding any law, rule, or ordinance to the contrary, a city must establish an administrative review process for building permit applications for multifamily housing development projects. The administrative review process must review and approve or deny such building permit applications based on the application's conformity with the city's comprehensive plan, other applicable zoning requirements, and state law. An application may not be approved contingent on the development being a part of planned unit development, the approval of a conditional use permit, the completion of a study, or other condition that is not related to conformity with the city's comprehensive plan, zoning requirements, and state law.

(b) An application denial must be in writing and must describe the reasons for denial and the ways the application or development design can be amended to receive approval at a future date. Nothing in this subdivision prevents an applicant who received a denial from submitting a new application for the same multifamily housing development, which shall be treated as a new submission by the city.

(c) The administrative review process shall not involve a public hearing unless one is required by state or federal law. Approval or denial of an application does not require approval by the city council or a subcommittee of the council.

(d) An application subject to the administrative review process under this subdivision must be approved or disapproved within 60 days following the receipt by the city of a completed application by the applicant. If the city fails to approve or disapprove an application within 60 days, the application shall be deemed approved. The city may not request an extension for review of the application from the applicant.

(e) A city may request that an applicant incorporate certain design elements into the development that go beyond the criteria in state law and city official controls. The applicant may incorporate those elements in the design of the development but is not required to do so.

Subd. 8. **Local funds.** Notwithstanding any law, rule, or ordinance to the contrary, a city may not impose requirements on a multifamily housing development that are more restrictive than the requirements in this section if a multifamily housing development is funded in whole, or in part, with local funds or is located in a tax increment financing district or other special district created by the city.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 2. **[462.3575] CITY MINIMUM RESIDENTIAL DENSITIES AND ASSOCIATED REQUIREMENTS.**

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

(b) "Accessory dwelling unit" means any building that contains one dwelling unit used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or occupied for living purposes and is located on the same property as an existing dwelling. An accessory dwelling unit may be attached or detached from the existing dwelling.

(c) "Affordable housing" means a residential dwelling unit affordable to households at or below 115 percent of the area median household income, for an owner-occupied unit, or at or below 60 percent of the area median household income, for a unit that is leased. The deed or declaration for the unit must also contain a restrictive covenant requiring the property to remain affordable housing for at least ten years, if the unit is owner-occupied, or at least 30 years if the unit is leased.

(d) "All-electric and efficient home" means a residential dwelling unit that utilizes electricity as its sole source of energy for heating, hot water heating, cooling, and appliances, and meets the most current minimum efficiency standards of a zero energy ready home under the Zero Energy Ready Home program administered by United States Department of Energy.

(e) "City" means a home rule charter or statutory city.

(f) "Cottage housing" means residential dwelling units on a lot with a common open space that either:

- 5.1 (1) is owned in common; or
- 5.2 (2) has units owned as condominium units with property owned in common and a
5.3 minimum of 20 percent of the lot size as open space.
- 5.4 (g) "Courtyard apartment" means a building with up to four attached residential dwelling
5.5 units arranged on two or three sides of a yard or garden.
- 5.6 (h) "Duplex" means a two family home, classified as an IRC-2 in the State Building
5.7 Code and not meeting the definition of townhouse.
- 5.8 (i) "Fiveplex" means a building containing five residential dwelling units intended for
5.9 nontransient occupancy and not meeting the definition of townhouse.
- 5.10 (j) "Fourplex" means a building containing four residential dwelling units intended for
5.11 nontransient occupancy and not meeting the definition of townhouse.
- 5.12 (k) "Lot" means any contiguous parcel of land in the possession of, owned by, or recorded
5.13 as the property of the same claimant or person.
- 5.14 (l) "Major transit stop" means a stop or station for a guideway or for a busway, as the
5.15 terms are defined in section 473.4485, subdivision 1.
- 5.16 (m) "Metropolitan area" has the meaning under section 473.121, subdivision 2.
- 5.17 (n) "Middle housing" means buildings that are single-family detached homes and
5.18 residential properties that are compatible in scale, form, and character with single-family
5.19 detached homes. Middle housing includes all of the following housing types:
- 5.20 (1) duplexes;
- 5.21 (2) triplexes;
- 5.22 (3) fourplexes;
- 5.23 (4) fiveplexes;
- 5.24 (5) sixplexes;
- 5.25 (6) townhouses;
- 5.26 (7) stacked flats;
- 5.27 (8) courtyard apartments;
- 5.28 (9) cottage housing; and
- 5.29 (10) single-family detached homes.

(o) "Residential dwelling unit" or "unit" means a residential dwelling unit for the use of a single owner or tenant, and applies to any type of residential structure unless otherwise specified.

(p) "Single-family detached home" means any building that contains one residential dwelling unit used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or occupied for living purposes that is not attached to another structure.

(q) "Sixplex" means a building containing six residential dwelling units intended for nontransient occupancy and not meeting the definition of townhouse.

(r) "Stacked flat" means a nontransient residential building of no more than three stories on a lot zoned for residential development in which each floor is a residential dwelling unit.

(s) "Townhouse" means a single-family residential dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to the roof and with open space on at least two sides. Each single-family residential dwelling unit shall be considered to be a separate building. Separate building service utilities shall be provided to each single-family residential dwelling unit when required by the Minnesota State Building Code.

(t) "Triplex" means a building containing three residential dwelling units intended for nontransient occupancy and not meeting the definition of townhouse.

Subd. 2. Middle housing types permitted. Any city in the metropolitan area and any city outside of the metropolitan area with a population of 10,000 or more must authorize at least six types of middle housing other than single-family detached homes to be built on residential lots in the city to achieve the density requirements in this section.

Subd. 3. Cities of the first class; required residential densities. (a) A city of the first class must permit the development of at least four residential dwelling units on any residential lot that is more than one-half mile from a major transit stop, unless one of the following criteria are met:

(1) if all of the units are all-electric and efficient homes, the city must permit the development of at least six residential dwelling units on the lot;

(2) if at least two of the units are affordable housing, the city must permit the development of at least six residential dwelling units on the lot; or

(3) if all of the units are all-electric and efficient homes and at least two of the units are also affordable housing, the city must permit the development of at least eight residential dwelling units on the lot.

(b) A city of the first class must permit the development of at least six residential dwelling units on any residential lot that is one-half mile or less from a major transit stop, unless one of the following criteria are met:

(1) if all of the units are all-electric and efficient homes, the city must permit the development of at least eight residential dwelling units on the lot;

(2) if at least two of the units are affordable housing, the city must permit the development of at least eight residential dwelling units on the lot; or

(3) if all of the units are all-electric and efficient homes and at least two of the units are also affordable housing, the city must permit the development of at least ten residential dwelling units on the lot.

(c) The requirements of this subdivision apply regardless of the types of middle housing authorized by the city under subdivision 2.

Subd. 4. **Greater Minnesota small cities; required residential densities.** A city with a population of less than 10,000 that is located outside of the metropolitan area must permit the development of at least two residential dwelling units on any residential lot.

Subd. 5. **Other cities; required residential densities.** (a) A city to which the requirements of subdivisions 3 and 4 do not apply must permit the development of at least two residential dwelling units on any residential lot that is more than one-half mile from a major transit stop, unless one of the following criteria are met:

(1) if all of the units are all-electric and efficient homes the city must permit the development of at least three residential dwelling units on the lot;

(2) if at least one of the units is affordable housing, the city must permit the development of at least three residential dwelling units on the lot; or

(3) if all of the units are all-electric and efficient homes and at least one of the units is also affordable housing, the city must permit the development of at least four residential dwelling units on the lot.

(b) A city subject to this subdivision must permit the development of at least four residential dwelling units on any residential lot that is one-half mile or less from a major transit stop, unless one of the following criteria are met:

(1) if all of the units are all-electric and efficient homes, the city must permit the development of at least six residential dwelling units on the lot;

(2) if at least two of the units are affordable housing, the city must permit the development of at least six residential dwelling units on the lot; or

(3) if all of the units are all-electric and efficient homes and at least two of the units are also affordable housing, the city must permit the development of at least eight residential dwelling units on the lot.

(c) The requirements of this subdivision apply regardless of the types of middle housing authorized by the city under subdivision 2.

Subd. 6. **Municipal standards.** (a) Any standards, performance conditions, or requirements imposed by a city for residential dwelling units permitted under subdivisions 3, 4, and 5 must directly relate to protecting public health, safety, and general welfare.

(b) A city may not use official controls to prohibit the application of this section, including imposing performance conditions, standards, requirements, ordinances, fees, exactions, and dedications on any residential dwelling unit or development that are more restrictive than those in this section or other law or rule.

Subd. 7. **Commercial district designation.** A city with a population of 10,000 or more that does not have a major transit stop within the boundaries of the city must designate the boundaries of at least one commercial district in the city. The commercial district must be adjacent to residential property. The boundaries of the commercial district must be treated as a major transit stop for the purposes of determining properties to which the densities in subdivisions 3 and 5 apply.

Subd. 8. **Accessory dwelling units authorized.** (a) An accessory dwelling unit may be built on any residential lot in a city, regardless of total lot size, street frontage, connectivity between the accessory dwelling unit and the primary dwelling on the lot, and whether the lot is occupied by the property owner, so long as the accessory dwelling unit is built in conformance with the Minnesota State Building Code.

(b) A city may permit more than one accessory dwelling unit to be built on a residential lot.

(c) An accessory dwelling unit qualifies as a residential dwelling unit for the purposes of subdivisions 3, 4, and 5.

Subd. 9. **Minimum lot size permitted.** (a) A city may, by ordinance, require a minimum lot size in accordance with this subdivision to which the density requirements of subdivisions 3 and 5 apply.

(b) A minimum lot size for a city of the first class must not be greater than:

9.1 (1) 2,500 square feet for a single-family detached home, duplex, triplex, fourplex,
9.2 fiveplex, sixplex, stacked flat, and courtyard apartment; or

9.3 (2) 1,200 square feet for a townhome and cottage housing.

9.4 (c) A minimum lot size for a city subject to subdivision 5 must not be greater than:

9.5 (1) 4,000 square feet for a single-family detached home, duplex, triplex, fourplex,
9.6 fiveplex, sixplex, stacked flat, and courtyard apartment; or

9.7 (2) 1,200 square feet for a townhome and cottage housing.

9.8 (d) This subdivision does not apply to a city located outside of the metropolitan area
9.9 with a population of less than 10,000.

9.10 Subd. 10. City official controls; limitations. (a) City official controls establishing,
9.11 directly or indirectly, the permitted size, scale, or form of a building may only impose the
9.12 following limitations:

9.13 (1) building height maximums;

9.14 (2) yard or setback requirements;

9.15 (3) maximum lot coverage;

9.16 (4) impervious surface maximums;

9.17 (5) lot width minimums;

9.18 (6) lot area minimums; and

9.19 (7) a maximum number of residential units per lot.

9.20 (b) City official controls must not impose architectural features, minimum square footage,
9.21 garage square footage, or floor area ratios, and must not create practical difficulties in the
9.22 placement of residential units on any lot.

9.23 (c) City official controls establishing, directly or indirectly, the maximum square footage,
9.24 gross floor area, or other size standard for residential dwelling units must be increased by
9.25 at least ten percent per single-family unit built on a lot where multiple single-family units
9.26 will be developed. A city may opt not to adjust a height standard for single-family units
9.27 entitled to other standard adjustments under this paragraph.

9.28 (d) A city must reduce a setback standard by at least one foot for an all-electric and
9.29 efficient home.

10.1 Subd. 11. **Parking requirements limited.** (a) A city may not require off-street parking
10.2 space for a residential dwelling unit that is one-half mile or less from a major transit stop.

10.3 (b) A city may not require more than one off-street parking space per residential dwelling
10.4 unit that is over one-half mile from a major transit stop.

10.5 Subd. 12. **Affordable housing; replacement required.** Affordable housing on a
10.6 residential lot may only be demolished, in whole or in part, for the construction of middle
10.7 housing if the middle housing development will create at least as many affordable housing
10.8 units as exist in the structure to be demolished.

10.9 Subd. 13. **Subdivision of lots permitted; administrative review process established.** (a)
10.10 Notwithstanding any law, rule, or ordinance to the contrary, a city must permit a residential
10.11 lot to which the density requirements of subdivisions 3, 4, and 5 apply to be subdivided in
10.12 a manner that allows all units to be built on the property to be single-family detached homes.

10.13 (b) A residential lot created from the subdivision of property under paragraph (a) that
10.14 is smaller than a minimum lot size required pursuant to subdivision 9 is not subject to the
10.15 density requirements under subdivisions 3, 4, and 5.

10.16 (c) A city shall process an application to subdivide a residential lot in accordance with
10.17 the procedures under subdivision 14.

10.18 Subd. 14. **Administrative design review process established.** (a) Notwithstanding
10.19 section 462.358, subdivision 3b, or any other law, rule, or ordinance to the contrary, a city
10.20 must establish an administrative design review process for building permits for middle
10.21 housing development projects and subdivision applications under subdivision 13. The
10.22 administrative review process must review and approve or deny such building permit and
10.23 subdivision applications based on the application's alignment with the city's comprehensive
10.24 plan and other applicable zoning requirements. The administrative review process shall not
10.25 involve a public hearing unless one is required by state or federal law or the project involves
10.26 or affects a lot located in a historic district under section 138.73. The city may hold a public
10.27 hearing on a building permit or subdivision application under this section for requests for
10.28 variances from city zoning requirements. Except as provided in paragraph (b), an application
10.29 subject to the administrative design review process under this paragraph must be approved
10.30 or disapproved within 60 days following the receipt by the city of a completed application
10.31 by the applicant. If the city fails to approve or disapprove an application within 60 days,
10.32 the application shall be deemed approved.

(b) A city must specify in writing all requirements for an application for a building permit for middle housing or for a subdivision to be considered complete. The written completion requirements must accompany each application.

(c) An applicant may direct the city to toll the 60-day review period for an application for a building permit for middle housing or for a subdivision application under subdivision 13. The applicant may also direct the city to begin to run the 60-day time period for an application that was previously tolled upon request by the applicant. A request under this paragraph must be in writing. A city may not charge a fee to the applicant for a request under this paragraph.

Subd. 15. **Model ordinance.** (a) On or before December 31, 2024, the commissioner of the Minnesota Housing Finance Agency must develop and publish a model ordinance for adoption by cities that addresses the requirements of this section. On or before July 1, 2025, a city must adopt the model ordinance under this subdivision or amend its official controls to be consistent with the requirements of this section as part of an alternative density plan under subdivision 16.

(b) The Minnesota Housing Finance Agency must convene an advisory group of stakeholders to provide information during the development of the model ordinance. The advisory group must represent expertise in city administration, housing affordability, housing construction, municipal land use planning and zoning, and any other topics that the agency determines are necessary.

Subd. 16. **Alternative density plans.** A city may develop an alternative density plan and submit the plan to the commissioner of the Minnesota Housing Finance Agency for approval. The commissioner may approve an alternative density plan under this subdivision only if the city demonstrates that the plan will result in an equal or greater amount of middle housing production that would occur with the adoption of the model ordinance under subdivision 15. The commissioner must approve or disapprove an alternative density plan within 120 days of the day of receipt of the plan by the commissioner.

Subd. 17. **Exception.** Nothing in this section authorizes a residential dwelling unit that is prohibited by state or federal law, or an ordinance adopted pursuant to such a state or federal law, that protects floodplains, areas of critical concern, wild and scenic rivers, or that otherwise restrict residential dwelling units to protect the environment or scenic areas.

Subd. 18. **State Building Code; State Fire Code.** This section does not modify any requirement of the State Building Code or State Fire Code.

- 12.1 **EFFECTIVE DATE.** This section is effective July 1, 2025, except that subdivisions
- 12.2 1, 15, and 16 are effective July 1, 2024, and that subdivisions 4 and 5 are effective July 1,
- 12.3 2026.
- 12.4 Sec. 3. **[462.3576] LIMITATION ON AESTHETIC MANDATES FOR CITIES.**
- 12.5 A home rule charter or statutory city must not condition approval of a residential building
- 12.6 permit, subdivision development, or planned unit development on the use of one or more
- 12.7 of the following:
- 12.8 (1) specific materials for aesthetic reasons for property used for a residential purpose as
- 12.9 defined by the State Building Code;
- 12.10 (2) minimum square footage or floor area ratios;
- 12.11 (3) architectural design elements including, but not limited to, decks, balconies, porches,
- 12.12 gables, roof pitch, and elevation design standards;
- 12.13 (4) garage square footage; or
- 12.14 (5) common space, pools, or any common property necessitating a homeowner's
- 12.15 association.
- 12.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.



February 20, 2024

Re: City comments on HF 4009 ("Missing Middle Housing")

Dear Chair Howard, Vice Chair Agbaje and Members of the House Housing Finance and Policy Committee:

The League of Minnesota Cities, Coalition of Greater Minnesota Cities, Metro Cities, Minnesota Association of Small Cities, and Municipal Legislative Commission appreciate the opportunity to provide comments in opposition to HF 4009 (Kraft) as amended by the DE amendment. Our organizations and the cities we represent are deeply concerned with provisions in the bill that broadly preempt city zoning and land use authorities, remove public input in the residential development process, ignore long range local comprehensive plans and lack consideration for how cities utilize zoning and land use to ensure the health safety and welfare for residents and scale infrastructure to support new housing density.

Cities across the state have implemented innovative changes at the local level with community engagement to address their individual zoning and land use ordinances, provide local resources to ensure affordability, and create opportunities for new development across the housing spectrum. Zoning is hyper local as is each community's locally identified housing needs, public infrastructure capacity to accommodate new density, and advancing other individual community goals including historic preservation and protection of natural resources. While housing is a statewide issue, addressing housing affordability and availability must continue to be locally driven to account for these nuances.

The Missing Middle Housing bill as currently drafted, unfortunately falls short of policy that supports state-local partnership for residential development. Instead, the bill as written replaces existing zoning and land use authorities with an overly broad and rigid framework that eliminates the ability for all cities to account for nuances and be responsive to local conditions. In addition to the overall breadth of the preemptive nature of the policy proposed in the bill, numerous provisions in the proposed legislation pose serious practical questions for how city operations would function under the bill and either lack clarity or directly conflict with existing statute in ways that would likely result in litigation including:

- Section 1 of the bill creates minimum levels for density on all residential lots, which would force cities of the first class to allow between four and ten residential units and all other cities to accept between two and eight residential units on any residential lot regardless of its size or water and sewer infrastructure capacity or other state and federal requirements including stormwater management, fire and EMS access, and other standards.
- The bill does not consider overall lack of public infrastructure capacity, but forces cities to accept additional density without any consideration for how re-sizing infrastructure will be paid for to support the additional density, which will ultimately be borne by existing residents.
- Section 1 of the bill imposes unreasonable minimum lot size requirements to support the level of density mandated in the bill.
- Both Section 1 of the Missing Middle Housing bill and the DE amendment mandate new administrative review requirements that eliminates a resident's ability to voice concerns over material impacts a project would have on their property by eliminating all public hearing requirements for most residential development projects.

- Section 1 of the bill requires cities without a major transit stop to identify a commercial district in the city where high density development must be accepted despite most cities in Minnesota having neither and in hundreds of cities would result in allowing higher density multifamily buildings on all lots despite being well beyond the capacity of most greater Minnesota cities.
- The bill as amended by the DE amendment would force a city to accept by right up to a 150-foot multifamily building in certain areas of a city on any parcel even if that parcel was next to a single-family owner-occupied home without adequate ability to ensure reasonable setbacks for fire and safety.
- Section 1 of the bill also creates an exhaustive list for city zoning and land use authority, which leaves out significant life safety and public, health, safety, and welfare considerations that are included in longstanding city zoning and land use authority including emergency services access, fire safety, public infrastructure capacity, utility access, etc. The exhaustive list in the Missing Middle Housing bill, which includes height restrictions appear to directly contradict provisions in the DE amendment that prohibit restrictions on height.
- The bill in limiting minimum parking requirements while requiring higher density could result in developers underbuilding parking resulting in spillover onto city streets that were not designed to accommodate dense on street parking.
- The bill also includes contradictions within the bill itself including references that missing middle housing must be “compatible in scale, form, and character” with other housing while also broadly eliminating the ability for cities to impose those standards with the preemption of architectural design standards in section 2, which is overly broad and subjective likely resulting in legal challenges.

Thank you for consideration of our concerns. We look forward to continuing to work with Representative Kraft and other legislators to identify incentives-based approaches that support cities in their efforts to address local housing needs. Rigid state-mandated frameworks that remove community-engagement and lack consideration for how cities pay for and plan for infrastructure to support new residential density will create serious consequences for cities across the state.

Sincerely,

Daniel Lightfoot
League of Minnesota Cities

Ania McDonnell
Metro Cities

Elizabeth Wefel
Coalition of Greater Minnesota Cities

Tom Poul
Municipal Legislative Commission

Patricia Nauman
Metro Cities

Cap O'Rourke
Minnesota Association of Small Cities

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 9.e.

Department Approval

City Manager Approval



Item Description: Discuss Proposed Special Legislation to Create Ramsey County Economic Development Authority

Background

Ramsey County is requesting the Minnesota Legislature approve special legislation to create a County Economic Development Authority (EDA). Ramsey County has met with municipalities to review and discuss the proposed legislation. The County stated that its main purpose of the legislation is to allow them to spend some of its existing Housing and Redevelopment Authority (HRA) levy towards small business assistance, something that they cannot do as an HRA. The legislation as originally drafted (Attachment 1) allowed the County to create an EDA with full powers as defined under state statutes, including the ability to have an EDA levy. The original legislation also exempted the County from following existing state statute that required involvement of municipalities within the county in creating the EDA and the opportunity for those municipalities to opt out of the EDA if they so chose.

At a meeting on March 7 hosted by Ramsey County to discuss the proposed legislation, several municipalities, including Roseville, objected to the ability of Ramsey County to create an EDA levy and the bypassing of municipal involvement in the creation of the EDA. Ramsey County indicated that their intent is not to create a separate EDA levy and that municipalities could opt out of receiving funds from Ramsey County for business assistance. Despite that understanding, municipalities requested Ramsey County modify the proposed legislation to address the concerns raised at the meeting.

On March 15, another meeting was held, and Ramsey County presented additional information and modified language to the proposed legislation to address the concerns. (Attachment 2). Under the new proposed legislation, a Ramsey County EDA would be created, but the County would not have the ability to create or have an EDA levy. In addition, the legislation has been modified to directly allow municipalities to opt out of EDA programs it chooses.

From a staff perspective, there is no objection to the use of existing HRA levy funds to assist small businesses, as it is something that would potentially help Roseville's small businesses. The initial concern was more about the special legislation bypassing an already established process to create a county EDA with levy powers without involving local communities. The most recent draft addresses those concerns.

It should be noted that in 2016, Ramsey County brought forward special legislation to create an EDA. The City Council objected to the special legislation based on the fact that the legislation would create a totally new taxing authority and would bypass the process in state statutes for creating a County EDA. At its April 18, 2016 meeting, the City Council adopted a resolution opposing the passage of the legislation creating the Ramsey County EDA. (Attachment 3). Ramsey County eventually pulled the legislation from consideration after hearing concerns from Roseville and other communities. Ramsey County subsequently reactivated its previously created Housing and Redevelopment Authority (HRA) and began levying for HRA purposes. It is this existing HRA levy that they would like to use for business assistance funding.

Staff is bringing this information forward to the City Council for general awareness and to determine if the City Council wants to take a position on the legislation. At this point, the legislation is going through the process at the Capitol to be considered by the House and the Senate. On March 26, a hearing was held by the Senate Local Government Committee. Although concerns were raised about the legislation by some members, the bill was laid over for possible inclusion into an omnibus bill. Such a bill would need to be approved by May 26, which is the scheduled end of the legislative session.

Policy Objectives

Providing feedback on legislative issues to the Minnesota Legislature is important to ensure that items and issues that are important to the community and city operations are properly considered.

Racial Equity Impact Summary

No direct racial equity analysis was completed regarding this issue. According to Ramsey County, the main reason that the special legislation is being pursued is to allow existing HRA levy funds to assist small businesses and entrepreneurs. Based on information from the Small Business Administration, [21% of the small businesses are owned by a minority](#). Providing additional funding through a County EDA, will help all small businesses, including minority-owned businesses.

Budget Implications

There is no direct budgetary impact to the City with this legislation. If passed, the existing HRA levy would be able to be used to assist small businesses in the community.

Staff Recommendations

Review the information and provide staff with direction on a position, if any, the City Council would like to take on the proposed legislation.

Requested Council Action

The City Council should review the information and provide staff with direction on a position the City Council would like to take on the proposed legislation.

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

Attachments:

1. Ramsey County EDA Original Proposal and Legislation
2. Ramsey County EDA Revised Proposal and Legislation

3. City of Roseville Resolution 11313

Statutory Change Expanding Use of Ramsey County Housing & Redevelopment Authority (HRA)

HF 3784 (Lee) / SF XXXX (Hawj)

Small businesses are the backbone of Ramsey County. It's critical to our region that we continue to invest in our business community in the wake of the pandemic. Ramsey County seeks to amend the HRA statutory language to expand authority to better support diversifying industries, communities, and emerging entrepreneurs as best as possible.

HRA History

- March 23, 2021:** Ramsey County releases its first Economic Inclusion and Competitiveness Plan ([ECI Plan](#)). ECI Plan is developed with robust input from residents and community stakeholders over an 18-month period.
- Since 2021:** Ramsey County has been actively investing against the strategies and recommended actions outlined in the ECI Plan ([Track the Plan](#))
- June 22, 2021:** Ramsey County Housing and Redevelopment Authority approves an area of operation countywide, excluding the City of North Saint Paul.
- Dec. 21, 2021:** Ramsey County Board of Commissioners passes its 2022-2023 budget which includes \$11.1 million levied by the Housing and Redevelopment Authority for 2022.
- The first of the ECI Plan's recommended actions to be implemented was the activation of county's Housing & Redevelopment Authority levy.
 - Up until that point, Ramsey County was the only metropolitan county to **not** levy from its Housing and Redevelopment Authority for affordable housing and redevelopment projects.
- 2022 – 2023** In first two years of the HRA levy, Ramsey County invested \$13.8M million in affordable housing programs and projects (\$50M when factoring in all funding streams). Also introduced new community responsive and inclusive programming including First Home down payment assistance, Critical Corridors, Site Assessment Grant Program, and the Emerging & Diverse Developer Program. The Emerging & Diverse Developer Program represents a dual-pronged housing and economic development strategy that seeks to grow the pipeline of housing developers and housing projects.

Three of the eight ECI Plan strategies have yet to be fully resourced, including:

Strategy 6: *Develop pathways to entrepreneurship and Black, Latinx, Asian, and Indigenous business ownership*

Strategy 7: *Attract and grow high-wage industry and innovation: technology, advanced manufacturing, and life sciences*

Strategy 8: *Strengthen business retention and expansion infrastructure to support communities*

Why EDA?

-
- During the COVID pandemic, Ramsey County distributed \$25M in Coronavirus Aid, Relief, and Economic Security Act (CARES ACT) and State legislative funds through small business relief grants.
 - In order to distribute relief funding efficiently and equitably, Ramsey County partnered with a **coalition of fourteen (14) small business organizations** to provide necessary technical assistance and outreach to small businesses.

- Since that grant relief funding was exhausted, Ramsey County has been unable to engage with small businesses in recovery and revitalization that our small business community expects.
- Hennepin County represents a local example where government is supporting the business community that includes a platform for business advisory programming, allowing businesses and entrepreneurs in Hennepin to attract and identify much needed capital.
- Ramsey County seeks to expand the HRA authority to include that of an EDA to increase the *flexibility* of funds to respond to the wide range of needs of our communities and provide enhanced business advisory support annually.
- It should be noted that Ramsey County remains steadfast in its prioritization of affordable housing investment. The new Housing Sales Tax created by the MN Legislature in 2023 creates additional funding capacity for affordable housing and will function as close to a one-to-one match to our HRA levy.
- The small business support (EDA eligible activities) realized by this legislative flexibility would initially start at \$1.5 - \$2 million of our yearly HRA levy to ensure the bulk of resources are remain available and prioritized for housing programs and projects.
- Ramsey County is seeking statutory changes that will allow for greater resource flexibility to include opportunities for small business programming, while continuing to prioritize housing investments. Statutory authority in Minn. Stat. 469.1082 and the use of special legislation allows the HRA to expand to include Economic Development Authority (EDA) powers. **This impact will not have any impact on the formula associated with HRA levy collection.** This statutory change will not have an impact on property owners. This change is merely in alignment with the range of authorities across the Metro that have comparable expanded authorities.
- Cities within Ramsey County Housing and Redevelopment Authority's Area of Operation (this is the full county minus North Saint Paul) will have the choice, through City Council resolution, to opt-in to this form of enhanced EDA-eligible programming created. Cities choosing to opt-out will retain existing HRA-eligible activities.

FOR QUESTIONS:

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in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3784

02/14/2024

Authored by Hussein

The bill was read for the first time and referred to the Committee on Economic Development Finance and Policy

1.1 A bill for an act
1.2 relating to local government; creating the Ramsey County Economic Development
1.3 Authority; expanding the powers of the Ramsey County Housing and
1.4 Redevelopment Authority to include Ramsey County Economic Development
1.5 Authority powers; proposing coding for new law in Minnesota Statutes, chapter
1.6 383A.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **[383A.151] RAMSEY COUNTY ECONOMIC DEVELOPMENT**
1.9 **AUTHORITY.**

1.10 Subdivision 1. **Creation.** (a) There is created in the county of Ramsey a public body,
1.11 corporate and politic, known as the Ramsey County Economic Development Authority,
1.12 that has the powers contained in sections 469.090 to 469.108, the powers of a housing and
1.13 redevelopment authority under sections 469.001 to 469.047, and the powers of a city under
1.14 sections 469.124 to 469.133. For the purposes of applying chapter 469 to the county of
1.15 Ramsey, the county has all the powers and duties of a city, the county board has all the
1.16 powers and duties of a governing body, the chair of the county has all the powers and duties
1.17 of a mayor, and, with respect to the exercise of the powers under section 469.008, the area
1.18 of operation includes the area within the territorial boundaries of the county.

1.19 (b) Section 469.1082 does not apply to the county of Ramsey.

1.20 Subd. 2. **Commissioners.** Notwithstanding the provisions of chapter 469 or other law
1.21 to the contrary, the Ramsey County Economic Development Authority consists of seven
1.22 commissioners. The county board shall appoint the commissioners and shall fill vacancies
1.23 in the office of any commissioner. Pursuant to Ramsey County Resolution No. 94-357,
1.24 dated July 26, 1994, the Ramsey County Board of Commissioners also constitutes the

Ramsey County Housing and Redevelopment Authority. The board may, by resolution, appoint the sitting commissioners of the Ramsey County Housing and Redevelopment Authority as commissioners of the Ramsey County Economic Development Authority, the terms of each commissioner corresponding accordingly.

EFFECTIVE DATE. This section is effective the day after the governing body of Ramsey County and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 2. [383A.152] RAMSEY COUNTY HOUSING AND REDEVELOPMENT AUTHORITY; ADDITIONAL POWERS.

The Ramsey County Housing and Redevelopment Authority, established pursuant to Ramsey County Resolution No. 93-155, dated March 9, 1993, shall have the powers and duties of the Ramsey County Economic Development Authority under section 383A.151 and shall retain all the powers of a housing and redevelopment authority under sections 469.001 to 469.047. For the purposes of applying chapter 469 to the county of Ramsey, the county has all the powers and duties of a city, the county board has all the powers and duties of a governing body, the chair of the county has all the powers and duties of a mayor, and, with respect to the exercise of the powers under section 469.008, the area of operation includes the area within the territorial boundaries of the county.

EFFECTIVE DATE. This section is effective the day after the governing body of Ramsey County and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

--VERSION 3/14/2024--

Statutory Change Expanding Use of Ramsey County Housing & Redevelopment Authority (HRA)

HF 3784 (Lee) / SF XXXX (Hawj)

Small businesses are the backbone of Ramsey County. It's critical to our region that we continue to invest in our business community in the wake of the pandemic. Ramsey County seeks to amend the HRA statutory language to expand authority to better support diversifying industries, communities, and emerging entrepreneurs as best as possible.

FREQUENTLY ASKED QUESTIONS

Will this legislative change result in a new property tax to Ramsey County property owners?

A: No. This legislative change has no change on property taxes. This legislative change simply expands the list of eligible activities in which Ramsey County's Housing and Redevelopment Authority levy is used. The text change would additionally add programming for entrepreneurs and small businesses as an eligible use for the Ramsey County Housing and Redevelopment Authority levy.

What is the county seeking from Ramsey County cities? If the legislation is successful, what is required from Ramsey County cities?

A: The County does not require approval from Ramsey County cities for this proposed legislation. The County does however seek support from our cities for this legislation.

If the legislation is successful, cities within the existing Ramsey County Housing and Redevelopment Authority area of operation will have the choice whether to:

- Opt-in: A city that chooses to opt-in will receive the greatest flexibility of eligible programming. In addition to the current portfolio of affordable housing and redevelopment programming, business programming will be provided.
- Opt-out: A city that chooses to opt-out will continue to receive the current portfolio of affordable housing and redevelopment programming.

The City of North Saint Paul is not to be a part of the Ramsey County Housing and Redevelopment Authority Area of Operation. There is no change to North Saint Paul as a result of this legislation.

Ramsey County Housing & Redevelopment Authority

What is the current levy of the Ramsey County Housing & Redevelopment Authority (HRA)?

A: The 2024 HRA Levy is \$12,595,222.

How is the Ramsey County Housing and Redevelopment Authority levy currently used?

A: The Ramsey County HRA levy is in its third year of operation. Over the last two years, the general breakdown of HRA levy usage was (Avg. of 2022 & 2023):

Housing Programming	Redevelopment Programs	Administration
73%	17%	10%

Current suite of HRA levy programming

Housing Programs	Redevelopment Programs
Affordable Housing infrastructure Investments	Critical Corridors – Development + Infrastructure;
FirstHome Down payment assistance	CC Suburban Commercial Corridor Initiative* <i>Suburbs only</i>
Emerging & Diverse Developers Program	Critical Corridors Planning
	Site Assessment Grants

- **HRA 2023 Annual Report – Highlights** (*2nd year of operation*)
 - Affordable Housing Investments. \$6.15M of HRA levy obligated to affordable housing projects in 2023. Across all funding streams, County invested in the construction of 1,365 new and 767 preserved rental housing units in 2023. Of the total, 988 were classified as deeply affordable for residents earning at or below 30% Area Median Income.
 - FirstHome Down Payment Assistance. Of the 27 closings, 25 were first-generation homebuyers.
 - Emerging & Diverse Developers (EDD). EDD is a two-part program initiated in second half of 2023.
 - Part A is provides technical assistance and cohort group learning to strengthen the pipeline of local emerging and diverse developers in real estate. 48 developers received technical assistance in 2023.
 - Part B is a solicitation for projects led by EDD. County invested \$3.1 million (across all funding) into projects led by EDD.
 - Critical Corridors. Assisted 10 qualifying applicants/projects with \$2.1 million in Housing & Redevelopment Authority levy funding for place-based investments in three core areas: pre-development planning, commercial corridor initiatives (suburban only) and development and infrastructure
 - Site Assessment Grants. Program initiated in late fall 2023. Already supported 8 projects with site investigation (one project in 2023).
- **HRA 2022 Annual Report – Highlights** (*1st year of operation*)
 - Affordable Housing Investments. \$7.2M of HRA levy obligated to affordable housing projects in 2022. Across all funding streams, Ramsey County leveraged multiple funding sources in 2022 to bring dozens of affordable housing projects closer to realization and invested in the construction of 1,128 new rental housing units and preserved 1,029. Of the total, 571 are classified as deeply affordable for residents earning at or below 30% Area Median Income.
 - FirstHome. In Fall 2022, County relaunched its down payment assistance program to better align with market realities and offer first-time and first-generation homebuyers with down payment assistance. \$187,500 in down payment assistance loans disbursed in 2022.
 - Critical Corridors. Established in the Fall 2022, 14 grants in its first round of solicitations, totaling roughly \$2.3 million in three core areas: pre-development planning, development and infrastructure, and commercial corridor initiatives.

Will this change result in Ramsey County shifting its focus from supporting the preservation and expansion of deeply affordable housing?

A: No. Ramsey County remains focused on the improving affordable housing infrastructure throughout the county. The MN Legislature made unprecedented investments in housing and housing infrastructure as part of the 2023 Legislative session. The Local Affordable Housing Aid (LAHA) or housing sales tax is estimated to bring

resources comparable to that of the HRA levy. This additional funding for affordable housing allows for a slight adjustment of funding priorities of the HRA levy without deviating from the County's primary focus on expanding and improving affordable housing infrastructure.

Who decides on funding priorities on HRA Levy?

A: Ramsey County HRA Board is responsible for establishing funding priorities and make final decisions regarding spending of HRA levy. While the County HRA outlines its priorities, it relies on city partners as well as community organizations and developers to ready important projects. Prior to the county's HRA funding in a project, projects are required obtain a municipal resolution in support in accordance with state statute.

EDA and business programming

What type of business activities does the County intend to do with this legislative change?

A: The County is responding to community requests for enhanced business programming. The small business support (EDA eligible activities) realized by this legislative flexibility would be a strong reelection of those local requests and would initially start at \$1.5 - \$2 million of our yearly HRA levy to ensure the bulk of resources are remain available and prioritized for housing programs and projects. Areas of need identified to strengthen the small business ecosystem are informed by the County's involvement and engagement with cities, business support organizations and small businesses that include:

- Capacity building of small business support organizations to meet current and future needs
- More technical assistance/advisory services to better serve targeted geographies, communities and/or industries
- Additional flexible capital to enable greater business retention, expansion and attraction

Did the County attempt to form an EDA previously?

A: In 2016, the County did submit legislation that would have created a Ramsey County EDA. The legislation was pulled by the County following community concerns around the creation of a new taxing authority. The county's current legislation would not create a new taxing authority as it merely allows for additional eligible uses (i.e. business programming) of the County's existing Housing and Redevelopment Authority.

Does Ramsey County provide business programming? If so, what programs? How much does it spend? And how does it pay for business programs?

A: Ramsey County provides limited business programming. The County funds the programming through the County's general property tax levy. Current business programming totals \$345,000.

- Entrepreneur support: Open to Business – Provides no cost direct technical assistance and other forms of support to small business owners and aspiring entrepreneurs. This program was expanded countywide in 2019 in response to direct city requests for this program.
- Small Business Growth: CEO Next - Cohort-based leadership program for second stage growth-minded business owners.
- Marketing & attraction programming: RamseyCountyMeansBusiness.com An online portal providing workforce and economic development resources throughout the county to current and prospective businesses and investors.

How do other metro counties support business programming and how did they obtain authority to provide economic development activities?

A: Hennepin County received special legislation (MN Statute 383B.79) - *A multijurisdictional reinvestment program is authorized involving Hennepin County, the Hennepin County Housing and Redevelopment Authority, and one or more of the following political subdivisions: the cities of Minneapolis, Brooklyn Center, and other interested statutory or home rule charter cities in Hennepin County, the Minneapolis Park Board, the Three Rivers Park District, and any watershed district entirely or partially located in Hennepin County. The multijurisdictional program may include plans for housing rehabilitation and removals, industrial polluted land cleanup, water ponding, environmental cleanup, community corridor connections, corridor planning, creation of green space, acquisition of property, development and redevelopment of parks and open space, water quality and lakeshore improvement, development and redevelopment of housing and commercial projects, economic development, and job creation.*

- Hennepin County utilizes Housing and Redevelopment Authority funding for a variety of economic development programs including their CEO Next and Elevate Business platform. Due to the broader nature of this statute, this has limited applicability to Ramsey County.

Dakota County has a Community Development Agency. Under MN Statute 383D.41, subdivision 7, *After December 31, 1999, the Dakota County Housing and Redevelopment Authority shall be known as the Dakota County Community Development Agency. In addition to the other powers granted in this section, the Dakota County Community Development Agency shall have the powers of an economic development authority.*

- A core focus of local Community Development Agencies (CDAs) is the ability to own and operate affordable housing. Ramsey County has expressed no interest in owning and operating affordable housing, so this the CDA statute has limited applicability to Ramsey County.

Washington County has a Community Development Agency. In 2016, Washington County successfully sought special legislation to amend their Housing & Redevelopment Authority and created a Community Development Agency. Under MN Statute 383D.41, section 2, subdivision 2a, *Request to handle economic development, housing, or redevelopment duties. The governing body of a statutory or home rule charter city or township with an existing municipal economic development authority may request the Washington County Community Development Agency to handle the economic development, housing, or redevelopment duties of the authority and, in such an event, the Washington County Community Development Agency shall act and have exclusive jurisdiction for economic development, housing, or redevelopment duties in the statutory or home rule charter city or township pursuant to the provisions of the Economic Development Authorities Act, Minnesota Statutes, sections 469.090 to 469.1081.*

- A core focus of local Community Development Agencies (CDAs) is the ability to own and operate affordable housing. Ramsey County has expressed no interest in owning and operating affordable housing, so this the CDA statute has limited applicability to Ramsey County.

Scott County and Carver County each have a Community Development Agency. CDA's provide the most diverse array of eligible programing for housing, redevelopment and economic development uses.

Other questions:	
JENNIFER O'ROURKE Director of Government Relations 651-724-3461 jennifer.orourke@ramseycounty.us	JOSH OLSON Director of Community & Economic Development 651-295-0370 josh.olson@ramseycounty.us

MEMORANDUM

To: Representatives of the Cities of Ramsey County

From: Scott Schwahn, Ramsey County Assistant Attorney

Date: March 15, 2024

Subject: Expansion of Ramsey County HRA to Include EDA Powers via Proposed Legislation / Draft Revisions

This Memo is to address concerns posed at a prior meeting by City representatives in relation to proposed legislation by Ramsey County. The legislation seeks to expand the County's HRA by granting it Economic Development Authority powers.

At the previous meeting Ramsey County stated that, under its current structure, it is curtailed in its ability to support programming for emerging entrepreneurs and small businesses. The County seeks to be on par with other metro counties where such programming is established through mechanisms built into their Authorities, but not available to Ramsey County (e.g. Hennepin County's "Elevate Business" platform). The County believes this is an integral component in supporting Ramsey County communities and beneficial to all municipalities. The purpose of the bill is to create a path to allow consistent and reliable funding. The proposed bill was created in good faith, intended to be narrow in focus, and limited in use for business support programming.

Notwithstanding, City representatives had concerns about unintended consequences of such a bill. The County recognizes these concerns and intends to work with the cities in pursuing our goal. Accordingly, we have updated the proposed bill to include language to "close the door" on potential problematic outcomes. There are two main issues the cities raised as I understand them. A discussion as to how they are addressed in the new proposed bill follows below.

ISSUE #1: The act of establishing an EDA gives the County new powers to tax under MN Stat. Section 469. How can cities be certain Ramsey County will not at a later date certify an EDA levy to the County Auditor?

ANSWER: An EDA does have taxing power in the Statute, and it is an issue if looking at Section 469 in total. However, 469.092 ("Limit of Powers") allows setting limits on those powers. The statute gives an EDA the power to tax in two ways: a.) for debt service under 469.101 Subd. 19 (borrowed money in anticipation of bonds) and issuing of bonds under 469.102 Subd. 5; and b.) by general levy under 469.107. This is the extent of taxing powers for an EDA under 469.

We revised the Bill to specifically exclude all statutory language of the EDA to tax, thus foreclosing the possibility of establishing additional levies.

ISSUE #2: Under 469.1082 Subd. 5, Cities have the ability to opt out of EDA created programs by "electing to withdraw participation". They also "have the option to adopt a resolution to prohibit the county economic development service provider . . . from operating within its boundaries." Additionally, if a city chooses to withdraw, they do not lose the right to participate in programs at later dates. The County is proposing new legislation and not proceeding under 469.1082. Does this legislation extinguish the "Subd. 5 rights"?

ANSWER: The County recognizes the initial draft stated "Section 469.1082 does NOT apply to the County of Ramsey". The County has no intent to strip existing rights of the cities with the new legislation. Therefore, we have changed the wording to read "Except as to Section 469.1082 Subd. 5, section 469.1082 does not apply to the county of Ramsey." We recognize the cities should be able to continue to avail themselves to existing provisions under this subdivision.

