City Council Meeting

May 22, 2023
7:00 PM
Fridley City Hall, 7071 University Avenue N.E.

Agenda

Call to Order

Pledge of Allegiance

Proclamations/Presentations

Approval of Proposed Consent Agenda

Approval/Receipt of Minutes

1. Approve the Minutes from the City Council Meeting of May 8, 2023

2. Receive the Minutes from the City Council Conference Meeting of May 8, 2023

3. Receive the Minutes from the Environmental Quality and Energy Commission (EQEC) Meeting of April 11, 2023

4. Receive the Minutes from the Housing and Redevelopment Authority Meeting of April 6, 2023

New Business

5. Resolution No. 2023-50, Awarding 2023 Street Rehabilitation Project No. ST2023-01

6. Resolution No. 2023-51, Requesting No Parking Designation on 53rd Avenue

7. Resolution No. 2023-52, Changes to Roadway Major Maintenance Financing Policy

8. Resolution No. 2023-53, Approving Gifts, Donations and Sponsorships Received Between April 15, 2023, and May 12, 2023

9. Resolution No. 2023-56, Approving Purchasing Agent Agreement with Bredemus Hardware Co., Inc. for Moore Lake Community Building and Site Improvements Project

10. Resolution No. 2023-57, Approving an Anoka County SHIP Grant for a Gardening Education Program

Claims

11. Resolution No. 2023-53, Approving Claims for the Period Ending May 17, 2023

Adoption of Regular Agenda

<u>Open Forum/Visitors</u> (Consideration of Items not on Agenda – 15 minutes)

Regular Agenda

New Business

12. Interim Ordinance No. 1408, Authorizing a Study and Imposing a Moratorium on the Sale of Cannabinoid Products

13. Resolution No. 2023-54, Approving an Increase in the Not-to-Exceed Amount of Multifamily Housing Facility Revenue Bonds That May Be Issued to Finance a Multifamily Housing Project Pursuant to Minnesota Law and the Amendment of a Public Hearing Notice

14. Resolution No. 2023-55, Approving and Authorizing Final Budget Reappropriation for Certain Funds for the Fiscal Year Ending December 31, 2022

Informal Status Reports

Adjourn

Upon request, accommodation will be provided to allow individuals with disabilities to participate in any City of Fridley services, programs, or activities. Hearing impaired persons who need an interpreter or other persons who require auxiliary aids should contact the City at (763) 571-3450.

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Approve the Minutes from the City Council Meeting of May 8, 2023

Background

Attached are the minutes from the City Council Meeting of May 8, 2023.

Financial Impact

None.

Recommendation

Staff recommend the approval of the minutes from the City Council Meeting of May 8, 2023.

Focus on Fridley Strategic Alignment

____ Vibrant Neighborhoods & Places
____ Financial Stability & Commercial Prosperity
X Organizational Excellence
____ Community Identity & Relationship Building
____ Public Safety & Environmental Stewardship

Attachments and Other Resources

- Minutes from the City Council Meeting of May 8, 2023

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

City Council Meeting

May 8, 2023
7:00 PM
Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Mayor Lund called the City Council Meeting of May 8, 2023, to order at 7:00 p.m.

Present

Mayor Scott Lund
Councilmember Dave Ostwald
Councilmember Tom Tillberry
Councilmember Ryan Evanson
Councilmember Ann Bolkcom

Others Present

Walter Wysopal, City Manager
Scott Hickok, Community Development Director
Sarah Sonsalla, City Attorney
Brian Weierke, Public Service Director
Jim Kosluchar, Public Works Director
Joe Starks, Finance Director

Pledge Of Allegiance

Proclamations/Presentations

1. Proclamation for National Police Week and Peace Officers Memorial Day.

   Mayor Lund presented the proclamation for National Police Week and Peace Officers Memorial Day.

   Brian Weierke thanked the City for the proclamation and support, and recognizing the officers who died in the line of duty. He also introduced the officers in attendance at the meeting.

2. Public Works Week Proclamation.

   Mayor Lund presented the proclamation for Public Works Week.

   Jim Kosluchar, Public Works Director, commented that Public Works experienced a challenging spring with the large amount of snowfall, concerns for flooding, and road patching. He thanked the Council and City staff for their support. He asked drivers to be cautious while the crews are out repairing roads. The Council commended Police, Public Works, and Fire for their continued great service.