It is the goal of the County to provide a channel in which to support an area where it is currently heavily restricted. It is not the intent to create additional tax burdens, reduce options, and/or remove existing rights of municipalities. The objective of this memo is to clarify that the concerns of the cities are heard, to indicate cooperation, and to highlight the specific statutory language added to the proposed bill that addresses those concerns.

A bill for an act

relating to local government; creating the Ramsey County Economic Development Authority subject to limitations of powers to levy and collect taxes or special assessments and subject to statutory options of cities and townships to elect to withdraw participation; expanding the powers of the Ramsey County Housing and Redevelopment Authority to include Ramsey County Economic Development Authority powers subject to its limitations of powers to levy and collect taxes or special assessments and subject to statutory options of cities and townships to elect to withdraw participation; proposing coding for new law in Minnesota Statutes, chapter 383A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[383A.151] RAMSEY COUNTY ECONOMIC DEVELOPMENT AUTHORITY.**

Subdivision 1. **Creation.** (a) There is created in the county of Ramsey a public body, corporate and politic, known as the Ramsey County Economic Development Authority, that has the powers contained in sections 469.090 to 469.108, except as to sections 469.101 subd. 19, 469.102, and 469.107, the powers of a housing and redevelopment authority under sections 469.001 to 469.047, and the powers of a city under sections 469.124 to 469.133. For purpose of applying chapter 469 to the county of Ramsey, the county has all the powers and duties of a city, the county board has all the powers and duties of a governing body, the chair of the county has all the powers and duties of a mayor, and, with respect to the exercise of the powers under section 469.008, the area of operation includes the area within the territorial boundaries of the county.

(b) Except as to 469.1082 subd. 5, Ssection 469.1082, does not apply to the county of Ramsey.

Subd. 2. **Commissioners.** Notwithstanding the provisions of chapter 469 or other law to the contrary, the Ramsey County Economic Development Authority shall consist of seven

- 1.22 commissioners. The county board shall appoint the commissioners and shall fill vacancies
- 1.23 in the office of any commissioner. Pursuant to Ramsey County Resolution No. 94-357,
- 1.24 dated July 26, 1994, the Ramsey County Board of Commissioners also constitutes the

Ramsey County Housing and Redevelopment Authority. The board may by resolution appoint the sitting commissioners of the Ramsey County Housing and Redevelopment Authority as commissioners of the Ramsey County Economic Development Authority, the terms of each commissioner corresponding accordingly.

EFFECTIVE DATE. This section is effective the day after the governing body of Ramsey County and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 2. **[383A.152] RAMSEY COUNTY HOUSING AND REDEVELOPMENT AUTHORITY; ADDITIONAL POWERS.**

The Ramsey County Housing and Redevelopment Authority, established pursuant to Ramsey County Resolution No. 93-155, dated March 9, 1993, shall have the powers and duties of the Ramsey County Economic Development Authority under section 383A.151 and shall retain all the powers of a housing and redevelopment authority under sections 469.001 to 469.047. For the purpose of applying chapter 469 to the county of Ramsey, the county has all the powers and duties of a city, the county board has all the powers and duties of a governing body, the chair of the county has all the powers and duties of a mayor, and, with respect to the exercise of the powers under section 469.008, the area of operation includes the area within the territorial boundaries of the county.

EFFECTIVE DATE. This section is effective the day after the governing body of Ramsey County and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

**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 April, 2016, at 6:00 p.m.

The following members were present: Willmus, Etten, McGehee, Laliberte, Roe and the following members were absent: None

Councilmember McGehee introduced the following resolution and moved its adoption:

RESOLUTION No. 11313

RESOLUTION NOT SUPPORTING THE PROPOSED RAMSEY COUNTY
ECONOMIC DEVELOPMENT AUTHORITY IN HOUSE FILE (HF) NO.
2957/SENATE FILE (SF) 2774

WHEREAS, the City of Roseville recently became aware of House File (HF) No. 2957/Senate File (SF) 2774 that proposes the creation of a Ramsey County Economic Development Authority (EDA);

WHEREAS, the creation of a Ramsey County EDA has levy authority on Roseville residents; and

WHEREAS, the proposed legislation was created without input from the affected municipalities and citizens; and

WHEREAS, the City of Roseville created a municipal EDA in January of 2016 with levy authority; and

WHEREAS, the City of Roseville is concerned with an additional tax on Roseville residents for purposes of economic development; and

WHEREAS, the proposed legislation omits any reference to opt-out of a County EDA levy; and

WHEREAS, it is not clear to the City of Roseville why the rigorous community engagement processes in the existing statutes for creating a county EDA would not be followed;

WHEREAS, the City of Roseville is concerned with the administrative feasibility of cities that opt-out of specific County EDA programs (per the opt-out language contained in Subdivision 2 of the proposed legislation) and be levied a tax for others; and

WHEREAS, the City of Roseville does not have enough information to feel comfortable with the proposed legislation;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEVILLE, MINNESOTA, that the City of Roseville cannot support the proposed Ramsey County EDA in House File (HF) No. 2957/Senate File (SF 2774).

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Willmus and upon vote being taken thereon, the following voted in favor thereof: Willmus, Etten, McGehee, Laliberte, Roe and the following voted against the same: None

WHEAREUPON 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 April, 2016, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 18th day of April, 2016.


Patrick Trudgeon, City Manager

(SEAL)

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 9.f.

Department Approval

City Manager Approval



Item Description: Consider Approval of Hotel Licensing Ordinance

Background

On March 4, the City Council reviewed a draft ordinance requiring the licensing of lodging establishments in Roseville. (Minutes and packet material included as Attachments 1 and 2). Based on the comments and direction of the City Council on changes to the draft ordinance, staff is bringing forward a revised draft ordinance (Attachment 4) for the City Council's review. The following comments were made by Council members about the draft ordinance presented on March 4:

Councilmember Strahan asked if there was a possibility that another type of building could fall into the lodging establishment category.

- In order to be clear that this licensing is limited to hotel-type businesses, changes have been made to the definition section of the code to specifically require licensing for a business that has overnight accommodations to clarify what the City is looking to license. The new definition, starting on line 40 of the redlined version of the draft ordinance (Attachment 3), reads as follows:
 1. *HOTEL. A hotel, motel, bed and breakfast, or any part thereof, used as, maintained as, advertised as, or held out to be a place that furnishes sleeping accommodations the public to be, a place where sleeping accommodations are supplied for guests for transient occupancy.*
- This definition purposely leaves out resorts, boarding houses, and furnished apartment house that is found as part of the definition for lodging establishments under state statutes.
- As a result, the term “hotel” is now being used as the default term rather than “lodging establishment” throughout the document. Thus, the title of the new city code chapter is entitled “Hotel Licensing Regulations”.

Councilmember Groff raised concerns about the extended stay portion of the ordinance and its impact on persons needing to stay at a hotel for extended periods.

- After considering City Council as well as hotel operator feedback, staff has removed the language regarding extended stay permits completely from the ordinance. While initially intended to inform the city on which hotels would have long-term stays and to ensure some minimum standards with units being used for extended stays, it became clear that the requirements may put an undue burden on staff to regulate and hotels to operate under and may also lead to unintended impacts. As a result, there is no requirement for a hotel to acquire an “Extended Stay Permit” and meet certain requirements to allow for guests to stay for longer periods. All references to extended stays have been removed from the ordinance, starting on line 30 of the redlined version of the draft ordinance.
- However, permanent residency in a hotel is not permitted as shown in Section 317.04 (A) 11 [line 286 of the redlined version of the draft ordinance].

Councilmember Strahan asked about including a minimum age to rent a room.

- Language has been added to 317.04 (A) 2 [lines 243-244 of the redlined version of the draft ordinance] that prohibits renting a room to a person under the age of 18.

Councilmember Groff raised a concern about the short time frame of 15 days for a hotel to cease operations after their license is revoked.

- Staff has reviewed this requirement and feels that it is an appropriate amount of time to allow for the transition of persons staying at the hotel. In most cases, guests are visitors to the city and are only staying at a hotel for a short period of time. In cases where people have no other place to go, the City will assist in the relocation of those people through our Police Department Community Action Team and Ramsey County services.
- It should also be noted that prior to a revocation being acted upon, there is a long timeline regarding notification of revocation and the opportunity for the hotel operator to object and to be heard regarding the proposed revocation at a hearing in front of the City Council.

Mayor Roe asked whether the issuance of license would run from July 1st to June 30th instead of the calendar year.

- Staff have reviewed possibilities for the timing of the licensing period and have determined that the January 1 to December 31 period is preferred. While Liquor Licenses, THC, Pawn Shops, and Waste Haulers are licensed on that same timeline, licenses for Tobacco, Gas Stations, Veterinarians, and Massage Therapy Establishments and Therapists are licensed from July 1 to June 30. Due to the more extensive number of applications and work surrounding the applicants for licenses granted during the July 1-June 30 period, staff feels that having a hotel licensing period from January 1 to December 31 is preferable.
- The City Attorney added language specifying the effective date of portions of the new ordinance. The new language states that the portions of the ordinance regarding applying for the hotel license and City consideration of the application takes effect on September 1, 2024 and that all hotels must be licensed by the City by January 1, 2025.
- The initial hotel licenses granted may be for more than a year (e.g. October 1, 2024 to December 31, 2025). After the initial application, the hotel licenses would be granted on an annual basis from January 1 to December 31.

In addition to the changes made because of City Council concerns, the City Attorney has made several other changes to the draft ordinance based on the City Council conversation and additional review and analysis of the draft ordinance.

Section 317.02 License Required, Issuance of License (lines 96-141 of the redlined version of the draft ordinance)

The City Attorney rearranged previous language and added clarifying language regarding the application process, interested persons, and background checks.

Section 317.02 (F) Imposition of Reasonable Conditions (lines 153-155 of the redlined version of the draft ordinance)

The City Attorney removed the following language starting on line 153 of the redlined version of the draft ordinance "or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhood" as the previous wording was vague, and it is unclear how those items would factor in creating conditions of the license.

Section 317.04 Minimum Standards of Operations (lines 260-266 of the redlined version of the draft ordinance)

The City Attorney removed language requiring the installation and maintenance of the video surveillance equipment due to concerns that requiring those systems exceeds the authority under the law regarding municipal hotel licensing. However, the City Attorney believes that City can require the installation and maintenance of video surveillance equipment as a condition of a license if it can be shown that the presence of a video surveillance system would improve public safety and welfare.

Section 317.04 Minimum Standards of Operations (lines 317-323 of the redlined version of the draft ordinance)

The City Attorney removed language regarding the requirement to maintain records in the form of a book since they were overly specific and unnecessary.

Policy Objectives

Creating hotel licensing will ensure that lodging establishments are maintained and are safe for visitors to Roseville and will be consistent with the following City Aspirations:

- Be welcoming, inclusive, and respectful
- Be safe and law-abiding
- Be economically prosperous with a stable and broad tax base
- Be engaged in our community's success as citizens, neighbors, volunteers, leaders, and businesspeople

Racial Equity Impact Summary

Securing the safety and quality of accommodation in Roseville is a fundamental consideration with respect to the proposed hotel licensing ordinance. The racial equity analysis that was conducted indicates potential disparities in public safety concerns, building code issues, and health violations among different hotels, which may have varying impacts on historically underrepresented communities. While the ordinance aims to address regulatory gaps and enforce consistent safety standards, staff recognizes the importance of impartially acknowledging both positive and negative impacts.

Positive impacts include enhanced safety measures, improved quality standards, and potential economic growth resulting from a well-regulated hotel industry. However, staff also acknowledge potential negative impacts, such as financial barriers for smaller hotels and unintended consequences for vulnerable populations, including those experiencing homelessness. The ordinance may inadvertently lead to affordability challenges, impacting low-income individuals seeking temporary lodging. Through ongoing monitoring and data tracking, staff aims to evaluate the ordinance's impact on historically underrepresented communities, ensuring that the decision-making process remains informed, balanced, and responsive to the diverse needs of the community. This approach aligns with Roseville's commitment to fostering a safe, inclusive, and economically vibrant community for all residents.

There is limited data to indicate the demographics of persons using Roseville hotels.

Data taken from a study commissioned by Visit Roseville and done by Lawrence and Schiller regarding 2019 visitors to Roseville and information from Explore Minnesota regarding visitors to the state are included as part of the completed Racial Equity Toolkit for the Lodging Establishment License. That information shows that 14% of visitors to Roseville are non-white and that 58% of visitors have a household income less than \$75,000 annually. (Note that these are visitors to Roseville and not necessarily persons staying at hotels).

Budget Implications

Administration and enforcement of the Lodging Establishment License will be done by existing staff of the Administration, Community Development, Fire, and Police Department.

Under state law, cities can only charge up to \$150 for a lodging establishment. With 12 hotels in Roseville and a \$150 license fee, the City would collect \$1,800 in revenue.

Staff Recommendations

141 Staff recommends the City Council review the updated draft ordinance and consider passing the
142 ordinance as shown in Attachment 4 and the ordinance summary as shown in Attachment 5. The draft
143 ordinance has been posted on the City website in compliance with state law and is eligible for adoption.
144

145 **Requested Council Action**

146 The City Council should review the updated draft ordinance and consider passing the ordinance as
147 shown in Attachment 4 and the ordinance summary as shown in Attachment 5.
148

149 **Prepared by:** Patrick Trudgeon, City Manager (651) 79-7021 pat.trudgeon@cityofroseville.com

- 150 **Attachments:**
1. City Council meeting minutes dated March 4, 2024
 2. Lodging Establishment City Council Case from March 4, 2024
 3. Redlined version of Hotel Licensing Ordinance
 4. Draft Hotel Licensing Ordinance
 5. Resolution Approving Ordinance Summary

Regular City Council Meeting
Monday, March 4, 2024
Page 2

Mr. Kent explained it tends to be recurring.

Mayor Roe reviewed public hearing protocol and opened and closed the public hearing at approximately 6:07 p.m. for the purpose of receiving public input on the above-referenced Unpaid Utility Charges to the Property Tax Roll; with no one coming forward for or against.

Groff moved, Schroeder seconded, adoption of Resolution No. 12054 entitled, "Resolution Directing the County Auditor to Levy Unpaid Water, Sewer and Other City Charges for Payable 2010 or Beyond."

Roll Call

Ayes: Strahan, Schroeder, Groff and Roe.

Nays: None.

b. Approve Streetlight Policy

Public Works Director Jesse Freihammer briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 4, 2024.

Mayor Roe indicated the commercial area standard is still closer spaced lighting than residential areas. Even though the City is reducing lighting, for example, the CenterPoint area, is still going to end up being more lighting than if that was an equivalent residential area.

Mr. Freihammer indicated that is correct. The residential standard is approximately 600 feet and commercial as proposed is roughly 200-250 feet, almost three times as much lighting.

Public Comment

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

Schroeder moved, Strahan seconded, adoption of the revised Streetlight Policy.

Roll Call

Ayes: Strahan, Schroeder, Groff and Roe.

Nays: None

c. Review Draft Lodging Establishment Licensing Ordinance

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 4, 2024.

Regular City Council Meeting
Monday, March 4, 2024
Page 3

Councilmember Strahan indicated she did not see anything in the ordinance regarding minimum rental age and asked if this is something that can be placed in the requirements.

Mr. Trudgeon did not see why this could not be included in the requirements but was not sure what State Law says. He was not sure if persons under the age of 18 can rent a room in the first place under State Law.

City Attorney Tierney explained she made a note to check on this.

Councilmember Strahan thought if the City is concerned about underage drinking, she knew prom and other events can be a big night for high school individuals and if the person cannot rent a room by themselves, it might deter things a little bit, even though some parents do rent rooms for their kids. She also wondered if there is anything that can be done to make sure the establishment is current on its utilities in order to have a license.

Mr. Trudgeon indicated that is a requirement. When the establishment is not current on utilities the City does not have to issue a license in the first place or can suspend, fine, or revoke the license. Staff made sure the wording was in the ordinance regarding this because that is seen on a regular basis.

Councilmember Strahan asked if there was the possibility that another type of building could fall into the lodging establishment category, like apartments that may be rented on a short basis, maybe some of the short-term rentals, a condo, bed and breakfast, rooming house, or resort, and what kind of provisions have been made for those possibilities.

Mr. Trudgeon explained there is the definition of Hotel/Motel Lodging establishments in City Statutes. He asked City Attorney Tierney if there is any difference between what is being discussed and what could potentially be covered by this as well.

Councilmember Strahan stated the biggest difference she saw was that in the State information it was five or more rooms. She did not see that added to the City Ordinance that the definition was five or more rooms under the Minnesota Statute.

City Attorney Tierney indicated she will check on that but remembers the lodging establishment definition in the Hotel/Motel was referred directly to State Law. She will make sure that is accurate and it might be smart to make it clear.

Mayor Roe did not think it was the City's intent to license people who are doing short-term rentals in homes or condos or that sort of thing. Unless he is wrong about that, so if the language in the ordinance could be more clearly defined that would be helpful.

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Councilmember Schroeder explained the City is going to need extra resources to do this, including an additional staff person to oversee this, and do the inspections. She thought it would fall under the Fire Department's realm.

Mr. Trudgeon indicated he misspoke and did not mean the City would need any extra person to do this. He meant to say that since the City did not have a person to do this, it will be a collective action from staff. While this will take a lot of work to initiate, especially educate the first time around, staff is already spending that time right now because of the problems. The sense is that the actual license and application will be managed by the administration department, the fire department will do the inspections, the community development department will do the community development inspections, and the police department will manage calls and conditions. This will be a team effort and staff will meet on a regular basis, especially in the beginning to sort out the particular issues at each hotel and talk through them as well as involving the City Attorney as the conditions are reviewed.

Councilmember Schroeder asked if Mr. Trudgeon felt the City had enough resources, at least to start with.

Mr. Trudgeon believed the City had enough resources and the ongoing maintenance of this whole process will need to be seen to determine how much time it will take. He did think right out of the gate the City should make sure the standard is set and if the City can get the expectations out there, like any other program, there will be some busy times of the year. Hopefully it will not be too burdensome, but time will tell.

Councilmember Schroeder indicated there was talk about the motel/hotel holding the license but there was also the interested party piece. She wondered if the interested party would apply for the license or would the owner apply for the license and if the interested party did something wrong, could that cause the license to be suspended even though the interested party is not the one that applied for the license. She noted she was a little confused about that.

Mr. Trudgeon explained the City is asking for the entity, the business, to apply for the license. The interested person could be the manager, someone who owns a part of the business, it could be the operator of the hotel, or could be the actual owner. If any one of those persons has a particular violation, the City can hold that license holder, being the business, accountable for actions. The license is really with the business and the owner.

City Attorney Tierney explained it is more about who is going to run the place. A corporation is a faceless name. What the City needs to know, as a licensing authority, is who is going to operate the business and are they a good operator. The City wants to know who the important people are in the corporation, business, so

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the City can make sure that whoever operates the business is suitable to operate the business.

Councilmember Schroeder asked on the background check, what is it the City is actually looking at.

City Attorney Tierney explained it is a criminal background check, not any other type of credit check is done.

Councilmember Groff indicated he is concerned about the extended stay portion of this, and he wondered why this would be made a requirement.

Mr. Trudgeon explained the City did put this in the ordinance to make sure that if someone was going to be an extended stay, which is more than 29 days, that there are certain facilities as a part of that room, which would be more expected for someone staying for a longer period of time. Some business models and hotels have the extended stay where there are multiple rooms with a full kitchen but that is not always the case. If there is a restaurant or a dining area in the place, the City may indicate that a kitchen is not needed but what the City wants to get away from is people renting hotel rooms out and having people stay there for months, not really understanding what is happening in those places, whether it is having contents in the room or cooking, that should not be done. That is the intent and he understood where Councilmember Groff was coming from. He thought there were two sides to this. This ordinance is not saying the motel/hotel cannot have an extended stay, but the City needs to be notified that the business is proposing this in order for the City to review it.

Councilmember Groff indicated one of the things he does not want to see is the City increasing its homelessness problem by putting undue burden on a person. He noted some people do not have the first and last months rent and do stay in a hotel as housing and it can continue longer than thought because the person is not in the financial position to get into a rental. He would hate to see the City putting people out on the street. He thought the City needed to think about and address that because that is not where he would want to head with this ordinance.

Councilmember Groff indicated another concern he had is if the City revokes a license and the business has two weeks' notice, it could create a problem for people that have already booked in those hotels.

Councilmember Strahan was hopeful that most of the City's hotels do not want to be in the position of having their license revoked or even the possibility of it. She appreciates and was hopeful that the City is calling the businesses to a higher standard, noting the goal is not to shut them down but to require and tell them to bring their facilities to a higher standard, so it is not necessary to suspend their license.

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Mayor Roe wondered when the City would begin to issue licenses after the passage of the ordinance. He also suggested the licensing might begin July 1st and end June 30th because there are a lot of other licenses due between January 1st and December 31st. He noted on the initial application if a particular interested individual fails background check, it sounds like there is the ability for the business to make a correction to their application before a full denial happens.

City Attorney Tierney indicated that was correct.

Mayor Roe agreed with the concern of taking people out of a situation they are using for housing. He hoped that while the City has certain standards and requirements for an extended stay minimum, there may be some flexibility to them for special circumstances. He thought it made sense to have conversations with the operators, if the license is revoked or not approved for renewal, that the wind down period of fifteen days or two weeks may need to be longer than that. He would only want to do that if the folks running the hotel are telling them.

Public Comment

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

Mayor Roe asked that staff make any corrections after discussion and bring back for further discussion and possible approval.

d. Consider Re-appointments to Advisory Commission

Mayor Roe briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 4, 2024.

Groff moved, Strahan seconded, Reappointment of Commissioner Jeena Gurung Vomhof to the Human Rights, Inclusion and Engagement Commission, Commissioner Nick Boulton to the Parks and Recreation Commission, Commissioners Pamela Aspnes, Erik Bjorum, and Karen Schaffhausen, to the Planning Commission, Commissioner Robert Murphy to the Police Civil Service Commission and Commissioners Dan Fergus, Allison Luongo, and Sarah Rudolf, to the Public Works, Environment and Transportation Commission.

Council Discussion

Councilmember Groff thanked all of the Commissioners and stated he thought all did great work.

Councilmember Schroeder stated the City had some really good people on the Commissions, and asked for clarification on the HRIEC appointment because she

REQUEST FOR COUNCIL ACTION

Date: 3/4/2024
Item No.: 7.c.

Department Approval

City Manager Approval



Item Description: Review Draft Lodging Establishment Licensing Ordinance

Background

In 2023, the Minnesota State Legislature passed a bill that allows a municipality to adopt an ordinance requiring lodging establishments to have a license approved by a city or town. As part of the licensing ordinance, the municipality can require the lodging establishment to comply with state and local laws as a condition of the license. Under the legislation, the annual fee for the license cannot exceed \$150. Below is the approved language contained in the law (Minnesota Session Laws 2023, Chapter 62, Article 3, Section 16):

Sec. 16. [471.585] MUNICIPAL HOTEL LICENSING.

- (a) A statutory or home rule charter city or a town may adopt an ordinance requiring hotels as defined in section 327.70, subdivision 3, operating within the boundaries of the city or town to have a valid license issued by the city or town. An annual fee for a license under this section may not exceed \$150.*
- (b) An ordinance adopted under this section is limited to requiring compliance with state and local laws as a condition of licensure. No other licensing conditions or requirements are permitted.*
- (c) A city or town that has adopted an ordinance under this section may refuse to issue a license, or may revoke an existing license, if the hotel fails to comply with the conditions of the license.*

The City of Roseville requested the Legislature pass a law that allows municipalities to directly license lodging establishments. Roseville's request was related to issues occurring at a few hotels which have ongoing building and safety code issues as well as pervasive criminal conduct.

While Ramsey County Environmental Health licenses hotels within the County, their focus directly on health and sanitation issues. As a result, their ability to affect the problems occurring in Roseville is limited.

Prior to requesting the Legislature allow municipalities to license lodging establishments, the City adopted a repeat nuisance ordinance that charged lodging establishments a fee for exceeding 10 service calls (police, fire, code) in one month by the City. The trigger of more than 10 calls per month was based on data on calls to all hotel properties in Roseville. From that data, there was a significant difference in calls between 3 hotels and the other 9 hotels. At the time of adoption of the repeat nuisance ordinance for lodging establishment in 2021, three hotels were averaging 19 to 45 calls per month. The average number of calls for the other 9 hotels was 3 per month.

The data has been updated through 2023 and is shown below. While the number of calls for the top three hotels has declined, there are a couple of reasons for the reduction in calls. Two of the hotels have entered into a Memorandum of Understanding with the City that requires the hotels to implement public safety measures that are intended to assist law enforcement and the hotel in reducing the number of calls and improving public safety. While we have received fewer hotel-initiated calls, we continue to see criminal activity and code issues at the two hotels with MOUs.

Reactive CFS to Hotels: Yearly Totals & Monthly Average													
Property	2018		2019		2020		2021		2022		2023		Total
	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	
Motel 6	461	38.4	470	39.2	550	45.8	597	49.75	380	31.7	180	15	2858
Norwood Inn	225	18.8	279	23.3	343	28.6	531	44.25	272	22.7	81	6.75	1875
Key Inn	132	11	144	12	237	19.8	433	36.1	233	19.4	103	8.58	1389
DoubleTree	101	8.4	102	8.5	71	5.9	161	13.4	87	7.25	61	5.08	632
Home 2 Suites	42	3.5	29	2.4	75	6.3	72	6	46	3.8	26	2.17	314
Hampton Inn	24	2	59	4.9	27	2.3	61	6.1	41	3.4	18	1.5	250
Holiday Inn Express	22	1.8	28	2.3	18	1.5	25	2.5	22	2	28	2.33	155
Marriot Residence Inn	17	1.4	21	1.8	49	4.1	95	7.9	52	4.7	41	3.42	298
Fairfield Inn & Suites	23	1.9	23	1.9	43	3.6	44	4.4	2	2.9	18	1.5	169
Courtyard by Marriot	18	1.5	10	0.8	10	0.8	34	4.25	26	2.6	19	1.58	129
Country Inn & Suites	21	1.8	21	1.8	25	2.1	32	2.9	30	3	24	2	167
Avid Hotel			2	0.2	17	1.4	70	5.8	26	2.9	35	2.92	163
Total	1086	90.5	1188	99	1465	122	2155	183.4	1465	122	634	52.8	8399

While law enforcement calls to hotels have been the main driver in enacting lodging establishment licensing, there are also significant safety and building code concerns in certain hotels. The three hotels that are high users of law enforcement services also have numerous ongoing building safety and building code issues. In the past, these issues have included non-functioning fire suppression systems, inoperable smoke alarm systems, broken windows, flooding and mold issues in common areas and rooms, and abandoned vehicles in their parking lots.

As these issues occur, staff works with those hotel owners to correct the issues. This takes a substantial amount of time and resources for City staff. In addition, the improvements and corrections are made to the minimal acceptable standard and City staff are often back within a year dealing with the same issues at the same hotel.

In requiring that all lodging establishments in Roseville are licensed, the City will be in a better position to ensure that all visitors staying in Roseville will do so in safe and code-compliant places. This is not an issue for most lodging establishments in Roseville. However, for those lodging establishments that do not or will not adhere to minimum safety and code standards, there will be consequences for their inaction, up to denial or revocation of a license to operate a lodging establishment in Roseville.

Policy Objectives

Creating hotel licensing will ensure that lodging establishments are maintained and are safe for visitors to Roseville and will be consistent with the following City Aspirations:

- Be welcoming, inclusive, and respectful
- Be safe and law-abiding
- Be economically prosperous with a stable and broad tax base
- Be engaged in our community's success as citizens, neighbors, volunteers, leaders, and businesspeople

Racial Equity Impact Summary

Securing the safety and quality of accommodations in Roseville is a fundamental consideration with respect to the proposed hotel licensing ordinance. The racial equity analysis that was conducted

indicates potential disparities in public safety concerns, building code issues, and health violations among different hotels, which may have varying impacts on historically underrepresented communities. While the ordinance aims to address regulatory gaps and enforce consistent safety standards, staff recognizes the importance of impartially acknowledging both positive and negative impacts.

Positive impacts include enhanced safety measures, improved quality standards, and potential economic growth resulting from a well-regulated hotel industry. However, staff also acknowledge potential negative impacts, such as financial barriers for smaller hotels and unintended consequences for vulnerable populations, including those experiencing homelessness. The ordinance may inadvertently lead to affordability challenges, impacting low-income individuals seeking temporary lodging. Through ongoing monitoring and data tracking, staff aims to evaluate the ordinance's impact on historically underrepresented communities, ensuring that the decision-making process remains informed, balanced, and responsive to the diverse needs of the community. This approach aligns with Roseville's commitment to fostering a safe, inclusive, and economically vibrant community for all residents.

There is limited data to indicate the demographics of persons using Roseville hotels.

Data taken from a study commissioned by Visit Roseville and done by Lawrence and Schiller regarding 2019 visitors to Roseville and information from Explore Minnesota regarding visitors to the state are included as part of the completed Racial Equity Toolkit for the Lodging Establishment License. That information shows that 14% of visitors to Roseville are non-white and that 58% of visitors have a household income less than \$75,000 annually. (Note that these are visitors to Roseville and not necessarily persons staying at hotels).

Budget Implications

Administration and enforcement of the Lodging Establishment License will be done by existing staff of the Administration, Community Development, Fire, and Police Department.

Under state law, cities can only charge up to \$150 for a lodging establishment. With 12 hotels in Roseville and a \$150 license fee, the City would collect \$1,800 in revenue.

Staff Recommendations

Staff recommends the City Council review the information included in this case and provide staff with feedback and direction on the draft ordinance. Based on that feedback and direction, staff will bring back the ordinance for adoption at a future meeting. If the City Council desires to pass the ordinance at the March 4 meeting, the draft ordinance has been posted on the City website in compliance with state law and is eligible for adoption.

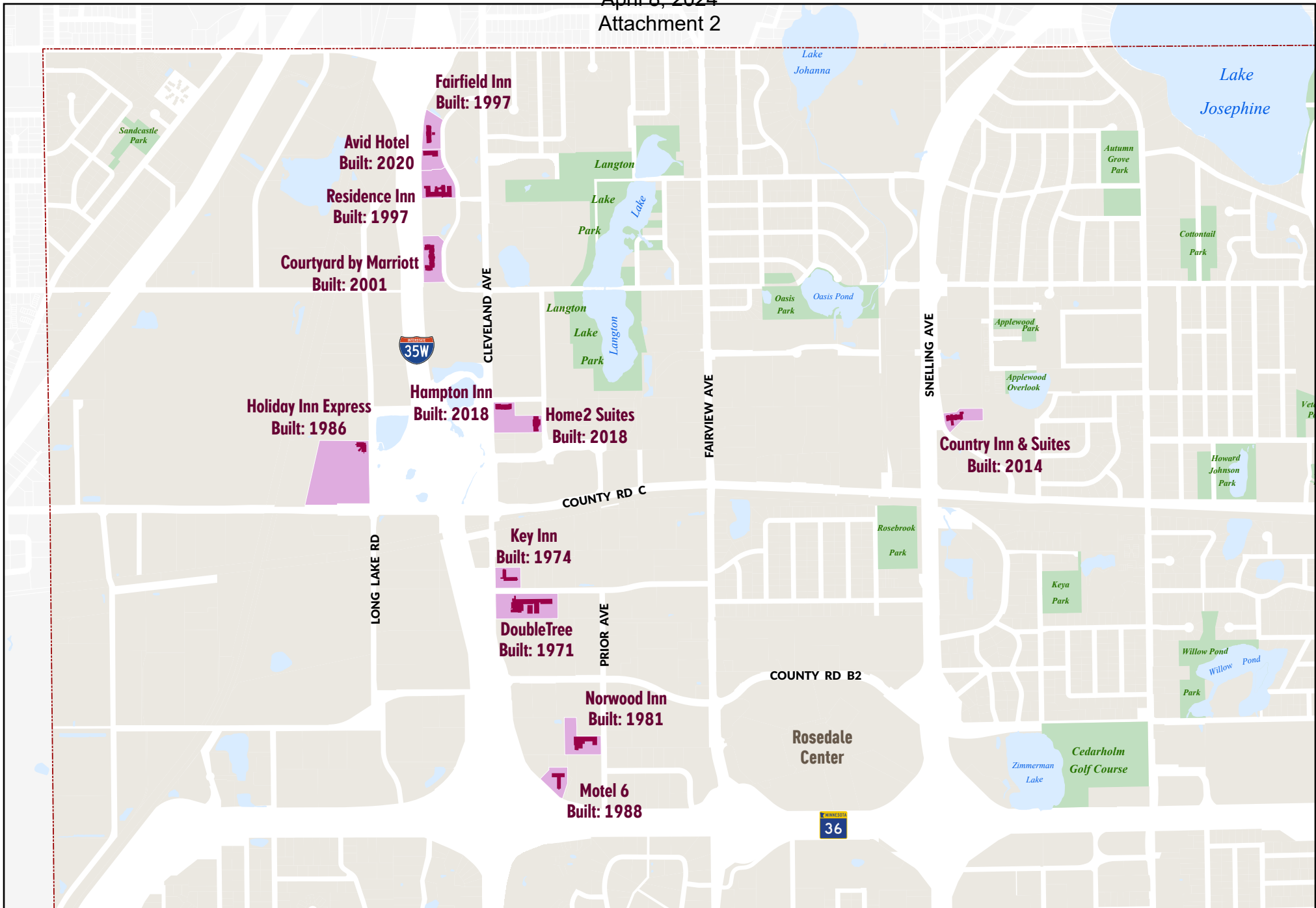
Requested Council Action

The City Council should review the information included in this case and provide staff with feedback and direction on the draft ordinance. If the City Council desires to pass the ordinance at the March 4 meeting, a motion should be made to adopt the draft ordinance and a separate motion should be made to adopt the ordinance summary.

Prepared by: Patrick Trudgeon, City Manager (651) 79-7021 pat.trudgeon@cityofroseville.com

Attachments:

1. Map of Roseville Lodging Establishments
2. Lodging Establishment Summary of Police Calls 2018 to 2023
3. Lodging Establishment Licensing Racial Equity Toolkit Analysis
4. Staff Summary of Lodging Establishment Licensing Ordinance
5. Draft Lodging Establishment Licensing Ordinance
6. Lodging Establishment Licensing Ordinance Summary
7. Lodging Establishment Licensing Ordinance Presentation



Roseville Hotels and Lodging

ROSEVILLE POLICE DEPARTMENT
Roseville Hotels & Use of Police Resources
Summary of calls, 2018-2023



BACKGROUND

In recent years, there has been a noticeable increase in police calls for service and code-related issues, especially at three of the hotels, the Key Inn, Norwood Inn, and Motel 6. There have been numerous illegal activities occurring on those properties. Despite the City of Roseville and the Roseville Police Department's efforts to improve safety and address the concerns, criminal activity and poor conditions continue to exist at the problem hotels.

In response to the continued drain on city and police services, the Roseville City Council instituted a repeat nuisance call fee for lodging establishments. Under the ordinance passed on October 25, 2021, lodging establishments are assessed a repeat nuisance service call fee if they exceed a ten-call monthly threshold. The ordinance exempts calls stemming from medical emergencies, domestic assaults, and police generated activity such as traffic stops.

Roseville Police began enforcement of the new ordinance in February, 2022. In 2022, only Key Inn, Motel 6, and Norwood ever exceeded the 10 call threshold. In 2022, Key Inn was fined \$6,250, Motel 6 was fined \$18,000, and Norwood was fined \$2,000. At the end of 2022, the city entered into a memo of understanding with the Norwood and Key Inn, which required them to implement a number of public safety measures, including adding additional security cameras, improved documentation, and requiring staff to report suspected criminal activity.

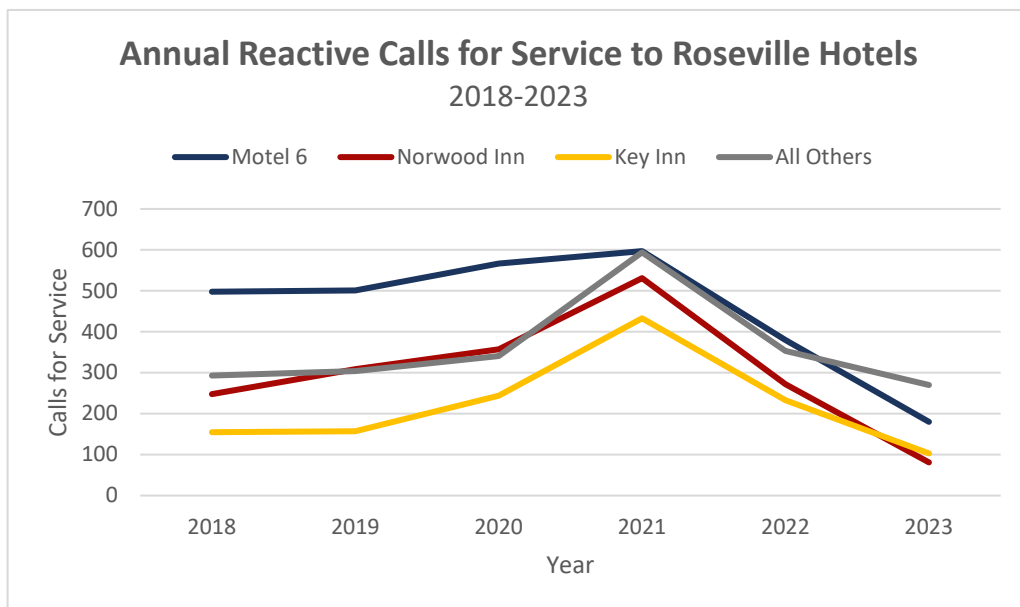
In 2023, only Motel 6 was assessed two fines for having more than ten calls in a month (January and March).

SUMMARY OF CALLS FOR SERVICE

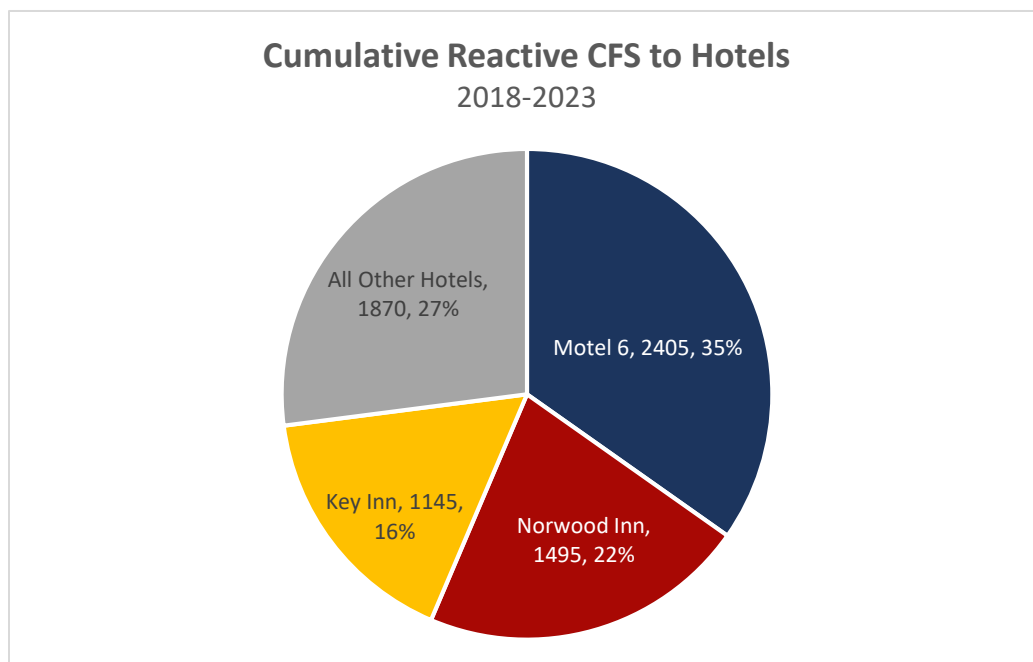
The following table shows the breakdown of reactive Calls for Service (CFS) to each property by year as well as the monthly average number of calls responded to at each property. Reactive CFS exclude proactive activities such as officer-initiated visits, officer initiated traffic and community outreach events.

Reactive CFS to Hotels: Yearly Totals & Monthly Average													
Property	2018		2019		2020		2021		2022		2023		Total
	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	
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DoubleTree	101	8.4	102	8.5	71	5.9	161	13.4	87	7.25	61	5.08	632
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Avid Hotel			2	0.2	17	1.4	70	5.8	26	2.9	35	2.92	163
Total	1086	90.5	1188	99	1465	122	2155	183.4	1465	122	634	52.8	8399

Reactive calls for service to hotels have been on an upward trend since 2016. Calls to Motel 6 are consistently the highest, followed by Norwood Inn and Key Inn.



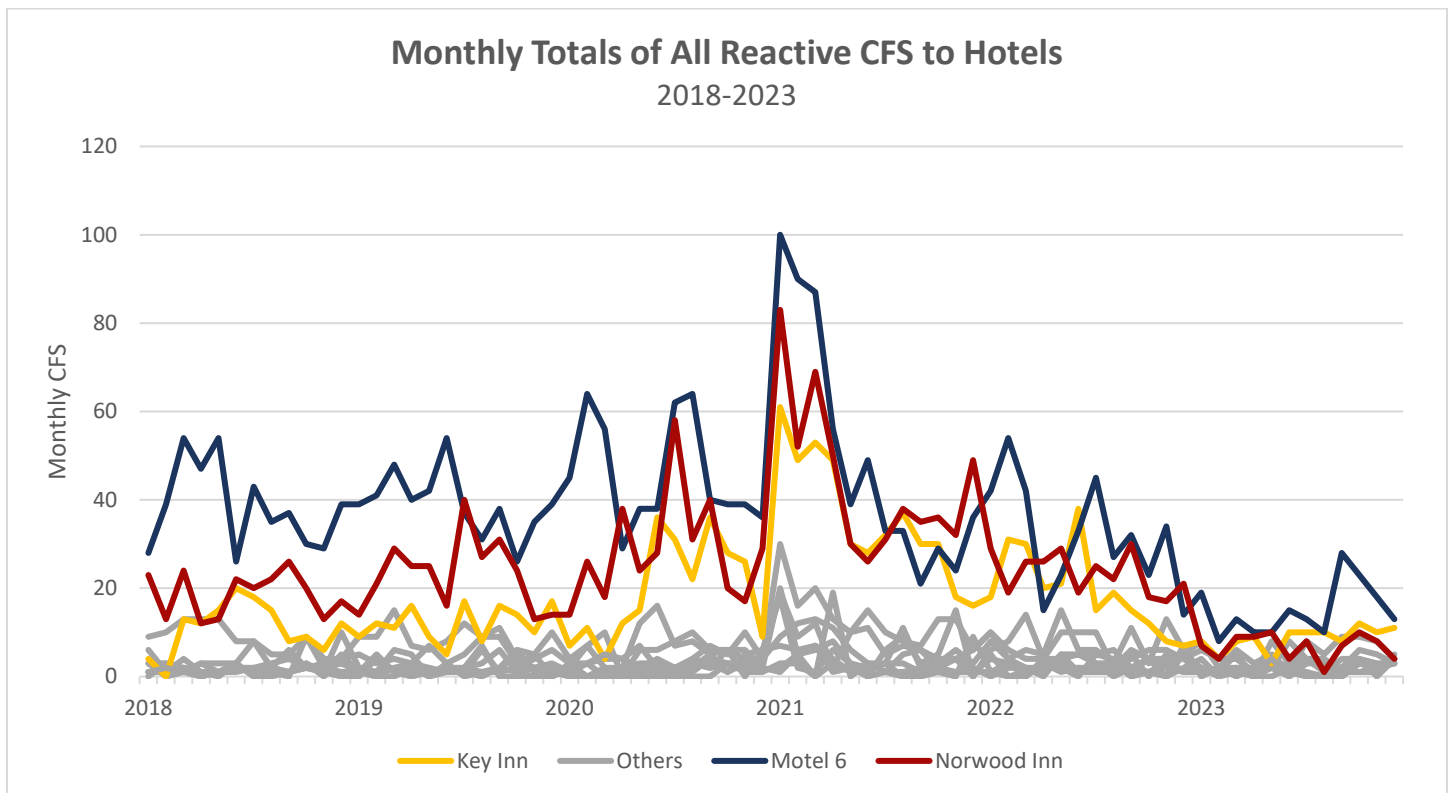
The proportion of hotel-related calls attributed to the three problem properties has remained consistent, ranging from 73.3% to 77.1%. Essentially, three in every four police responses to Roseville hotels are to the Motel 6, Norwood Inn, or Key Inn.



When taking into account the size of the hotels (based on number of rooms available), the difference between the three problem properties and the other hotels is even starker. Between 2018 and 2023, officers responded to the equivalent of 21.2 calls per room at the Motel 6, 10.1 calls per room at the Key Inn, and 8.3 calls per room at the Norwood Inn. No other hotel breached two calls per room.

Reactive CFS to All Properties (Cumulative) 2018-2023			
Hotel	Rooms	CFS	CFS Per Room
Motel 6	113	2405	21.2
Norwood Inn	180	1495	8.3
Key Inn	113	1145	10.1
All Other Hotels	1160	1870	1.6
Double Tree	255	495	1.9
Home 2 Suites	202	272	1.3
Marriot Residence Inn	108	244	2.3
Hampton Inn	100	219	2.2
Fairfield Inn & Suites	79	155	2.0
Country Inn & Suites	91	138	1.5
Holiday Inn Express	118	136	1.2
Courtyard by Marriot	120	87	0.7
Avid Hotel	87	124	1.4

The following chart shows monthly totals of CFS to each property from 2018-2023. This chart shows all reactive CFS rather than only calls that meet nuisance criteria.



OVERDOSES

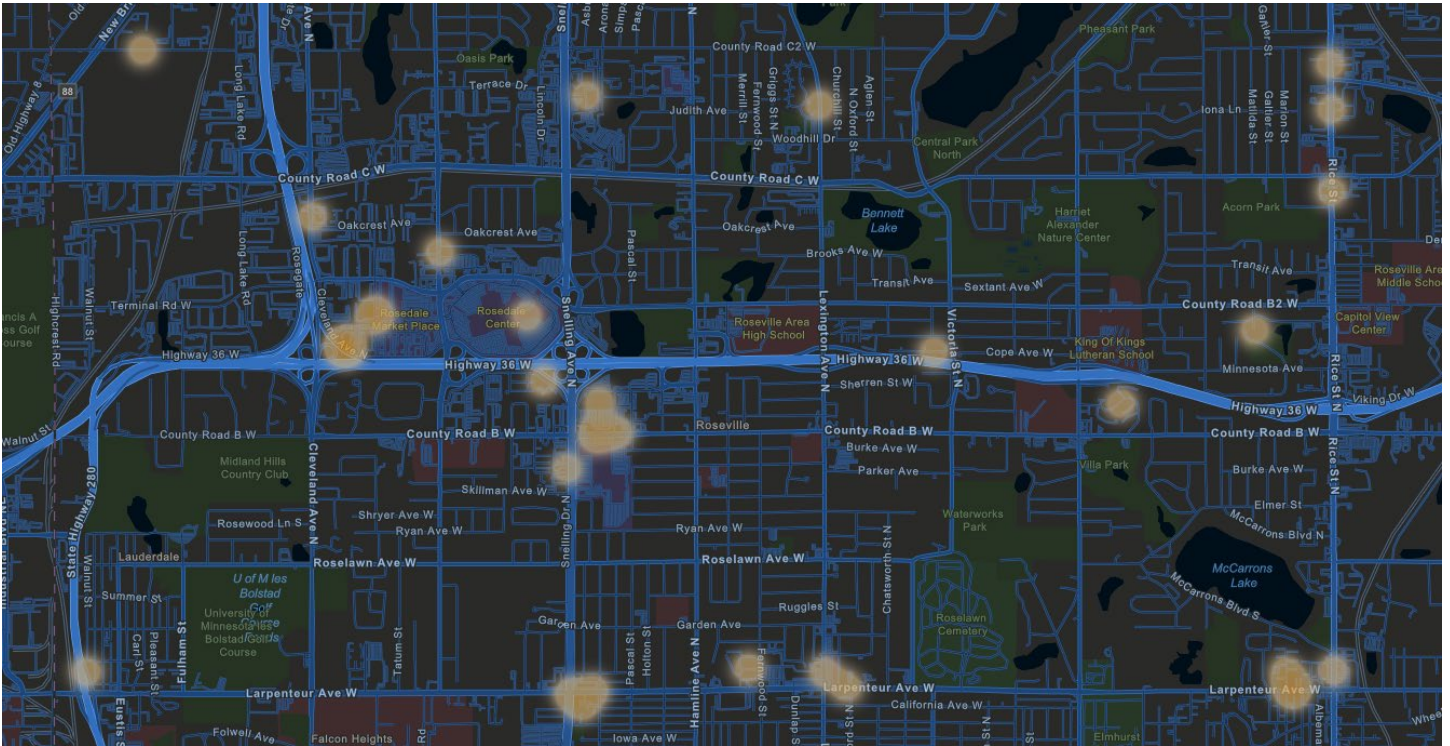
Overdose incidents may be labeled as a variety of different call types in the Record Management System. Starting in late 2019, officers began using a special “5000 code” to mark overdose cases and the use of Narcan. These cases are entered into a nationwide database called ODMAP available to law enforcement to help track overdoses across jurisdictions and identify trends and spikes in incidents.

Since inception, Roseville Police Department has entered 144 incidents into the database. The heat map below shows the locations of overdose incidents with the darker colors showing areas with multiple incidents. The three hottest spots correspond to the three problem properties (Motel 6, Norwood Inn, and Key Inn). Those properties account for 29.2% of

April 8, 2024

Attachment 12

overdose incidents/Narcan use. They also account for all four fatal overdoses—all four having occurred at Norwood Inn. One fatal overdose occurred at Home 2 Suites in 2020.





RACIAL EQUITY TOOLKIT

To Guide in Decision Making on Policies, Programs, Initiatives,
and Budget Proposals



Racial Equity Narrative

The City of Roseville is dedicated to creating an inclusive community where the predictability of success is not based on race, ethnicity, or any other demographic factor. The actions of government at the federal, state, and local level have created racial disparities that continue to harm our community. Rectifying these disparities is critical to the development of a vibrant community and a high quality of life for all residents. All City Departments will prioritize racial equity in their planning, delivery, and evaluation of programs, policies, and services.

The City of Roseville is committed to taking tangible steps to normalize, organize, and operationalize racial equity principles and tools, with an eye toward impactful and sustainable outcomes that create a more equitable community.

7-Step Process

- 1 Desired results and outcomes**
(How does this decision help achieve our long-term goals?)
- 2 What data is available and who does the data indicate is impacted?**
- 3 How have communities in Roseville been engaged? What are plans for future communication or engagement?**
- 4 Racial equity considerations**
- 5 What is your plan for implementation?**
- 6 How will you evaluate results and monitor progress in the future?**
- 7 Equity Impact Analysis/Summary**

Racial Equity Toolkit Instructions

This racial equity toolkit serves as a guide to developing an equity impact analysis through a 7-step process of answering questions focused on community and stakeholder impact. Through the 7-step process of understanding the outcomes of decisions on the community, you will end with an Equity Impact Analysis or summary of your findings to be included on the Request for Council Action (RCA). The completed toolkit should be attached as supporting documentation for council RCA's. Please forward a copy of the completed toolkit to the city's Equity and Inclusion Manager for review and storing.

Title of Policy, Program, Initiative, or Budget Proposal:

Hotel Licensing

Description of Policy, Program, Initiative or Budget Proposal:

Ordinance to regulate the operations of hotels in Roseville through a city licensing program

Department:

Administration

Primary Contact:

Patrick Trudgeon, City Manager

STEP 1: DESIRED RESULTS & OUTCOMES

1. Which of the Community aspirational goals does this issue most align with?

- ☒ Welcoming, Inclusive, and Respectful
- ☒ Safe and Law Abiding
- ☒ Economically Prosperous
- ☐ Diverse, and quality housing and neighborhoods
- ☐ Environmentally Responsible
- ☐ Active and Healthy
- ☐ Well- Connected Through Transportation and Technology Infrastructure
- ☒ Engaged in our Community's Success



2. What are the desired outcomes in the community? What issue or gap does this program or policy help solve?

The desired goal of implementing the hotel licensing ordinance is to enhance community well-being by addressing and mitigating negative impacts associated with hotels. The primary focus is on reducing criminal activity, drug and human trafficking, violence and other adverse effects while concurrently ensuring a baseline level of health and safety for guests within the city during their stays.

The ordinance seeks to bridge existing regulatory gaps by providing the city with a comprehensive tool to track, address, and enforce standards efficiently. Currently, while Ramsey County regulates and oversees sanitation and health standards for hotels, the City is responsible for regulating building and fire standards and addressing criminal activity. The County does not directly factor in public safety concerns with its current hotel licensing. This ordinance is intended to rectify this by integrating safety and quality standards into the licensing framework, thereby also addressing criminal activities associated with hotels.

The intended results of implementing this ordinance are:

1) To Mitigate Negative Impacts to the Community: The City intends to utilize the licensing process to proactively address concerns related to criminal activity, drug trafficking, human trafficking, violence, and other adverse impacts linked to hotels. By enforcing certain operating and safety standards through licensing, the City intends to reduce the frequency of police and fire department calls associated with poorly managed hotels.

2) To Ensure Safety and Quality Standards: This ordinance will establish and enforce safety and quality standards for hotels, such as fire safety, building codes, sanitation, and health regulations. This proactive approach ensures that guests can expect a minimum level of safety and comfort during their stay. While Ramsey County Environmental Service oversees hotel sanitation and health regulations throughout the County, local hotel licensing empowers the city to have a more direct role in setting and enforcing the safety and quality standards for hotels operating in Roseville.

3) To Facilitate Monitoring and Accountability: Through the licensing process, the City will institute regular monitoring of hotels to ensure ongoing compliance with regulations. Any violation of license terms will result in appropriate actions, including fines or revocation of its license. The system of accountability is crucial for maintaining a strong and vibrant hotel industry, ensuring that operators adhere to the established standards.

4) To Support Economic Growth and Tourism: A well-regulated hotel industry can stimulate economic growth by attracting tourists and business travelers. Beyond offering a safe and comfortable experience for guests, the ordinance can contribute to job creation, increased local spending, and the development of other businesses. A thriving hotel industry can be a key driver for the city's economic prosperity.

3. Are there any similarly related programs or policies already in place? Are there any similarly related RCA's that have been completed in the past?

Minnesota state law was changed in the 2023 Legislative Session to allow cities to license hotels. Ramsey County regulates sanitation and health standards for hotels, but does not directly deal with any building or fire codes nor does the County directly factor in public safety concerns with its hotel licensing program.

City Council identified as a legislative priority the ability for municipalities to directly license hotels. After the law was changed, Council again discussed this at their August 7, 2023 meeting and began discussion on what should be included in a City Ordinance.



STEP 2: WHAT DATA IS AVAILABLE AND WHO DOES THE DATA INDICATE IS IMPACTED?

4. Which geographical areas are/will be impacted?

Hotels are allowed in business and mixed-use zoning districts. In Roseville, hotels are located in the western part of the city, mainly along the Hwy. 36 and I-35W corridor. Below is a listing of hotels located in Roseville.

Avid Hotel - 3015 Centre Pointe Dr.
Country Inn and Suites - 2740 Snelling Ave.
Courtyard by Marriott - 2905 Centre Pointe Dr.
DoubleTree by Hilton - 2540 Cleveland Ave.
Fairfield Inn - 3045 Centre Pointe Dr.
Hampton Inn - 2050 Iona Lane
Holiday Inn Express - 2715 Long Lake Rd.
Home2 Suites - 2020 Iona Lane
Key Inn - 2550 Cleveland Ave.
Marriott Residence Inn - 2985 Centre Pointe Dr.
Motel 6 - 2300 Cleveland Ave.
Norwood Inn and Suites - 2401 Prior Ave.

5. What are the racial demographics of those living in the areas impacted? Use most recent Census or American Community Survey data for reference. See your Department Head for access to [mySidewalk](#) reporting. MySidewalk is one of the primary data sources used to retrieve demographic/geographical data.

There is limited data to indicate the demographics of persons using Roseville hotels.

Attached is data taken from a study commissioned by Visit Roseville and done by Lawrence and Shiller regarding 2019 visitors to Roseville and information from Explore Minnesota regarding visitors to the state. (Note that these are visitors and not necessarily persons staying at hotels).

While the overall majority of visitors to Roseville and the State of Minnesota are White, Roseville has a slightly larger BIPOC visitor rate than the State. Similarly, Roseville has a larger rate of visitors that have an annual household income of \$75,000 or less than the State (59% for Roseville vs. 46% for the State).



6. What other information or data is available to be considered related to this issue? Are there any gaps in the available data? What disparities were identified in the available data?

Other data related to this issue include:

1) Police and Fire call reports to hotels. The Roseville Police Department and Fire Department respond to three hotels at a much higher rate than the other eight hotels located in Roseville.

2) Building and Fire Code issues with hotels. Three hotels have a significant amount of higher building and fire code that the other 8 hotels in Roseville

3) Ramsey County health and sanitation violations. Three hotels have the largest amount of health and sanitation code violations as administered by Ramsey County

4) Payment of lodging taxes by hotels. At this time there has not been any significant difference among the Roseville hotels in timely payment of local lodging tax.

STEP 3: HOW HAVE COMMUNITIES IN ROSEVILLE BEEN ENGAGED? ARE THERE ANY SIMILARLY RELATED RCA'S OR RACIAL EQUITY TOOLKITS THAT HAVE BEEN COMPLETED IN THE PAST?

7. What feedback has been received from stakeholders so far? What is the communication strategy to keep stakeholders engaged?

* City officials (elected and staff)

* Visit Roseville (local Destination Marketing Organization funded by local lodging tax to promote tourism to the city)

* Hotel Operators - meeting held on February 15th with hotel operators.

The following hotels were represented:

Avid Hotel, Country Inn and Suites, Courtyard by Marriott, DoubleTree by Hilton, Hampton Inn, Holiday Inn Express, Home2 Suites ,Marriott Residence Inn

The following hotels were not represented at the meeting:

Fairfield Inn, Key Inn, Motel 6, Norwood Inn and Suites



8. Which voices in the community are underrepresented in the stakeholder feedback so far? Reflect on those that may be geographically impacted, economically disadvantaged, or more/less likely to benefit from the proposed policy or program.

Users of hotels, especially those of lower socio-economic status.

Residents who may live in close proximity to hotels. These voices are crucial in understanding the day-to-day impact of hotels on their neighborhoods.

Local Business Owners - These individuals may be directly impacted by the economic ripple effects of the ordinance and may offer unique perspectives on how the proposed ordinance might affect their business.



STEP 4: RACIAL EQUITY CONSIDERATIONS

- 9. How does this proposed policy, program, initiative, or budget proposal help to improve racial equity? Does it decrease racial equity at all? Reflect on the internal or external factors that are likely to be contributing to the disparity.**

By proactively addressing safety and quality standards within the hotel industry, the city is working to ensure that individuals, regardless of their background, have access to accommodations that meet consistent safety and quality benchmarks.

A lodging establishment license may limit access by persons of lower-income, may limit access to hotels by persons finding themselves temporarily homeless, may negatively impact those with no or low credit history

The increase licensing requirements and compliance costs may disproportionately impact smaller, independently owned hotels, which may include businesses owned by individuals from racial minority groups. This could create financial barriers for minority owners, and hinder their ability to compete with larger hotel chains.

The policy may unintentionally lead to job cuts or reduced wages within the hotel industry, and could disproportionately impact workers from racial minority backgrounds who may already face disparities in employment opportunities and wages.

STEP 5: WHAT IS YOUR PLAN FOR IMPLEMENTATION?

- 10. What ongoing measures should be put into place to minimize unforeseen harm to historically underrepresented communities?** (Examples: collecting and storing data, conducting future impact analysis, ongoing monitoring)

Tracking of data on the impact of the hotel licensing regulations on all hotels, with special focus on the budget hotels. This should also include any disparities identified in the enforcement process.

Consider programs and policies that will help budget hotels to continue to operate without jeopardizing public safety and the adherence of health and building codes.



STEP 6: HOW WILL YOU EVALUATE RESULTS, MONITOR PROGRESS IN THE FUTURE?

- 11. It is important to evaluate our decisions and monitor our progress toward racial equity goals. Related to this area of impact, how will you evaluate the final decision, monitor impact, and ensure racially disaggregated data is available for future consideration? Consider creating a timeline to analyze impact; managing future expectations of desired outcomes, or community indicators that can determine success or opportunities.**

Plan to check in after each cycle of licensing to ensure that the regulations have the desired effect, namely providing for the safe and sanitary operation of lodging establishments in Roseville.

Conduct a racial equity impact summary at regular intervals and provide a reporting mechanism to report findings.



STEP 7: EQUITY IMPACT ANALYSIS (SUMMARY)

12. In 1-3 paragraphs, how would you summarize the consideration of equity on this recommendation based on your Racial Equity Toolkit responses so far? Please include any relevant data (or if no data exists) and how this helps us achieve one or more of our City Aspirations identified in Step 1. At minimum, this summary should be included under the Equity Impact Analysis of the RCA.

Securing the safety and quality of accommodations is a fundamental consideration, particularly with respect to the proposed hotel licensing ordinance. The racial equity analysis that was conducted indicates potential disparities in public safety concerns, building code issues, and health violations among different hotels, which may have varying impacts on historically underrepresented communities. While the ordinance aims to address regulatory gaps and enforce consistent safety standards, staff recognizes the importance of impartially acknowledging both positive and negative impacts.

Positive impacts include enhanced safety measures, improved quality standards, and potential economic growth resulting from a well-regulated hotel industry. However, staff also acknowledges potential negative impacts, such as financial barriers for smaller hotels and unintended consequences for vulnerable populations, including those experiencing homelessness. The ordinance may inadvertently lead to affordability challenges, impacting low-income individuals seeking temporary lodging. Through ongoing monitoring and data tracking, staff aims to evaluate the ordinance's impact on historically underrepresented communities, ensuring that the decision-making process remains informed, balanced, and responsive to the diverse needs of the community. This approach aligns with Roseville's commitment to fostering a safe, inclusive, and economically vibrant community for all residents.



IMPORTANT NOTES TO CONSIDER

1. The Racial Equity Toolkit (RET) is a reflective tool or guide to assist decision makers in evaluating ideas and proposed solutions with a perspective inclusive of equity.
2. The RET is NOT a test of competence in equity and inclusion, but each question should be thoroughly considered and answered appropriately based on available data, professional expertise, and lived experience.
3. This is a public document. Decision makers should be able to see the rationale from subject matter experts on the best decision with an equitable outcome. The public should know city leaders are diligent in considering underrepresented voices and potential adverse outcomes of decisions.
4. A separate document is available to aide in stakeholder analysis for purposes of community engagement or outreach, as needed. Please see the Equity and Inclusion Manager or Community Relations Manager for assistance.
5. Please seek diverse perspectives on the completion of this document, including your colleagues. The Equity and Inclusion Manager and your Department Head are additional resources that should review this document upon completion.
6. As lessons are learned and/or outcomes are achieved, the RET is a working document that should be updated.

RESOURCES

[mySidewalk](#) – A online tool available that compiles community level demographic data from over 40 sources.

[Census 2020](#) – Publicly available data gathered every 10 years intended to be the leading source of quality data on people and economy.

[American Community Survey](#) – A demographic survey program by the U.S. Census Bureau with data updated and released annually.

[Google Scholar](#) – A repository of publicly available scholarly literature which may contain relevant data.

Community Feedback – All ways in which the community provides feedback to the city can be used to aide in decision making.

Previous Completely Racial Equity Toolkits (Toolkits are stored on Microsoft Teams in the Racial Equity Toolkit group)



GLOSSARY OF COMMONLY USED TERMINOLOGY

Accountable: Responsive to the needs and concerns of those most impacted by the issues you are working on, particularly to communities of color and those historically underrepresented in the civic process.

Community: Individuals who live, work, study or visit the city of Roseville. Individuals that receive city services such as residents, businesses, and those who do not live in the geographic boundaries of the City of Roseville but participate in its activities (i.e., study, visit, or are program participants).

Community outcomes: The specific result you are seeking to achieve that advances racial equity.

Contracting equity: Efforts to achieve equitable racial outcomes in the way the City spends resources, including goods and services, consultants and contracting.

Culture: Culture is a social system that includes a group's shared language, customs, beliefs, values and institutions. Culture affects our thoughts and actions, often without us even being aware.

Customers: Individuals who currently, or potentially, interact with Roseville City Government.

DEI: Diversity, Equity and Inclusion.

Diversity: The presence of variety in one place. We often measure it based on the variety of demographics and their intersections within the City of Roseville, as defined by the U.S. Census Bureau, including race, religion, national origin, gender, marital status, familial status, immigration status, sexual orientation, age, income, or ability. Diversity may also describe a set of actions to accommodate variety. For the purposes of the SREAP, "Diversity" refers to the variety of demographics and their intersections within the city of Roseville as defined by the US Census bureau, such as race, ethnicity, age, gender, disability, income level, and other meaningful socio-economic differences.

Ethnicity: Describes a group of people who share a distinct culture, religion, language or place of origin. It is a category independent of Race. Therefore, in the U.S., people of the same ethnicity may be members of different races, such as Black Hispanics (such as people from Cuba, Brazil or Dominican Republic).



Equity: Freedom from systemic bias or favoritism. Parity across differences. Product and service access, opportunity, quality and outcomes that do not vary by race, gender, marital status, familial status, immigration status, sexual orientation, age, income, ability, or any other socio-economic differences.

Immigrant and refugee access to services: Government services and resources are easily available and understandable to all Roseville residents, including non-native English speakers. Full and active participation of immigrant and refugee communities exists in Roseville's civic, economic and cultural life.

Inclusion: Including many different types of people and treating them all fairly and equally.

Inclusive outreach and public engagement: Processes inclusive of people of diverse races, cultures, gender identities, sexual orientations and socio-economic status. Access to information, resources and civic processes so community members can effectively engage in the design and delivery of public services.

Individual racism: Pre-judgment, bias, stereotypes about an individual or group based on race. The impacts of racism on individuals including white people internalizing privilege and people of color internalizing oppression.

Institutional racism: Organizational programs, policies or procedures that work to the benefit of white people and to the detriment of people of color, usually unintentionally or inadvertently.

People of Color: The term used in this plan as shorthand, also referenced as BIPOC, to describe a person who identifies as a member of at least one of the following racial census categories: Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian, other Pacific Islander, some other race, and Hispanic. We recognize the problems inherent in using such a broad term. However, we use it only to increase plan readability.

Race: In the U.S., race is a construct that established various categories of people and a hierarchy of their value to society. In that worldview, people have, according to their physical characteristics, innate qualities that define them as different.



Racial equity: When social, economic and political opportunities are not predicted based upon a person's race.

Racial inequity: When a person's race can predict their social, economic, and political opportunities and outcomes.

Residents: Individuals of all ages living within the geographic boundaries of the city of Roseville.

RET: Racial Equity Toolkit

SREAP: Strategic Racial Equity Action Plan

Staff: All people actively supervised by our organization and involved in accomplishing our work, including paid employees, and paid interns.

Stakeholders: Those impacted by proposed policy, program or budget issue who have potential concerns or issue expertise. Examples might include: specific racial/ethnic groups, other institutions like schools, community-based organizations, city employees, unions, etc.

Structural racism: The interplay of policies, practices and programs of multiple institutions which leads to adverse outcomes and conditions for communities of color compared to white communities that occurs within the context of racialized historical and cultural conditions.

Workforce: All people actively supervised by our organization as staff as well as contract employees and volunteers, as appropriate. Workforce also includes consultants, and independent contractors.

Workforce equity: Ensure the City's workforce diversity reflects the diversity of Roseville and can predict their social, economic and political opportunities and outcomes.



Visitors to Roseville and State of Minnesota

	City of Roseville Visitors*	State of Minnesota Visitors**
<u>Racial Demographics</u>		
White	86%	94%
Hispanic	6%	3%
African American	5%	2%
Asian	4%	3%
<u>Household Income</u>		
\$150K+	16%	
\$100-150K	9%	
\$75-100K	17%	
\$50-75K	32%	
\$25-50K	21%	
<\$25K	5%	
\$150K+		11%
\$125-150K		10%
\$100-125K		14%
\$75-100K		20%
\$50-75K		23%
<\$50K		22%

*Data from Lawrence and Schiller Study conducted on behalf of Visit Roseville in 2019

**Data from study conducted by Strategic Marketing and Research Insights, LLC for Explore Minnesota detailing 2022-23 winter travelers

Summary of Roseville Lodging Establishment Licensing Ordinance Chapter 317

Section 317.01 Definitions

This defines various terms that are used as part of the Chapter 317. Some key definitions include:

Hotel or Motel. A building, structure, enclosure, or any part thereof used as, maintained as, advertised as, or held out to be a place that furnishes sleeping accommodations the public for less than one week as defined by Minn. Stat. Section 157.15, subd. 7.

Lodging Establishment. A Hotel, Motel, or other building, structure, enclosure, or any part thereof, used as, maintained as, advertised as, or held out as a place that furnishes sleeping accommodations for any number nights the public. This term includes a building, structure, or enclosure defined as a “Lodging Establishment” in Minn. Stat. § 157.17.

Interested Persons. All persons who will be on-site managers of the establishment, are owners or operators, or that have an interest of five percent or more in the entity applying for or holding the license.

Licensed Premises. All the property, whether in or out of a building or structure, which is (a) used for the licensed activity including any recreation or parking area for use by guests of the hotel, motel or lodging establishment; or (b) under the ownership, control or management of the licensee, or leased to the licensee, if such property is adjacent to, or in reasonably close proximity to, the premises in which the licensed activity occurs.

Nuisance-Related Activities. Any one or more of the following occurring or committed on the licensed premises:

- A. Prostitution or prostitution-related activity, sex trafficking, or other human trafficking;
- B. Maintaining a public nuisance in violation of Minn. Stat. § 609.74, clause (1) or (3);
- C. Permitting a public nuisance in violation of Minn. Stat. § 609.745;
- D. Maintaining or permitting violation of Roseville City Code Chapter 405 or 407;
- E. Unlawful sale, possession, storage, delivery, giving manufacture, cultivation, or use of controlled substances;
- F. Unlicensed sales of alcoholic beverages;
- G. Unlicensed sales for Cannabis or Low-Potency Hemp products;
- H. Unlawful sales or gifts of alcoholic beverages, Cannabis, or Low-Potency Hemp products committed within the building, or unlawful consumption or possession by persons under the age of 21 years;
- I. Unlawful use or possession of a firearm, firearm parts, or ammunition;
- J. Violation of state law or City ordinance related to the licensed activity;
- K. Actions which constitute a violation of Minn. Stat. § 609.72 related to disorderly conduct.

Section 317.02 License Required, Issuance of License

This section requires lodging establishments to receive a license issued by the City of Roseville and approved by the Roseville City Council. As part of the license application, contact information of the applicant must be provided as well as a list of Interested Person as defined in the ordinance. All Interested Persons are subject to approval by the City and to a criminal background check.

As part of consideration of the license, the premises of the lodging establishment are subject to inspection by the City to ensure compliance with all applicable health and safety codes. Also, as part of consideration of the license, the City may impose reasonable conditions upon the license. These conditions may be imposed at the time of initial issuance or renewal of the license, as well as part of action against the license holder for nuisance activities and/or condition of the premise.

During the application process, the applicant can request an Extended Stay Permit for stays at the lodging establishment for periods longer than 29 days, as long as certain conditions are met.

Applicants for a lodging establishment license will be required to pay a fee for the license and the criminal background check.

Each license shall be considered for approval by the City Council. If granted, the license shall expire on December 31 of each year and must be renewed annually. If the license application is denied, the applicant has the right to appeal. If the license application is denied, the applicant has to wait for 12 months before applying again for a lodging establishment license.

Section 317.03 Basis for Denial of License

This section lists the reasons for which a license may be denied. These reasons include the lodging establishment not complying with relevant health and safety codes, an Interested Person having license suspended/revoked or a repeat nuisance service call fee imposed by the City of Roseville or by another jurisdiction, and an Interested Person that has oversight of the day-to-day operations having one or more criminal convictions that relate to lodging establishments.

Section 317.04 Minimum Standards of Operation

The section lays out minimum standards of operation of the lodging establishment. These include ensuring all guests staying in rooms being registered with the lodging establishment after providing suitable identification, not knowingly permit illegal activity on the premises and informing the City of any illegal activity once known, proper maintenance of video surveillance systems, and prohibiting the rental of hotels rooms on a hourly basis, permitting residency at the lodging establishment (more than 30 days for establishments that do not have an Extended Stay Permit), and allowing the residence of an Interested Person, employee, manager or contractor at the lodging establishment. This section also lists out the minimum requirement that each guestroom must have in place.

Other standards of operations required as part of Section 317.03 included the keeping and maintenance of a register of persons who are staying the lodging establishment and requiring the lodging establishment to cooperate with authorities in response to an emergency call for service, or reports of suspicious or illegal activity.

Section 317.05 Penalty for Violation

This section states that any license violation may be penalized with a fine, imposition of reasonable conditions, suspension, or revocation of the license. Such a penalty may only be imposed after full notice of the allegations and proposed penalty and an opportunity to be heard regarding the allegations and penalty.

This section also outlines reasons the lodging establishment may be subject to fine, suspension, revocation, or the imposition of license conditions, which include failure to comply with minimum standards, non-compliance of federal and state law and the Roseville City Code, the imposition of repeat nuisance service calls by the City, arrests related to illegal activities occurring the premises, violation of state health codes, a serious nuisance-related call that demonstrates lack of control over the establishment, failure to maintain premises to all building, fire, mechanical, zoning, or licensing codes, failure to follow correction orders, having an Interested Person with a criminal conviction related to the Lodging Establishment, failure to notify the City of an additional Interested Persons with 30 days, and failure to pay taxes, assessments, utilities, and local lodging tax.

Section 317.06 Enforcement

This section empowers the City Manager, through the work of City employees, to enforce the ordinance.

Lodging Establishment Licensing Ordinance

Roseville City Council Meeting

March 4, 2024



Lodging Establishment Licensing Ordinance

Background

For the past few years, the City of Roseville requested the Legislature pass a law that allows municipalities to directly license lodging establishments

Roseville's request was related to issues occurring in a few hotels that had ongoing building and safety code issues as well as pervasive criminal conduct

Ramsey County Environmental Health licenses hotels within the County, their ability to impact the problems Roseville is encountering at certain hotels is limited.

In 2021, the City adopted a repeat nuisance ordinance that charged lodging establishments a fee for exceeding 10 service calls (police, fire, code) in one month by the City

Lodging Establishment Licensing Ordinance

Background

The trigger of more than 10 calls per month was based on data on calls to all hotel properties in Roseville.

There was a significant difference of calls between 3 hotels and the other 9 hotels

In 2021, three hotels were averaging 19 to 45 calls per month. The average number of calls for the 9 hotels was 3 per month.

Since then, the number of calls for the top three hotels has declined

Two of the hotels have entered into a Memorandum of Understanding with the City that requires the hotels to implement public safety measures that are intended to assist law enforcement and the hotel in reducing that number of calls and improve public safety

We are receiving less calls from the hotel management at certain hotels but nuisance and criminal activity still is occurring at those hotels

Lodging Establishment Licensing Ordinance

Background

Reactive CFS to Hotels: Yearly Totals & Monthly Average													
Property	2018		2019		2020		2021		2022		2023		Total
	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	CFS	Avg.	
Motel 6	461	38.4	470	39.2	550	45.8	597	49.75	380	31.7	180	15	2858
Norwood Inn	225	18.8	279	23.3	343	28.6	531	44.25	272	22.7	81	6.75	1875
Key Inn	132	11	144	12	237	19.8	433	36.1	233	19.4	103	8.58	1389
DoubleTree	101	8.4	102	8.5	71	5.9	161	13.4	87	7.25	61	5.08	632
Home 2 Suites	42	3.5	29	2.4	75	6.3	72	6	46	3.8	26	2.17	314
Hampton Inn	24	2	59	4.9	27	2.3	61	6.1	41	3.4	18	1.5	250
Holiday Inn Express	22	1.8	28	2.3	18	1.5	25	2.5	22	2	28	2.33	155
Marriot Residence Inn	17	1.4	21	1.8	49	4.1	95	7.9	52	4.7	41	3.42	298
Fairfield Inn & Suites	23	1.9	23	1.9	43	3.6	44	4.4	2	2.9	18	1.5	169
Courtyard by Marriot	18	1.5	10	0.8	10	0.8	34	4.25	26	2.6	19	1.58	129
Country Inn & Suites	21	1.8	21	1.8	25	2.1	32	2.9	30	3	24	2	167
Avid Hotel			2	0.2	17	1.4	70	5.8	26	2.9	35	2.92	163
Total	1086	90.5	1188	99	1465	122	2155	183.4	1465	122	634	52.8	8399

Lodging Establishment Licensing Ordinance

Background

NEWS > CRIME & PUBLIC SAFETY

St. Paul man charged in woman's 2019 overdose death at Roseville motel

Bret Ryne Lott was arrested in St. Paul on a warrant out of Wisconsin



By **NICK FERRARO** | nferraro@pioneerpress.com | Pioneer Press

PUBLISHED: May 2, 2022 at 2:18 p.m. | UPDATED: May 2, 2022 at 2:28 p.m.



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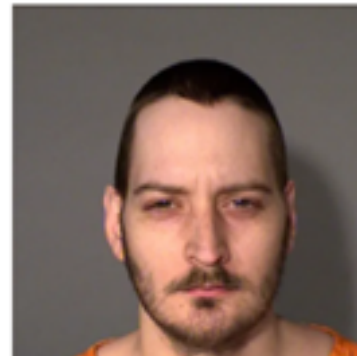


A St. Paul man has been charged with third-degree murder for allegedly selling heroin and fentanyl to a woman who died of an overdose at a Roseville motel in 2019.

Bret Ryne Lott, 31, was charged in Ramsey County District Court on Friday. He was arrested Thursday in St. Paul on a 2018 felony warrant with the Wisconsin Department of Corrections relating to a conviction for manufacture/delivery of heroin, according to last week's criminal complaint.

Two guns and suspected fentanyl were recovered from the location where Lott was arrested, the complaint says.

Officers responded to a welfare check call at a room at a Motel 6 around 10:30



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William C. ...
Joseph N. Brennan 1915-1963
William C. ...
Joseph N. Brennan 1915-1963
William C. ...
Joseph N. Brennan 1915-1963

William C. ...
Joseph N. Brennan 1915-1963
William C. ...
Joseph N. Brennan 1915-1963

Lodging Establishment Licensing Ordinance

Background



There are also significant safety and building code concerns in certain hotels

Several have a large amount of ongoing building safety and building code issues

These issues have included non-functioning fire suppression systems, inoperable smoke alarm systems, broken windows, flooding and mold issues in common areas and rooms, and abandoned vehicles in their parking lots.



Lodging Establishment Licensing Ordinance

New Law

In 2023, the Minnesota State Legislature passed a bill that allows a municipality to adopt an ordinance requiring lodging establishments have a license in place approved by the city or town.

The municipality can require the lodging establishment to comply with state and local laws as a condition of the license

The annual fee for the license cannot exceed \$150

Sec. 16. [471.585] MUNICIPAL HOTEL LICENSING.

(a) A statutory or home rule charter city or a town may adopt an ordinance requiring hotels as defined in section 327.70, subdivision 3, operating within the boundaries of the city or town to have a valid license issued by the city or town. An annual fee for a license under this section may not exceed \$150.

(b) An ordinance adopted under this section is limited to requiring compliance with state and local laws as a condition of licensure. No other licensing conditions or requirements are permitted.

(c) A city or town that has adopted an ordinance under this section may refuse to issue a license, or may revoke an existing license, if the hotel fails to comply with the conditions of the license.



Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.01 Definitions

This defines various terms that are used as part of the Chapter 317. Some key definitions include:

Hotel or Motel. A building, structure, enclosure, or any part thereof used as, maintained as, advertised as, or held out to be a place that furnishes sleeping accommodations the public for less than one week as defined by Minn. Stat. Section 157.15, subd. 7.

Lodging Establishment. A Hotel, Motel, or other building, structure, enclosure, or any part thereof, used as, maintained as, advertised as, or held out as a place that furnishes sleeping accommodations for one night or more to the public.

Interested Persons. All persons who will be on-site managers of the establishment, are owners or operators, or that have an interest of five percent or more in the entity applying for or holding the license.

Licensed Premises. All the property, whether in or out of a building or structure, which is (a) used for the licensed activity including any recreation or parking area for use by guests of the hotel, motel or lodging establishment; or (b) under the ownership, control or management of the licensee, or leased to the licensee, if such property is adjacent to, or in reasonably close proximity to, the premises in which the licensed activity occurs.

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Nuisance-Related Activities. Any one or more of the following occurring or committed on the licensed premises:

- A. Prostitution or prostitution-related activity, sex trafficking, or other human trafficking;
- B. Maintaining a public nuisance in violation of Minn. Stat. § 609.74, clause (1) or (3);
- C. Permitting a public nuisance in violation of Minn. Stat. § 609.745;
- D. Maintaining or permitting violation of Roseville City Code Chapter 405 or 407;
- E. Unlawful sale, possession, storage, delivery, giving manufacture, cultivation, or use of controlled substances;
- F. Unlicensed sales of alcoholic beverages;
- G. Unlicensed sales for Cannabis or Low-Potency Hemp products;
- H. Unlawful sales or gifts of alcoholic beverages, Cannabis, or Low-Potency Hemp products committed within the building, or unlawful consumption or possession by persons under the age of 21 years;
- I. Unlawful use or possession of a firearm, firearm parts, or ammunition;
- J. Violation of state law or City ordinance related to the licensed activity;
- K. Actions which constitute a violation of Minn. Stat. § 609.72 related to disorderly conduct.

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.02 License Required, Issuance of License

- Requires lodging establishments to receive license approved by the Roseville City Council
- Application requires a list of Interested Persons related to the lodging establishment
- All Interested Persons are subject to a criminal background check.
- The lodging establishment is subject to inspection by the City to ensure compliance with all applicable health and safety codes.
- The City may impose reasonable conditions upon the license
- These conditions may be imposed at the time of initial issuance or renewal of the license, as well as action against the license holder for nuisance activities and/or conditions.
- The applicant can request an Extended Stay Permit for stays at the lodging establishment for periods longer than 29 days,
- If granted, the license shall expire on December 31 of each year and must be renewed annually.
- If the license application is denied, the applicant has the right to appeal.
- If the license application is denied, the applicant has to wait for 12 months before applying again for a lodging establishment license.

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.03 Basis for Denial of License

Reasons for denial of licenses include

- Not complying with relevant health and safety codes
- An Interested Person having license suspended/revoked
- A repeat nuisance service call fee imposed by the City of Roseville or by another jurisdiction,
- Being delinquent in property taxes, assessments, and other financial claims such as lodging tax or utility charges
- An Interested Person that has oversight of the day-to-day operations having one or more criminal convictions that relate to lodging establishments.

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.04 Minimum Standards of Operation

Minimum standards of operation include:

- Ensuring all guests staying in rooms being registered with the lodging establishment after providing suitable identification
- Informing the City of any illegal activity once known
- Proper maintenance of video surveillance systems
- Prohibiting the rental of hotels rooms on a hourly basis,
- Not permitting residency at the lodging establishment (more than 30 days for establishments that do not have an Extended Stay Permit), and the residence of an Interested Person, employee, manager or contractor at the lodging establishment.
- The keeping and maintenance of a register of persons who are staying the lodging establishment
- Cooperating with authorities in response to an emergency call for service, or reports of suspicious or illegal activity.

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.04 Minimum Standards of Operation

Each guestroom shall maintain the following minimum requirements

- A proper entry door, windows, beds, and bedding
- Toilet room
- Lavatory
- Bathtub or shower
- Heating and air conditioning
- Smoke detector and fire sprinkler
- Clothes closet or alcove with clothes rod or clothes rack permanently affixed or luggage rack or luggage support counter
- Twenty-four (24) hour free emergency telephone access to the front desk and to 911 services.

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.05 Penalty for Violation

Penalty for license violation include:

- A fine
- Imposition of reasonable conditions
- Suspension of License
- Revocation of the license.
- Such a penalty may only be imposed after full notice of the allegations and proposed penalty and an opportunity to be heard regarding the allegations and penalty.
- The City Council shall make the final decision on the penalty

Lodging Establishment Licensing Ordinance

Proposed Ordinance

Section 317.05 Penalty for Violation

Reasons for penalties include:

- Failure to comply with minimum standards
- Non-compliance of federal and state law and the Roseville City Code
- Imposition of repeat nuisance service calls by the City,
- Arrests related to illegal activities occurring the premises
- Violation of state health codes
- serious nuisance-related call that demonstrates lack of control over the establishment
- Failure to maintain premises to all building, fire, mechanical, zoning, or licensing codes
- Failure to follow correction orders
- Having an Interested Person with a criminal conviction related to the Lodging Establishment
- Failure to notify the City of an additional Interested Persons with 30 days
- Failure to pay taxes, assessments, utilities, and local lodging tax.

City of Roseville
ORDINANCE NO.

AN ORDINANCE AMENDING
TITLE 3, CHAPTER 317

AN ORDINANCE AMENDING TITLE 3 TO CREATE CHAPTER 317 OF
THE ROSEVILLE CITY CODE ENTITLED “~~REGULATION OF
HOTELS, MOTELS, AND LODGING ESTABLISHMENTS~~ HOTEL
LICENSING REGULATIONS”.

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title 3, Chapter 317 of the Roseville City Code is established
to read as follows:

CHAPTER 317

~~REGULATION OF HOTELS, MOTELS, AND LODGING ESTABLISHMENTS~~
HOTEL LICENSING REGULATIONS

Section:

- 317.01: Definitions
- 317.02: License Required, Issuance of License
- 317.03: Basis for Denial of License
- 317.04: Minimum Standards of Operation
- 317.05: Penalty for Violation
- 317.06: Enforcement

317.01: DEFINITIONS:

For purposes of this chapter, unless otherwise expressly stated, the following words
and phrases shall have the meanings respectively ascribed to them by this section:

~~EXTENDED STAY PERMIT. A permit issued to a Lodging Establishment with a
license under this chapter allows the establishment to rent rooms for a duration of
stay greater than 29 consecutive days. Extended stay lodging includes transient
Lodging Establishments constructed and operated to provide accommodations for
longer term stays by including additional common area amenities and in-room
cooking facilities beyond what is provided by a standard Lodging Establishment.~~

36 GUEST. Any person that occupies a Guestroom.

37

38 GUESTROOM. A sleeping room in a Hotel, ~~Motel, or lodging establishment~~
39 designed and intended to be used as lodging a sleeping accommodation.

40 ~~HOTEL OR MOTEL. A building, structure, enclosure~~hotel, motel, bed and
41 breakfast, or any part thereof, used as, maintained as, advertised as, or held out to
42 be a place that furnishes sleeping accommodations the public ~~for less than one week~~
43 ~~as defined by Minn. Stat. Section 157.15, subd. 7.~~

44 ~~LODGING ESTABLISHMENT. A Hotel, Motel, or other building, structure, enclosure, or any part~~
45 ~~thereof, used as, maintained as, advertised as, or held out as to be,~~ a place that
46 furnishes where sleeping accommodations are supplied for any number nights the
47 public. This term includes a building, structure, or enclosure defined as a "Lodging
48 Establishment" in Minn. Stat. § 157.17-guests for transient occupancy.

49 INTERESTED PERSONS. All persons who will be on-site managers of the
50 ~~establishment~~Hotel, are Owners or Operators, or that have an interest of five percent
51 or more in the entity applying for or holding the license.

52 LICENSED PREMISES. All the property, whether in or out of a building or
53 structure, which is (a) used for the licensed activity including any recreation or
54 parking area for use by Guests of the Hotel, ~~Motel or Lodging Establishment~~; or (b)
55 under the ownership, control or management of the licensee, or leased to the
56 licensee, if such property is adjacent to, or in reasonably close proximity to, the
57 premises in which the licensed activity occurs.