<u>Approval of Proposed Consent Agenda</u>

Motion made by Councilmember Evanson to adopt the proposed Consent Agenda. Seconded by Councilmember Ostwald.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Approval/Receipt of Minutes

3. Approve the Minutes from the City Council Meeting of April 24, 2023.

4. Receive the Minutes from the Joint City Council/HRA Conference Meeting of April 24, 2023.

5. Receive the Minutes from the April 19, 2023 Planning Commission Meeting.

New Business

6. Resolution No. 2023-47, Approving a Comprehensive Plan Amendment to Update the Parks and Trails Chapter and to Change the Future Land Use Designation from C – Commercial, to P – Parks and Recreation, for the Land Generally Located at 6105 University Avenue, and to Authorize Staff to Submit a Comprehensive Plan Amendment for the Same to the Metropolitan Council.

Licenses

7. Resolution No. 2023-45, Approving City Licenses and Permits.

Claims

8. Resolution No. 2023-48 Approving Claims for the Period Ending May 3, 2023.

<u>Adoption of Regular Agenda</u>

Motion made by Councilmember Bolkcom to adopt the regular agenda. Seconded by Councilmember Tillberry.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

<u>Open Forum, Visitors:</u> (Consideration of Items not on Agenda – 15 minutes.)

No one from the audience spoke.

Regular Agenda

9. Resolution No. 2023-46, Making a Determination on the Objection Received from Patricia Rein Regarding 1559 N. Oberlin Circle N.E. with Respect to the Innsbruck North Housing Improvement Area.

Joe Starks, Finance Director, stated there are two types of objections a resident can make in this instance, and explained the City must make a determination on the requested exclusion from the Housing Improvement Area (HIA). He reviewed the benefits the project would provide to the property at 1559 N. Oberlin Circle N.E. He stated it was unclear whether the objection was broad-based or related to the benefit received, therefore staff wanted to review those benefits. He stated that the objection can still carry on following the actions tonight, if the threshold of objections were received from the association.

The Council noted the resident suggestion to split the project into two phases but recognized the cost savings that are obtained through economy of scale in completing these improvements together.

Motion made by Councilmember Tillberry to adopt Resolution No. 2023-46 Making a Determination on the Objection Received from Patricia Rein Regarding 1559 N. Oberlin Circle N.E. with Respect to the Innsbruck North Housing Improvement Area. Seconded by Councilmember Bolkcom.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

10. Ordinance No. 1407, Second Reading and Adoption Establishing Innsbruck North Housing Improvement Area.

Joe Starks, Finance Director, reviewed the role of the City in an HIA process and provided details on the process and timeline, proposed capital improvements, project costs, funding, and how the loan/bond is repaid. He noted the risks to the City are minimal and explained that ultimately the homeowners and association determine whether the project moves forward. Staff recommends approval of Ordinance No. 1407, Summary Ordinance No. 1407 for publication and Resolution No. 2023-49.

Sarah Sonsalla, City Attorney, recommended that each of the three actions be taken separately.

The Council hoped that the Board and residents could come to a mutual understanding. If the residents do not want the HIA to move forward, 45 percent of the residents within the association must veto prior to the required date. It was noted that although there is distrust between the association and its Board, the improvements are needed.

Mr. Starks provided details on the due diligence completed by staff in preparation.

The Council asked if residents would have the ability to change their mind. Ms. Sonsalla stated that in order for the City to move forward, the requisite number of signatures had to be received. She stated that if people now objected, they could sign the petition to veto.

Motion made by Councilmember Ostwald to conduct the second reading and adopt Ordinance No. 1407, Establishing Innsbruck North Housing Improvement Area. Seconded by Councilmember Evanson.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Motion made by Councilmember Evanson to conduct the second reading and adopt Summary Ordinance No. 1407 Establishing Innsbruck North Housing Improvement Area for publication. Seconded by Councilmember Bolkcom.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

11. Resolution No. 2023-49, Approving a Housing Improvement Fee for Innsbruck North Housing Improvement Area

Motion made by Councilmember Evanson to adopt Resolution No. 2023-49 Approving a Housing Improvement Fee for Innsbruck North Housing Improvement Area. Seconded by Councilmember Tillberry.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

New Business

12. Resolution No. 2023-44, Approving Change Order No. 1 for East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No. 22-467

Wally Wysopal, City Manager, presented a request for a change order for the biochar, noting a reduction in the cost, for the East Moore Lake iron-enhanced sand filter project.

Motion made by Councilmember Evanson to adopt Resolution No. 2023-44, Approving Change Order No. 1 for the East Moore Lake Biochar and Iron-Enhanced Sand Filter Project No. 22-467. Seconded by Councilmember Bolkcom.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously.

Informal Status Reports

13. Minneapolis Water Works Withdrawal Information.

Wally Wysopal, City Manager, stated that this item had gone through the Planning Commission, recommended for approval, but since that time the applicant has chosen not to move forward and requested to withdraw the request.