58 NUISANCE-RELATED ACTIVITIES. Any one or more of the following occurring
59 or committed on the Licensed Premises:

- 60 A. Prostitution or prostitution-related activity, sex trafficking, or other human
61 trafficking;
- 62 B. Maintaining a public nuisance in violation of Minn. Stat. § 609.74, clause (1)
63 or (3);
- 64 C. Permitting a public nuisance in violation of Minn. Stat. § 609.745;
- 65 D. Maintaining or permitting violation of Roseville City Code Chapter 405 or
66 407;
- 67 E. Unlawful sale, possession, storage, delivery, giving manufacture, cultivation,
68 or use of controlled substances;

- 69 F. Unlicensed sales of alcoholic beverages;
- 70 G. Unlicensed sales of cannabis or low-potency hemp products;
- 71 H. Unlawful sales or gifts of alcoholic beverages, cannabis, or low-potency
72 hemp products committed within the building, or unlawful consumption or
73 possession by persons under the age of 21 years;
- 74 I. Unlawful use or possession of a firearm, firearm parts, or ammunition;
- 75 J. Violation of state law or City ordinance related to the licensed activity;
- 76 K. Actions which constitute a violation of Minn. Stat. § 609.72 related to
77 disorderly conduct.

78 OWNER OR OPERATOR. Any person, firm, association, partnership, limited
79 liability company, or corporation, which is the record owner, part owner, lessee,
80 receiver, sublessee, or franchised operator of real property as listed on the Ramsey
81 County property records that operates a ~~Lodging Establishment~~Hotel business that
82 offers and accepts payment for guestrooms.

83 **317.02: LICENSE REQUIRED, ISSUANCE OF LICENSE:**

- 84 A. License Required. In addition to the other licensing requirements set out by
85 Minnesota Statutes, the Minnesota Department of Health, and Ramsey
86 County, no person shall operate a ~~Lodging Establishment~~Hotel without a
87 valid license issued by the City of Roseville. The license to operate must be
88 renewed on a yearly basis. The City shall approve or deny each application.
- 89 B. Application. An application for a license shall be made on a form provided
90 by the City. The application shall contain the full name of the applicant, the
91 applicant's residential and business addresses and telephone numbers, the
92 business or personal email address where official communications can be
93 sent, the address of the building for which the license is sought, the name of
94 the business for which the license is sought, and any additional information
95 the City Manager deems necessary.
- 96 C. Interested Persons. At the time of application, and upon the addition of any
97 Interested Persons thereafter, the applicant shall furnish the City with a list
98 of Interested Persons. Interested Persons will be subject to a background
99 investigation, as described herein, and payment of the investigation fee. It is
100 the duty of each business licensee to notify the City Manager or their
101 designee in writing of any change in Interested Persons. Failure to notify the
102 City of an additional Interested Person within thirty (30) days is a basis for
103 imposition of a penalty under this Chapter. ~~Interested Persons~~

1. Initial Application: The City will be subject to conduct a background investigation and payment of the investigation fee all Interested Persons listed on the license application. The City Manager may, or their designee, must approve the addition of Interested Persons. If the City Manager does not approve the addition of an Interested Person, the City shall provide notice to the Lodging Establishment who may license applicant. The applicant will determine whether to amend the application to not include the Interested Person, withdraw the application, or appeal the City Manager's determination to the City Council. The City Council may revoke any license issued upon its determination that a change of Interested Persons of a licensee has resulted in the change of control of the licensed business to Rejection of an Interested Person who is not eligible for such role in the Lodging Establishment will result in license denial, but no such action shall be taken until after a hearing by the Council on notice to the licensee. the applicant has been given notice of such denial, the basis for the denial, and the opportunity for a hearing before the City Council.

2. Renewal Application or Addition of Interested Persons: The City will conduct a background investigation for all Interested Persons added after the issuance of the license. The City, in its sole discretion, may also conduct a background investigation on Interested Persons at the time of application for a renewal of a license. The City Manager, or their designee, must approve all Interested Persons. If the City Manager does not approve an Interested Person, the City shall provide notice to the licensee. The licensee will determine whether to withdraw the Interested Person or appeal the determination to the City Council. Rejection of an Interested Person will result in license revocation, but no such action shall be taken until the applicant has been given notice of such revocation, the basis for the revocation, and the opportunity for a hearing before the City Council.

C.D. Background Investigation. Applications shall include a review by the City Manager or their designee, the Police Department, or other qualified service providers who. Such review will conduct and include a complete criminal background checkscheck of all applicants and Interested Persons. The City will notify the applicant if any Interested Person is not approved. Applicant will determine whether to amend the application to not include the Interested Person or withdraw the application. Rejection of an Interested Person will result in license denial. The City, in its sole discretion, may also conduct background checks on an application for a renewal of a license.

D.E. Inspection of Building. No license may be issued unless the Licensed Premises for which the application has been submitted is in full compliance

with all relevant health and safety codes including but not limited to the Minnesota State Building Code, the Minnesota State Fire Code, and the Roseville City Codes. Upon renewal, inspections shall occur at the frequency required by City policy.

E.F. Imposition of Reasonable Conditions. When there exists a reasonable basis to impose reasonable conditions upon a license applied for, issued, or held under this chapter, any one (1) or more such reasonable conditions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance ~~or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods~~. License conditions may also be added to memorialize the conditions under which the City will allow a waiver of a specific requirement of this Chapter for a specific ~~Lodging Establishment~~Hotel.

F.G. Timing of Imposition and Removal of License Conditions. The City may impose such conditions on a license at the time of application, at any time with the consent of the license holder, or in addition to penalties imposed under this chapter as part of an action against the license or licenses. Conditions imposed on a license, or licenses shall remain on such licenses when renewed and shall continue thereafter until removed by the City Council.

~~G. Extended Stay Permit. As a part of an application for a lodging license under this article, the applicant may also apply for the right to offer extended stay lodging as defined herein in all or portions of the Licensed Premises. Applications for an Extended Stay Permit shall include the number of rooms in the Lodging Establishment that are devoted to extended stay operations. Such rooms must meet the following criteria:~~

- ~~1. Minimum size for entire unit: 300 square feet;~~
- ~~2. Minimum size for living room: 120 square feet;~~
- ~~3. A defined bedroom that is separate and apart from other portions of the unit;~~
- ~~4. Minimum kitchen facilities, which are not located in the defined bedroom or bathroom, including: refrigerator, cooktop, dedicated sink, cabinets with cooking/dining supplies;~~
- ~~5. Maximum sleeping occupancy per room or unit shall be two (2) persons per dedicated bedroom; and~~
- ~~6. Personal possessions may not be stored in violation of the Roseville~~

~~City Code, on exterior balconies, interior corridors or in a manner that prohibits adequate movement and ingress/egress within the unit, with the exception on balconies for items such as bikes, strollers, and coolers.~~

H. Fees. No license application will be processed or granted without payment of all required fees.

1. The City will establish the annual license fee and include it in the Fee Schedule in Section 314.05.

2. In addition to an annual license fee, license applicants must also pay a background investigation fee and an inspection fee which shall be established by the City fee schedule in Section 314.05.

I. Consideration of Application. Upon receipt of a completed application, the City Manager will forward the application to the City Council for action at a City Council meeting following processing of the application. The City Council may either approve or deny the application for a license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant as it deems necessary. If the City Council approves the license, the City Manager shall issue the license to the applicant. If the City Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the City Council's decision. If a license application is denied, the earliest an applicant may reapply is 12 months from the date the license is denied.

J. Term. All licenses issued under this Chapter shall expire on December 31 of each year.

317.03: BASIS FOR DENIAL OF LICENSE:

The license to operate may be denied for any of the following reasons:

A. The premises where the ~~Lodging Establishment~~Hotel is located do not comply with the relevant health and safety codes including but not limited to the Minnesota State Building Code, the Minnesota State Fire Code, and the Roseville City Codes;

B. Any Interested Person has been an Owner, Operator, or manager of a similar establishment that has had a repeat nuisance service call fee imposed by the City of Roseville or a similar fee imposed by another jurisdiction;

C. Any Interested Person has had a similar license suspended or revoked by the

215 City of Roseville or another licensing jurisdiction;

216 D. The premises in where the ~~Lodging Establishment~~Hotel is located, or any
 217 Owner or Operator of the ~~Lodging Establishment~~Hotel owes the City of
 218 Roseville for delinquent taxes, assessments, or other financial claims; or

219 E. Any Interested Person with input into or control of day-to-day operations has
 220 one or more criminal convictions that relate to the ~~Lodging~~
 221 ~~Establishment~~Hotel or has been convicted of a crime that relates to the
 222 licensed activity. This subsection shall not apply to corporations, limited
 223 liability companies, or partnerships, but shall apply to all officers, directors
 224 of any such corporations and members of any such limited liability
 225 companies, and partners of any such partnerships. Any denial under this
 226 paragraph is subject to the standards and procedures in Minnesota Statutes
 227 Chapter 364.

228 **317.04: MINIMUM STANDARDS OF OPERATION:**

229 A. General Standards. To maintain the license to operate issued through the City
 230 ~~of Roseville~~, the ~~Lodging Establishment~~Hotel, shall comply with the
 231 following minimum standards of operation:

232 1. No person shall be allowed to rent a Guestroom without providing
 233 suitable identification at the time of registration. The Guest shall
 234 verify his or her identification through production of a driver's
 235 license, passport, or other government-issued identification. The
 236 identification must match the name on any form of payment used. If
 237 payment is made in cash, the Hotel must retain a copy of the photo
 238 identification provided. Notwithstanding the foregoing, such
 239 verification is not required for Guests who are members of a loyalty
 240 program staying at a ~~Lodging Establishment~~Hotel that allows
 241 electronic booking and check-in; and provides Hotel Guests electronic
 242 access to their Guestroom through a personal device.

243 2. No guestroom may be rented to any individual under the age of 18.
 244 The legal name of at least one individual over the age of 18 and all
 245 persons, excluding children with a parent or guardian, occupying
 246 rented guestrooms shall be listed on the register at the time of
 247 registration. Any person who remains in a room after midnight (12:00
 248 a.m.) is presumed to be a Guest. Guestroom occupancy lists shall be
 249 recorded and maintained by the ~~Lodging Establishment~~Hotel for at
 250 least ninety (90) days.

251 3. The ~~Lodging Establishment~~Hotel shall immediately, upon notice that

a registration was incomplete or inaccurate, terminate the rental agreement and evict from the premises all Guests occupying the Guestroom for which such incomplete or inaccurate registration was provided.

4. No ~~Lodging Establishment~~Hotel shall knowingly permit the Licensed Premises to be used for any illegal purpose.

5. The ~~Lodging Establishment~~Hotel shall report observed or suspected illegal activity to the police within a reasonable period.

~~6. The Lodging Establishment shall install video surveillance at all entrances, exits, common areas, and stairwells of the building.~~

~~7. The Lodging Establishment shall take all steps reasonable and necessary to ensure that video surveillance and recording equipment is in good working order at all times.~~

~~8. Video surveillance records shall be retained a minimum of ninety (90) days from the day of creation.~~

9.6. Each Guestroom shall be numbered in a plain, conspicuous manner. Numbers must be placed and maintained on the outside of the outer door of each Guestroom, and no two guestrooms' units shall be labeled with the same number.

10.7. No Guest shall be able to purchase a guestroom on an hourly basis. All guestrooms must be rented for overnight purposes. An exception to this requirement is allowed for contracted guestrooms for an hourly basis between a business or corporation and ~~Lodging Establishments~~Hotels, for the purposes of complying with Department of Transportation sleep regulations, federal law requirements, or state law requirements.

11.8. Any ~~Lodging Establishment~~Hotel license issued by the City of Roseville shall be conspicuously displayed in the office or lobby of the ~~licensed establishment~~Hotel.

12.9. The operation of any ~~Lodging Establishment~~Hotel shall be supervised by the manager in charge of the property at all hours.

13.10. No Interested Person, employee, manager, or contractor performing services of any kind may reside in a Guestroom at the ~~Lodging Establishment~~Hotel.

286 ~~14.11.~~ No Guest shall be able to establish permanent residency, ~~defined as~~
 287 ~~either:~~

288 ~~a. Residing in the Lodging Establishment that does not have an~~
 289 ~~Extended Stay Permit, in any single room or combination of~~
 290 ~~rooms, for thirty (30) days or more at the Hotel.~~

291 ~~b. Residing in the Lodging Establishment that has an Extended~~
 292 ~~Stay Permit for one hundred eighty (180) days or more.~~

293 ~~15.12.~~ The ~~Lodging Establishment~~Hotel shall maintain and follow all
 294 building, mechanical, zoning, or licensing codes. In addition to all the
 295 required applicable building codes, property maintenance laws, and
 296 state health laws, each Guestroom shall maintain the following
 297 minimum requirements:

- 298 a. A proper entry door, windows, beds, and bedding;
- 299 b. Toilet room;
- 300 c. Lavatory;
- 301 d. Bathtub or shower;
- 302 e. Heating and air conditioning;
- 303 f. Smoke detector and fire sprinkler;
- 304 g. Clothes closet or alcove with clothes rod or clothes rack
- 305 permanently affixed or luggage rack or luggage support
- 306 counter; and
- 307 h. Twenty-four (24) hour free emergency telephone access to the
- 308 front desk and to 911 services.

309 B. Maintenance of Records. Every ~~Lodging Establishment~~Hotel shall keep a
 310 register of persons who board or lodge in the ~~establishment~~Hotel. The record
 311 is a written documentation of information about a Guest that may be
 312 maintained electronically, in a book, or on cards:

- 313 1. The record shall be kept on the Licensed Premises in the Guest
- 314 reception or Guest check-in area or in an office adjacent to that area.
- 315 2. No person shall alter, deface, or erase the record so as to make the
- 316 information recorded in it illegible or unintelligible, or hinder,
- 317 obstruct, or interfere with any inspection of record under this section.

~~3. Any record maintained in the form of a book shall be permanently bound, each page shall be sequentially numbered, and the book shall be the minimum size of eight by ten inches, numbered consecutively, and used in sequence. Any card numbered within the sequence of utilized cards shall be preserved as part of the record even if it is not used for a room rental. The numbers shall be printed or otherwise indelibly affixed to the cards. If maintained electronically, the record shall be printable.~~

C. Inspection of Licensed Premises. To ensure compliance with this ordinance, random inspections of the Lodging EstablishmentHotel may occur. Unless in the case of an emergency, notice of inspection shall be given twenty-four (24) hours prior to the inspection by personal service, posting, phone, or email.

D. Inspection of Maintained Records. The maintained video, written, and electronic records shall be made available to any law enforcement officer or other authorized City official upon a reasonable request.

E. Cooperation with Investigation. If a Guest or employee of a Lodging EstablishmentHotel makes an emergency call for service or reports any suspicious or illegal activity going on at the Lodging EstablishmentHotel to law enforcement, all individuals related to the Lodging EstablishmentHotel shall cooperate with law enforcement during the ongoing investigation.

317.05: PENALTY FOR VIOLATION:

A. Any license violation may be penalized by issuance of a fine, imposition of reasonable license conditions, suspension of the license, or revocation of the license. Such a penalty may only be imposed following full notice of the allegations, the proposed penalty, and an opportunity to be heard regarding the allegations and the imposition of the penalty.

1. Notice of Revocation. Upon a final decision issued by the City Council, the City Manager, or their designee, shall post a copy of the notice of revocation of license to operate the Lodging EstablishmentHotel.

2. Removal or Tampering with Posted Notice. A posted notice of revocation of license to operate may only be removed by an authorized City of Roseville official.

3. Surrender Following Revocation. The Lodging EstablishmentHotel shall cease all operation within fifteen (15) days of posting the notice of revocation of license to operate and surrender its license to operate to the City of Roseville.

- 354 4. Reissuance of License After Revocation. A license to operate that is
 355 revoked shall not be reissued for a period of one (1) year from the date
 356 of such revocation, unless the period of revocation is either delayed
 357 or shortened by the City Council due to voluntary mitigation action
 358 by the Owner or Operator, and such mitigation action is approved by
 359 the City Council.
- 360 B. The license to operate shall be subject to fine, suspension, revocation, or the
 361 imposition of license conditions for any of the following reasons:
- 362 1. Failure to comply with the minimum standards of operation as
 363 outlined in this ordinance, including failure to comply with license
 364 conditions;
- 365 2. Noncompliance with federal law or regulations, state law or
 366 regulations, and the Roseville City Code;
- 367 3. Imposition of a fee for repeat nuisance service calls under Chapter 511
 368 of this Code;
- 369 4. Arrests related to illegal activity which occurred on the Licensed
 370 Premises;
- 371 5. Any violations of the State of Minnesota health codes;
- 372 6. A serious nuisance-related call which demonstrates a lack of control
 373 by Owner or Operator over the ~~establishment~~Licensed Premises;
- 374 7. Failure to maintain the Licensed Premises to all building, fire,
 375 mechanical, zoning or licensing codes, including but not limited to
 376 maintaining utility services; or
- 377 8. Failure to follow correction orders issued related to the building, fire,
 378 mechanical, zoning or licensing codes; or
- 379 9. An Interested Person has one or more criminal convictions that relate
 380 to the ~~Lodging Establishment~~Hotel or has been convicted of a felony
 381 that relates to the licensed activity and has failed to demonstrate
 382 rehabilitation as described in Minnesota Statute Chapter 364. This
 383 subsection shall not apply to corporations, limited liability companies,
 384 or partnerships, but shall apply to all officers, directors of any such
 385 corporations and members of any such limited liability companies,
 386 and partners of any such partnerships;
- 387 10. Failure to notify the City of an additional Interested Person within

thirty (30) days of the individual becoming an Interested Person;

11. Failure to pay taxes, assessments, or other amounts due to the City including the local lodging tax as required by Roseville City Code Chapter 312.

317.06: ENFORCEMENT:

Enforcement of this ordinance shall be directed by the City Manager who may delegate such enforcement to the appropriate department.

SECTION 2: Effective ~~date. This ordinance shall take effect upon its passage and publication dates.~~

A. In order to allow currently operating Hotels time to apply for an obtain a license no later than January 1, 2025, the following Sections of this Chapter, related to the application of Hotel licenses, will take effect on September 1, 2024: Sections 317.1, 317.02 (paragraphs B-I), and 317.03.

B. The remainder of this Chapter will take effect, and all Hotels must have obtained a license to operate, on January 1, 2025. The Sections taking effect on January 1, 2025 are: Sections 317.02 (paragraphs A and J), 317.04, 317.05, and 317.06.

Passed by the City Council of the City of Roseville this ____ day of _____ 2024.

408 Ordinance – Title of Ordinance -

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410

411 (SEAL)

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CITY OF ROSEVILLE

415

416

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BY: _____

418

Daniel J. Roe, Mayor

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420 ATTEST:

421

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424 _____
Patrick Trudgeon, City Manager

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1 **City of Roseville**
2 **ORDINANCE NO. [REDACTED]**

3
4 **AN ORDINANCE AMENDING**
5 **TITLE 3, CHAPTER 317**
6

7 **AN ORDINANCE AMENDING TITLE 3 TO CREATE CHAPTER 317 OF**
8 **THE ROSEVILLE CITY CODE ENTITLED “ HOTEL LICENSING**
9 **REGULATIONS”.**

10 THE CITY OF ROSEVILLE ORDAINS:

11 SECTION 1: Title 3, Chapter 317 of the Roseville City Code is established
12 to read as follows:

13 CHAPTER 317

14
15 HOTEL LICENSING REGULATIONS
16

17 Section:

- 18 317.01: Definitions
19 317.02: License Required, Issuance of License
20 317.03: Basis for Denial of License
21 317.04: Minimum Standards of Operation
22 317.05: Penalty for Violation
23 317.06: Enforcement
24

25 **317.01: DEFINITIONS:**

26 For purposes of this chapter, unless otherwise expressly stated, the following words
27 and phrases shall have the meanings respectively ascribed to them by this section:

28 GUEST. Any person that occupies a Guestroom.

29 GUESTROOM. A sleeping room in a Hotel designed and intended to be used as a
30 sleeping accommodation.

31 HOTEL. A hotel, motel, bed and breakfast, or any part thereof, used as, maintained
32 as, advertised as, or held out to be a place that furnishes sleeping accommodations
33 the public to be, a place where sleeping accommodations are supplied for guests for
34 transient occupancy.

INTERESTED PERSONS. All persons who will be on-site managers of the Hotel, are Owners or Operators, or that have an interest of five percent or more in the entity applying for or holding the license.

LICENSED PREMISES. All the property, whether in or out of a building or structure, which is (a) used for the licensed activity including any recreation or parking area for use by Guests of the Hotel; or (b) under the ownership, control or management of the licensee, or leased to the licensee, if such property is adjacent to, or in reasonably close proximity to, the premises in which the licensed activity occurs.

NUISANCE-RELATED ACTIVITIES. Any one or more of the following occurring or committed on the Licensed Premises:

- A. Prostitution or prostitution-related activity, sex trafficking, or other human trafficking;
- B. Maintaining a public nuisance in violation of Minn. Stat. § 609.74, clause (1) or (3);
- C. Permitting a public nuisance in violation of Minn. Stat. § 609.745;
- D. Maintaining or permitting violation of Roseville City Code Chapter 405 or 407;
- E. Unlawful sale, possession, storage, delivery, giving manufacture, cultivation, or use of controlled substances;
- F. Unlicensed sales of alcoholic beverages;
- G. Unlicensed sales of cannabis or low-potency hemp products;
- H. Unlawful sales or gifts of alcoholic beverages, cannabis, or low-potency hemp products committed within the building, or unlawful consumption or possession by persons under the age of 21 years;
- I. Unlawful use or possession of a firearm, firearm parts, or ammunition;
- J. Violation of state law or City ordinance related to the licensed activity;
- K. Actions which constitute a violation of Minn. Stat. § 609.72 related to disorderly conduct.

OWNER OR OPERATOR. Any person, firm, association, partnership, limited liability company, or corporation, which is the record owner, part owner, lessee, receiver, sublessee, or franchised operator of real property as listed on the Ramsey

County property records that operates a Hotel business that offers and accepts payment for guestrooms.

317.02: LICENSE REQUIRED, ISSUANCE OF LICENSE:

A. License Required. In addition to the other licensing requirements set out by Minnesota Statutes, the Minnesota Department of Health, and Ramsey County, no person shall operate a Hotel without a valid license issued by the City of Roseville. The license to operate must be renewed on a yearly basis. The City shall approve or deny each application.

B. Application. An application for a license shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the business or personal email address where official communications can be sent, the address of the building for which the license is sought, the name of the business for which the license is sought, and any additional information the City Manager deems necessary.

C. Interested Persons. At the time of application, and upon the addition of any Interested Persons thereafter, the applicant shall furnish the City with a list of Interested Persons. Interested Persons will be subject to a background investigation, as described herein, and payment of the investigation fee. It is the duty of each business licensee to notify the City Manager or their designee in writing of any change in Interested Persons. Failure to notify the City of an additional Interested Person within thirty (30) days is a basis for imposition of a penalty under this Chapter.

1. Initial Application: The City will conduct a background investigation of all Interested Persons listed on the license application. The City Manager, or their designee, must approve Interested Persons. If the City Manager does not approve an Interested Person, the City shall provide notice to the license applicant. The applicant will determine whether to amend the application to not include the Interested Person, withdraw the application, or appeal the determination to the City Council. Rejection of an Interested Person will result in license denial, but no such action shall be taken until the applicant has been given notice of such denial, the basis for the denial, and the opportunity for a hearing before the City Council.

2. Renewal Application or Addition of Interested Persons: The City will conduct a background investigation for all Interested Persons added after the issuance of the license. The City, in its sole discretion, may also conduct a background investigation on Interested Persons at the

105 time of application for a renewal of a license. The City Manager, or
 106 their designee, must approve all Interested Persons. If the City
 107 Manager does not approve an Interested Person, the City shall provide
 108 notice to the licensee. The licensee will determine whether to
 109 withdraw the Interested Person or appeal the determination to the City
 110 Council. Rejection of an Interested Person will result in license
 111 revocation, but no such action shall be taken until the applicant has
 112 been given notice of such revocation, the basis for the revocation, and
 113 the opportunity for a hearing before the City Council.

114 D. Background Investigation. Applications shall include a review by the City
 115 Manager or their designee, the Police Department, or other qualified service
 116 providers. Such review will include a complete criminal background check
 117 of all applicants and Interested Persons as well as investigation into prior
 118 similar businesses in Roseville and other jurisdictions.

119 E. Inspection of Building. No license may be issued unless the Licensed
 120 Premises for which the application has been submitted is in full compliance
 121 with all relevant health and safety codes including but not limited to the
 122 Minnesota State Building Code, the Minnesota State Fire Code, and the
 123 Roseville City Codes. Upon renewal, inspections shall occur at the frequency
 124 required by City policy.

125 F. Imposition of Reasonable Conditions. When there exists a reasonable basis
 126 to impose reasonable conditions upon a license applied for, issued, or held
 127 under this chapter, any one (1) or more such reasonable conditions may be
 128 imposed upon such license for the purpose of promoting public health,
 129 safety and welfare, of advancing the public peace and the elimination of
 130 conditions or actions that constitute a nuisance. License conditions may
 131 also be added to memorialize the conditions under which the City will allow
 132 a waiver of a specific requirement of this Chapter for a specific Hotel.

133 G. Timing of Imposition and Removal of License Conditions. The City may
 134 impose such conditions on a license at the time of application, at any time
 135 with the consent of the license holder, or in addition to penalties imposed
 136 under this chapter as part of an action against the license or licenses.
 137 Conditions imposed on a license, or licenses shall remain on such licenses
 138 when renewed and shall continue thereafter until removed by the City
 139 Council.

140 H. Fees. No license application will be processed or granted without payment
 141 of all required fees.

142 1. The City will establish the annual license fee and include it in the Fee

Schedule in Section 314.05.

2. In addition to an annual license fee, license applicants must also pay a background investigation fee and an inspection fee which shall be established by the City fee schedule in Section 314.05.

- I. Consideration of Application. Upon receipt of a completed application, the City Manager will forward the application to the City Council for action at a City Council meeting following processing of the application. The City Council may either approve or deny the application for a license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant as it deems necessary. If the City Council approves the license, the City Manager shall issue the license to the applicant. If the City Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the City Council's decision. If a license application is denied, the earliest an applicant may reapply is 12 months from the date the license is denied.

- J. Term. All licenses issued under this Chapter shall expire on December 31 of each year.

317.03: BASIS FOR DENIAL OF LICENSE:

The license to operate may be denied for any of the following reasons:

- A. The premises where the Hotel is located do not comply with the relevant health and safety codes including but not limited to the Minnesota State Building Code, the Minnesota State Fire Code, and the Roseville City Codes;
- B. Any Interested Person has been an Owner, Operator, or manager of a similar establishment that has had a repeat nuisance service call fee imposed by the City of Roseville or a similar fee imposed by another jurisdiction;
- C. Any Interested Person has had a similar license suspended or revoked by the City of Roseville or another licensing jurisdiction;
- D. The premises in where the Hotel is located, or any Owner or Operator of the Hotel owes the City of Roseville for delinquent taxes, assessments, or other financial claims; or
- E. Any Interested Person with input into or control of day-to-day operations has one or more criminal convictions that relate to the Hotel or has been convicted of a crime that relates to the licensed activity. This subsection shall not apply to corporations, limited liability companies, or partnerships, but

shall apply to all officers, directors of any such corporations and members of any such limited liability companies, and partners of any such partnerships. Any denial under this paragraph is subject to the standards and procedures in Minnesota Statutes Chapter 364.

317.04: MINIMUM STANDARDS OF OPERATION:

A. General Standards. To maintain the license to operate issued through the City, the Hotel, shall comply with the following minimum standards of operation:

1. No person shall be allowed to rent a Guestroom without providing suitable identification at the time of registration. The Guest shall verify his or her identification through production of a driver's license, passport, or other government-issued identification. The identification must match the name on any form of payment used. If payment is made in cash, the Hotel must retain a copy of the photo identification provided. Notwithstanding the foregoing, such verification is not required for Guests who are members of a loyalty program staying at a Hotel that allows electronic booking and check-in; and provides Hotel Guests electronic access to their Guestroom through a personal device.
2. No guestroom may be rented to any individual under the age of 18. The legal name of at least one individual over the age of 18 and all persons, excluding children with a parent or guardian, occupying rented guestrooms shall be listed on the register at the time of registration. Any person who remains in a room after midnight (12:00 a.m.) is presumed to be a Guest. Guestroom occupancy lists shall be recorded and maintained by the Hotel for at least ninety (90) days.
3. The Hotel shall immediately, upon notice that a registration was incomplete or inaccurate, terminate the rental agreement and evict from the premises all Guests occupying the Guestroom for which such incomplete or inaccurate registration was provided.
4. No Hotel shall knowingly permit the Licensed Premises to be used for any illegal purpose.
5. The Hotel shall report observed or suspected illegal activity to the police within a reasonable period.
6. Each Guestroom shall be numbered in a plain, conspicuous manner. Numbers must be placed and maintained on the outside of the outer

214 door of each Guestroom, and no two guestrooms' units shall be
215 labeled with the same number.

216 7. No Guest shall be able to purchase a guestroom on an hourly basis.
217 All guestrooms must be rented for overnight purposes. An exception
218 to this requirement is allowed for contracted guestrooms for an hourly
219 basis between a business or corporation and Hotels, for the purposes
220 of complying with Department of Transportation sleep regulations,
221 federal law requirements, or state law requirements.

222 8. Any Hotel license issued by the City of Roseville shall be
223 conspicuously displayed in the office or lobby of the Hotel.

224 9. The operation of any Hotel shall be supervised by the manager in
225 charge of the property at all hours.

226 10. No Interested Person, employee, manager, or contractor performing
227 services of any kind may reside in a Guestroom at the Hotel.

228 11. No Guest shall be able to establish permanent residency at the Hotel.

229 12. The Hotel shall maintain and follow all building, mechanical, zoning,
230 or licensing codes. In addition to all the required applicable building
231 codes, property maintenance laws, and state health laws, each
232 Guestroom shall maintain the following minimum requirements:

233 a. A proper entry door, windows, beds, and bedding;

234 b. Toilet room;

235 c. Lavatory;

236 d. Bathtub or shower;

237 e. Heating and air conditioning;

238 f. Smoke detector and fire sprinkler;

239 g. Clothes closet or alcove with clothes rod or clothes rack
240 permanently affixed or luggage rack or luggage support
241 counter; and

242 h. Twenty-four (24) hour free emergency telephone access to the
243 front desk and to 911 services.

244 B. Maintenance of Records. Every Hotel shall keep a register of persons who

245 board or lodge in the Hotel. The record is a written documentation of
 246 information about a Guest that may be maintained electronically, in a book,
 247 or on cards:

248 1. The record shall be kept on the Licensed Premises in the Guest
 249 reception or Guest check-in area or in an office adjacent to that area.

250 2. No person shall alter, deface, or erase the record so as to make the
 251 information recorded in it illegible or unintelligible, or hinder,
 252 obstruct, or interfere with any inspection of record under this section.

253 C. Inspection of Licensed Premises. To ensure compliance with this ordinance,
 254 random inspections of the Hotel may occur. Unless in the case of an
 255 emergency, notice of inspection shall be given twenty-four (24) hours prior
 256 to the inspection by personal service, posting, phone, or email.

257 D. Inspection of Maintained Records. The maintained video, written, and
 258 electronic records shall be made available to any law enforcement officer or
 259 other authorized City official upon a reasonable request.

260 E. Cooperation with Investigation. If a Guest or employee of a Hotel makes an
 261 emergency call for service or reports any suspicious or illegal activity going
 262 on at the Hotel to law enforcement, all individuals related to the Hotel shall
 263 cooperate with law enforcement during the ongoing investigation.

264 **317.05: PENALTY FOR VIOLATION:**

265 A. Any license violation may be penalized by issuance of a fine, imposition of
 266 reasonable license conditions, suspension of the license, or revocation of the
 267 license. Such a penalty may only be imposed following full notice of the
 268 allegations, the proposed penalty, and an opportunity to be heard regarding
 269 the allegations and the imposition of the penalty.

270 1. Notice of Revocation. Upon a final decision issued by the City
 271 Council, the City Manager, or their designee, shall post a copy of the
 272 notice of revocation of license to operate the Hotel.

273 2. Removal or Tampering with Posted Notice. A posted notice of
 274 revocation of license to operate may only be removed by an
 275 authorized City of Roseville official.

276 3. Surrender Following Revocation. The Hotel shall cease all operation
 277 within fifteen (15) days of posting the notice of revocation of license
 278 to operate and surrender its license to operate to the City of Roseville.

279 4. Reissuance of License After Revocation. A license to operate that is
 280 revoked shall not be reissued for a period of one (1) year from the date
 281 of such revocation, unless the period of revocation is either delayed
 282 or shortened by the City Council due to voluntary mitigation action
 283 by the Owner or Operator, and such mitigation action is approved by
 284 the City Council.

285 B. The license to operate shall be subject to fine, suspension, revocation, or the
 286 imposition of license conditions for any of the following reasons:

287 1. Failure to comply with the minimum standards of operation as
 288 outlined in this ordinance, including failure to comply with license
 289 conditions;

290 2. Noncompliance with federal law or regulations, state law or
 291 regulations, and the Roseville City Code;

292 3. Imposition of a fee for repeat nuisance service calls under Chapter 511
 293 of this Code;

294 4. Arrests related to illegal activity which occurred on the Licensed
 295 Premises;

296 5. Any violations of the State of Minnesota health codes;

297 6. A serious nuisance-related call which demonstrates a lack of control
 298 by Owner or Operator over the Licensed Premises;

299 7. Failure to maintain the Licensed Premises to all building, fire,
 300 mechanical, zoning or licensing codes, including but not limited to
 301 maintaining utility services; or

302 8. Failure to follow correction orders issued related to the building, fire,
 303 mechanical, zoning or licensing codes; or

304 9. An Interested Person has one or more criminal convictions that relate
 305 to the Hotel or has been convicted of a felony that relates to the
 306 licensed activity and has failed to demonstrate rehabilitation as
 307 described in Minnesota Statute Chapter 364. This subsection shall not
 308 apply to corporations, limited liability companies, or partnerships, but
 309 shall apply to all officers, directors of any such corporations and
 310 members of any such limited liability companies, and partners of any
 311 such partnerships;

312 10. Failure to notify the City of an additional Interested Person within

thirty (30) days of the individual becoming an Interested Person;

11. Failure to pay taxes, assessments, or other amounts due to the City including the local lodging tax as required by Roseville City Code Chapter 312.

317.06: ENFORCEMENT:

Enforcement of this ordinance shall be directed by the City Manager who may delegate such enforcement to the appropriate department.

SECTION 2: Effective dates.

A. In order to allow currently operating Hotels time to apply for an obtain a license no later than January 1, 2025, the following Sections of this Chapter, related to the application of Hotel licenses, will take effect on September 1, 2024: Sections 317.1, 317.02 (paragraphs B-I), and 317.03.

B. The remainder of this Chapter will take effect, and all Hotels must have obtained a license to operate, on January 1, 2025. The Sections taking effect on January 1, 2025 are: Sections 317.02 (paragraphs A and J), 317.04, 317.05, and 317.06.

Passed by the City Council of the City of Roseville this ____ day of _____ 2024.

332 Ordinance – Title of Ordinance -

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335 (SEAL)

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338

CITY OF ROSEVILLE

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BY: _____

342

Daniel J. Roe, Mayor

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344 ATTEST:

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348 _____
Patrick Trudgeon, City Manager

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**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 ____ day ____, 2024 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. 12XXX

**RESOLUTION APPROVING PUBLICATION OF AN ORDINANCE SUMMARY
OF ORD No. ____ CREATING TITLE 3, CHAPTER 317 OF THE ROSEVILLE CITY
CODE.**

WHEREAS, The City Council of the City of Roseville, on April 8, 2024, adopted Ordinance No. ____; entitled “AN ORDINANCE CREATING TITLE 3 CHAPTER 317 OF THE ROSEVILLE CITY CODE ENTITLED ‘HOTEL LICENSING REGULATIONS’” and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, The City Council has determined that the following summary would clearly inform the public of the intent and effect of the ordinance and where to obtain a copy of the full text.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Roseville, Minnesota, hereby approves the following summary language as publication of the Ordinance

City of Roseville
SUMMARY PUBLICATION
Ordinance No. ____

The following is the official summary of Ordinance No. ____ entitled “AN ORDINANCE CREATING TITLE 3 CHAPTER 317 OF THE ROSEVILLE CITY CODE ENTITLED ‘HOTEL LICENSING REGULATIONS’”.

On April 8, 2024, the City Council of the City of Roseville adopted Ordinance No. ____ an ordinance creating Title 3, Chapter 317 of the Roseville City Code in order to regulate hotels as follows:

- Define relevant terms.

- Require a license and outline the license application process and process for imposition of conditions.
- Establish the basis for denial of license.
- Establish minimum standards of operation.
- Outline penalties for violation of the requirements.
- Describe the enforcement of requirements.

BE IT FURTHER RESOLVED by the Roseville City Council that the City Clerk keep a copy of the ordinance at City Hall, 2660 Civic Center Drive, Roseville, MN for public inspection during regular office hours. A copy of the ordinance and summary shall also be posted on the City's website. (www.cityofroseville.com)

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 the following voted against the same: _____.

WHEREUPON, said resolution was declared duly passed and adopted.

State of Minnesota)
) SS
County of Ramsey)

I, 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 ____ 2024, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this ____ day of ___, 2024.

Patrick Trudgeon, City Manager

Seal

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.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.

Check Series #	Amount
ACH Payments	\$402,144.64
109037-109179	\$1,416,652.74
Total	\$1,818,797.38

A detailed report of the claims is attached. The City Staff has reviewed the claims and considers them to be appropriate for the goods and services received.

Policy Objectives

Under MN 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 of claims.

Requested Council Action

Motion to approve the payment of claims as submitted.

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Prepared by: Joshua Kent - Assistant Finance Director

Attachments: 1. Checks for Approval 04.08.2024

33

Bank Reconciliation

Board Audit

User: Joshua.Kent
 Printed: 04/03/2024 - 6:32AM
 Date Range: 03/13/2024 - 04/02/2024
 Systems: 'AP'



Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 100 General Fund				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	6,531.52
Total for Department: 00 General Function				6,531.52
Department: 01 General Government				
0	Adam's Pest Control Inc	Rodent Prevention	03/20/2024	131.13
0	DG Minnesota CS 2021, LLC	Solar Production, February 2024	03/27/2024	1,660.93
0	Dunkin Donuts-CC	Coffee/Donuts - MLK event	03/18/2024	56.66
0	Erickson, Bell, Beckman & Quinn P.A.	Prosecution Services through 2/29/202	03/20/2024	14,806.00
0	Fikes, Inc.	Restroom Supplies	03/27/2024	542.28
0	GFOA- CC	GFOA Annual Conference - M. Pietric	03/18/2024	500.00
0	Jacob Swanson	Tuition Reimbursement	03/13/2024	1,400.00
0	McGough Property Management, LLC	Facility Managemenet Service	03/13/2024	4,970.00
0	McGough Property Management, LLC	2/2024 Expenses	03/20/2024	3,200.03
0	McGough Property Management, LLC	Facility Managment Service	03/27/2024	12,017.50
0	Menards-CC	Hose, nozzle, wall mount vac	03/18/2024	209.62
0	National PERLA-CC	Annual Membership - R. Olson	03/18/2024	175.00
0	Parkway Pizza-CC	Working Lunch - BS&A Meetings	03/18/2024	26.41
0	SHI International Corp	Smart Buy USB-C G5 EssentialDock	03/27/2024	179.00
0	Target- CC	MLK Day event supplies	03/18/2024	27.03
0	TimeSaver Off Site Secretarial, Inc.	City Council Meeting 2/12	03/13/2024	471.63
0	TimeSaver Off Site Secretarial, Inc.	City Meetings Feb 26 - Mar 6, 2024	03/27/2024	708.88
0	Xcel Energy	Xcel Billings March	03/20/2024	6,748.00
0	Yale Mechanical	Upgraded Compass Software	03/13/2024	2,429.00
0	Yale Mechanical	Repairs - City Hall boiler, electrical ro	03/27/2024	1,727.01
109040	Alerus Financial NA	COBRA Monthly Service Fee	03/13/2024	213.00
109041	ARAMARK Services	Coffee	03/13/2024	103.13
109061	Linn Building Maintenance	General Cleaning for March 2024	03/13/2024	7,817.70
109062	Metropolitan Courier Corp.	Services for February 2024	03/13/2024	791.39
109065	NFP Insurance Services, Inc.	Bswift & ACA Fee	03/13/2024	700.40
109066	Overhead Door Co of the Northland	Service Call, Door 7 Pub Works	03/13/2024	781.95
109073	St. Paul Pioneer Press	Advertising	03/13/2024	514.28
109077	Trans Union, LLC	Background checks	03/13/2024	29.61
109083	VIA Actuarial Solutions	Actuarial services rendered through Fe	03/13/2024	2,200.00
109090	Atlas Technical Consultants, LLC	Project: Limited IAQ of City Hall, Ser	03/20/2024	3,370.20
109112	Kennedy & Graven, Chartered	RS160-00001 General and Expenses tl	03/20/2024	17,294.98
109116	Linn Building Maintenance	Floor Refinishing in PD	03/20/2024	1,840.00
109166	mySidewalk, Inc.	Seek Platform Fee, Chart Fees, Licens	03/27/2024	12,630.00
109169	Ramsey County Environmental Health	Hazardous Waste Generator License R	03/27/2024	209.82
109171	Shred-N-Go, Inc.	Shredding Services through 3/22/24	03/27/2024	78.93
Total for Department: 01 General Government				100,561.50
Department: 02 Public Safety				
0	Alex Air Apparatus 2 LLC	Fill Station Repairs	03/20/2024	257.86
0	All Traffic Solutions, Inc.	App, Traffic Suite - 12 mo	03/20/2024	1,500.00
0	Amazon.com- CC	Desk Calendar	03/18/2024	1,250.33
0	Apple Spice Minneapolis-CC	Training Lunch	03/18/2024	60.79
0	AV For You-CC	Awards Ceremony supplies	03/18/2024	845.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
0	Bound Tree Medical- CC	Disposable Infant Transport Mattresse:	03/18/2024	199.95
0	Brueggers Bagels- CC	Bagels, BCA Interviews	03/18/2024	19.72
0	Cabela's Inc-CC	Binoculars	03/18/2024	151.69
0	Car Wash Partners, LLC	February Wash Services	03/20/2024	520.00
0	Carhartt-CC	Uniform - T. Pitzl	03/18/2024	123.74
0	Cari McCollor	Tuition Reimbursement	03/27/2024	1,500.00
0	Caribou Coffee- CC	Awards - coffee	03/18/2024	77.99
0	Chick Fil A-CC	Training Meal	03/18/2024	36.36
0	Cub Foods- CC	Awards Ceremony snacks	03/18/2024	122.79
0	DJI.com-CC	Drone parts	03/18/2024	48.44
0	Ebay Inc-CC	Packaging Tape Gun	03/18/2024	60.29
0	Emergency Automotive Tech Inc	Squad 2304 Repairs	03/20/2024	1,100.56
0	Emergency Automotive Tech Inc	LED Light Blue	03/27/2024	163.56
0	FBI National Academy-CC	Yearly Membership	03/18/2024	125.00
0	Home Depot- CC	O-ring assorted kit	03/18/2024	12.41
0	IACP- CC	Membership dues - T. Steinberg	03/18/2024	190.00
0	Jersey Mikes Subs-CC	Training Meal	03/18/2024	63.78
0	Masa Consulting, Inc.	Mental Health Services for February 2	03/20/2024	3,400.00
0	MN Chiefs of Police-CC	Membership renewal - T. Steinberg	03/18/2024	212.00
0	MN State Colleges-CC	Instructor Course - C. Dubay	03/18/2024	575.00
0	Municipal Emergency Services Deposi	National Universal Green Foam	03/20/2024	27,135.00
0	National Tactical Officers Assn-CC	Training course - C. Hallgren	03/18/2024	779.00
0	OMG National Marketing-CC	PD Stickers	03/18/2024	405.59
0	Panasonic Connect-CC	Mobile laptop repair	03/18/2024	863.78
0	Pioneer Press-CC	Monthly Subscription	03/18/2024	14.00
0	PLEAA-CC	Membership - K. Roberto	03/18/2024	50.00
0	Starbucks-CC	Training Meal	03/18/2024	78.32
0	Streicher's	Uniform - R. Larson	03/20/2024	669.91
0	Suburban Ace Hardware-CC	Operating supplies	03/18/2024	7.97
0	Tavern Grill-CC	Trainign Meal	03/18/2024	93.53
0	Walgreens-CC	Blue Triton RGL Ice	03/18/2024	22.00
0	Walmart-CC	Kitchen Pots/pans etc	03/18/2024	340.51
0	Xcel Energy	Xcel Billings March	03/27/2024	3,742.87
0	Yale Mechanical	Repairs west stairwell heater	03/27/2024	1,507.46
109047	Circle K Stores Inc.	February Car Washes	03/13/2024	58.50
109061	Linn Building Maintenance	General Cleaning for March 2024	03/13/2024	568.56
109089	Aspen Mills Inc.	Clothing - N. Sjostrom	03/20/2024	184.19
109099	Comcast	Business Services 3/18 - 4/17/24	03/20/2024	111.42
109100	Como Park Animal Hospital	Health Exam and Boarding	03/20/2024	341.60
109101	DataWorks Plus, LLC	Maintenance Fee 4/1/24 - 3/31/25	03/20/2024	470.00
109105	City of Eden Prairie	Annual Fencing Consortium Fee	03/20/2024	8,118.00
109107	Grainger Inc	Soap Dispenser - Returned	03/20/2024	-40.81
109113	Kuno Services, LLC	2015 Chevy Suburban Wrap Removal	03/20/2024	250.00
109114	Language Line Services	Intperpretation Services	03/20/2024	243.14
109115	League of MN Cities	2024 Safety & Loss Control Worksho	03/20/2024	20.00
109117	Martin McAllister, Inc.	Public Safety Assessments	03/20/2024	1,875.00
109118	McKesson Medical-Surgical	Vehicle medical supplies	03/20/2024	269.28
109125	Ramsey County	Fleet Support Fee - February 2024	03/20/2024	37,575.06
109131	StarChase	Annual Renewal 2/28/24 - 2/27/25	03/20/2024	7,311.00
109133	T Mobile USA, Inc.	Tracking ID: 4852321	03/20/2024	50.00
109134	Thomson Reuters	Online/software subscription charges	03/20/2024	1,302.00
109135	TK Elevator Corp.	Gold - Full Maintenance	03/20/2024	507.64
109138	Twin Cities Transport & Recovery	Tow Charge	03/20/2024	585.00
109140	Verizon	PD Phones Jan 27 - Feb 26, 2024	03/20/2024	1,080.27
109146	The Sherwin-Williams Company	Paint/Supplies	03/20/2024	130.34
109150	Aspen Mills Inc.	Clothing - A. Rousso	03/27/2024	57.95
109155	Colbert Engraving & Trophies	Fire Dept Par Tags	03/27/2024	163.10
109159	Group Health Non-Patient A/R	Medical Direction Fee 2024	03/27/2024	6,390.68
109162	Image Trend Inc.	Annual Fees Contract 18830	03/27/2024	30,239.37
109168	Performance Plus LLC	Medical exams/screenings	03/27/2024	1,597.00
Total for Department: 02 Public Safety				147,785.49

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 03 Public Works				
0	Apple-CC	iCloud Storage	03/18/2024	1.98
0	Crysteel Truck Equipment, Inc.	Control-handheld, V-Blade, 12V	03/27/2024	350.00
0	Davis Lock & Safe-CC	Keys	03/18/2024	21.00
0	Emergency Automotive Tech Inc	Kussmaul Super Auto Eject 20 AMP -	03/13/2024	403.89
0	Factory Motor Parts, Co.	Break Pads/Rotors	03/13/2024	190.62
0	Factory Motor Parts, Co.	PosiQuiet Ceramic Pads	03/20/2024	47.71
0	Fastenal Company Inc.	Vehicle Supplies	03/13/2024	4.88
0	Fastenal Company Inc.	Supplies	03/27/2024	180.55
0	Grizzly Industrial-CC	Lockdown Milling Vise/ Claming kit	03/18/2024	606.85
0	Halfmoon Education-CC	Training Course Registration	03/18/2024	329.00
0	Kath Fuel Oil Service, Inc.	Oil	03/20/2024	186.00
0	MacQueen Equipment	Vehicle Supplies	03/27/2024	729.23
0	McMaster-Carr	Torx Bit, Pocket Digital Angle Indicat	03/20/2024	104.52
0	McMaster-Carr	Roller Chain, Connecting Link, Addin	03/27/2024	157.57
0	Menards-CC	Casters/Supplies	03/18/2024	33.03
0	Minneapolis Saw-CC	Chain Sharpened	03/18/2024	47.50
0	Napa Auto Parts	Heat Hose Connector	03/20/2024	8.35
0	Office Depot- CC	Office Supplies	03/18/2024	77.48
0	Premium Waters Inc	Coffee	03/13/2024	84.14
0	RDO Equipment-CC	Vehicle Supplies	03/18/2024	48.24
0	Snap On-CC	Vehicle supplies	03/18/2024	163.50
0	Suburban Ace Hardware-CC	Machete saw steel	03/18/2024	24.99
0	Total Tool	2024 Annual Crane and Hoist Inspecti	03/20/2024	180.00
0	Xcel Energy	Xcel March Billings	03/13/2024	114.66
0	Xcel Energy	Xcel Billings March	03/27/2024	13,565.57
109042	Astleford International	Pump Assy, Kit - Fuel Filter	03/13/2024	702.98
109043	Beaudry Oil and Service, Inc.	2/1/24 - 1/31/25 Blanket PO for fuel -	03/13/2024	10,370.29
109045	CES Imaging	SSP Minimum	03/13/2024	40.00
109046	Cintas Corporation	Clothing	03/13/2024	44.11
109054	Grainger Inc	Vehicle Supplies	03/13/2024	121.02
109058	Jeff Belzers Roseville Chrysler Dodge .	Rotor - Break, Pad Kit	03/13/2024	3,586.50
109067	Precision Landscape & Tree,Inc	Tree Removals	03/13/2024	2,289.00
109068	Ramsey County	Fleet Support Fee for February 2024	03/13/2024	109.20
109075	Suburban Tire Wholesale, Inc.	Wheel	03/13/2024	101.00
109096	Cintas Corporation	Clothing	03/20/2024	44.11
109107	Grainger Inc	Vehicle Supplies	03/20/2024	292.46
109111	Jeff Belzers Roseville Chrysler Dodge .	Cap-Wheel	03/20/2024	99.00
109121	Newman Signs, Inc.	Road Signs	03/20/2024	1,556.70
109127	Safety Technologies, Inc.	PCD Cutters	03/20/2024	2,340.00
109137	Tri State Bobcat, Inc	Fuel Filter/Supplies	03/20/2024	353.93
109144	White Cap, LP	Caulk/gun	03/20/2024	63.96
109145	Zahl Petroleum Maintenance Co	FMS System Repairs	03/20/2024	299.80
109151	AWT, LLC	Removal of reflective sheeting from al	03/27/2024	777.60
109152	Beaudry Oil and Service, Inc.	2/1/24 - 1/31/25 Blanket PO for fuel -	03/27/2024	11,199.14
109154	Cintas Corporation	Clothing	03/27/2024	44.11
109164	Jeff Belzers Roseville Chrysler Dodge .	22 Dodge Durango Repairs	03/27/2024	6,788.09
109175	Transwest	2016 Freightliner 114SD Repairs	03/27/2024	4,608.41
109176	Tri State Bobcat, Inc	Vehicle Supplies	03/27/2024	229.47
109178	Zahl Petroleum Maintenance Co	Repairs, parts and labor	03/27/2024	3,848.21
Total for Department: 03 Public Works				67,570.35
Total for Fund:100 General Fund				322,448.86

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 101 General Fund Donations				
Department: 02 Public Safety				
0	Amazon.com- CC	Dog supplies	03/18/2024	262.65
0	Chuck & Dons-CC	Dog Food	03/18/2024	86.70
0	Dollar Tree-CC	Outreach - Food, Supplies	03/18/2024	25.73
0	Motel 6 - CC	Outreach - Room	03/18/2024	121.40
0	Target- CC	Outreach - Food	03/18/2024	46.62
0	Victory Parking-CC	Outreach - Parking	03/18/2024	10.00
109087	Agate Housing and Services	Handbook of the Streets - 60 copies	03/20/2024	144.00
109092	Bridging Inc	Appt Fee & Delivery 2/19/24	03/20/2024	275.00
109097	City of Brooklyn Center	K9 First Aid Kit	03/20/2024	300.00
Total for Department: 02 Public Safety				1,272.10
Total for Fund:101 General Fund Donations				1,272.10

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 103 Contracted Engineering Svcs				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	96.18
0	Short Elliott Hendrickson, Inc.	Alta Vista AT&T Generator	03/20/2024	322.50
Total for Department: 00 General Function				418.68
Department: 03 Public Works				
0	SRF Consulting Group, Inc.	Cty Rd B and Snelling Pedistrian Stud	03/13/2024	4,996.25
Total for Department: 03 Public Works				4,996.25
Total for Fund:103 Contracted Engineering Svcs				5,414.93

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 109 Information Technology				
Department: 01 General Government				
0	Metro-INET	Monthly IT Services	03/27/2024	74,971.00
Total for Department: 01 General Government				74,971.00
Total for Fund:109 Information Technology				74,971.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 110 Telecommunications				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	110.61
Total for Department: 00 General Function				110.61
Department: 01 General Government				
0	Adobe System-CC	Adobe stock - 10 assetts/month	03/18/2024	29.99
Total for Department: 01 General Government				29.99
Total for Fund:110 Telecommunications				140.60

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 200 Recreation Fund				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	478.88
109094	Central Park Foundation	Reimbursement for Brick Order (Jorda	03/20/2024	205.00
Total for Department: 00 General Function				683.88
Department: 04 Recreation				
0	Amazon.com- CC	Dance Costumes	03/18/2024	425.61
0	Becker Arena Products, Inc.	Deposit for Skate Rack System	03/20/2024	5,468.00
0	Comcast-CC	Comcast services -Autumn Grove	03/18/2024	304.29
0	Elizabeth Fletcher	Monday Chair Yoga 1/8 - 3/11/24	03/20/2024	935.00
0	Fikes, Inc.	Restroom Supplies	03/20/2024	66.56
0	Frattallones-CC	Fasteners	03/18/2024	27.90
0	Guitar Center-CC	Microphones	03/18/2024	68.83
0	Lowes-CC	Vacuum	03/18/2024	345.38
0	Metro Volleyball Officials	Winter Volleyball weeks 7-9	03/20/2024	4,386.00
0	MN Horticulture-CC	MN Green Metro	03/18/2024	60.00
0	Now & Later-CC	Relish - Concessions	03/18/2024	2.99
0	Office Depot- CC	Tape	03/18/2024	188.83
0	R & R Specialties of Wisconsin, Inc	Cutter Holder, EX III Edger	03/20/2024	71.35
0	Restaurant Depot- CC	Concession Supplies	03/18/2024	353.50
0	Revolution Dancewear-CC	Dance Costumes	03/18/2024	501.60
0	Scott Breuer	Mileage Reimbursement 1/3 - 2/29/20.	03/27/2024	61.10
0	Sling-CC	Monthly Seasonal Time Clock	03/18/2024	67.96
0	Taho Sportswear, Inc.	Basketball Regular Season Shirts	03/20/2024	785.55
0	The Retrofit Companies Inc	Fluorescent Lamps	03/20/2024	80.34
0	Walmart-CC	Dance Costume	03/18/2024	19.34
0	Weissman's Design-CC	Ice Show Costumes	03/18/2024	6,147.95
0	Willie McCray	Basketball on 2/28/24	03/13/2024	838.00
0	Xcel Energy	Xcel March Billings	03/13/2024	810.06
0	Xcel Energy	Xcel Billings March	03/20/2024	487.07
0	Xcel Energy	Xcel Billings March	03/27/2024	49,484.94
109038	A Touch of Magic, Inc	Party in the Park Deposit	03/13/2024	1,285.00
109039	A. Norman & Company Inc	Adult Trip 3/12/24	03/13/2024	2,125.00
109049	The Cleaning Authority, Inc.	February Monthly Cleaning	03/13/2024	3,855.60
109060	Mai Lee	Damage Deposit Refund for Banquet I	03/13/2024	200.00
109061	Linn Building Maintenance	General Cleaning for March 2024	03/13/2024	4,433.12
109072	Sandra Sherbarth-Lynch	Pickleball Feb 11-Mar 3	03/13/2024	824.00
109073	St. Paul Pioneer Press	Advertising	03/13/2024	76.96
109086	AARP Driver Safety Program	Driver Refresher Course, Course ID A	03/20/2024	260.00
109109	House of Print	Brochure Printing	03/20/2024	8,223.84
109110	Ice Sports Industry-ISI	Arena Member	03/20/2024	558.00
109119	MR Cutting Edge	Ice Scraper Blade Sharpen	03/20/2024	556.00
109126	Reach for Resources, Inc	2024 Recreation Contracts	03/20/2024	12,440.84
109136	Total Mechanical Services, Inc.	Repair Cube #4	03/20/2024	871.75
109143	Watson Company	Concessions for Sale	03/20/2024	1,917.48
109146	The Sherwin-Williams Company	Paint/Supplies	03/20/2024	467.10
109148	AARP Driver Safety Program	AARP 8hr Driver Safety, Course ID A	03/27/2024	85.00
109167	On Site Companies-OSSTC	Portables	03/27/2024	876.00
Total for Department: 04 Recreation				111,043.84
Total for Fund:200 Recreation Fund				111,727.72

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 202 Park Dedication Fund				
Department: 04 Recreation				
0	LHB Inc	Midland Legacy Park Services throug	03/27/2024	9,885.25
Total for Department: 04 Recreation				9,885.25
Total for Fund:202 Park Dedication Fund				9,885.25

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 204 P & R Contract Maintenance				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	319.15
Total for Department: 00 General Function				319.15
Department: 04 Recreation				
0	Costco-CC	Hydra Hyde	03/18/2024	29.99
0	Ferguson Enterprises Inc.-CC	operating supplies	03/18/2024	55.46
0	Frattallones-CC	Gloves	03/18/2024	58.67
0	Menards-CC	Roundup Spray	03/18/2024	605.99
0	Metal Supermarkets-CC	Hot Rolled Rebar	03/18/2024	195.92
0	Northern Tool & Equip- CC	Tools/supplies	03/18/2024	30.94
0	Orkin-CC	Rodent control	03/18/2024	75.00
0	Suburban Ace Hardware-CC	Gator mop sponge brush	03/18/2024	84.97
0	The Sherwin-Williams Company	Paint	03/18/2024	59.44
0	Xcel Energy	Xcel Billings March	03/27/2024	2,910.70
109061	Linn Building Maintenance	General Cleaning for March 2024	03/13/2024	561.35
109082	Twin Cities Transport & Recovery	Equipment transfer	03/13/2024	150.00
Total for Department: 04 Recreation				4,818.43
Total for Fund:204 P & R Contract Maintenance				5,137.58

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 220 Municipal Community Band				
Department: 04 Recreation				
0	Go Daddy.com-CC	Community Band Website	03/18/2024	208.53
Total for Department: 04 Recreation				208.53
Total for Fund:220 Municipal Community Band				208.53

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 221 Municipal Jazz Band				
Department: 04 Recreation				
0	Glen Newton	Big Band Director Monthly Payment -	03/13/2024	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	LINA	Bill Reference 15688_030124, Accour	03/20/2024	671.63
Total for Department: 00 General Function				671.63
Department: 02 Public Safety				
0	Amazon.com- CC	Gate Pin	03/18/2024	137.94
0	Pizza Luce-CC	Conference Meal	03/18/2024	50.00
109102	Dell Marketing, L.P.	OptiPlex Micro 7010	03/20/2024	808.85
109175	Transwest	2023 Ford F150 Lightning - 4x4 Super	03/27/2024	41,785.59
Total for Department: 02 Public Safety				42,782.38
Department: 10 Community Development				
0	American Planning Assoc-CC	Planning Conference Registration - J. C	03/18/2024	175.00
0	TimeSaver Off Site Secretarial, Inc.	City Meetings Feb 26 - Mar 6, 2024	03/27/2024	334.00
109048	City of White Bear Lake	Ramsey County GIS Fees 2024	03/13/2024	3,649.87
109073	St. Paul Pioneer Press	Advertising	03/13/2024	68.64
Total for Department: 10 Community Development				4,227.51
Total for Fund:260 Community Development				47,681.52

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 265 License Center				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	551.84
Total for Department: 00 General Function				551.84
Department: 01 General Government				
0	Alex Frederick	Mileage Reimbursement 1/30/24 - 2/21	03/13/2024	60.30
0	Amazon.com- CC	Water dispenser/filters	03/18/2024	79.48
0	Fikes, Inc.	Restroom Supplies	03/27/2024	135.57
0	Imaging Spectrum-CC	Passport photo paper	03/18/2024	2,370.60
0	Mary Dracy	Mileage Reimbursement 2/13 - 3/19/24	03/27/2024	269.34
0	USPS-CC	Postage	03/18/2024	989.03
0	Xcel Energy	Xcel Billings March	03/20/2024	492.22
109061	Linn Building Maintenance	General Cleaning for March 2024	03/13/2024	1,421.40
109095	CenturyLink	Account Number 333775723	03/20/2024	116.54
109103	Distinctive Window Cleaning Company	Window Cleaning 2/8/24	03/20/2024	135.00
109153	CenturyLink	Account #333531455	03/27/2024	1.68
109157	Definitive Technology Solutions, Inc.	Waste Toner	03/27/2024	108.50
109161	Hunt Electric Corp	Safe cleaning/repair	03/27/2024	325.00
109179	Zerorez-Minneapolis	Air Duct Cleaning - Roseville License	03/27/2024	1,372.00
Total for Department: 01 General Government				7,876.66
Total for Fund:265 License Center				8,428.50

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 270 Charitable Gambling				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	3.88
Total for Department: 00 General Function				3.88
Total for Fund:270 Charitable Gambling				3.88

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 282				
Department: 02				
109173	Stryker Sales. LLC	Adapter, Power, AC to DC, Enhanced,	03/27/2024	3,947.55
Total for Department: 02				3,947.55
Total for Fund:282				3,947.55

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 295 Police Grants				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	0.16
Total for Department: 00 General Function				0.16
Total for Fund:295 Police Grants				0.16

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 297 Safe Harbor				
Department: 02 Public Safety				
109120	Multilingual Word, Inc.	Interpreter Services	03/20/2024	295.79
Total for Department: 02 Public Safety				295.79
Total for Fund:297 Safe Harbor				295.79

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 400 Police Vehicle Revolving				
Department: 02 Public Safety				
0	Applied Concepts, Inc.	Radars	03/20/2024	6,900.00
0	Baycom, Inc. c/o OwnersEdge,Inc.	CIP Equipment - Squad Comp	03/20/2024	6,350.00
0	Emergency Automotive Tech Inc	Squad 2531 Installation	03/20/2024	3,554.16
0	Streicher's	CIP Equipment	03/20/2024	756.40
109088	American Blast Systems, Inc.	Tactical Gear	03/20/2024	1,536.00
Total for Department: 02 Public Safety				19,096.56
Total for Fund:400 Police Vehicle Revolving				19,096.56

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 401 Fire Vehicles Revolving				
Department: 02 Public Safety				
109141	Viking Electric Supply, Inc.	Lighting	03/20/2024	2,873.00
Total for Department: 02 Public Safety				2,873.00
Total for Fund:401 Fire Vehicles Revolving				2,873.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 403 Public Works Vehicle Revolving				
Department: 03 Public Works				
109127	Safety Technologies, Inc.	Asphalt Rapid Router	03/20/2024	17,840.00
Total for Department: 03 Public Works				17,840.00
Total for Fund:403 Public Works Vehicle Revolving				17,840.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 409 Central Svcs Equip Revolving				
Department: 01 General Government				
109108	GreatAmerica Financial Services	Copier Rental	03/20/2024	332.00
Total for Department: 01 General Government				332.00
Total for Fund:409 Central Svcs Equip Revolving				332.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 410 Building Improvements				
Department: 01 General Government				
0	McGough Property Management, LLC	Facility Managment Service	03/27/2024	2,900.00
Total for Department: 01 General Government				2,900.00
Total for Fund:410 Building Improvements				2,900.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 411 Recreation Improvements				
Department: 04 Recreation				
109078	Tree Trust	Tree Removals	03/13/2024	34,975.11
Total for Department: 04 Recreation				34,975.11
Total for Fund:411 Recreation Improvements				34,975.11

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 417 Streetscape				
Department: 03 Public Works				
109158	Fra-Dor Inc.	Black Dirt/Concrete	03/27/2024	712.50
Total for Department: 03 Public Works				712.50
Total for Fund:417 Streetscape				712.50

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 592 Street Construction - 2022				
Department: 03 Public Works				
109174	TKDA Associates	South McCarrons Blvd Retaining Wall	03/27/2024	574.13
Total for Department: 03 Public Works				574.13
Total for Fund:592 Street Construction - 2022				574.13

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 600 Sanitary Sewer				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	129.11
109128	THOMAS SCHAI	Refund Check 003536-000, 999 GRA	03/20/2024	52.25
Total for Department: 00 General Function				181.36
Department: 05 Sanitary Sewer				
0	ESS Brothers & Sons, Inc.	Various HDPE Adj Rings	03/27/2024	801.00
0	MacQueen Equipment	Nitrogen Canister	03/20/2024	233.80
0	MacQueen Equipment	Replaced Rodder Pump, etc	03/27/2024	28,659.04
0	MN Pollution Control-CC	SC/SD Exam Refresher - A. Rodrigue:	03/18/2024	444.35
0	Verizon-CC	Cell phones	03/18/2024	160.08
0	Xcel Energy	Xcel Billings March	03/20/2024	1,879.89
109037	911 Restoration of Minneapolis	Water Mitigation	03/13/2024	7,633.09
109044	Bolton & Menk, Inc.	Dale/Owasso Lift Station Services tho	03/13/2024	3,220.00
109053	Gary Carlson Equipment, Corp.	Komelon MK4512 Measuring Wheel	03/13/2024	56.79
109057	Harbor at Twin Lakes	Refund for water and sewer	03/13/2024	18,678.44
109098	City of Falcon Heights	Refund of Overpayment on Sewer Lin	03/20/2024	165,027.74
109106	Erickson Electric Company, Inc.	Labor - Wire Lift Station Pump	03/20/2024	585.40
109147	911 Restoration of Minneapolis	Water Mitigation - 2192 Haddington R	03/27/2024	3,878.28
109170	Greg & Margi Schmidt	Partial reimbursement for backflow pr	03/27/2024	300.00
Total for Department: 05 Sanitary Sewer				231,557.90
Total for Fund:600 Sanitary Sewer				231,739.26

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 610 Water Fund				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	271.15
109052	FLIPS FOR THE FATHERLESS, LLP	Refund Check 026228-000, 211 MCC	03/13/2024	186.97
109056	BRETT HAMMOND	Refund Check 020964-000, 815 ROSI	03/13/2024	161.52
109063	MINNESOTA HOLDING COMPANY	Refund Check 026180-000, 346 W CC	03/13/2024	8.95
109069	ROBERT REED	Refund Check 005718-000, 2726 ME	03/13/2024	19.88
109071	GREGORY SEEBECK	Refund Check 012652-000, 2192 MII	03/13/2024	46.12
109076	DR THOMPSON	Refund Check 005985-000, 1677 MII	03/13/2024	205.62
109079	MARLYS TRUITT	Refund Check 011063-000, 655 OVE	03/13/2024	83.94
109080	EUGENE TSCHIDA	Refund Check 000035-000, 1876 AGI	03/13/2024	40.16
109081	KEVIN TURNQUIST	Refund Check 008681-000, 466 SOU	03/13/2024	83.12
109084	KELLY SULLIVAN & WILLIAM LAI	Refund Check 025901-000, 2533 SNF	03/13/2024	227.75
109085	ANNA & MATT ZINNEL	Refund Check 025267-000, 3078 EVI	03/13/2024	152.14
109091	NICOLE BISHOP	Refund Check 021617-000, 633 BELI	03/20/2024	211.14
109093	RONALD & BARBARA CARLOSS	Refund Check 002690-000, 403 ELDI	03/20/2024	69.78
109104	DUCKHOOK PROPERTIES LLC	Refund Check 025955-000, 1065 GR	03/20/2024	176.91
109123	HELEN PRITCHETT	Refund Check 013062-000, 2238 FEF	03/20/2024	170.17
109128	THOMAS SCHAI	Refund Check 003536-000, 999 GRA	03/20/2024	149.68
109129	SFR AQUISITIONS 3LLC	Refund Check 025421-000, 1733 ELI	03/20/2024	147.27
109149	GAVIN ALBIN	Refund Check 025230-000, 2935 MA	03/27/2024	155.74
109156	SAMANTHA CUNNINGHAM	Refund Check 025137-000, 1292 RU	03/27/2024	57.70
109163	NICK & MELISSA JANNAKOS	Refund Check 019181-000, 2968 MA	03/27/2024	317.15
109177	VIET LE LLC	Refund Check 025470-000, 2057 GIE	03/27/2024	154.17
Total for Department: 00 General Function				3,097.03
Department: 06 Water Fund				
0	Amazon.com- CC	Clothing	03/18/2024	83.96
0	Davis Lock & Safe-CC	Labor	03/18/2024	50.00
0	Ferguson Waterworks #2518	3" Mach 10, 17" Length USG	03/13/2024	3,673.36
0	Ferguson Waterworks #2518	Operating Supplies	03/20/2024	8,382.37
0	Magswitch-CC	Magnet	03/18/2024	525.61
0	Menards-CC	Operating Supplies	03/18/2024	31.41
0	MN AWWA-CC	Metro waters operators school - S. We	03/18/2024	310.00
0	Red Wing Shoes-CC	Work boots - T. Struntz	03/18/2024	186.99
0	Suburban Ace Hardware-CC	Spray paint	03/18/2024	20.98
0	Verizon-CC	Cell phones	03/18/2024	195.17
0	Walmart-CC	Water	03/18/2024	42.07
0	Xcel Energy	Xcel Billings March	03/20/2024	5,442.88
0	XDP Diesel Power-CC	Bedsteps	03/18/2024	713.60
109055	GS Systems, Inc	AVEVA Customer First Support, Prem	03/13/2024	6,580.00
109057	Harbor at Twin Lakes	Refund for water and sewer	03/13/2024	102,295.29
109074	St. Paul Regional Water Services	February 2024 Water, Acct #0709535	03/13/2024	437,524.00
109139	Twin City Water Clinic, Inc.	February 2024 Distribution Samples	03/20/2024	680.00
109142	Water Conservation Service, Inc.	Leak Locate	03/20/2024	345.07
109165	MN Dept of Health-Drinking Water Pr	Water Supply System Operator Class C	03/27/2024	32.00
Total for Department: 06 Water Fund				567,114.76
Total for Fund:610 Water Fund				570,211.79

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 620 Golf Course				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	288.95
0	Xcel Energy	Xcel Billings March	03/27/2024	-65.95
Total for Department: 00 General Function				223.00
Department: 07 Golf Course				
0	Alcohol & Gambling-CC	License	03/18/2024	20.43
0	Amazon.com- CC	Filters	03/18/2024	32.06
0	MN DNR-CC	Water permits	03/18/2024	140.00
0	Northern Tool & Equip- CC	Banquet Tables	03/18/2024	4,128.70
0	Xcel Energy	Xcel Billings March	03/27/2024	1,025.21
109099	Comcast	Business Services 3/7 - 4/6/24	03/20/2024	170.72
109132	Summit Fire Protection	Semi-Annual Inspection	03/20/2024	366.00
Total for Department: 07 Golf Course				5,883.12
Total for Fund:620 Golf Course				6,106.12

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 640 Storm Drainage				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	176.48
Total for Department: 00 General Function				176.48
Department: 08 Storm Water				
0	Red Wing Shoes-CC	Work boots - C. Fierstine	03/18/2024	272.48
0	TimeSaver Off Site Secretarial, Inc.	PWETC Meeting 2/20	03/13/2024	246.00
0	U of M-CC	Compost sample analysis	03/18/2024	78.90
0	Verizon-CC	Cell phones	03/18/2024	16.62
0	WSB & Associates, Inc.	Twin Lakes Trail - Jan 2024 Sevices	03/20/2024	7,977.00
0	Xcel Energy	Xcel Billings March	03/27/2024	471.63
109050	Davey Resource Group, Inc.	Tree Planting/Turf repair	03/13/2024	16,408.00
109051	E. G. RUD & SONS, INC.	Project 22-26, Job # 24.0147	03/13/2024	396.00
109057	Harbor at Twin Lakes	Refund for water and sewer	03/13/2024	3,991.66
109067	Precision Landscape & Tree,Inc	Tree Removals	03/13/2024	2,283.50
109070	Roadkill Animal Control	Services for February 2024	03/13/2024	144.00
109124	Q3 Contracting, Inc.	Traffic Signs/Cones	03/20/2024	344.10
109160	Michael Herschman	Trapping Services - Beaver	03/27/2024	800.00
109175	Transwest	Single Axle Truck Cab and Chassis	03/27/2024	270,520.00
Total for Department: 08 Storm Water				303,949.89
Total for Fund:640 Storm Drainage				304,126.37

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 650 Environmental				
Department: 00 General Function				
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	25.94
Total for Department: 00 General Function				25.94
Total for Fund:650 Environmental				25.94

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 700 Workers Compensation				
Department: 00 General Function				
0	WCRA	PY2024 - Installment 2	03/27/2024	7,162.93
Total for Department: 00 General Function				7,162.93
Total for Fund:700 Workers Compensation				7,162.93

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 710 Risk Management				
Department: 00 General Function				
109059	League of MN Cities Ins Trust P&C	Claim # LMC GL 000000320515	03/13/2024	7,000.00
109122	OECS - 170064	Safety Services for April 2024	03/20/2024	525.00
109172	Stericycle, Inc.	Steri-Safe Budget Subscription	03/27/2024	309.90
Total for Department: 00 General Function				7,834.90
Total for Fund:710 Risk Management				7,834.90

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 722 HRA Property Abatement Program				
Department: 00 General Function				
109082	Twin Cities Transport & Recovery	Hourly - Labor	03/13/2024	1,250.00
Total for Department: 00 General Function				1,250.00
Total for Fund:722 HRA Property Abatement Program				1,250.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 723 HRA Operating Fund				
Department: 00 General Function				
0	Center for Energy and Environment	Senior Deferred and Admin Fees	03/13/2024	7,000.00
Total for Department: 00 General Function				7,000.00
Total for Fund:723 HRA Operating Fund				7,000.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 725 EDA Operating Fund				
Department: 00				
0	Center for Energy and Environment	Senior Deferred and Admin Fees	03/13/2024	1,000.00
0	Ehlers-CC	Seminar Registration - J. Gundlach	03/18/2024	250.00
0	LINA	Bill Reference 15688_030124, Accour	03/20/2024	56.13
109064	MN Chamber of Commerce	Grow Minnesota Assoc Partner	03/13/2024	500.00
Total for Department: 00				1,806.13
Total for Fund:725 EDA Operating Fund				1,806.13

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 727 SE Roseville				
Department: 00 General Function				
109130	St. Paul Area Chamber of Commerce	Rice and Larpenteur - February 2024 S	03/20/2024	10,416.67
Total for Department: 00 General Function				10,416.67
Total for Fund:727 SE Roseville				10,416.67

Check No.	Vendor/Employee	Transaction Description	Date	Amount
				1,818,797.38

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.b.

Department Approval



City Manager Approval



Item Description: Approve General Purchases Exceeding \$10,000 or Sale of Surplus Items

Background

City Code section 103.05 establishes the requirement that all general purchases or contracts in excess of \$10,000 be separately approved by the City Council, independent of the budget process or other statutory purchasing requirements. In addition, State Statutes generally require the Council to authorize the sale of surplus vehicles and equipment. *Attachment 1* includes a list of items submitted for Council review and approval.

Staff will note that, unless noted otherwise, all items contained in this report were previously identified and included in the adopted budget or Capital Improvement Plan (CIP) submitted for Council review during the most recent budget cycle. This information package included a CIP Project/Initiative summary which identified the type of purchase, estimated cost, funding source, and other supporting narrative. Where applicable, these project/initiative summaries are included with Attachment 2.

Policy Objectives

Required under City Code 103.05.

Racial Equity Impact Summary

Not applicable.

Budget Implications

Funding for all items is provided for in the current budget or through pre-funded capital replacement funds.

Staff Recommendations

Staff recommends the City Council approve the submitted purchases or contracts for service and, where applicable, authorize the sale/trade-in of surplus items.

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General Purchases or Contracts

Division	Vendor	Description	Key	Budget Amount	P.O. Amount	Budget / CIP
Parks & Recreation (Skating Center)	Apex Mechanical	Banquet Rooms: HVAC Heat Pump	(a)	\$ 360,000	\$ 27,525	2024 CIP

Key

- (a) The current heat pump was installed in 2008. The typical useful life for these units is 15 years. Once the useful life has expired, repair costs begin to outweigh the option of replace. The current heat pump has been deemed unrepairable and needs to be replaced. With a faulty heat pump, we risk cold temps as well as hot temps, affecting customers, user groups, general public, and staff. Replacement of this unit has been planned and budgeted for



2024 Capital Improvement Plan

Project/Initiative Summary

Department/Division:	Parks and Recreation/Skating Center
Project/Initiative Title:	Banquet Rooms: General Office Heat Pump
Total Estimated Cost:	\$ 27,524.90
Funding Source:	CIP
Annual Operating Budget Impact:	[NA]

Project/Initiative Description:

The current heat pump was installed in 2008. The typical useful life for these units is 15 years. Once the useful life has expired, repair costs begin to outweigh the option to replace. The Current Heat Pump has been deemed unrepairable and needs to be replaced. With a faulty heat pump we risk cold temps as well as hot temps, affecting customers, user groups, the general public and Staff.

Location:

Banquet Room Hallway

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.c.

Department Approval



City Manager Approval



Item Description: Approval of 2 Temporary Gambling Permits, and 1 Temporary Liquor Permit

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 Permits

Operation Dignity International
3575 Lexington Ave S #323
Eagan, MN 55123

Operation Dignity International is a non-profit organization which is holding a raffle at Smash Park located at 1721 County Rd C on April 26, 2024.

Friends of Roseville Parks
2660 Civic Center Dr.
Roseville, MN 55113

Friends of Roseville Parks is a non-profit organization which is conducting purse bingo on May 11, 2024 and November 9, 2024 at the Cedarholm Community Building located at 2323 Hamline Ave N.

Temporary Liquor Permit

Bent Brewstillery
1744 Terrace Dr.
Roseville, MN 55113

Bent Brewstillery is holding a Cocktail Event on April 20, 2024. This is their 3rd event in 2024. Their total number of days is 3 out of the limit of 12 for the calendar year.

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

Staff has reviewed the application(s) and has determined that the applicant(s) meet all City

40 requirements. Staff recommends approval of the license(s).

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42 **Requested Council Action**

43 Motion to approve the Temporary Gambling Permits for Operation Dignity International and Friends of
44 Roseville Parks, and the Temporary Liquor License for Bent Brewstillery.

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46 **Prepared by:** Katie Bruno, Deputy City Clerk

- 47 **Attachments:**
- 1. Application, Operation Dignity International
 - 2. Application, Friends of Roseville Parks
 - 3. Application, Bent Brewstillery

MINNESOTA LAWFUL GAMBLING

LG220 Application for Exempt Permit

4/23

Page 1 of 3

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: Operation Dignity International

Minnesota Tax ID Number, if any:

Previous Gambling Permit Number: X- 95503

Federal Employer ID Number (FEIN), if any: 06-1747794

Mailing Address: 3575 Lexington Ave S, #323

City: Eagan

State: MN

Zip: 55123

County: Dakota

Name of Chief Executive Officer (CEO): Dr. Kathy Sullivan

CEO Daytime Phone: 612-242-5981

CEO Email: kathy@odighana.org

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

Email permit to (if other than the CEO): _____

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): Smash Park Roseville

Physical Address (do not use P.O. box): 1721 County Rd C W, Roseville, Mn 55113

Check one:



City:

Roseville

Zip:

55113

County:

Ramsey



Township:

Zip:

County:

Date(s) of activity (for raffles, indicate the date of the drawing): April 26 2024

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

☐ Bingo

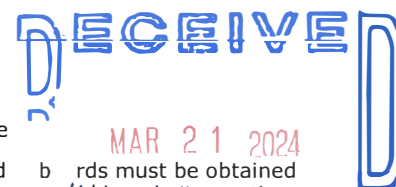
☐ Paddlewheels

☐ Pull-Tabs

☐ Tipboards

☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and b rds must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard ca u b 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- 900.



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: _____ Signature of City Personnel: _____ Title: _____ Date: _____	Print County Name: _____ Signature of County Personnel: _____ 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: *Dr. Kathy Sullivan* Date: 3/18/24
(Signature must be CEO's signature; designee may not sign)

Print Name: Dr. Kathy Sullivan

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.

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MINNESOTA LAWFUL GAMBLING

LG240B Application to Conduct Excluded Bingo**No Fee**11/17
Page 1 of 2**ORGANIZATION INFORMATION**

Organization Name: Friends of Roseville Parks Previous Gambling Permit Number: XB-94300-23-005

Minnesota Tax ID Number, if any: 41-1312380 Federal Employer ID Number (FEIN), if any: _____

Mailing Address: 2660 Civic Center Drive

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

Name of Chief Executive Officer (CEO): Kori L DeJong

CEO Daytime Phone: 612-508-2632 CEO Email: koridejong40@gmail.com
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of at least 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.)

- ☒ **Current calendar year Certificate of Good Standing**
Don't have a copy? This certificate must be obtained each year 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
- ☐ **Internal Revenue Service-IRS income tax exemption 501(c) letter in your organization's name**
Don't have a copy? Obtain a copy of your federal income tax exempt letter by having an organization officer contact the IRS at 877-829-5500.
- ☐ **Internal Revenue Service-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.

EXCLUDED BINGO ACTIVITYHas your organization held a bingo event in the current calendar year? ☐ Yes ☒ No

If yes, list the dates when bingo was conducted: _____

The proposed bingo event will be:

- ☒ one of four or fewer bingo events held this year. Dates: May 11, 2024 and November 9, 2024
- OR-**
- ☐ conducted on up to 12 consecutive days in connection with a:
- ☐ county fair Dates: _____
- ☐ civic celebration Dates: _____
- ☐ Minnesota State Fair Dates: _____

Person in charge of bingo event: Kori L. DeJong Daytime Phone: 612.508.2632Name of premises where bingo will be conducted: Cedarholm Community BuildingPremises street address: 2323 Hamline Avenue NorthCity: Roseville If township, township name: _____ County: Ramsey

LG240B Application to Conduct Excluded Bingo

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

On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.

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

On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.

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 excluded bingo activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota 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.

Chief Executive Officer's Signature: _____

(Signature must be CEO's signature; designee may not sign)

Date: 3/26/24

Print Name: Kori L DeJong

MAIL OR FAX APPLICATION & ATTACHMENTS

Mail or fax application and a copy of your proof of nonprofit status to:

Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113
Fax: 651-639-4032

An excluded bingo permit will be mailed to your organization. Your organization must keep its bingo records for 3-1/2 years.

Questions?

Call a Licensing Specialist at 651-539-1900.

Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. 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.

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

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 Department 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.

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Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date organized	Tax exempt number
Bent Brewstillery		Jun 11, 2011	45-2650832
Address	City	State	Zip Code
1744 Terrace Dr	Roseville	Minnesota	55113
Name of person making application		Business phone	Home phone
Bartley Blume		651-233-3843	
Date(s) of event	Type of organization		
4/20/24	☒ Club ☐ Charitable ☐ Religious ☐ Other non-profit		
Organization officer's name	City	State	Zip Code
Bartley Blume	Roseville	Minnesota	55113
Organization officer's name	City	State	Zip Code
		Minnesota	
Organization officer's name	City	State	Zip Code
		Minnesota	
Organization officer's name	City	State	Zip Code
		Minnesota	

Location where permit will be used. If an outdoor area, describe.
 Cocktail event at Bent Brewstillery

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
 West Bend Insurance Company
 Aggregate Limit \$2,000,000
 Each Common \$1,000,000

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Date Fee Paid	City or County E-mail Address
	City or County Phone Number
Signature City Clerk or County Official	Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.d.

Department Approval



City Manager Approval



Item Description: Adopt Resolution Awarding Contract for Construction of New Park at 2381 County Road B.

Background

Over the past year, City staff and consultants from LHB Design have engaged in a design process for a new .80-acre park at 2381 County Road B. In total, the process included four neighborhood meetings, and design activities, and ultimately arrived at a preferred design.

On October 10, 2023, the park concept plan (Attachment 2) and preliminary construction budget were approved by the City Council.

On February 29, bids were solicited for a base package that includes the bulk of the park construction including earthwork, trails, the basketball shooting area, site furnishings, curb work for the playground, landscaping, and tree planting. The playground equipment is being provided by a previously awarded vendor, Flagship Recreation.

In addition to the base package, two bid alternatives were proposed:

- **Bid Alternate #1:** Installation of an irrigation system. Staff recommends rejection of this bid alternative. Staff feel that this work can be done more cost-effectively outside this contract, through coordination with the updates being made to County Road B.
- **Bid Alternate #2:** Replacement of the proposed gravel nature loop, with an accessible bituminous pathway. Staff recommends acceptance of this bid alternative.

In total, seven bids were received. As mentioned above, staff recommends declining Bid Alternate #1 and accepting Bid Alternate #2.

Contractor	Base Bid	Alternate 1 (Irrigation)	Alternate 2 (Bituminous Path)	Base + Alternate 2 (Recommended)
Sunram Construction, Inc.	\$246,550	\$56,400	\$2,000	\$248,550
Pember Companies, Inc	\$262,125	\$24,100	\$275	\$262,400
Goodmanson Construction	\$261,850	\$22,100	\$7,780	\$269,630

Veit & Company	\$286,200	\$24,000	\$7,300	\$293,500
Albrecht Company	\$319,400	\$9,000	\$0	\$319,400
Blackstone Contractors, LLC	\$330,015.90	\$21,000	\$8,582	\$338,597.90
Urban Companies	\$352,000	\$75,000	\$2,000	\$354,000

The apparent low bid for the base package plus Bid Alternate #2 is Sunram Construction, Inc. Staff reviewed the documents that were submitted by Sunram Construction, Inc. and conducted a preliminary interview with them.

Policy Objectives

Construction of the new park at 2381 County Road B is consistent with the Community Aspiration of a physically and mentally active and healthy community.

The creation of a new park in this part of the community (Park Master Plan, Constellation J) is explicitly identified as a goal in the adopted Parks and Recreation System Master Plan.

The sealed bid process utilized in this procurement process is consistent with the City's goal of efficiently utilizing City tax dollars.

Racial Equity Impact Summary

The neighborhood in which this park will be located is one of the few remaining areas in Roseville where residents do not have a park within a 10-minute walk, an important metric that the Trust for Public Land uses to measure health equity within a community. Studies show that close-to-home park access is essential for community well-being by encouraging physical activity, fostering a connection to nature, bringing neighborhoods together, and contributing to climate resilience.

A sealed bid process was used for this procurement. Bidders are required to certify that they meet Equal Employment Opportunity and Human Rights requirements.

Budget Implications

The project budget is \$570,000. This project will be funded utilizing previously accrued Park Dedication funds.

\$199,000 is currently encumbered for this project with the previously issued contracts for planning, creation of construction documents, and the play structure.

Acceptance of the base bid, and Bid Alternate #2, for \$248,550, as outlined above, is within the project budget.

Staff Recommendations

Approval of the attached resolution (Attachment 1) awarding the Base bid and Bid Alternate #2 to Sunram Construction, Inc. for the construction of the new park at 2381 County Road B., as outlined above.