A member of the Council stated that they attended the Planning Commission meeting and was hopeful that this would move forward because the site needs attention and needs to be cleaned up. It was noted that the applicant should clean up their site to be a good neighbor, even if this does not move forward. Mr. Wysopal confirmed that staff will continue to follow up in terms of code enforcement.

14. Other

The Council thanked those that attended the fundraiser for the North Suburban Center for the Arts. It was noted that progress is being made on the Moore Lake project.

Adjourn

Motion made by Councilmember Ostwald to adjourn. Seconded by Councilmember Evanson.

Upon a voice vote, all voting aye, Mayor Lund declared the motion carried unanimously and the meeting adjourned at 7:52 p.m.

Respectfully Submitted,

Melissa Moore City Clerk	Scott J. Lund Mayor

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Receive the Minutes from the City Council Conference Meeting of May 8, 2023

Background

Attached are the minutes from the City Council conference meeting of May 8, 2023.

Financial Impact

Recommendation

Receive the minutes from the City Council conference meeting of May 8, 2023.

Focus on Fridley Strategic Alignment

____ Vibrant Neighborhoods & Places
____ Financial Stability & Commercial Prosperity
X Organizational Excellence
____ Community Identity & Relationship Building
____ Public Safety & Environmental Stewardship

Attachments and Other Resources

- Minutes from the City Council Conference Meeting of May, 8 2023

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Council Conference Meeting

May 8, 2023
5:30 PM
Fridley City Hall, 7071 University Avenue NE

Minutes

Roll Call

Present: Mayor Scott Lund
Councilmember Dave Ostwald
Councilmember Tom Tillberry
Councilmember Ryan Evanson
Councilmember Ann Bolkcom

Absent: None

Others Present: Walter Wysopal, City Manager
Joe Starks, Finance Director
Jim Kosluchar, Public Works Director
Scott Hickok, Community Development Director
Brian Weierke, Public Safety Director
Melissa Moore, City Clerk
Ryan George, Deputy Director of Public Safety

Items for Discussion

1. 2024 Budget – Outlook & Objectives

Joe Starks, Finance Director, provided information pertinent to the 2024 budget formation.

2. Draft Ordinance No. 1408, Adopting an Emergency Ordinance for a Moratorium.

Melissa Moore, City Clerk, and Ryan George, Deputy Director of Public Safety, discussed placing a proposed moratorium on the retail sale of THC and intoxicating cannabinoid products in Fridley.

3. Locke Lake Dredging.

Jim Kosluchar, Public Works Director, reviewed the Rice Creek Watershed District's Watershed Management Plan and future maintenance and improvement projects on Locke Lake. He also briefed Council on the development of an action plan regarding this matter.

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** EQE Commission

Submitted By: Julianne Beberg, Office Coordinator

Title

Receive the Minutes from the Environmental Quality and Energy Commission (EQEC) Meeting of April 11, 2023

Background

Attached are the minutes from the EQEC meeting of April11, 2023.

Financial Impact

None

Recommendation

Receive the minutes of the EQEC meeting of April 11, 2023.

Attachments and Other Resources

- Minutes from the EQEC Commission Meeting of April 11, 2023

Vision Statement
We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

ENVIRONMENTAL QUALITY & ENERGY COMMISSION MEETING

April 11, 2023

7:00 PM

Fridley Civic Campus, 7071 University Ave N.E.

MINUTES

Call to Order

Vice Chair Olberding called the Environmental Quality and Energy Commission to order at 7:02 p.m.

Roll Call

Present: Amy Dritz

Nick Olberding

Justin Foell

Aaron Klemz

Mark Hansen

Heidi Ferris

Absent: Sam Stoxen

Others Present: Rachel Workin, Environmental Planner

Approval of Agenda

Motion by Commissioner Klemz to approve the meeting agenda. Seconded by Commissioner Olberding. The motion carried unanimously.

Approval of Meeting Minutes

1. Approval of March 14, 2023 Environmental Quality and Energy Commission Meeting Minutes

Motion by Commissioner Klemz to approve the March 14, 2023 meeting minutes. seconded by Commissioner Stoxen. The motion carried unanimously.

New Business

2. Chair Election

Ms. Workin announced that Commissioner Dritz had stepped down as chair of the EQEC. The Commissioners thanked Commissioner Dritz for her service.

Motion by Commissioner Dritz to nominate Commissioner Klemz to serve as chair. Seconded by Commissioner Foell. The motion carried unanimously.