Requested Council Action

67 Approval of the attached resolution (Attachment 1) awarding the Base bid and Bid Alternate #2 to
68 Sunram Construction, Inc. for the construction of the new park at 2381 County Road B., as outlined
69 above.

70

71

Prepared by: Matthew L. Johnson, Parks and Recreation Director

Attachments: 1. Resolution Awarding Contract for Construction of the New Park at 2381 County Road B
2. New 2381 County Road B Park Concept Plan

72

**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 8th day of April, 2024, at 6:00 p.m.

The following members were present: ; and and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION AWARDING CONTRACT
FOR CONSTRUCTION OF A NEW PARK AT 2381 COUNTY ROAD B**

WHEREAS, pursuant to advertisement for bids for the improvement, according to the plans and specifications thereof on file in the office of the Manager of said City, said bids were received on Wednesday, March 20, at 11:00 a.m., opened and tabulated according to law and the following bids were received complying with the advertisement:

Contractor	Base Bid	Alternate 1	Alternate 2	Base + Alternate 2
Sunram Construction, Inc.	\$246,550	\$56,400	\$2,000	\$248,550
Pember Companies, Inc	\$262,125	\$24,100	\$275	\$262,400
Goodmanson Construction	\$261,850	\$22,100	\$7,780	\$269,630
Veit & Company	\$286,200	\$24,000	\$7,300	\$293,500
Albrecht Company	\$319,400	\$9,000	\$0	\$319,400
Blackstone Contractors, LLC	\$330,015.90	\$21,000	\$8,582	\$338,597.90
Urban Companies	\$352,000	\$75,000	\$2,000	\$354,000

14 WHEREAS, it appears that Sunram Construction, Inc., is the lowest responsible bidder for the
15 Base Bid plus Alternate 2 at the tabulated price of \$248,550.

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville,
17 Minnesota:

- 18 1. The Mayor and City Manager are hereby authorized and directed to enter into a contract
19 with Sunram Construction Inc. for \$248,550 in the name of the City of Roseville for the
20 above improvements according to the plans and specifications on file in the office of
21 the City Manager.
- 22 2. The City Manager is hereby authorized and directed to return forthwith to all bidders
23 the deposits made with their bids, except the deposits of the successful bidder and the
24 next lowest bidder shall be retained until contracts have been signed.

25 BE IT FURTHER RESOLVED by the City Council of the City of Roseville, Minnesota:

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

29 WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

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 8th day of April, 2024, with the original thereof on file in my office.

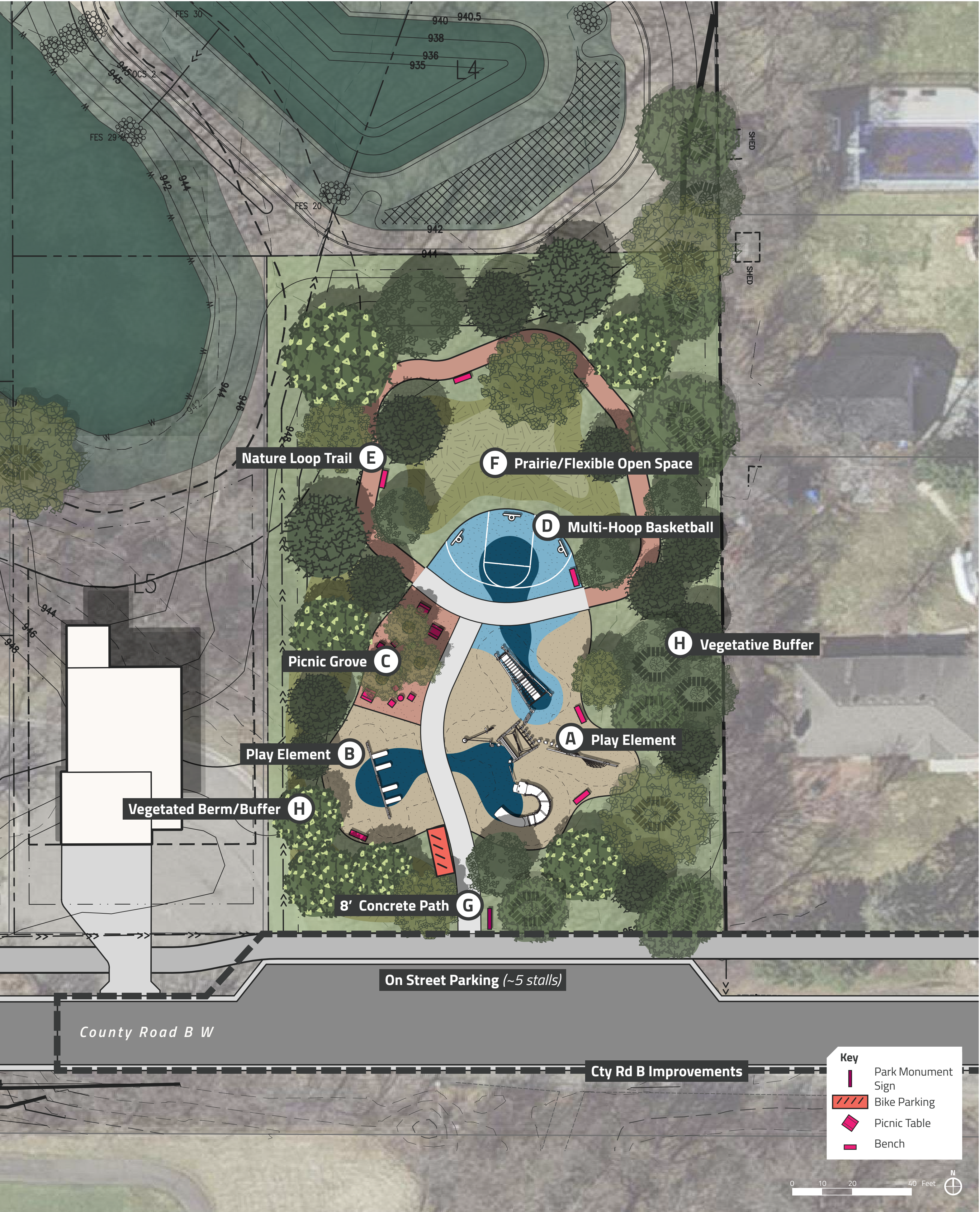
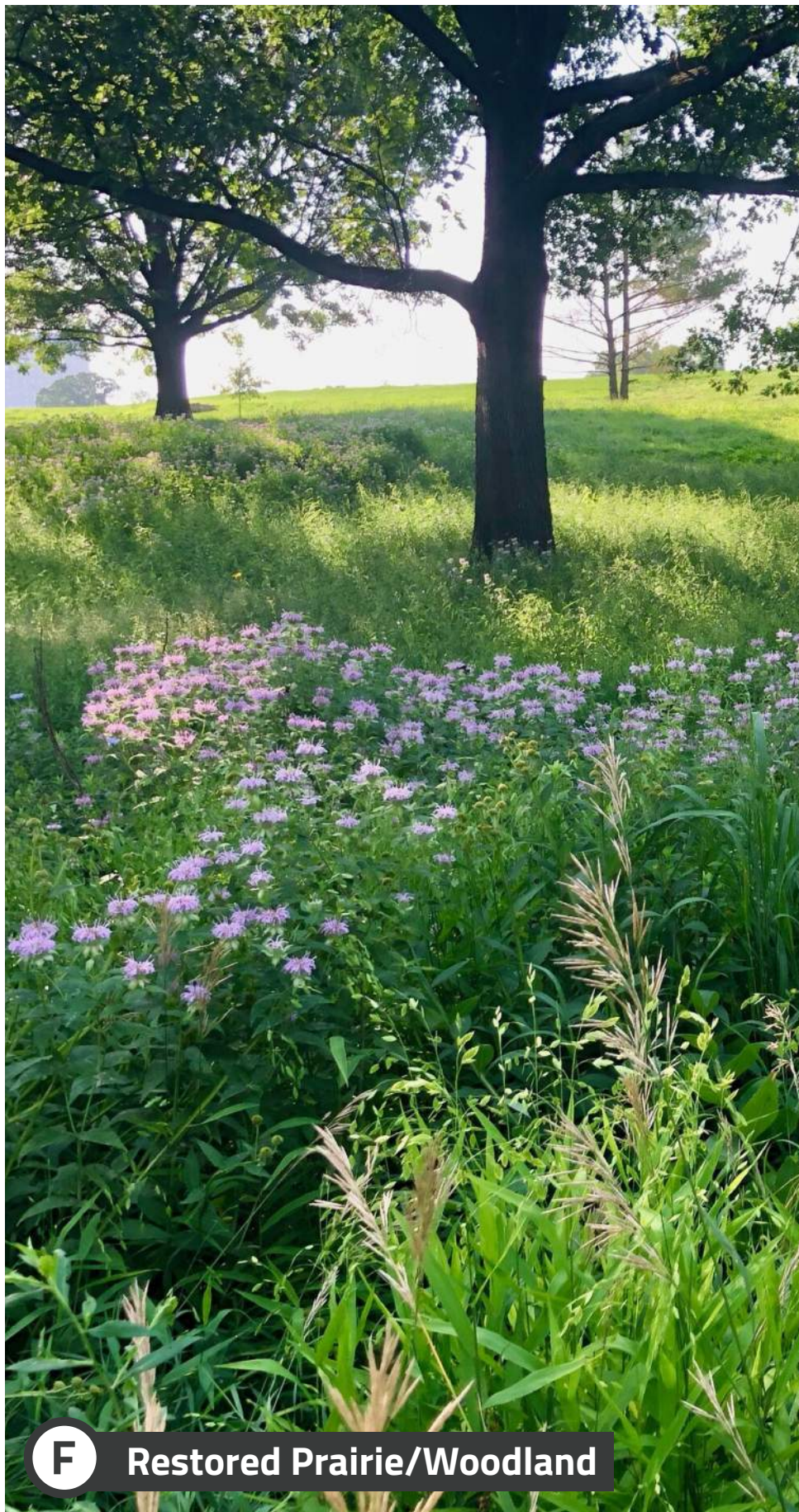
WITNESS MY HAND officially as such Manager this 8th day of April, 2024.

Patrick Trudgeon, City Manager

(SEAL)

Preferred Concept

Two **playground elements** flow into a **multi-hoop basketball court** in the center of this space, and is heavily **buffered by restored prairie/woodland plantings** with a **nature loop trail and benches** winding throughout. A **picnic grove** serves as a central element to all play features.



ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.e.

Department Approval



City Manager Approval



Item Description: Approve Professional Services Agreements for McCarrons Retaining Wall Project 22-22, Construction Services

Background

The McCarrons Retaining Wall was originally constructed in the early 1990's. The wall has moved and is slowly failing due to a combination of poor design and poor construction methods. Based on the analysis done by the City's consultant, TKDA, there is no immediate danger of the retaining wall failing. Staff continues to monitor the wall.

The design for the replacement walls includes a soil nail installation method which will minimize construction disturbances for the adjacent properties.

On February 12, 2024, the City Council awarded the construction contract to Veit & Company in the amount of \$1,176,720.50. Construction is anticipated to start as early as June of this year.

The soil nail walls are a specialized type of construction, which require structural inspections and materials testing during the construction process. To provide a continuity of project knowledge and technical expertise that City staff does not have, City staff requested proposals from the structural and geotechnical engineering consultants that assisted in the design of the retaining wall project: TKDA and Braun Intertec. TKDA will provide construction observation services and review of shop drawings. Braun Intertec will provide quality control and verification testing of materials. Both of these consultants are needed to ensure the wall meets design requirements so we can ensure the wall will be constructed properly and will last for over 50 years. Staff has reviewed both proposals and recommends approval of the attached Professional Services Agreements (PSAs) to authorize this work.

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 project.

Budget Implications

34 TKDA submitted a proposal for services, with an estimated fee of \$55,600.00.

35
36 Braun Intertec submitted a proposal for services, with an estimated fee of \$92,249.00.

37
38 The McCarrons Retaining Wall Project is proposed to be funded by Municipal State Aid
39 (MSA) Funds per the 2024 Budget. Costs are anticipated to include \$1,176,720.50 for
40 construction and estimated at \$200,000 for Construction Engineering. Originally budgeted
41 for \$1,200,000.00, the City's MSA account has sufficient funds for the anticipated project
42 total of \$1,376,720.50.

43
44 **Staff Recommendations**

45 Staff recommends approval of the Professional Services Agreements for TKDA and Braun
46 Intertec for construction services for the South McCarrons Retaining Wall Project 22-22.

47
48 **Requested Council Action**

- 49 1. Approve Professional Services Agreement for TKDA for construction services for the
50 South McCarrons Retaining Wall Project 22-22.
51 2. Approve Professional Services Agreement for Braun Intertec for construction
52 services for the South McCarrons Retaining Wall Project 22-22.

53
54
55 **Prepared by:** Jesse Freihammer, Public Works Director

Attachments: 1. PSA - TKDA
2. PSA – Braun Intertec

56

**CITY OF ROSEVILLE
PROFESSIONAL SERVICES AGREEMENT**

This Professional Services Agreement (“Agreement”) is made on the 8th day of April, 2024, between the City of Roseville, a Minnesota municipal corporation (the “City”), and TKDA, a consulting engineering company (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 April 9, 2024. Unless extended by written agreement of the Parties, this Agreement will terminate no later than April 9, 2024, or upon completion of the Work, whichever occurs first. Such extension may be approved by the Public Works Director, or their designee. This Agreement may be terminated earlier by the City with or without cause, by delivering, a written notice at least thirty (30) days prior to the date of such termination to Contractor. 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 B** 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.
- 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
Attn: Jesse Freihammer
2660 Civic Center Drive
Roseville, MN 55113

To Contractor:

TKDA
Attn: Jim Bellefeuille
444 Cedar Street, Suite 1500
St. Paul, MN 55101

6. Assignment or Subcontracting. Unless noted otherwise in Exhibit A, 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, 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.
- c. General Liability Coverage against claims for bodily injury, death, or property damage arising out of Contractor’s performance of duties under this Agreement.
- d. Automobile insurance for owned, hired and non-owned vehicles;
- e. Coverage shall be sufficiently broad to cover all duties and obligations undertaken by Contractor in this Agreement including duties related to indemnification;
- f. Insurance must be on an “occurrence” basis, OR IN THE CASE OF Professional Liability, may be on a “claims” basis provided that the insurance term continues for a minimum of two years following completion of the Project; 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.

- g. Policies must be held by insurance companies licensed to do business in the state of Minnesota and having a current A.M. Best rating of no less than A-, unless otherwise agreed to by the City in writing.
- h. 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. Any

modification of this agreement may be approved in writing by the Public Works Director, or their designee.

IN WITNESS WHEREOF, the undersigned Parties have entered into this Agreement as of the date set forth above.

CITY OF ROSEVILLE

TKDA

By: _____
Daniel J. Roe, Mayor

By: _____
Its: _____

By: _____
Patrick Trudgeon, City Manager

By: _____
Its: _____

EXHIBIT A

WORK

The Contractor shall perform the following Work at the following locations:



Joe Mueller, PE, has over 17 years of experience in various bridge and wall type designs, on-site field inspections, and engineering related support during construction activities. Joe will serve as the Soil Nail Installation Inspector, providing guidance to Zack and Sydney during the initial installations and being available during construction to answer their questions. He has experience working with the State Aid for Local Transportation office and on many different City and County projects.

III. SERVICES TO BE PROVIDED BY TKDA

Based on TKDA's understanding of the Project, we propose to provide the following services:

- A. PROJECT MANAGEMENT
TKDA will hold a kick-off meeting with the CLIENT via Microsoft Teams to establish the lines of communication, confirm Project scope, review existing information for the existing retaining wall, receive Project data, and develop the Project schedule.
- B. CONSTRUCTION MANAGEMENT TEAM ASSISTANCE
 - 1. Review shop drawings:
 - a. Contractor Experience on Soil Nail Walls
 - b. Materials
 - c. Contractor soil nail wall plans and design computations
 - d. Construction Submittals
 - e. Architectural Concrete Texture (Rock Face)
 - f. Architectural Surface Finish (Multi Color)
 - g. Anti-graffiti Coatings
 - 2. Provide construction observation and daily reports during the soil nail wall and cast-in-place concrete facing construction, assumed average of 24 hours per week.
 - 3. With the Contractor, jointly inspect the site to observe and document the pre-construction condition of the site, existing structures, and facilities.
 - 4. Attend the soil nail wall pre-construction meeting.
 - 5. Attend weekly coordination / progress meetings.
 - 6. Provide responses to CLIENT on RFI's.
- C. TKDA DELIVERABLES
 - Daily construction observation report.
 - Shop drawing reviews.
 - Responses to RFI's.
- D. SCHEDULE
 - Construction TBD

IV. ADDITIONAL SERVICES

If authorized in writing by CLIENT, TKDA will furnish or obtain from others Additional Services of the types listed below which are not considered as basic services under this proposal:

- A. Changes in scope during construction.
- B. Site visits requested during construction beyond what is described in SECTION III.

EXHIBIT B

COMPENSATION

** Must include list of reimbursable expenses or statement that no expenses are eligible for reimbursement.



Project Fee Estimate

Client:		City of Roseville						2/13/2024
Project:		South McCarrons Blvd Retaining Wall Construction Support						JJB
Task	Task Description	Estimated Person hours Required					Total Hours	Total Dollars
		PM	Structural			Admin		
		Sr Reg Eng	Sr. Reg Eng	Grad Eng	Grad Eng	Tech		
		\$ 238	\$ 162	\$ 119	\$ 104	\$ 90		
A	PROJECT MANAGEMENT							
1	Administration	14				4	18	\$ 3,692
2	Project Kickoff Meeting (Virtual)	2		2	2	1	7	\$ 1,012
3	Progress reports and invoicing (7 Months)	8					8	\$ 1,904
B	CONSTRUCTION MANAGEMENT TEAM ASSISTANCE							
1	Review Shop Drawing Submittals	4	2	16	4		26	\$ 3,596
2	Construction Observation & Reports (12 wks)	12	8	48	240	12	320	\$ 35,904
3	Pre-construction joint site inspection			8	8		16	\$ 1,784
4	Attend SNW pre-construction meeting	2	2	2	2	1	9	\$ 1,336
5	Attend weekly construction meeting	20		In B.2	In B.2		20	\$ 4,760
6	Respond to RFI's	2		2			4	\$ 714
	SUBTOTAL HOURS	64	12	78	256	18	428	
	SUBTOTAL LABOR COST	\$ 15,232	\$ 1,944	\$ 9,282	\$ 26,624	\$ 1,620		\$ 54,702
Expenses:								
Travel						1300 miles @	\$0.655	\$ 852
Total Project								\$ 55,554
Total Not to Exceed Project Fees (Rounded)								\$ 55,600

CITY OF ROSEVILLE PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made on the 8th day of April, 2024, between the City of Roseville, a Minnesota municipal corporation (the “City”), and Braun Intertec Corporation, a Minnesota corporation (the “Contractor”, hereinafter defined as Consultant performing professional services) 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 in the Twin Cities region.

2. Term and Termination. The term of this Agreement will commence on April 9, 2024. Unless extended by written agreement of the Parties, this Agreement will terminate no later than April 9, 2024, or upon completion of the Work, whichever occurs first. Such extension may be approved by the Public Works Director, or their designee. This Agreement may be terminated earlier by the City with or without cause, by delivering, a written notice at least thirty (30) days prior to the date of such termination to Contractor. 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 in accordance with **Exhibit B** 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
Attn: Jesse Freihammer
2660 Civic Center Drive
Roseville, MN 55113

To Contractor:

Braun Intertec Corporation
Attn: Josh Kirk
11001 Hampshire Avenue S.
Minneapolis, MN 55438

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 (the “Indemnified Parties) harmless from and against all liability, claims, damages, costs, judgments, losses and expenses, including but not limited to reasonable attorney’s fees, to the comparative extent caused by the 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. The Contractor agrees to defend the Indemnified Parties from all of the above to the extent that and according to the timing of such defense cost coverage under applicable insurance contract. 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. Neither Party hereto shall be responsible or held liable to the other for punitive, indirect, incidental, or consequential damages, or liability for loss of use, loss of business opportunity, loss of profit or revenue, loss of product or output, or business interruption.

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 in the amount of \$1,000,000 per claim and \$1,000,000 aggregate.
- c. General Liability Coverage against claims for bodily injury, death, or property damage arising out of Contractor’s performance of duties under this Agreement;
- d. Automobile insurance for owned, hired and non-owned vehicles;

- e. Coverage shall be sufficiently broad to cover to all duties and obligations undertaken by Contractor in this Agreement including duties related to indemnification;
- f. 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.
- g. 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.
- h. 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. Any modification of this agreement may be approved in writing by the Public Works Director, or their designee.

22. Limitation of Liability. The Contractor's aggregate liability for all claims arising out of this Agreement, including any defense obligation, is limited to \$1,000,000. the insurance coverage provided by Contractor.

IN WITNESS WHEREOF, the undersigned Parties have entered into this Agreement as of the date set forth above.

CITY OF ROSEVILLE

BRAUN INTERTEC CORP.

By: _____
Daniel J. Roe, Mayor

By: _____
Its: _____

By: _____
Patrick Trudgeon, City Manager

By: _____
Its: _____

EXHIBIT A

WORK

The Contractor shall perform the following Work at the following locations:

February 29, 2024

Proposal QTB176026

Ms. Stephanie Smith, PE
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Re: Proposal for Special Inspection and Testing Services
McCarrons Retaining Wall
Roseville, Minnesota

Dear Ms. Smith:

Braun Intertec Corporation is pleased to submit this proposal to provide special inspections and testing services for the proposed McCarrons Retaining Wall located along McCarrons Boulevard from Glenwood Avenue and Woodruff Avenue in Roseville, Minnesota.

Our Understanding of Project

We understand this project will include the construction of a new retaining wall along the south side of McCarrons Boulevard between Glenwood Avenue and Woodruff Avenue. We understand the existing, in-place retaining wall will be retained by soil nails extending laterally from the face of the wall into the soil behind the existing wall. A new retaining wall will be constructed in front of it. Following installation of the soil nails, shotcrete will be placed along the face of the existing wall for structural support. A cast in place concrete façade will be placed on the outside of the shotcrete face.

Available Information

This proposal was prepared using the following documents and information.

- Preliminary project plans, provided by the City of Roseville and dated March 7, 2023.
- Preliminary structural calculations report, furnished by Braun Intertec and dated April 13, 2023.
- Project Specifications, furnished by the City of Roseville and dated January 9, 2024.
- Project Plan set, furnished by the City of Roseville and dated December 14, 2023.

Scope of Services

Services are performed under the direction of a licensed professional engineer, either on a full-time or periodic basis, depending on the construction schedule and when they are requested by the general contractor. After reviewing available information, we understand our scope of services for the project will be limited to the tasks defined below.

Soil Nail Related Services

- Observe and document the installation of the soil nails for the proposed retaining wall structure on a full-time basis. Services may include rate of installation, number of nails installed per day, depth of installation, and presence of grout. Final inspections lists will be discussed and confirmed with the project structural engineer of record (EOR).
- Observe the structural soil nail grouting operation on a full-time basis.
- Observe the preparation of grout samples and test the grout for slump and temperature readings.
- Perform laboratory compressive strength testing on the soil nail grout.
- Observe and document the completion of soil nail load tests throughout installation at the direction of the EOR.

Retaining Wall Related Services

- Observe concrete reinforcement placement within the retaining wall.
- Sample and test the shotcrete for slump, air content, temperature and prepare shotcrete panel cores for laboratory compressive strength testing with ACI level 1 field technicians.
- Observe the shotcrete placement and shotcrete panel preparation.
- Perform laboratory compressive strength testing on the concrete core samples obtained from shotcrete panels.
- For the retaining wall face, we will sample and test the plastic cast in place concrete for slump, air content, temperature and prepare test cylinders for laboratory compressive strength testing with ACI level 1 field technicians. We will perform concrete testing on structural items as required by the IBC.
- Observe the concrete placement and test sample preparation.
- Perform laboratory compressive strength testing of the concrete samples.

Engineering Review and Reporting Services

- Provide engineering consulting services, review test results and observations reports, and prepare required final reports.
- Be on site periodically to observe various aspects of the work.
- Management, including scheduling of our field personnel and communication with the contractor, owner, building official, and design team. We have not budgeted time to participate in weekly project meetings.

- Transmit results to the project team on weekly basis to the contractor, owner, building official, fabricators and design team.

Basis of Scope of Work

The fees associated with the proposed scope of services were estimated using the following assumptions. If the construction schedule is modified or the contractor completes the various phases of the project at different frequencies or durations than shown in this proposal, we may need to adjust the overall fee accordingly. The scope of work and number of trips required to perform these services are as shown in the attached table. Notable assumptions in developing our estimate include:

- This project will begin in summer of 2024 and will take approximately 8 1/2 weeks for installation of the soil nails and shotcrete face based on the Contractor's schedule.
- Assumptions regarding the number of trips for materials testing are outlined in the attached fee estimate table. As the contractor's final schedule becomes available, please review this proposed scope of work to determine if the project's needs and budget will be met.
- We have assumed that full-time observations of the soil nail installation will be required. Any performance or load testing will be included in this time. Engineering time for load testing is not included in this time.
- The soil nail installation is assumed to be completed within 8 1/2 weeks from the start of installation. We have assumed the shotcrete operations will require six panels to be created. If the contractor's schedule is different, we will adjust our testing frequency and call you prior to exceeding our estimated amount.
- We have assumed that the excavation of the retaining wall foundations will be completed within 2 1/2 weeks from the start of installation and that periodic observations would be required.
- Concrete placement for the cast in place retaining walls A, B, C, and D are assumed to be completed within 8 1/2 weeks from the start of installation. We have assumed the walls will be poured in 25 concrete placements.
- Shotcrete and cast in place concrete placements for the retaining wall will be observed throughout the duration by our technician as required by project documents.
- The inspection of the reinforcement associated with structural concrete will be performed immediately prior to testing of the shotcrete with no additional trips incurred.
- A set of specifications denoting frequency of concrete testing not available to us the time of this proposal. We have assumed cast in place concrete for the wall will require 50 sets of cylinders with five cylinders per set.
- No special site-specific training or gear is required to complete our scope of services.

EXHIBIT B
COMPENSATION

Project Proposal

QTB176026

McCarrons Retaining Wall

Client:

City of Roseville
Stephanie Smith
2660 Civic Center Dr
Roseville, MN 55113
(651) 792-7000

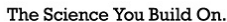
Work Site Address:

2660 Civic Center Dr
Roseville, MN 55113

Service Description:

Special Inspections and Material Testing

	Description	Quantity	Units	Unit Price	Extension
Phase 1	Construction and Materials Testing				
Activity 1.1	Soil Nail Observations and Testing				\$55,033.00
240	Observations, Soil Nails	400.00	Hour	110.00	\$44,000.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Soil Nail Observations - assumes 8 weeks	40.00	Trips	10.00	400.00
206	Excavation Observations	9.00	Hour	110.00	\$990.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Site Grading	3.00	Trips	3.00	9.00
1861	CMT Trip Charge	63.00	Each	1.00	\$63.00
128	Senior Engineer	6.00	Hour	210.00	\$1,260.00
126	Project Engineer	12.00	Hour	180.00	\$2,160.00
1412	Compressive strength of grout (ASTM C 1019), per specimen	60.00	Each	78.00	\$4,680.00
213	Grout Sample Pick up	20.00	Hour	94.00	\$1,880.00
Activity 1.2	Retaining Wall Observations and Testing				\$31,704.00
126	Project Engineer	3.00	Hour	180.00	\$540.00
260	Concrete Observations	25.00	Hour	110.00	\$2,750.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Retaining Wall	25.00	Trips	1.00	25.00
261	Concrete Testing	77.50	Hour	94.00	\$7,285.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Retaining Wall - Shotcrete	6.00	Trips	2.50	15.00
	Retaining Wall - CIP	25.00	Trips	2.50	62.50
1364	Compressive strength of concrete cylinders (ASTM C 39),per specimen	250.00	Each	38.00	\$9,500.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Retaining Wall	50.00	Sets	5.00	250.00
1393	Coring of shotcrete panels, per core	36.00	Each	69.00	\$2,484.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Shotcrete Panel	6.00	Sets	6.00	36.00
1401	Compressive Strength of Concrete Cores, per specimen	36.00	Each	155.00	\$5,580.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Shotcrete Panel	6.00	Sets	6.00	36.00
278	Concrete Sample Pick up	37.00	Hour	94.00	\$3,478.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Retaining Wall	25.00	Trips	1.00	25.00
	Retaining Wall - Shotcrete	6.00	Trips	2.00	12.00
1861	CMT Trip Charge	87.00	Each	1.00	\$87.00
Activity 1.3	Project Management				\$5,512.00
238	Project Assistant	8.00	Hour	94.00	\$752.00
126	Project Engineer	20.00	Hour	180.00	\$3,600.00
228	Senior Project Manager	3.00	Hour	200.00	\$600.00



QTB176026

McCarrons Retaining Wall

Proposal Total:	\$92,249.00
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ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.f.

Department Approval

Janice Gundlach

City Manager Approval

Sam F. Truog

Item Description: Approve a Short-Term Rental License for 419 Judith Avenue

Background

Chapter 909 of City Code requires the licensing of non-owner-occupied short term rentals of dwelling units, subject to certain exemptions. On March 4, 2024, an application for a short term rental license was submitted by the property owner (Attachment 1). The property is a four-bedroom, single family home. The property owner has certified and attested to the requirement of lodging tax payment, as well as, the maximum occupancy of four or less unrelated adults or one family. City records indicate there has been one nuisance or property maintenance violation, consisting of a suspected rental whereby notice was mailed to the property owner of record. The property owner promptly applied for the required license. Staff has verified there are no other licensed short-term rental properties within 500 feet of this property. Short term rental licenses include the requirement of minimum stays based on on-season (10 days) and off-season (7 days) times of the year.

Upon issuance, the license will be valid for 365 days and will require notification to residential properties within 300 feet of the subject property. If approved, this property will be one of seven properties with a current short term rental license. A copy of the license must be posted in the rental unit, along with copies of City Code Sections 405, 407 and 602. A draft of the license is provided as Attachment 2.

The applicant has supplied all required license information and paid the license fee of \$515. In accordance with Section 909.03, the process for licensure is outlined in Chapter 301, which requires presentation to the City Council. Based upon the requirements outlined in the ordinance, the property owner is entitled to the license.

Policy Objectives

Licensing is required by Section 909, effective as of February 8, 2021 and most recently revised on February 12, 2024. The purpose of the license is to ensure that non-owner-occupied short-term rentals of dwelling units is conducted, operated, and maintained so as not to become a nuisance to the surrounding neighborhood or an influence that fosters blight and deterioration or creates a disincentive to reinvest in the community. The operation of a short-term rental property is a business enterprise that entails responsibilities required of the owner, local agent, and guests.

Racial Equity Impact Summary

Staff has not identified any racial equity impacts related to this action.

Budget Implications

The correct fees were paid to the City at the time of application submittal.

Staff Recommendations

Staff recommends approval of a one year Short-Term Rental License for 419 Judith Avenue.

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Requested Council Action

By motion, approve the Short-Term Rental License for 419 Judith Avenue.

Prepared by: David Englund, Building Official

- Attachments:**
- 1. Short Term Rental License Application
 - 2. Draft License

45

Menu Reports Help

File Date: [03/04/2024](#)

Application Status: [In Review](#)

Application Detail: [Detail](#)

Application Type: [Short-Term Rental License Application](#)

Address: [419 Judith Ave W Roseville MN 55113](#)

Custom Fields: UNIT DETAILS

Unit Type	Number of Bedrooms
Single-Family Home	4

CERTIFICATION AND ATTESTATION

Attestation to Occupancy Limits	Attestation to Payment of Lodging Tax
√	√

Contact Info:	Contact Type	Organization Name	Contact Primary Address	Status	Name
	Applicant	Minnesota Home Venture		Active	Chris Mehalovich

Owner Name: [CAG HOMES LLC](#)

Owner Address: [2118 149th Ave NW, Andover, MN 55304](#)

DBA Name:

Total Fee Assessed: [\\$530.45](#)

Total Fee Invoiced: [\\$530.45](#)

Balance: [\\$0.00](#)

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	License Issuance	Jan Rosemeyer			

Initiated by Product: ACA

City of Roseville Short-Term Rental License This certificate must be posted in the rental unit

This rental dwelling unit is hereby licensed in accordance with Chapter 909 of Roseville City Code.

- The Property Owner must comply with all requirements set forth in Roseville City Code. This license may be suspended or revoked for violations of that code.
- Property owners must notify the City of any changes in ownership or type of occupancy.
- Licenses are non-transferable; new owners must apply for a new license.

License Number: STR-XXX

Owner: CAG Homes, LLC

Phone: 612-XXX-XXXX

Email: chris@mnhomeventure.com

Address: 419 Judith Ave.

Expiration: 4/9/2025

The City, its designees, the City Council, or its officers, agents, or employees do not warrant or guarantee the safety, fitness, or suitability of any dwelling in the City. Owners or occupants should take whatever steps they deem appropriate to protect their interests, health, safety, and welfare.

MINIMUM STANDARDS AND CODES FOR RENTAL UNITS including but not limited to:

In the Unit:

Carbon Monoxide (CO) Detectors must be within 10 feet of bedrooms; **Smoke Detectors** must be in each sleeping room, each hallway outside sleeping rooms, and on each story, including the basement but not uninhabitable attics/crawl spaces. **CO and Smoke Detectors must NOT be disabled.**

Exits must be free from obstruction inside and out and **Exterior Doors** should open and close easily, be weather tight, and lock/unlock from the inside without a key or special knowledge.

The **Water Heater and Furnace** must be clear (by at least 3 feet) of boxes, junk, or flammable materials; the **Water Heater must have a TPR valve and relief valve discharge pipe.**

Toilets must flush and **Bathrooms** must have an exhaust fan or window.

Taps must have working hot and cold water; no leaking pipes or dripping **Faucets**.

Outlets, Switches, and Panel Boxes must have covers; kitchens and bathrooms should have grounded **GFCI Outlets**.

Rooms used for sleeping should have 1 window or 2 approved means of egress.

Interior Walls, Ceilings, and Window Sills must be clean and free of peeling paint.

Floors must be structurally sound and **Flooring** in good condition with no trip hazards such as ripped carpet or missing tiles.

Working Light Fixtures must be in all halls, stairways, laundry rooms, and furnace rooms.

Handrails must be on all stairs with more than 4 steps and be firmly attached with no missing or loose spindles.

Extension Cords may be used only for portable appliances.

Address Numbers must be clearly visible from the street.

Occupancy:

Rental Units may house 4 unrelated adults or 1 family.

Storage/Waste:

Rubbish must be stored in appropriate containers and removed regularly. Containers must be stored out of public view except on the day of collection and cannot remain at the curb for more than 24 hours. Outdoor Storage of junk is prohibited.

Vehicles/Driveway/Parking:

All Vehicles parked outside must be parked on an approved hard surface (not grass), street operable, and display current registration and proper license plates.

Please observe all No Parking signs. **Parking is not allowed on City streets after a snowfall of more than 2 inches until the streets have been plowed.** Do not put Snow into the street or onto neighboring properties.

Yard:

Grass/Weeds exceeding 8 inches are prohibited on any property.

Noise:

Prohibited Music is any music audible at the property line or from the adjacent apartment, common hallway, or 50 ft away from the

source between 10 PM and 7 AM. **Additionally, any Events (like parties) that disturb others are prohibited.**

Power Lawn Mowers or other Power Equipment may be operated outside only between 7 AM and 9 PM on weekdays or between the hours of 9 AM and 9 PM on weekends or legal holidays. Snow removal equipment is exempt.

Pets:

Keeping more than 2 Dogs requires a kennel license from the Police Department. Animal Waste must be removed regularly.

WHEN ISSUES ARISE

For an emergency, call 9-1-1

- For maintenance issues, contact the property owner (see contact information in box above).
- For legal matters (such as leases), contact the Minnesota Attorney General's Office at 651-296-3353 or www.ag.state.mn.us
- If the property owner is not maintaining the property, call Roseville Code Enforcement at 651-792-7014.

Minnesota Statute 504B.181, subd.2(b) requires landlords to notify residential tenants that the handbook Landlords and Tenants: Rights and Responsibilities is available to them. Published by the Office of the Minnesota Attorney General, the handbook can be accessed at www.ag.state.mn.us

REQUEST FOR COUNCIL ACTION

Date: 4/8/2024
Item No.: 12.g.

Department Approval

Janice Gundlach

City Manager Approval

Sam J. Truog

Item Description: Adopt a Resolution approving motor vehicle repair, auto body shop, and motor fuel sales as a Conditional Use for Troy's Auto Care, 2171 Hamline Avenue

Background

On January 29, 2024, the City Council approved a Zoning Code text change in support of allowing the "motor vehicle repair, auto body shop" use as a Conditional Use (CU) in the Neighborhood Mixed-Use (MU-1) zoning district. This text amendment to Table 1005-2 changed motor vehicle repair, auto body shop from a prohibited use to a Conditional Use in the MU-1 district.

Mr. Miller is the owner of Troy's Auto Care, an automotive repair business located at 2171 Hamline Avenue. The property, located at the northwest corner of Hamline and County Road B, was originally constructed in 1959 and has always been a motor fuel and automobile service station.

The CU is necessary for the existing uses of the property to conform to the Zoning Code and to allow Mr. Miller the ability to grow his business by constructing additional service bays to keep pace with the growth of his business. Without obtaining the CU, the existing business would be considered legal nonconforming, and Mr. Miller would not be permitted to move forward with his expansion project.

Related to the CU and expansion request, the proposed 30-foot by 34-foot addition to the north side of the existing service station requires a 20-foot variance to the 25-foot minimum rear yard setback, which allows the expansion to be constructed at the same setback as the existing service station. The variance was approved unanimously by the Variance Board on March 6, 2024.

Policy Objectives

The regulations provided in the Zoning Code intend to govern the use of all land and structures within the City.

Racial Equity Impact Summary

Racial equity impacts were not evaluated for this request.

Budget Implications

Not Applicable

Staff Recommendations

On March 6, 2024, the Roseville Planning Commission held the duly noticed public hearing on the request by Troy Miller for a Conditional Use in support of motor vehicle repair, auto body shop, and motor fuel sales (Attachment 1).

At the hearing, no individuals were present to address the Commission other than the

applicant. Planning Commissioners did not have any substantive questions of staff or the applicant, noting overall support of Mr. Miller's plans to expand his business and agreement with the staff recommendation (Attachment 2). It should be noted that during the public hearing on the variance request, held at the Variance Board meeting the same evening, substantial public comment was received that was in support of the proposed request to expand, however, the landowner to the west provided testimony in opposition. None of these parties participated in the public hearing at the Planning Commission related to the CU.

The Planning Commission voted 6-0 (Commissioner Schaffhausen was absent) to recommend to the City Council approval of a CU supporting the motor vehicle repair, auto body shop use at 2171 Hamline Avenue, based on the comments and findings outlined in the Request for Planning Commission Action dated March 6, 2024, public input, and Commission deliberation.

Requested Council Action

Adopt the Resolution provided as Attachment 3, approving a Conditional use pursuant to §1009.02.C of the Roseville City Code in support of motor vehicle repair, auto body shop, and motor fuel sales at 2171 Hamline Avenue based on the comments and findings outlined in the Request for Planning Commission Action dated March 6, 2024.

Prepared by: Thomas Paschke, City Planner

Attachments:

1. Request for Planning Commission Action dated March 6, 2024
2. Draft Planning Commission Meeting Minutes
3. Resolution

REQUEST FOR COMMISSION ACTION

Date: **3/6/2024**
Item No.: **6.a.**

Department Approval

Agenda Section
Public Hearing

Janice Gundlach

Item Description: Request by Troy Miller of Troy’s Automotive LLC in support of motor vehicle repair, auto body shop, and motor fuel sales as a **CONDITIONAL USE** at 2171 Hamline Ave

Application Information

Applicant: Troy Miller
Location: 2171 Hamline Avenue
Application Submission: February 5, 2024
City Action Deadline: April 10, 2024
Zoning: Neighborhood Mixed-Use (MU-1) District

Background

On January 29, 2024, the City Council approved a Zoning Code text change in support of allowing "motor vehicle repair, auto body shop" as a Conditional Use (CU) in the Neighborhood Mixed-Use (MU-1) zoning district. This text amendment to Table 1005-2 changed "motor vehicle repair, auto body shop" from a prohibited use to a CU in the MU-1 district.

Mr. Miller is the owner of Troy’s Auto Care, an automotive repair business located at 2171 Hamline Avenue. The property, located at the northwest corner of Hamline and County Road B, was originally constructed in 1959 and has always been a motor fuel and automobile service station.

The CU is necessary for the existing uses of the property to conform to the Zoning Code and to allow Mr. Miller the ability to grow his business by constructing additional service bays to keep pace with the growth of his business. The proposed 30-foot by 34-foot addition to the north side of the existing service station requires a 20-foot variance to the 25-foot minimum rear yard setback. Said variance request will be considered by the Variance Board on March 6 prior to the Planning Commission meeting and the Board’s decision on the variance will be forwarded to the Commission.

Review of General Conditional Use Criteria:

Zoning Code §1009.02.C set the criteria for reviewing conditional use requests. These established general standards and criteria have been developed to assist the Planning Commission and City Council in determining whether a request complies with those stated findings. Given the motor vehicle repair use has existed on this site for over fifty years, staff’s analysis of compliance with the CU findings is based on that historical use. The Planning Division’s review of these criteria was also based on the attached project development plans to build an addition and the project narrative provided by the applicant. Please note, while the existing use and proposal to expand service bays has been analyzed against the general CU criteria provided in the Zoning Code and outlined below, many other requirements will apply to the proposed addition that are not a component of the CU review. Therefore, not every required Code standard is outlined herein or discussed as part of the conditional use process. Rather, staff will conduct a thorough Code review at the time of building permit when more detailed plans and specifications are required to be submitted.

The general code standards of §1009.02.C are as follows:

1. ***The proposed use is not in conflict with the Comprehensive Plan.*** While an addition to a motor vehicle repair business doesn't appreciably advance land use goals of the Comprehensive Plan, aside from facilitating continued investment in a property, the Planning Division has concluded the proposed use does not conflict with land use goals outlined within the Comprehensive Plan either. More specifically, the General and Commercial Area Goals and Policies sections of the Comprehensive Plan include a number of policies related to reinvestment, redevelopment, quality development, and scale. Therefore, the Planning Division has determined the proposed addition to Troy's Auto Care would align with the related goals and policies of the Comprehensive Plan.
2. ***The proposed use is not in conflict with a Regulating Map or other adopted plan.*** The proposed use is not in conflict with such plans because none apply to the property.
3. ***The proposed use is not in conflict with any City Code requirements.*** Assuming the variance to the rear yard minimum setback requirement is approved, the site and use has been determined to not conflict with any other Code regulation.
4. ***The proposed use will not create an excessive burden on parks, streets, and other public facilities.*** The Planning Division does not anticipate the proposal will intensify any practical impacts on parks, streets, or public infrastructure. The pre-existing use as a motor vehicle repair business has been in place for over six decades and in that time, there has not been any impacts on parks, streets, or public infrastructure. The proposed two-stall service bay addition presumably could increase traffic, but that has been determined to be an insignificant increase given the two adjacent County roads and the traffic levels those roads already carry. Sanitary sewer and water in the area have acceptable capacity if there is a need for additional services.
5. ***The proposed use will not be injurious to the surrounding neighborhood, will not negatively impact traffic or property values, and will not otherwise harm the public health, safety, and general welfare.*** The Planning Division does not anticipate the proposal will be injurious to the surrounding neighborhood or negatively impact traffic, property values, or harm the public health, safety, or general welfare. The existing motor vehicle repair business has existed at the subject address for over six decades and been a good neighbor to the area, with little or no impact. The proposed addition of two service stalls will have negligible additional impact. Staff would further argue the impact on the surrounding neighborhood will be lessened given the applicant's proposed investment in the property by increasing interior square footage and moving activity that is currently observed outside to indoors. Therefore, the Planning Division has determined the use will not be injurious to the surrounding neighborhood, will not negatively impact traffic or property values, and will not otherwise harm public health, safety, and general welfare.

Staff Recommendation

The Planning Division recommends approval of the CONDITIONAL USE supporting motor vehicle repair, auto body shop, and motor fuel sales at 2171 Hamline Avenue, based on the comments and findings of this report, public input, and Planning Commission deliberation.

Requested Planning Commission Action

By motion, recommend to the City Council approval of a CONDITIONAL USE supporting motor vehicle repair, auto body shop at 2171 Hamline Avenue, based on the comments and findings of this report, public input, and Planning Commission deliberation.

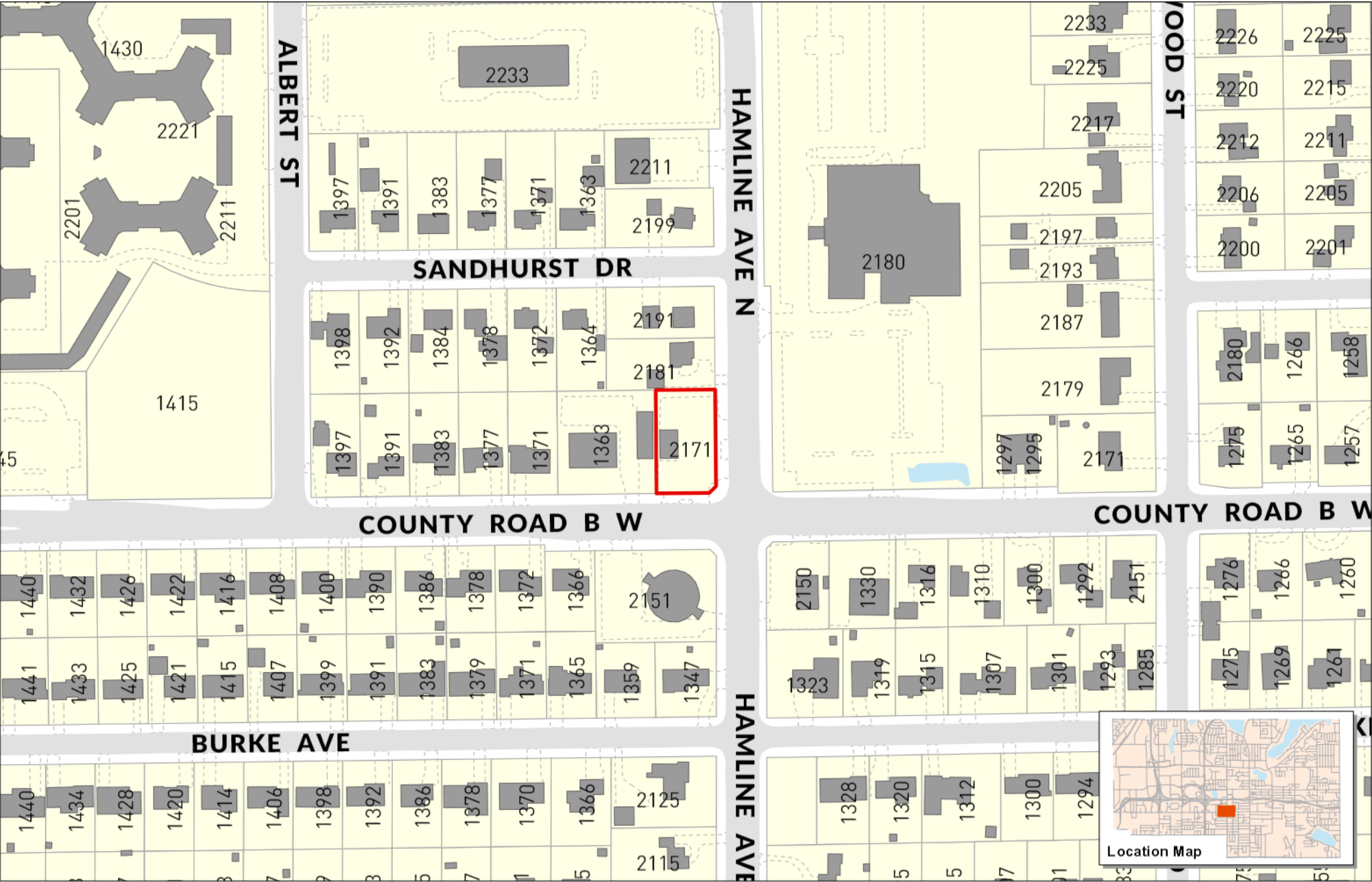
91
92 **Alternative Actions**

- 93 1. **Pass a motion to table the item for future action.** An action to table consideration of the
94 requested CU must be based on the need for additional information or further analysis to reach a
95 decision on one or both requests. Tabling may require extension of the 60-day action deadline
96 established in Minn. Stat. 15.99 to avoid statutory approval.
97
98 2. **Adopt a resolution denying the requested CU.** A denial must be supported by specific
99 findings of fact based on the Planning Commission's review of the application, applicable zoning
100 regulations, and the public record.

101
102 **Prepared by:** Thomas Paschke, City Planner

Attachments: 1. Base Map
2. Aerial Map
3. Development Plans

Attachment 1: Planning File 24-002



Attachment 2: Planning File 24-002



Prepared by:
Community Development Department
Printed: February 26, 2024

Data Sources

* Ramsey County GIS Base Map (11/4/2024)
* 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

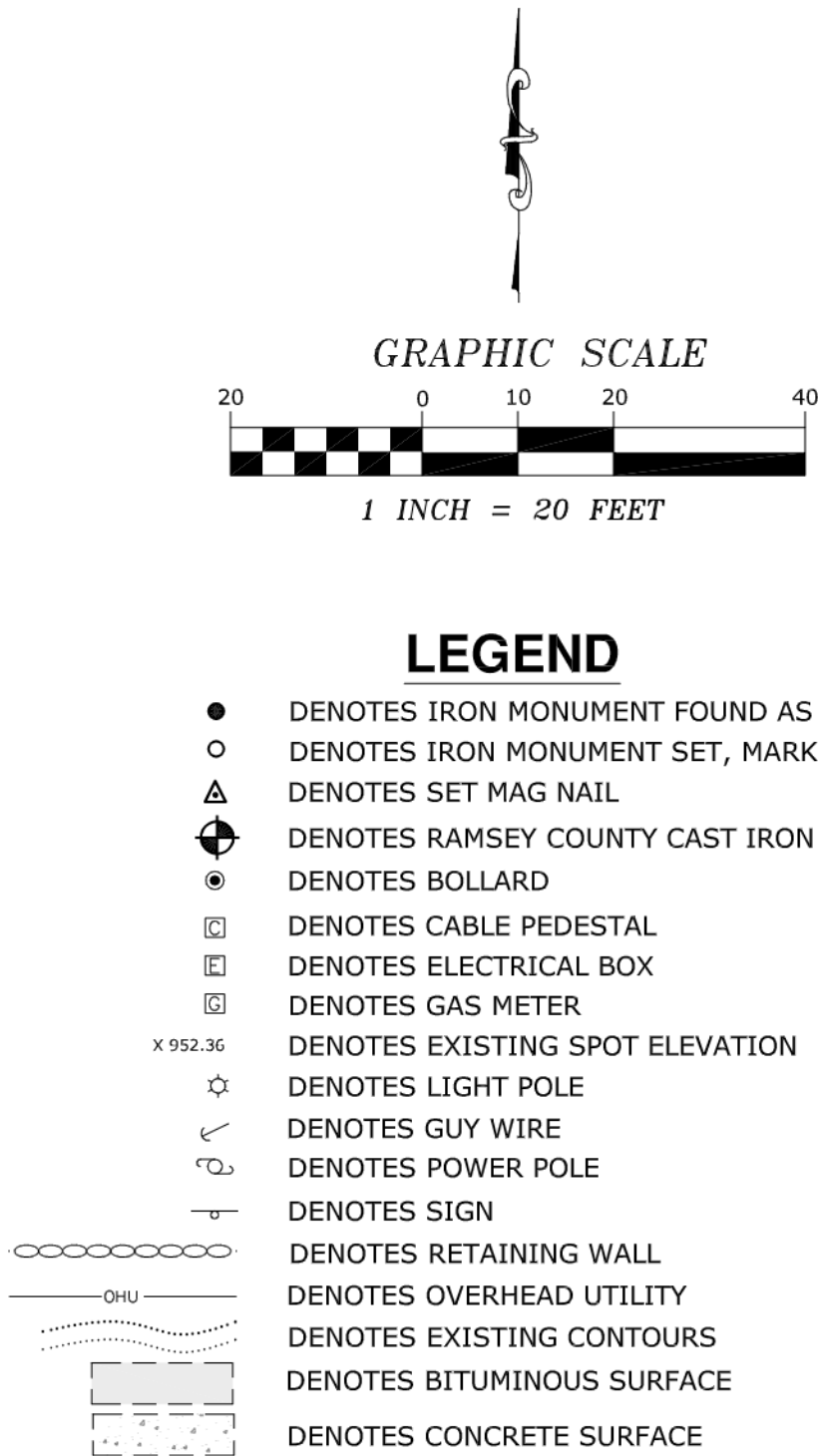
Disclaimer: Neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. 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 represent that the GIS Data can be used for navigation, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7885. The preceding disclaimer is provided pursuant to Minnesota Statutes §66.03, Subd. 21 (2008), and the use of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 50 100 Feet



CERTIFICATE OF SURVEY

~for~ TROY'S AUTO CARE
~of~ 2171 HAMLINE AVENUE
ROSEVILLE, MN



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/31/23.
- Bearings shown are on Ramsey County datum.
- Parcel ID Number: 10-29-23-34-0032.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

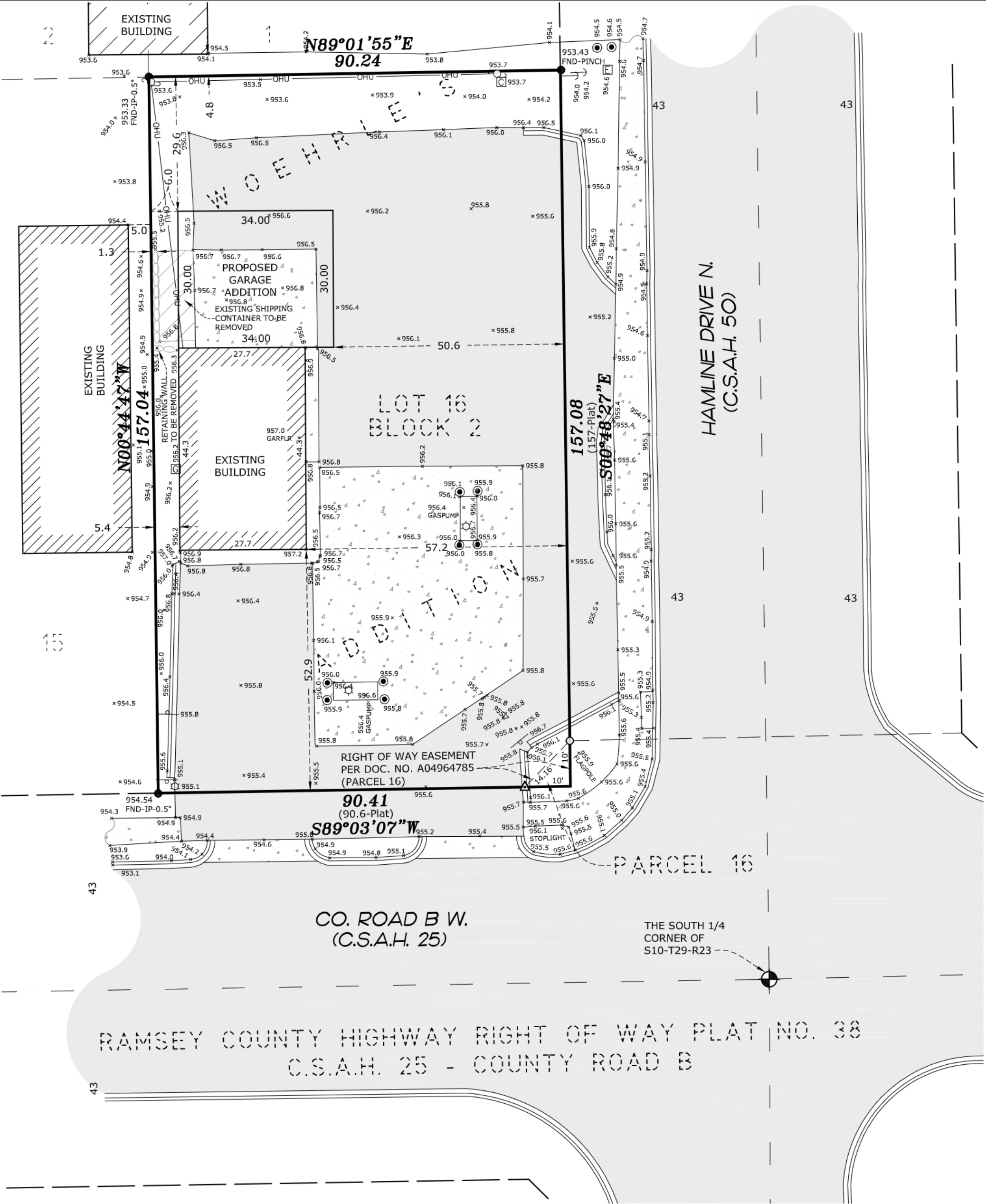
BENCHMARK

MNDOT BM: 6212 D 1
ELEVATION = 949.21
DATUM = NAVD 88

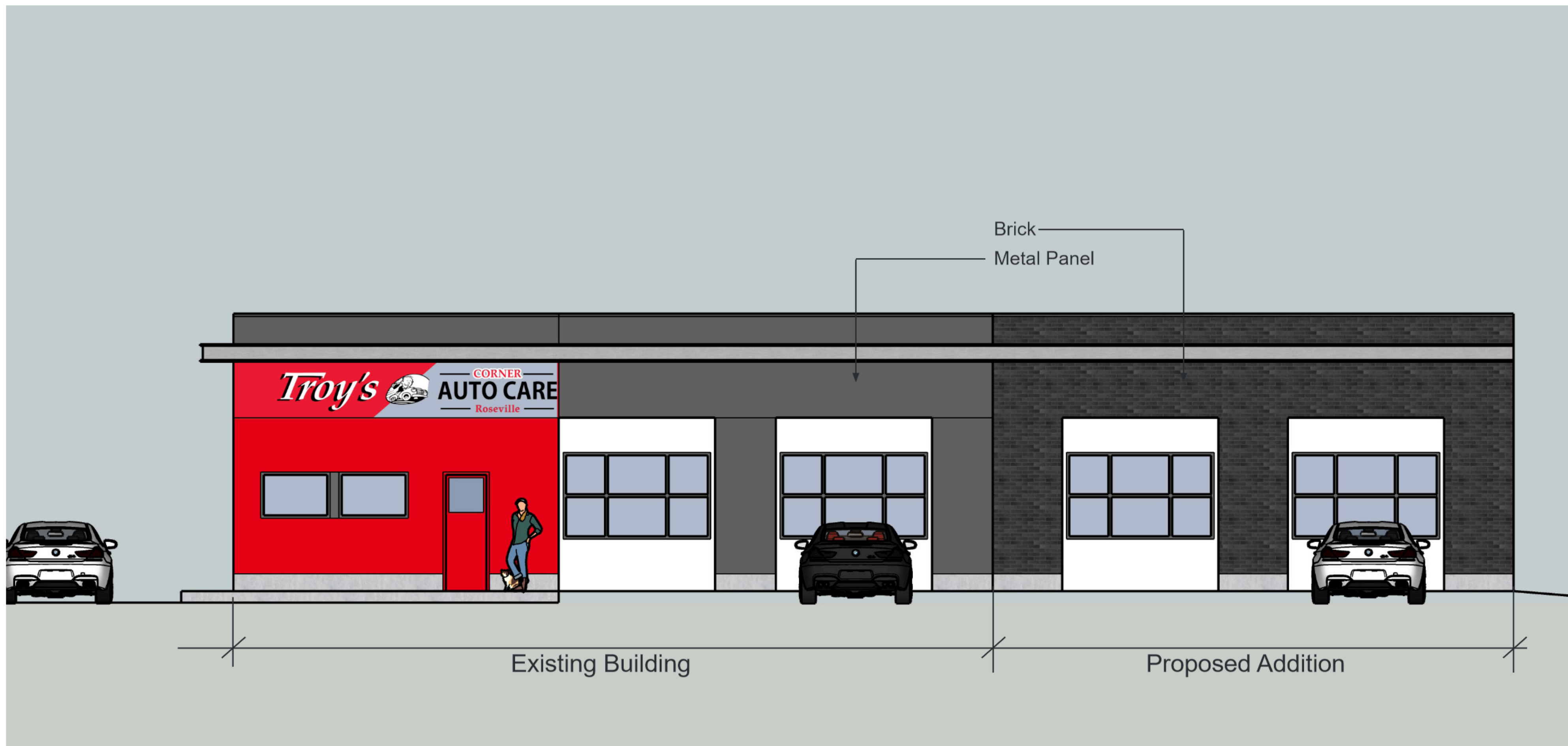
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Jason E. Rud
JASON E. RUD
Date: 11/14/2023 License No. 41578

DRAWN BY:	BCD	JOB NO:	231103LS	DATE:	11/14/23
CHECK BY:	JER	FIELD CREW:	DT/CT		
1					
2					
3					
NO.	DATE	DESCRIPTION			BY

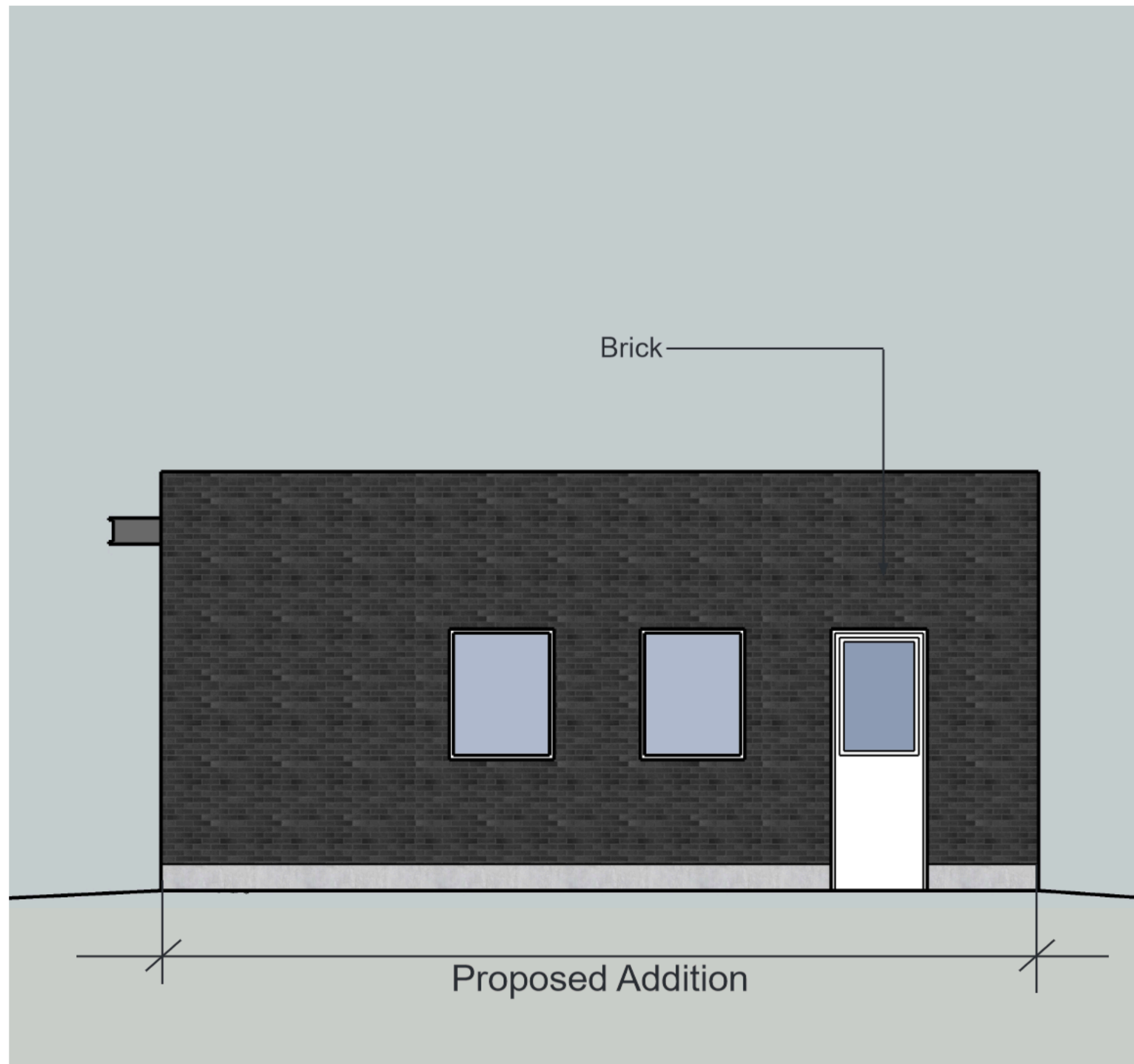


Lot 16, Block 2, WOEHRLE'S ADDITION, Ramsey County, Minnesota.

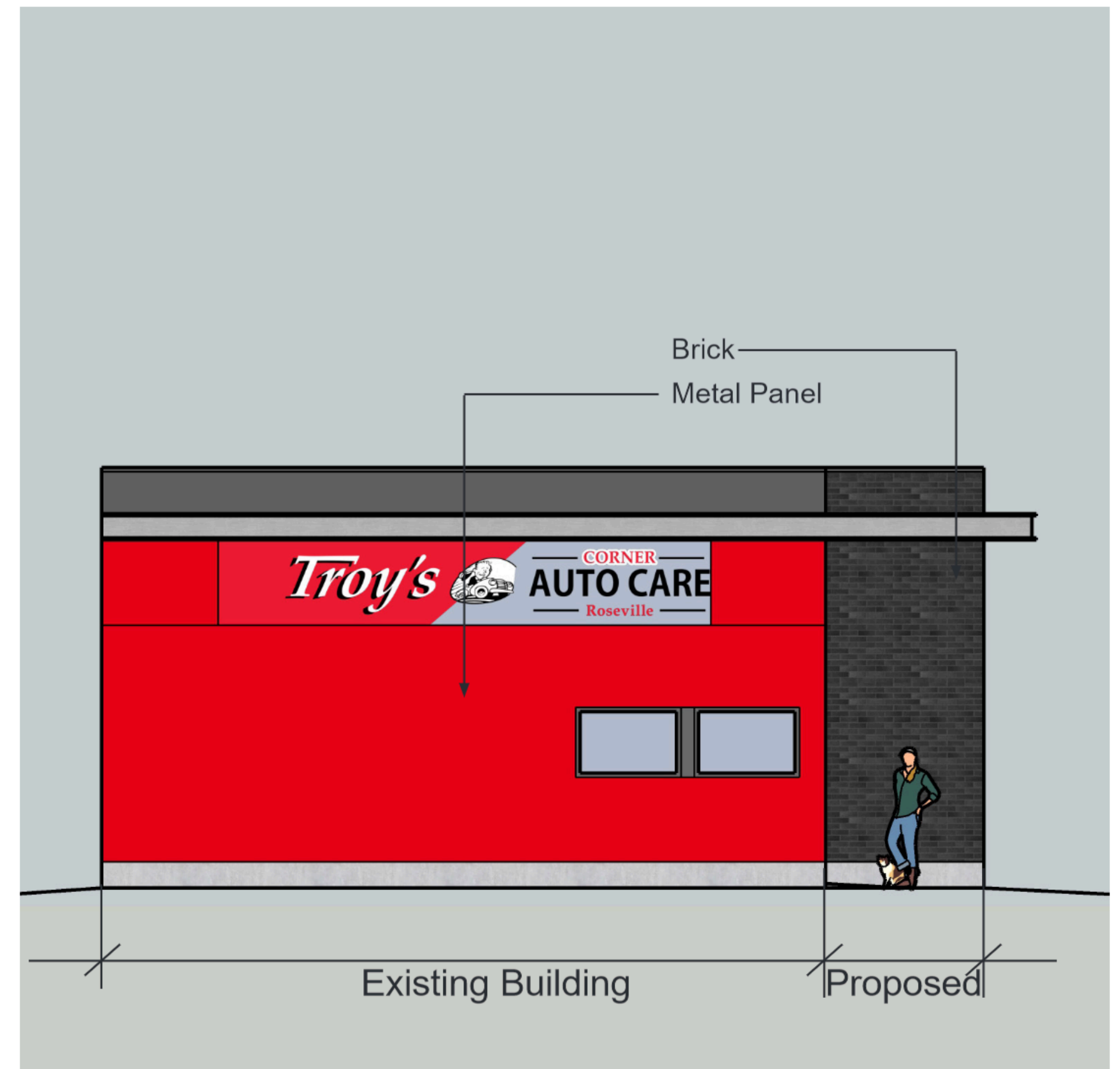


EAST ELEVATION

TROY'S AUTO CARE
WESSEL DESIGN, LLC
 November 20, 2023

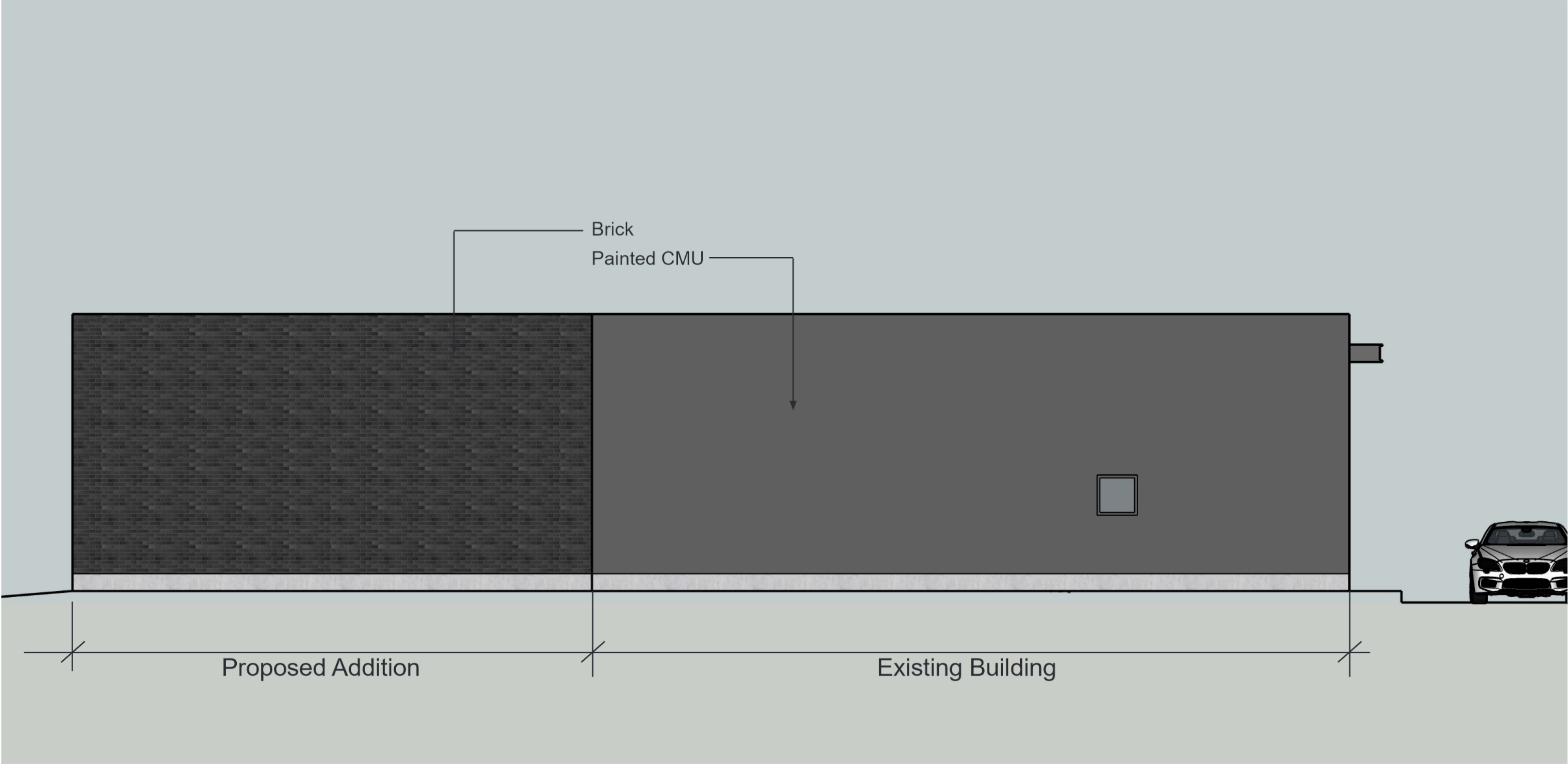


NORTH ELEVATION



SOUTH ELEVATION

TROY'S AUTO CARE
WESSEL DESIGN, LLC
 November 20, 2023



WEST ELEVATION

TROY'S AUTO CARE
WESSEL DESIGN, LLC
November 20, 2023



PERSPECTIVE VIEW

TROY'S AUTO CARE
WESSEL DESIGN, LLC
November 20, 2023





Jayne Lind Nelson
1270 Woodhill Drive
Roseville, Minnesota 55113

March 1st, 2024

My husband and I would like to speak in support of Troy's Auto Care proposal to expand the number of bays on his property. I know I speak for many of our neighbors in Roseville in commending the service to the community that Troy offers. He is an honest, friendly business man who goes out of his way to help people. His many delightful events such as free pumpkins, food and hot beverages at Halloween, the reindeer who visited his station during the holidays and delighted our grand children as they posed for pictures and the wonderful seasonal decorations which bring a smile as we drive by. It is our opinion that we need to encourage merchants like Troy to stay here in the heart of Roseville rather than forcing him to relocate in order to expand. We ask that

The City Council support our existing businesses making it possible for them to continue to make a difference in our lives.

Thank you,

Jayne and Wayne Nelson

Extract of the March 6, 2024, Planning Commission Meeting Minutes

a. Request by Troy Miller of Troy's Automotive LLC in Support of Motor Vehicle Repair, Auto Body Shop, and Motor Fuel Sales as a Conditional Use at 2171 Hamline Ave

Acting Chair Bjorum opened the public hearing for PF23-013 at approximately 7:25 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council in April 2024.

City Planner Paschke summarized the request as detailed in the staff report dated March 6, 2024.

Mr. Troy Miller thanked the Commission for listening to the presentation by staff.

Public Comment

No one came forward to speak for or against this request.

Acting Chair Bjorum closed the public hearing at 7:27 p.m.

MOTION

Member McGehee moved, seconded by Member Kruzel, to recommend to the City Council approval of a Conditional Use supporting motor vehicle repair, auto body shop at 2171 Hamline Avenue, based on the comments and findings of this report, public input, and Planning Commission deliberation. (PF23-013).

Ayes: 5

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 8th day of April, 2024, 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 A CONDITIONAL USE FOR MOTOR VEHICLE REPAIR, AUTO BODY SHOP, AND MOTOR FUEL SALES AT 2171 HAMLINE AVENUE (PF24-002).

WHEREAS, motor vehicle repair, auto body shop, and motor fuel sales are uses in the Neighborhood Mixed-Use (MU-1) district requiring an approved Conditional Use, and

WHEREAS, City Code §1009.02.C establishes general CU criteria that is required to be met by a CU proposal; and

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed CU for motor vehicle repair, auto body shop, and motor fuel sales at 2171 Hamline Avenue on March 6, 2024, voting 6-0 to recommend approval of the CU for Troy Miller (Troy's Auto Care); and

WHEREAS, the property at 2171 Hamline Avenue is legally described as:

Parcel ID: 102923340032

Requires Legal Description

WHEREAS, the City Council considered the request and determined that approval of motor vehicle repair, auto body shop, and motor fuel sales at 2171 Hamline Avenue pursuant to 1009.02.C of the City Code will not result in adverse impacts to the surrounding properties based on the following findings:

GENERAL CONDITIONAL USE CRITERIA §1009.02.C:

- a. The proposed use is not in conflict with the Comprehensive Plan.* While a motor vehicle repair business doesn't appreciably advance land use goals of the Comprehensive Plan, aside from facilitating continued investment in a property, the City Council has concluded the proposed use does not conflict with land use goals outlined within the Comprehensive Plan either. More specifically, the General and Commercial Area Goals and Policies sections of the Comprehensive Plan include a number of policies related to reinvestment, redevelopment, quality development, and scale. Therefore, the City Council has determined the Conditional Use for Troy's Auto Care would align with the related goals and policies of the Comprehensive Plan.
- b. The proposed use is not in conflict with a Regulating Map or other adopted plan.* The City Council has determined the proposed uses are not in conflict with such plans because none apply to the property.

- 39 *c. The proposed use is not in conflict with any City Code requirements.* The City Council has
 40 determined the site and use of the property has been determined to not conflict with any other
 41 Code regulation.
- 42 *d. The proposed use will not create an excessive burden on parks, streets, and other public*
 43 *facilities.* The City Council does not anticipate the proposal will intensify any practical
 44 impacts on parks, streets, or public infrastructure. The pre-existing use as a motor vehicle
 45 repair business has been in place of over six decades and in that time, there has not been any
 46 impacts on parks, streets, or public infrastructure. The proposed two stall service bay
 47 addition presumably could increase traffic, but that has been determined to be an
 48 insignificant increase given the two adjacent County roads and the traffic levels those roads
 49 already carry. Sanitary sewer and water in the area have acceptable capacity if there is a
 50 need for additional services.
- 51 *e. The proposed use will not be injurious to the surrounding neighborhood, will not*
 52 *negatively impact traffic or property values, and will not otherwise harm the public health,*
 53 *safety, and general welfare.* The City Council does not anticipate the Conditional Use will
 54 be injurious to the surrounding neighborhood or negatively impact traffic, property values, or
 55 harm the public health, safety, or general welfare. The existing motor vehicle repair business
 56 has existed at the subject address for over six decades and been a good neighbor to the area,
 57 with little or no impact. The proposed addition of two service stalls will have negligible
 58 additional impact. The City Council has further determined the impacts to the surrounding
 59 neighborhood will be lessened given the applicant's proposed investment to the property by
 60 increasing interior square footage and moving activity that is currently observed outside to
 61 indoors. Therefore, the City Council has concluded the Conditional Use will not be injurious
 62 to the surrounding neighborhood, will not negatively impact traffic or property values, and
 63 will not otherwise harm public health, safety, and general welfare.

64 NOW THEREFORE BE IT RESOLVED, by the Roseville City Council to APPROVE
 65 the requested Conditional Use for motor vehicle repair, auto body shop, and motor fuel sales at
 66 2171 Hamline Avenue, based on the submitted plans and information attached to the Request for
 67 Planning Commission Action dated March 6, 2024.

68
 69 The motion for the adoption of the foregoing resolution was duly seconded by Council Member
 70 _____ and upon vote being taken thereon, the following voted in favor: _____;
 71 and _____ voted against.

72 WHEREUPON said resolution was declared duly passed and adopted.

73 **Need signature page.**

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.h.

Department Approval



City Manager Approval



Item Description: Appoint Youth Commissioner Members to the Public Works, Environment and Transportation Commission

Background

It has been customary for the City Council to appoint youth representatives to serve on various advisory commissions. Chapter 201 of the city code allows the Council to appoint up to two (2) additional residents of the city who are the age of 18 or under and enrolled in high school to serve one-year terms on a commission as youth commissioners. Youth commissioner terms expire on July 31 of each year.

Additionally, in August 2022, Council updated the code language to remove "ex-officio" from the youth commissioner role, and allow youth to decide if they wanted to be a voting member of the commission. Youth are required to fill out an application, and as part of the application they are asked if they are seeking voting rights. If they are, the youth applicant must have their parent or guardian approve and sign the application agreeing to allow the youth to vote.

Staff received applications from Carsten Bauer and Alexis Jendro for the Public Works, Environment, and Transportation Commission. Both applicants would like to be voting members. Both of the applications have been signed by their parent/guardian granting permission for the youth applicant to be a voting member. Staff has reached out to the youth applicants to invite them to attend a commission meeting, and to answer any questions they may have prior to being considered for appointment. It should be noted that Carsten's parent, Matt Bauer, also currently serves on the Planning Commission, and Alexis is a current city volunteer.

If Council chooses to appoint a youth commissioner, the youth commissioner term would end July 31, 2024. Youth commissioners may be reappointed for up to 3 terms as long as they meet the age, enrollment and residency requirements.

Policy Objectives

The city's Appointment and Reappointment policy outlines the notification and selection process for advisory commissions. The intent is to establish a fair and open notification and selection process that encourages all Roseville residents to apply for appointments. In addition, the city's Strategic Racial Equity Action Plan (SREAP) has identified diversifying city commissions as a high impact area of focus. Diverse policymakers and advisors are key to serving residents and other customers with excellence. Having youth commissioners

as part of advisory commissions brings unique perspectives and insight to conversations, ideas and recommendations.

Racial Equity Impact Summary

Diverse policy-makers and policy advisors are key to serving residents and other customers with excellence. The role of appointed boards, commissions, and councils is to advise the Mayor and Council on city policies and practices. By ensuring that diversity across all segments of our population are represented, the city increases its access to great ideas, strengthens innovation and problem-solving, and ensures we are representing the viewpoints and considerations of all our communities.

Budget Implications

None.

Staff Recommendations

By motion, appoint Carsten Bauer as a youth commissioner to the Public Works, Environment, and Transportation commission for a partial term ending July 31, 2024.

By motion, appoint Alexis Jendro as a youth commissioner to the Public Works, Environment, and Transportation commission for a partial term ending July 31, 2024.

Requested Council Action

By motion, appoint Carsten Bauer as a youth commissioner to the Public Works, Environment, and Transportation commission for a partial term ending July 31, 2024.

By motion, appoint Alexis Jendro as a youth commissioner to the Public Works, Environment, and Transportation commission for a partial term ending July 31, 2024.

Prepared by: Rachel Boggs

- Attachments:**
- 1. Bauer_Carsten_Redacted
 - 2. Jendro_Alexis_Redacted
 - 3. Appointment and Reappointment Policy

Youth Commission Member Application

This application is for Roseville youths interested in volunteering with a City of Roseville Advisory Commission. In order to complete this application, you will need a valid email address. All items marked with a star () are required fields.*

Contact Information

Date of Application (MM/DD/YYYY)	03/18/2024
-------------------------------------	------------

First Name	Carsten
------------	---------

Last Name	Bauer
-----------	-------

Address 1 (no P.O. boxes please)	
-------------------------------------	--

Address 2	<i>Field not completed.</i>
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City	Roseville
------	-----------

State	MN
-------	----

Zip Code	55113
----------	-------

Home or Cell Phone Number	
------------------------------	--

Email Address	
---------------	--

Date of Birth (MM/DD/YYYY)	
-------------------------------	--

I am under age 18	Yes
-------------------	-----

Which Commission are you applying to?	Public Works, Environment and Transportation Commission
--	---

Roseville commissions are advisory to the city council. Please describe any unique qualities, talents, or experiences you have that would	
--	--

I possess a very open and knowledgeable perspective from unique personal experience. I first served on a student council in 5th grade where I gained an understanding of the basics of leadership. I moved to Germany after 6th grade, which granted me many unique experiences of a very different culture. I served on the student council in my German school in 8th
--

inform your perspective on the Commission to which you are applying.

grade, where I was very engaged and even received an award for my participation. From 5th grade to now I've gained new insights from different countries, schools and student councils. I am able to apply all this experience to the decisions I make on contemporary issues. For example, I can use my knowledge from the environment branches of my German and current student council to solve current environmental issues in Roseville.

Please list school and community activities or service organizations in which you are involved:

Student Ambassador for Saint Paul Academy and Summit School

Youth Commission Member Application - 2024

Date of Application (MM/DD/YYYY)	03/27/2024
First Name	Alexis
Last Name	Jendro
Address 1 (no P.O. boxes please)	
Address 2	<i>Field not completed.</i>
City	Roseville
State	MN
Zip Code	55113
Home or Cell Phone Number	
Email Address	
Date of Birth (MM/DD/YYYY)	
Grade During 2023-2024 School Year?	
I am under age 18	
Which Commission are you applying to?	Public Works, Environment and Transportation Commission
Roseville commissions are advisory to the city council. Please describe any unique qualities, talents, or experiences you have that would inform your perspective on the Commission to which you are applying.	I am currently taking AP Environmental science at the high school, so I would be able to provide some insights on the environmental aspect as we cover a lot of topics including ways for renewable energy and pollution causes including how to reduce it. I also participated in a transportation camp (National summer transportation institute) held by the University of Minnesota in the summer of 2023. I got taught about the formation of different transportation aspects in a neighborhood, like the walls by highways and how they could significantly reduce sounds that are produced from cars on the highways to

the neighborhood. Another example is we learned how to decide where to build a light rail system to connect the cities together for easier access while not disrupting too many roads. We even got to design our own roads and incorporate different roads for the light rail, buses, or even sidewalks and see how they would fit on the big roads.

Please list school and community activities or service organizations in which you are involved:

Roseville Student Council
Roseville Soccer
Roseville Math Club
Roseville Speech team
Roseville chamber orchestra
Roseville key club
NSSA club soccer
GTCYS orchestra
Taekwondo
Tzu Chi Youth Association

Have you previously served on a board or commission for the City of Roseville?

No

Have you served on a board or commission for another governmental entity?

No

CITY OF ROSEVILLE

APPOINTMENT AND REAPPOINTMENT POLICY ROSEVILLE CITIZEN ADVISORY COMMISSIONS

BACKGROUND

The City of Roseville has seven standing Advisory Commissions: Ethics, Finance, Human Rights, Inclusion and Engagement, Parks and Recreation, Planning, Police Civil Service and Public Works, Environment and Transportation; the City also establishes other advisory groups as needed.

POLICY STATEMENT

It is the intent of this policy to establish a fair and open notification and selection process that encourages all Roseville residents to apply for appointments.

I. PROCEDURE STATEMENT – APPOINTMENTS

If a vacancy occurs because of resignation, death, moving from the City, removal from office, ineligibility for reappointment, etc. on any standing Advisory Commission, the following procedure will be used.

- A. Regular commission appointments and reappointments will occur each spring in March. If vacancies occur, the council will consider appointments to fill those vacancies in March or September. .
- B. Annually, the City Council will establish dates to conduct interviews twice a year, and application deadlines to fill any commission vacancies. The time between the application deadline and interviews will be no more than 30 days.
- C. Commission vacancies will be advertised using the most relevant, effective and efficient method to reach as many residents as possible. These methods may include but are not limited to: social media, newspaper or print, electronic newsletter, cable television, city hall bulletin board.
- D. Applications received after the deadline will be held for the next round of appointments. Should a vacancy occur, any applicants on file will be notified by their preferred method listed in the application and given the date of the next round of interviews. After the next round, should an applicant not be appointed but remain interested, they will be invited to submit a new application.
- E. Names of applicants and applications will be provided to the City Council and the public after the application deadline.
- F. If fewer applications are received than twice the number of openings, the City Council may establish a new application deadline and Council meeting for interviews. If a new deadline is adopted, the vacancy will be re-advertised as described in 'C' above. Applicants whose applications were received before the original deadline will remain under consideration and need not reapply.

- G. Applicants will be interviewed by the City Council. The Chair, or the Chair's designee, of the Commission to which the applicant is seeking appointment will be invited to attend and participate in the interview process. Interviews are open to the public.
- H. The Council may fill a vacancy outside of the biannual basis should the need arise.

II. PROCEDURE STATEMENT - REAPPOINTMENTS

If a current Commission member's term is expiring and is eligible for reappointment, the following procedure will be used.

- A. No later than sixty days prior to the expiration of a term, each commission member whose term is expiring will be contacted in writing to determine their interest in reappointment. For persons seeking reappointment, if they have an application on file 3 years old or less, that application will be provided to Council. Should their most recent application be older than 3 years, they will be asked to submit a new application.
- B. Council will be advised of the attendance record of the individual whose term is expiring. The Council will also be provided with written comments from the Chairperson of the Commission regarding the reappointment of the individual. Chair recommendations are not public data. At that time, Council will consider whether to interview the commissioner. If two councilmembers request it, a commissioner seeking reappointment will be scheduled to attend an interview before the entire council.
- C. Should the Council determine that the individual merits reappointment, that person will be reappointed.
- D. Should the incumbent not wish to be reappointed or should the Council determine that the individual does not merit reappointment, the Council will follow the procedure for filling vacancies as described above.

III. APPOINTMENT TO OTHER CITY ADVISORY GROUPS

The Council may use the procedure outlined in Section I. and II. above for making appointments to other advisory groups, committees, task forces, etc.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.i.

Department Approval



City Manager Approval



Item Description: Approve Service Agreements for City Facilities Garbage Services

Background

At the March 4, 2024 Council meeting, Council approved an Over \$10,000 quote from Nitti Sanitation for City Facilities Garbage Services. After the quote was approved, staff realized we have traditionally had a service agreement to document the services provided and the terms of the agreement.

The City Attorney drafted the service agreement in Attachment 1. Nitti Sanitation has signed the agreement. The agreement documents that Nitti Sanitation will provide garbage services for Central Park, the Maintenance Facility, Ice Arena, Police Station, Golf Course, Fire Station and Lexington Shoppes from April 1, 2024 - March 31, 2027. The monthly rate will be \$2,916.25 per month.

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 project.

Budget Implications

The new monthly rate will be \$2,916.25 per month. The old rate was \$3,753.43 per month, so there should be a savings of \$10,046.16 from the current contract. This cost is funded through the following funds:

Fund	Monthly Cost
Building Maintenance	\$952.71
Fire Station	\$176.27
Parks & Recreation	\$846.31
Skating Center	\$423.15
Golf Course	\$176.27
Lexington Shoppes	\$341.54

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Staff Recommendations

Staff recommends approval of the Services Agreement with Nitti Sanitation, Inc., for garbage services at City Facilities.

Requested Council Action

Approve Services Agreement with Nitti Sanitation, Inc., for garbage services at City Facilities.

Prepared by: Jesse Freihammer, Public Works Director

Attachments: 1. Service Agreement

CITY OF ROSEVILLE SERVICES AGREEMENT

This Services Agreement (“Agreement”) is made on the 8th day of April, 2024, between the City of Roseville, a Minnesota municipal corporation (the “City”), and Nitti Sanitation, Inc., a Minnesota 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 other contractors currently providing similar services.

2. Term and Termination. The term of this Agreement will be from April 1, 2024 through March 31, 2027. This Agreement may be terminated earlier by the City with or without cause, by delivering a written notice at least thirty (30) days prior to the date of such termination to Contractor. The date of termination shall be stated in the notice. Upon termination the Contractor shall be paid for services rendered 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 in 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 invoice 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.

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
Attn: Ted Fish
2660 Civic Center Drive
Roseville, MN 55113

To Contractor:

Nitti Sanitation, Inc
Attn: David Domack
16555 Clayton Ave E
Rosemount, MN 55068

6. Assignment or Subcontracting. 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.

8. 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.

9. 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 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.

10. 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.

11. 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.

12. 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.

13. Insurance. Prior to starting the Work and during the full term of this Agreement, the Contractor shall procure and maintain, at Contractor's expense, as follows:

- a. Workers Compensation insurance for all employees performing Work under this agreement in the in accordance with Minnesota law The Contractor shall also provide Employer's Liability Insurance with minimum limits as follows:
 - \$500,000 – Bodily Injury by Disease per employee
 - \$500,000 – Bodily Injury by Disease aggregate
 - \$500,000 – Bodily Injury by Accident

If Minnesota Statutes, Section 176.041 exempts the Contractor from Workers' Compensation insurance, the Contractor must provide a written statement, signed by an authorized representative, indicating the qualifying exemption that excludes the Contractor from the Minnesota Workers' Compensation requirements.

- b. **Commercial General Liability Insurance:** The Contractor is required to maintain Commercial General Liability Insurance protecting it from claims for damages for bodily injury, including death, and from claims for property damage, which may arise from operations under the contract. This policy shall have no coverages removed by endorsement. Insurance minimum limits are as follows:

- \$1,500,000 – per occurrence
- \$2,000,000 – annual aggregate
- \$2,000,000 – annual aggregate – Products/Completed Operations

The following coverages shall be included:

- Premises and Operations Bodily Injury and Property Damage
- Personal and Advertising Injury
- Blanket Contractual Liability
- Products and Completed Operations Liability

The City, including its elected and appointed officials, employees, and agents, must be endorsed as an Additional Insured using ISO Form CG 20 10 or equivalent for Ongoing Operations and ISO Form CG 20 37 or equivalent for Products/Completed Operations.

- c. **Business Automobile Liability Insurance.**

The Contractor is required to maintain Business Automobile Liability Insurance protecting it from claims for damages for bodily injury, including death, and from claims for property damage resulting from the ownership, operation, maintenance, or use of all autos which may arise from operations under the contract. Insurance minimum limits are as follows:

- \$2,000,000 – per occurrence Combined Single Limit for Bodily Injury and Property Damage
- The following coverages shall be included: Owned, Hired, and Non-owned Automobiles.

- d. **Additional Insurance conditions:**

- The Contractor's policies shall be primary insurance and non-contributory to any other valid and collectible insurance available to the City with respect to any claim arising out of the Contractor's performance under the contract.

- An Umbrella or Excess Liability insurance policy may be used to supplement the Contractor's policy limits to satisfy the full policy limits required by the contract.
- All insurance shall be provided on an occurrence basis and not on a claims-made basis, except professional liability insurance or other coverage not reasonably available on an occurrence basis; provided that all such claims-made coverage is subject to the approval of the City Attorney.
- Any insurance limits in excess of the minimum limits shall be available to the City.
- All policies, except professional liability, shall be endorsed with a waiver of subrogation in favor of the City, including its elected and appointed officials, employees, and agents for losses arising from activities under the contract.
- Deductibles and self-insured retentions must be declared to and approved by the City. The City may require the Contractor to provide proof of ability to pay losses and related expenses within the deductible and retention.
- The Contractor is required to submit a Certificates of Insurance acceptable to the City as evidence of the required insurance coverage requirements.
- The Contractor's policies and Certificate of Insurance shall contain a provision that coverage afforded under the policies shall not be cancelled without at least thirty (30) days' advanced written notice to the City, or ten (10) days' written notice for non-payment of premium.
- The Contractor is responsible to review and ensure all subcontractors comply with the insurance provisions contained herein and said insurance is maintained as specified.
- If the City authorizes the Contractor to be self-insured, a Certificate of Self-Insurance must be attached.
- The Contractor shall obtain insurance policies from insurance companies having an "AM BEST" rating of A- (minus); Financial Size Category (FSC) VII or better and authorized to do business in the State of Minnesota, or as approved by the City.
- The City reserves the right to immediately terminate the contract if the Contractor is not in compliance with the insurance requirements and retains all rights to pursue any legal remedies against the Contractor.
- All insurance policies must be open to inspection by the City, and copies of policies must be submitted to the City's authorized representative upon written request.
- The City's failure to approve or disapprove the Contractor's policies or certificates shall not relieve the Contractor of full responsibility to maintain the required insurance.
- If the coverage period shown on the Contractor's current certificate of insurance ends during the duration of the project, the Contractor must, prior to the end of the coverage period, obtain a new certificate of insurance showing that coverage has been extended.

- No representation is made that the minimum insurance requirements are sufficient to cover the obligations of the Contractor under the contract.
- 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.

14. 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.

15. 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.

16. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be considered an original.

17. 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.

18. 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. Any modification of this agreement may be approved in writing by the Public Works Director, or their designee.

(The remainder of this page has intentionally been left blank.)

IN WITNESS WHEREOF, the undersigned Parties have entered into this Agreement as of the date set forth above.

CITY OF ROSEVILLE

NITTI SANITATION, INC.

By: _____
Daniel J. Roe, Mayor

By: _____
Its: _____

By: _____
Patrick Trudgeon, City Manager

By: _____
Its: _____

EXHIBIT A

WORK and COMPENSATION

The Contractor shall perform collection of Municipal solid Waste from the below-listed location at the weekly frequency listed below, and will be compensation as provided below:

	Portfolio Name	Service Address	Stream Type	Removal Type	Qty	Yds	Freq.	Monthly Rate
1	Central Park	2555 Dale St N	MSW	Front-Load	1	6	1	\$ 211.58
2	Central Park North	3000 Victoria St N	MSW	Front-Load	1	6	1	\$ 211.58
3	Central Park West	2490 Victoria St N	MSW	Front-Load	2	6	1	\$ 423.15
4	Maintenance Garage	1140 Woodhill Drive	MSW	Front-Load	2	4	2	\$ 611.17
			SSRY	Front-Load	1	4	1	\$ 35.96
5	Ice Arena	2661 Civic Center Drive	MSW	Front-Load	2	6	1	\$ 423.15
6	Police Station	2660 Civic Center Drive	MSW	Front-Load	1	4	2	\$ 305.58
7	Golf Course	2323 Hamline Ave N	MSW	Front-Load	1	4	1	\$ 176.27
8	Lexington Shop	2719 Lexington Avenue	MSW	Front-Load	1	4	2	\$ 305.58
			SSRY	Front-Load	1	4	1	\$ 35.96
9	Fire Station	2701 Lexington Ave N	MSW	Front-Load	1	4	1	\$ 176.27
								\$ 2,916.25

In addition to the compensation stated above, the City shall pay to the Contractor the Minnesota Solid Waste Management Tax and Ramsey County Environmental Charge (CEC) incurred by the Contractor in the performance of the Work. The Contractor shall be responsible for the payment of all sales and other taxes payable, and the filing of all necessary tax returns required, as a result of the payment of the amounts payable under this Agreement.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024
Item No.: 12.j.

Department Approval



City Manager Approval



Item Description: Adopt Resolution Awarding Contract for 2024 Sanitary Sewer Lining Project

Background

The majority of the City's sanitary sewer mains were constructed in the late 1950's and early 1960's, utilizing clay tile and reinforced concrete pipe. Over time the joints have failed, allowing root intrusion. The pipe material is also susceptible to cracking and construction damage. The City began the sewer lining program in 2006 to rehabilitate the sewer mains and extend the life of our sanitary sewers by 50 years or more. Lining technology installs a new resin pipe inside the original clay tile sewer main without digging up city streets, which results in minimal disruption to residents during construction. The liner pipe is inserted into the main through existing manholes and cured in place with a heat process. Each segment is typically completed in one working day. Service line connections are reopened using a robotic cutter and remote cameras. During the process, existing flows are bypassed using pumps. This type of rehabilitation prevents groundwater from entering the sanitary system, so it can be credited toward the Metropolitan Council Environmental Services inflow/infiltration surcharge.

The 2024 Sanitary Sewer Lining Project at time of bidding included lining for approximately 5.26 miles in areas identified as having root intrusion or infiltration problems. Approximately 4.08 miles would be in Roseville and 1.18 miles of the project are within the city of Falcon Heights. The City of Roseville executed a Cooperative Construction Agreement with the City of Falcon Heights on February 26, 2024, that includes this work. The City of Roseville will invoice the City of Falcon Heights for any work completed within Falcon Heights.

The following three bids were opened on March 21, 2024:

CONTRACTOR	BID TOTAL (Base Bid)	ALTERNATE TOTAL	BASE+ALTERNATE TOTAL
Hydro-Klean, LLC	\$1,086,352.30	\$21,500.00	\$1,107,852.30
Insituform Technologies USA, LLC	\$1,325,074.36	\$31,136.73	\$1,356,211.09
SAK Construction, Inc	\$1,397,346.50	\$33,776.50	\$1,431,123.00
<i>Engineers Estimate</i>	<i>\$743,580.00</i>	<i>\$3,225.00</i>	<i>\$746,805.00</i>

Policy Objectives

28 It is City policy to keep utility infrastructure in good operating condition, utilizing construction
29 technologies that keep service disruption to a minimum. Per State Statutes on municipal
30 contracting, the City Council awards contracts to the lowest responsible bidder. In this bid
31 solicitation, the lowest bidder is Hydro-Klean.

32
33 **Racial Equity Impact Summary**

34 There should be no equity impacts associated with this project. The bidding process uses
35 sealed bids to avoid potential biases. Bidders are required to certify meeting Equal
36 Employment Opportunity and Human Rights requirements.

37
38 **Budget Implications**

39 The City received three bids for the 2024 Sanitary Sewer Lining Project. The lowest bid
40 was submitted by Hydro-Klean, for Base Bid + Alternate 1 in the amount of \$1,107,852.30.
41 The low bid is approximately 48% over the engineer's estimate. After reviewing the bids
42 and staff estimate, staff believe the bid is a good bid with fair prices since the three bids are
43 close to each other. This type of project was last bid in November of 2021 and staff had
44 used unit prices from that bid in the estimate. After talking with the contractor and other
45 cities, this type of work has seen significant inflation over the last two years, similar to other
46 industries.

47
48 Staff reached out to Hydo-Klean about modifying the project as the bid was awarded to
49 meet the budget requirements. By removing some segments, staff will be able to meet the
50 budgeted amount for Roseville. The contractor agreed that they can hold their unit prices
51 even with a reduced scope of lining. By removing some segments, the revised contract
52 amount based on bid unit prices would be \$589,198.16 which would be under the \$600,000
53 budget. The revised lining amount would be 2.91 miles of pipes.

54
55 The Falcon Heights portion of the project was also over the budget amount of \$200,000.
56 Per the cooperative agreement, since the Falcon Heights project is more than 20% over the
57 estimate, Falcon Heights must also approve the bid. Since this is one of the last lining
58 projects in Falcon Heights and the budget impact is less, it is anticipated Falcon Heights
59 will approve their portion of the bid. Falcon Heights will consider this at their April 10 council
60 meeting.

61
62 The funding breakdown for the project is listed below:

FUNDING SOURCE	BUDGETED	BID+ALTERNATE TOTAL	CONTRACT TOTAL
Roseville Sanitary Sewer Utility Fund	\$600,000.00	\$840,596.60	\$589,198.16
Falcon Heights	\$200,000.00	\$267,255.70	\$267,255.70
Project Total	\$800,000.00	\$1,107,852.30	\$856,453.90

63
64
65 **Staff Recommendations**

66 Staff recommends Council adopt a resolution awarding contract for the 2024 Sanitary
67 Sewer Main Lining Project in the amount of \$856,453.90 to Hydro-Klean, LLC, contingent
68 upon Falcon Heights City Council approval.

70 **Requested Council Action**

71 Motion adopting a resolution awarding contract for the 2024 Sanitary Sewer Main Lining
72 Project in the amount of \$856,453.90 to Hydro-Klean, LLC, contingent upon Falcon Heights
73 City Council approval.
74

75 **Prepared by:** Jesse Freihammer, Public Works Director

Attachments: 1. Resolution
2. Bid Abstract

**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 8th day of April, 2024, at 6:00 p.m.

The following members were present: ; and and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION AWARDING CONTRACT
FOR 2024 SANITARY SEWER LINING PROJECT**

WHEREAS, pursuant to advertisement for bids for the improvement, according to the plans and specifications thereof on file in the office of the Manager of said City, said bids were received on Thursday, March 21, 2024, at 9:00 a.m., opened and tabulated according to law and the following bids were received complying with the advertisement:

CONTRACTOR	BID TOTAL (Base Bid)	ALTERNATE TOTAL	BASE+ALTERNATE TOTAL
Hydro-Klean, LLC	\$1,086,352.30	\$21,500.00	\$1,107,852.30
Insituform Technologies USA, LLC	\$1,325,074.36	\$31,136.73	\$1,356,211.09
SAK Construction, Inc	\$1,397,346.50	\$33,776.50	\$1,431,123.00
<i>Engineers Estimate</i>	<i>\$743,580.00</i>	<i>\$3,225.00</i>	<i>\$746,805.00</i>

WHEREAS, it appears that Hydro-Klean, LLC is the lowest responsible bidder at the tabulated price of \$1,107,852.30; and

WHEREAS, Hydro-Klean, LLC has agreed to keep its bid unit prices with a reduced project scope so the project can be awarded under budget resulting in a awarded contract amount of \$856,453.90; and

WHEREAS, The City of Roseville executed a Cooperative Construction Agreement with the City of Falcon Heights on February 26, 2024 that includes portion of work in their city as part of this project; and

WHEREAS, since the Falcon Heights portion of the project is over 20% of the estimate, per the Cooperative Construction Agreement Falcon Heights City Council must approve the bid.

23 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville,
24 Minnesota:

- 25 1. The Mayor and City Manager are hereby authorized and directed to enter into a
26 contract with Hydro-Klean for \$856,453.90 in the name of the City of Roseville for
27 the above improvements according to the plans and specifications thereof heretofore
28 approved by the City Council and on file in the office of the City Manager.
- 29 2. The City Manager is hereby authorized and directed to return forthwith to all bidders
30 the deposits made with their bids except the deposits of the successful bidder and the
31 next lowest bidder shall be retained until contracts have been signed.
- 32 3. The award is contingent upon Falcon Heights City Council approving their portion of
33 the project.

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

37 WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

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 8th day of April, 2024, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 8th day of April, 2024.

Patrick Trudgeon, City Manager

(SEAL)

Bid Abstract for 2024 Sanitary Sewer Lining Project 24-06

Report Date Bid Release Bid Opening
 3/21/2024 2/28/2024 3/21/2024

Base Bid					Engineer's Estimate		Hydro-Klean LLC		Insituform Technologies USA, LLC		SAK Construction, LLC	
Line	Number	Description	Unit	Quantity	Estimated Price	Estimated Total	Price	Total	Price	Total	Price	Total
1	2104.602/00001	REMOVE PROTRUDING SERVICE CONNECTION	E A	5	\$250.00	\$1,250.00	\$300.00	\$1,500.00	\$407.87	\$2,039.35	\$400.00	\$2,000.00
2	2503.602/00001	REOPEN SANITARY SERVICE CONNECTION	EA	500	\$20.00	\$10,000.00	\$50.00	\$25,000.00	\$59.37	\$29,685.00	\$25.00	\$12,500.00
4	2503.603/01308	LINING SEWER PIPE 8" EASEMENT	L F	2,580	\$22.00	\$56,760.00	\$36.30	\$93,654.00	\$40.48	\$104,438.40	\$51.00	\$131,580.00
5	2503.603/28008	LINING SEWER PIPE 8"	L F	17,043	\$20.00	\$340,860.00	\$34.30	\$584,574.90	\$39.64	\$675,584.52	\$38.50	\$656,155.50
6	2503.603/28010	LINING SEWER PIPE 10"	L F	2,256	\$27.50	\$62,040.00	\$39.10	\$88,209.60	\$60.45	\$136,375.20	\$54.00	\$121,824.00
7	2503.603/28012	LINING SEWER PIPE 12"	L F	3,776	\$45.00	\$169,920.00	\$47.20	\$178,227.20	\$57.66	\$217,724.16	\$59.00	\$222,784.00
8	2503.603/01312	LINING SEWER PIPE 12" EASEMENT	L F	700	\$47.00	\$32,900.00	\$49.20	\$34,440.00	\$49.67	\$34,769.00	\$60.50	\$42,350.00
9	2503.603/28015	LINING SEWER PIPE 15"	L F	1,397	\$50.00	\$69,850.00	\$57.80	\$80,746.60	\$89.09	\$124,458.73	\$149.00	\$208,153.00
Base Bid Totals						\$743,580.00		\$1,086,352.30		\$1,325,074.36		\$1,397,346.50
Line	Number	Description	Unit	Quantity	Estimated Price	Estimated Total	Price	Total	Price	Total	Price	Total
10	2503.603	LINING SEWER PIPE 27"	L F	43	\$75.00	\$3,225.00	\$500.00	\$21,500.00	\$724.11	\$31,136.73	\$785.50	\$33,776.50
Alternate 1 Totals						\$3,225.00		\$21,500.00		\$31,136.73		\$33,776.50
TOTALS												
BASE BID						\$743,580.00		\$1,086,352.30		\$1,325,074.36		\$1,397,346.50
ALTERNATE BID 1						\$3,225.00		\$21,500.00		\$31,136.73		\$33,776.50
BASE BID + ALTERNATE BID 1						\$746,805.00		\$1,107,852.30		\$1,356,211.09		\$1,431,123.00

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.k.

Department Approval



City Manager Approval



Item Description: Approve Resolution Awarding Contract for County Road B Reconstruction and 2024 Pavement Management Project

Background

City Council approved the advertisement for bid on March 4, 2024, and favorable bids were recently opened for the County Road B Reconstruction from Cleveland Avenue to Eustis Street (City Project No. 24-02).

A portion of this project will be assessed to benefiting properties. Assuming Council votes to award the contract, construction will commence this spring and be complete by the end of the 2024 construction season. Staff would then propose to hold a final public hearing in late 2024 or early 2025 to certify the final assessments based on the final construction costs for the project.

The bid also included the 2024 Pavement Management Project (PMP) which consists mostly of street mill and overlay, and minor curb, utility and sidewalk repairs, including on a portion of Roselawn Avenue in Falcon Heights. The work in Falcon Heights is being done via a Construction Cooperative Agreement that City Council approved November 6, 2023.

Attachment 2 depicts the roadways identified for a mill and overlay with the 2024 PMP and the County Road B Reconstruction project limits.

The project bid with one alternate for sidewalk work on the Falcon Heights side of Roselawn Avenue. Falcon Heights City Council will consider approval of the alternative at their April 10 meeting. Therefore, a Roseville City Council award will need to be contingent on Falcon Heights' approval of the alternate.

The following six bids were opened on March 28, 2024:

CONTRACTOR	BASE BID	ALTERNATE BID	BID TOTAL (BASE + ALT BID)
GMH Asphalt Corporation	\$2,738,000.97	\$16,535.00	\$2,754,535.97
Eureka Construction, Inc.	\$2,816,703.30	\$18,610.00	\$2,835,313.30
OMG Midwest Inc. dba Minnesota Paving & Materials	\$3,011,886.22	\$16,017.15	\$3,027,903.37
S.M. Hentges & Son, Inc.	\$3,130,954.80	\$18,220.00	\$3,149,174.80
Bituminous Roadways, Inc.	\$3,172,203.31	\$15,395.00	\$3,187,598.31
Dresel Contracting, Inc	\$3,283,873.11	\$18,193.75	\$3,302,066.86
<i>Engineer's Estimate</i>	<i>\$3,133,734.50</i>	<i>\$27,525.00</i>	<i>\$3,161,259.50</i>

Policy Objectives

It is City policy to keep City-owned infrastructure in good operating condition, to keep systems operating in a safe condition, and to plan for and support a multimodal transportation system that moves people and goods safely and efficiently. Per State Statutes on municipal contracting, the City Council awards contracts to the lowest responsible bidder. In this bid solicitation, the lowest bidder is GMH Asphalt Corporation.

Racial Equity Impact Summary

The County Road B project was chosen because it is the oldest road within the City's jurisdiction. It is overdue for replacement and is the last County turnback road which needs to be brought up to City standards. There is not currently another city road in need of full replacement, regardless of community demographics. The project will benefit all residents and property owners in the area by providing improved pavements, improvement to stormwater runoff, and an ADA-compliant pathway to provide safer and better connection to nearby parks and paths. Special Assessments levied are typically payable over 10 years; however, there is an established process to apply for hardship deferral of payments.

The mill and overlay roadways that are a part of the PMP should benefit the City as a whole with no negative impacts to historically disadvantaged communities. The project includes improvements to curb ramps within the project area to latest standards which should provide better access for individuals with disabilities.

Budget Implications

Staff received six bids for this project. The low base bid was submitted by GMH Asphalt Corporation, in the amount of \$2,754,535.97. The bidding was competitive, and the low bid was 12.8% below the engineer's estimate. Staff recommends awarding the base bid and alternate contingent on Falcon Heights' approval of the alternate.

This project is proposed to be paid for using the following funds:

Fund	Budget	Low Bid Total (Base + Alt)
Municipal State Aid Funds	\$859,000.00	\$753,157.77
Street Fund	\$1,285,000.00	\$957,357.68
Stormwater Fund	\$455,000.00	\$703,833.07
Sanitary Fund	\$55,000.00	\$19,818.00
Water Fund	\$115,000.00	\$30,288.60
Special Assessments	\$166,000.00	\$166,000
Pathway Fund	\$30,000.00	\$17,082.30
Falcon Heights Funds	\$130,000.00	\$106,998.55
Totals	\$3,095,000.00	\$2,754,535.97

The City of Roseville will invoice the City of Falcon Heights for any work completed within Falcon Heights, currently estimated at \$106,998.55. Special Assessments will be calculated based on final construction costs, but are anticipated to remain at or below what was on the preliminary assessment roll.

Additionally, the City estimates \$75,000.00 for testing for materials will be used from the Street Fund.

This project is proposed to be completed in October of 2024.

Staff Recommendations

Staff recommends approval of a resolution awarding contract for the County Road B Reconstruction and 2024 Pavement Management Project in the amount of \$2,754,535.97 to GMH Asphalt Corporation, contingent upon Falcon Heights City Council approval.

Requested Council Action

Approve resolution awarding contract for the County Road B Reconstruction and 2024 Pavement Management Project in the amount of \$2,754,535.97 to GMH Asphalt Corporation, contingent upon Falcon Heights City Council approval.

Prepared by: Jennifer Lowry, Assistant Public Works Director / City Engineer

Attachments: 1. Resolution
2. Map of 2024 PMP Area

**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 8th day of April, 2024, at 6:00 p.m.

The following members were present: ; and and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION AWARDING CONTRACT
FOR COUNTY ROAD B RECONSTRUCTION &
2024 PAVEMENT MANAGEMENT PROJECT**

WHEREAS, pursuant to advertisement for bids for the improvement, according to the plans and specifications thereof on file in the office of the Manager of said City, said bids were received on Thursday, March 28, 2024, at 9:00 a.m., opened and tabulated according to law and the following bids were received complying with the advertisement:

CONTRACTOR	BASE BID	ALTERNATE BID	BID TOTAL (BASE + ALT BID)
GMH Asphalt Corporation	\$2,738,000.97	\$16,535.00	\$2,754,535.97
Eureka Construction, Inc.	\$2,816,703.30	\$18,610.00	\$2,835,313.30
OMG Midwest Inc. dba Minnesota Paving & Materials	\$3,011,886.22	\$16,017.15	\$3,027,903.37
S.M. Hentges & Son, Inc.	\$3,130,954.80	\$18,220.00	\$3,149,174.80
Bituminous Roadways, Inc.	\$3,172,203.31	\$15,395.00	\$3,187,598.31
Dresel Contracting, Inc	\$3,283,873.11	\$18,193.75	\$3,302,066.86
<i>Engineer's Estimate</i>	<i>\$3,133,734.50</i>	<i>\$27,525.00</i>	<i>\$3,161,259.50</i>

WHEREAS, it appears that GMH Asphalt Corporation is the lowest responsible bidder for the Base Bid plus Alternate Bid at the tabulated price of \$2,754,535.97; and

WHEREAS, The City of Roseville executed a Cooperative Construction Agreement with the City of Falcon Heights on November 6, 2023 that includes portion of work in their city as part of this project; and

19 WHEREAS, since the Falcon Heights portion of the project includes the alternate bid, per the
20 Cooperative Construction Agreement Falcon Heights City Council must approve the bid.

21 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville,
22 Minnesota:

- 23 1. The Mayor and City Manager are hereby authorized and directed to enter into a contract
24 with GMH Asphalt Corporation for \$2,754,535.97 in the name of the City of Roseville
25 for the above improvements according to the plans and specifications thereof heretofore
26 approved by the City Council and on file in the office of the City Manager.
- 27 2. The City Manager is hereby authorized and directed to return forthwith to all bidders
28 the deposits made with their bids, except the deposits of the successful bidder and the
29 next lowest bidder shall be retained until contracts have been signed.
- 30 3. The award is contingent upon Falcon Heights City Council approving their portion of
31 the project.

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

35 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 8th day of April, 2024, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 8th day of April, 2024.

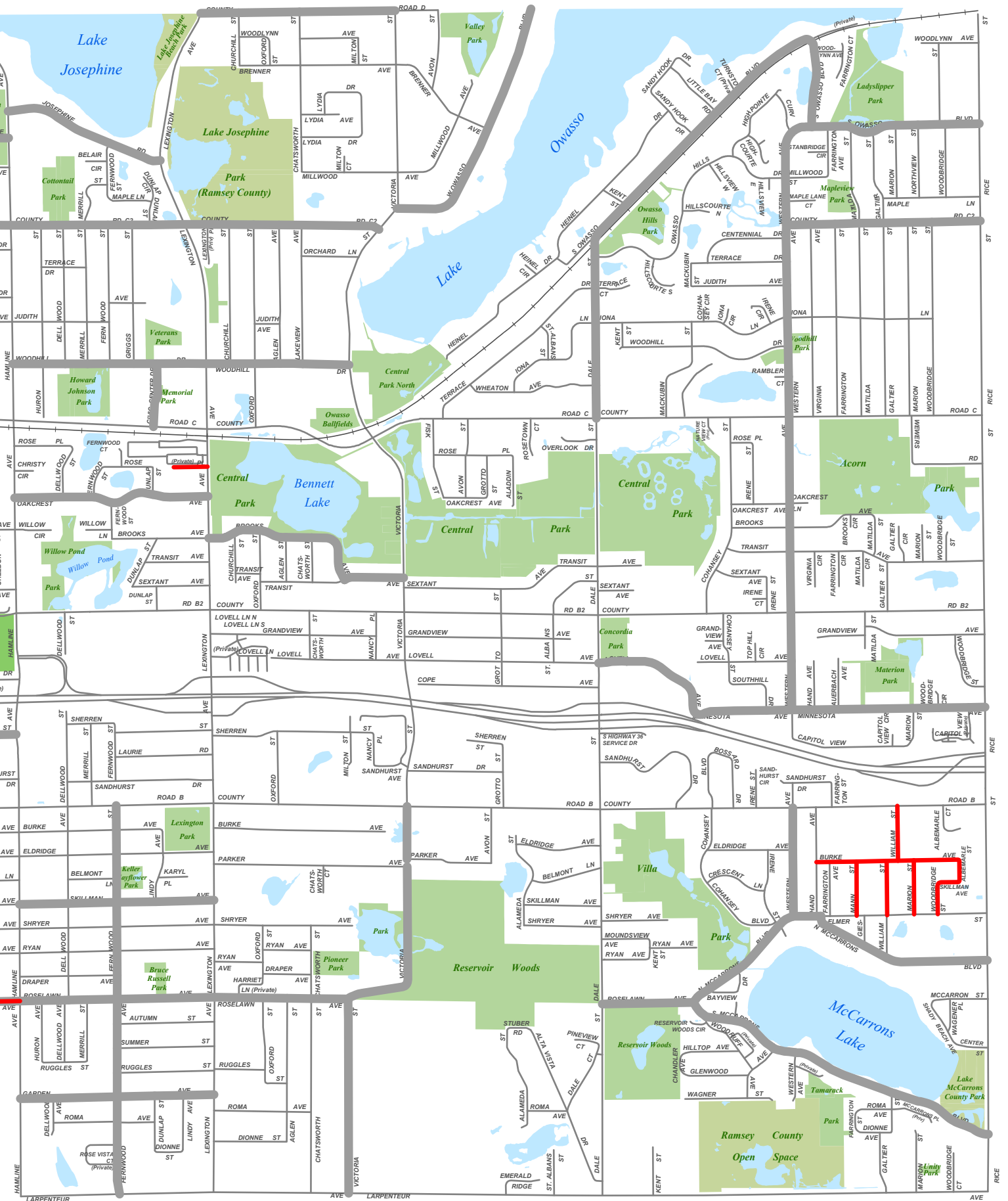
Patrick Trudgeon, City Manager

(SEAL)

Proposed 2024 PMP Project

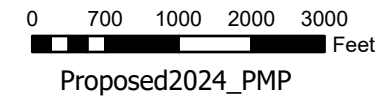
ROSEVILLE
Prepared by: Engineering Department
1/30/2024

-  Mill & Overlay Segments (2.5 City/1.4 MSA miles)
-  Reconstruction Segments (0.2 City/0.5 MSA miles)
-  MSA Roadway



Data Sources
* Ramsey County GIS (8/06/2023)
* City of Roseville Community Development
* City of Roseville Finance Department

DISCLAIMER:
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ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 4/8/2024

Item No.: 12.I.

Department Approval



City Manager Approval



Item Description: Award 2024-2026 BMP Maintenance Program Contract

Background

Since 2006, the City of Roseville has been installing Stormwater Best Management Practices (BMPs) to meet watershed permit requirements, relieve local flooding issues, and to improve and protect our local water resources. To date, there are approximately 187 public BMP sites, the majority of which consist of raingardens, biofiltration basins, and ponds.

Proper maintenance is required for long-term functionality as well as proper plant establishment, which keeps the basins functioning and attractive. Not only does the City want to protect its investment in stormwater projects, maintenance is also required as a condition of the watershed district permits obtained for street improvement projects.

The previous three-year contract from 2021-2023 for BMP maintenance expired at the end of 2023. Similar to 2021, the City issued a request for proposal for a three-year maintenance contract of BMPs throughout Roseville.

New to the program this year is the inclusion of Streetscape Maintenance (maintenance of our boulevards on County Road C, Twin Lakes Parkway, and Mount Ridge Road). Previously, Engineering and Streets Maintenance would release separate contracts for similar work. Combining the two activities should result in better pricing due to efficiency.

Policy Objectives

It is City policy to improve and maintain drainage to reduce the risk of localized flooding, and to keep infrastructure in good working condition. Roseville is also a Pollinator-Friendly Community, and a majority of the BMPs and restoration sites utilize MN native plants to help promote habitat.

Racial Equity Impact Summary

There should be no equity impacts associated with this agreement as maintaining our BMPs and infrastructure benefits all residents and property owners.

Budget Implications

Staff received four (4) bids for this project. The low bid was submitted by Sandstrom Land

Management in the amount of \$244,496.00, which is 19% lower than the engineer's estimate of \$290,817.00. The bid prices across the board were competitive with the low bids and high bids grouped tightly together. Annual costs for the program are up from our 2021 -2023 bid, which is to be expected with increased labor and material costs.

2024-2026 Bid Results						
Contractor	2024	2025	2026	Total 2024-2026)	Dev. from low	%
Engineers Estimate	\$92,250.00	\$96,862.00	\$101,705.00	\$290,817.00	\$46,321.00	19%
Sandstrom Land Management	\$79,600.00	\$81,124.00	\$83,772.00	\$244,496.00	\$0.00	0%
Steigauf Brothers	\$85,288.00	\$85,288.00	\$85,288.00	\$255,864.00	\$11,368.00	5%
Davey Resource Group	\$111,780.00	\$118,336.00	\$126,572.00	\$356,688.00	\$112,192.00	46%
Minnesota Native Landscapes	\$117,468.00	\$119,817.36	\$122,166.72	\$359,452.08	\$114,956.08	47%

Based on the low bid, staff recommends awarding the 2024-2026 BMP Maintenance Contract to Sandstrom Land Management.

The BMP Maintenance work will be paid out of Contract Maintenance from the Storm Fund which has a budget of \$184,000. The Streetscape maintenance will be paid out of Streetscape fund which has a budget of \$83,910. The contractor will be required to track hours separately for BMP and Streetscape Maintenance for billing purposes.

Staff Recommendations

Staff recommends the City Council award the 2024-2026 BMP Maintenance Project to Sandstrom Land Management.

Requested Council Action

Motion to approve awarding the 2024-2026 BMP Maintenance Project to Sandstrom Land Management.

Prepared by: Ryan Johnson, Environmental Manager

Attachments: 1. 2024-2026 BMP Maintenance Program Agreement

CITY OF ROSEVILLE PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made on the 8th day of April, 2024, between the City of Roseville, a Minnesota municipal corporation (the “City”), and Sandstrom Land Management, 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 April 9, 2024. Unless extended by written agreement of the Parties, this Agreement will terminate no later than December 31, 2026, or upon completion of the Work, whichever occurs first. Such extension may be approved by the Public Works Director, or their designee. This Agreement may be terminated earlier by the City with or without cause, by delivering, a written notice at least thirty (30) days prior to the date of such termination to Contractor. 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 B** 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.
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
Attn: Jesse Freihammer
2660 Civic Center Drive
Roseville, MN 55113

To Contractor:

Sandstrom Land Management
Attn: Ryan Sandstrom
888 Burke Ave W
Roseville, MN 55113

6. Assignment or Subcontracting. Unless noted otherwise in Exhibit A, 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, 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. Any

modification of this agreement may be approved in writing by the Public Works Director, or their designee.

IN WITNESS WHEREOF, the undersigned Parties have entered into this Agreement as of the date set forth above.

CITY OF ROSEVILLE

SANDSTROM LAND MANAGEMENT

By: _____
Daniel J. Roe, Mayor

By: _____
Its: _____

By: _____
Patrick Trudgeon, City Manager

By: _____
Its: _____

EXHIBIT A

WORK

The Contractor shall perform maintenance of stormwater best management practices and also landscape maintenance associated with our Streetscape. Maintenance shall include monthly trash and sediment removal, cutting back vegetative growth, topdressing with mulch, and minor replanting as needed at citywide locations.

EXHIBIT B
COMPENSATION

CITY OF ROSEVILLE

2024-2026 BMP MAINTENANCE

UNIT PRICE QUOTE

UPDATED

7-Feb-24

DATE

3-25-2024

COMPANY

Sandstrom Land Management

CONTACT

Ryan Sandstrom

PHONE

651-2081379

EMAIL

ryansandstrom@yahoo.com

2024					
BMP MAINTENANCE					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE (2024)	TOTAL
1	MOBILIZATION/DEMOBILIZATION	EA	12	\$100.00	\$1,200.00
2	LABOR, MAINTENANCE	HR	600	\$60.00	\$36,000.00
3	LABOR, HERBICIDE APPLICATION	HR	24	\$65.00	\$1,560.00
4	LABOR, WATERING	HR	20	\$60.00	\$1,200.00
5	LABOR, TILLING	HR	20	\$60.00	\$1,200.00
6	DISPOSAL	EA	24	\$30.00	\$720.00
7	TWICE SHREDDED HARDWOOD MULCH	CY	200	\$20.00	\$4,000.00
	TOTAL LABOR				
2024 BMP MAINTENANCE BID					\$45,880.00
STREETSCAPE					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE (2024)	TOTAL
1	MOBILIZATION/DEMOBILIZATION	EA	12	\$100.00	\$1,200.00
2	LABOR, MAINTENANCE	HR	400	\$60.00	\$24,000.00
3	LABOR, HERBICIDE APPLICATION	HR	40	\$65.00	\$2,600.00
4	LABOR, WATERING	HR	20	\$60.00	\$1,200.00
6	DISPOSAL	EA	24	\$30.00	\$720.00
7	TWICE SHREDDED HARDWOOD MULCH	CY	200	\$20.00	\$4,000.00
	TOTAL LABOR				
2024 STREETSCAPE BID					\$33,720.00
				TOTAL 2024 BID	\$79,600.00

*ANY BASIN REPAIRS, PLANTINGS, ETC. WILL BE BASED ON A SEPARATE WORK ORDER, AND DEVELOPED AS NEEDED.

2025					
BMP MAINTENANCE					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE (2024)	TOTAL
1	MOBILIZATION/DEMOBILIZATION	EA	12	\$100.00	\$1,200.00
2	LABOR, MAINTENANCE	HR	600	\$61.00	\$36,600.00
3	LABOR, HERBICIDE APPLICATION	HR	24	\$66.00	\$1,584.00
4	LABOR, WATERING	HR	20	\$61.00	\$1,220.00
5	LABOR, TILLING	HR	20	\$61.00	\$1,220.00
6	DISPOSAL	EA	24	\$30.00	\$720.00
7	TWICE SHREDDED HARDWOOD MULCH	CY	200	\$21.00	\$4,200.00
	TOTAL LABOR				
2025 BMP MAINTENANCE BID					\$46,744.00
STREETSCAPE					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE (2024)	TOTAL
1	MOBILIZATION/DEMOBILIZATION	EA	12	\$100.00	\$1,200.00
2	LABOR, MAINTENANCE	HR	400	\$61.00	\$24,400.00
3	LABOR, HERBICIDE APPLICATION	HR	40	\$66.00	\$2,640.00
4	LABOR, WATERING	HR	20	\$61.00	\$1,220.00
6	DISPOSAL	EA	24	\$30.00	\$720.00
7	TWICE SHREDDED HARDWOOD MULCH	CY	200	\$21.00	\$4,200.00
	TOTAL LABOR				
				2025 STREETSCAPE BID	\$34,380.00
				TOTAL 2025 BID	\$81,124.00

*ANY BASIN REPAIRS, PLANTINGS, ETC. WILL BE BASED ON A SEPARATE WORK ORDER, AND DEVELOPED AS NEEDED.

2026					
BMP MAINTENANCE					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE (2024)	TOTAL
1	MOBILIZATION/DEMOBILIZATION	EA	12	\$100.00	\$1,200.00
2	LABOR, MAINTENANCE	HR	600	\$63.00	\$37,800.00
3	LABOR, HERBICIDE APPLICATION	HR	24	\$68.00	\$1,632.00
4	LABOR, WATERING	HR	20	\$63.00	\$1,260.00
5	LABOR, TILLING	HR	20	\$63.00	\$1,260.00
6	DISPOSAL	EA	24	\$30.00	\$720.00
7	TWICE SHREDDED HARDWOOD MULCH	CY	200	\$22.00	\$4,400.00
	TOTAL LABOR				
2026 BMP MAINTENANCE BID					\$48,272.00
STREETSCAPE					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE (2024)	TOTAL
1	MOBILIZATION/DEMOBILIZATION	EA	12	\$100.00	\$1,200.00
2	LABOR, MAINTENANCE	HR	400	\$63.00	\$25,200.00
3	LABOR, HERBICIDE APPLICATION	HR	40	\$68.00	\$2,720.00
4	LABOR, WATERING	HR	20	\$63.00	\$1,260.00
6	DISPOSAL	EA	24	\$30.00	\$720.00
7	TWICE SHREDDED HARDWOOD MULCH	CY	200	\$22.00	\$4,400.00
	TOTAL LABOR				
				2026 STREETSCAPE BID	\$35,500.00
				TOTAL 2026 BID	\$83,772.00

*ANY BASIN REPAIRS, PLANTINGS, ETC. WILL BE BASED ON A SEPARATE WORK ORDER, AND DEVELOPED AS NEEDED.

Total for BMP	\$140,896.00
Total for boulevards	\$103,600.00
Total =	\$244,496.00
Total check=	\$244,496.00

FUTURE MEETING AGENDA HIGHLIGHTS

April 8, 2024

April 15, 2024 City Council Meeting (Work Session)

- Ramsey County Presentation – County Road C Project
- Recycling RFP and Cart Discussion
- Forestry/EAB Program Update

April 22, 2024 City Council Meeting

- 435 Judith Abatement Assessment
- MN DOT Highway 36 Multimodal Study Presentation
- Consider Approval of Rosedale Police Officers Contract
- Smoke Free Housing Presentation
- Consider Strategic Planning RFP

May 6, 2024 City Council Meeting

- Presentation of Financial Audit
- Establish 2024 Budget Process Calendar

May 13, 2024 EDA Meeting

- Discuss Updating Housing Study

May 13, 2024 City Council Meeting (Work Session)

- Discuss HRIEC Purpose, Scope, and Role (tentative)

Future Agenda Review - Longer Term Initiatives

4/3/2024

(items that likely require council discussion/action)

<u>Item</u>	<u>Initiated By</u>	<u>Target Date</u>	<u>Status/Notes</u>
RFP for strategic planning	Staff/Council	22-Apr-24	(City Manager goal item)
Rooster Regulations	Council	2nd qtr '24	Staff will review for changes in code
Update SREAP with new goals/objectives	Staff/Council	2nd 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
City Speed Limit Review on Local Streets	Strahan/Council	TBD	PWET will continue to work on issue and report back
Sister City Relationship with Indigenous Tribal Nation	Strahan	TBD	
Zero Waste Packaging/Compostable Containers	Etten/Strahan	Summer '24	CC received update 1/22/24, will be brought back later in '24
Update on shopping carts left in public r-o-w	Strahan	Summer '24	CD Director provided email 7/14/23