3. GreenStep Cities 2022 Metric Review

Ms. Workin presented the City's 2022 GreenStep City submittal. She shared that the City would be awarded Step 5 status at the League of Minnesota Cities conference in June.

Old Business

4. Energy Action Plan updates

Ms. Workin shared that the WindUp Challenge was ongoing but hadn't seen as many sign ups as the first round. Ms. Workin

5. Grant updates

Ms. Workin shared that the City was awarded another round of grant funding for Preparing for Emerald Ash Borer.

6. Outreach and Event updates

Ms. Workin shared that no outreach and events had been conducted the previous month, but that the Environmental Fun Fair was scheduled for April 22.

Other Items

7. Digital Collaboration Brainstorming

Commissioner Olberding suggested that the EQEC consider platforms for digital collaboration to increase community feedback and awareness of sustainability issues. Commissioners were asked to look for examples of existing platforms to share with the group.

8. Informal Status Reports

Commissioner Ferris shared that she would be partnering with Stevenson Elementary on native planting projects.

Adjournment

Motion by Commissioner Foell to adjourn the meeting. Seconded by Commissioner Hansen. The Motion carried unanimously. The meeting was adjourned at 8:12 PM.

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Receive the Minutes from the Housing and Redevelopment Authority Meeting of April 6, 2023

Background

Attached are the minutes from the Housing and Redevelopment Authority meeting of April 6, 2023.

Financial Impact

None.

Recommendation

Staff recommend Council receive the minutes from the Housing and Redevelopment Authority meeting of April 6, 2023.

Focus on Fridley Strategic Alignment

____ Vibrant Neighborhoods & Places
____ Financial Stability & Commercial Prosperity
X Organizational Excellence
____ Community Identity & Relationship Building
____ Public Safety & Environmental Stewardship

Attachments and Other Resources

- Minutes from the HRA Meeting of April 6, 2023

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Housing and Redevelopment Authority

April 6, 2023
7:00 PM
Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order
Chairperson Showalter called the Housing and Redevelopment Authority meeting to order at 7:00 p.m.

Present
Elizabeth Showalter
Gordon Backlund
Troy Brueggemeier
Rachel Schwankl
Kyle Mulrooney
Joe Starks, Finance Director

Action Items

1. Approval of Expenditures

Motion by Commissioner Mulrooney to approve the expenditures. Seconded by Commissioner Backlund.

Upon a voice vote, all voting aye, Chair Showalter declared the motion carried unanimously.

2. Approval March 2, 2023, Meeting Minutes

Motion by Commissioner Brueggemeier to approve the meeting minutes of March 2, 2023. Seconded by Commissioner Schwankl.

Upon a voice vote, all voting aye, Chair Showalter declared the motion carried unanimously.

3. Approval of HRA Resolution No. 2023-09 Approving Interfund Loans Associated with the Proposed Moon Plaza Redevelopment Project

Joe Starks, Finance Director, explained that an interfund loan would allow the authority to recover the staff costs associated with a project before tax increment is received to reimburse.

Motion by Commissioner Backlund to adopt HRA Resolution No. 2023-09 approving an interfund loan between the HRA and General Fund and the TIF District #26. Seconded by Commissioner Mulrooney.

Upon a voice vote, all voting aye, Chair Showalter declared the motion carried unanimously.

4. Approval of HRA Resolution No. 2023-10 Authorizing Execution and Delivery of a Contract for Private Redevelopment between the HRA in and for the City of Fridley and Roers Fridley Apartments Owner II, LLC

Mr. Starks stated that in February the HRA approved the Development Agreement with Roers Companies for the Moon Plaza project. He stated that since then a new LLC was created for the project and therefore needs to be recognized within the Development Agreement.

Motion by Commissioner Brueggemeier to adopt HRA Resolution No. 2023-10 authorizing execution and delivery of a contract for private redevelopment between the HRA in and for the City of Fridley and Roers Fridley Apartments Owner II, LLC. Seconded by Commissioner Schwankl.

Upon a voice vote, all voting aye, Chair Showalter declared the motion carried unanimously.

Informational Items

5. Update on Housing Programs

Mr. Starks noted that the update was provided in the packet for the HRA to review.

Commissioner Schwankl asked if the grant program is going to be closing soon.

Chairperson Showalter believed that applications were requested to be submitted in March.

Mr. Starks noted that he could have the appropriate staff provide that response.

Adjournment

Motion by Commissioner Mulrooney to adjourn the meeting. Seconded by Commissioner Backlund.

Upon a voice vote, all voting aye, Chairperson Showalter declared the motion carried and the meeting adjourned at 7:06 p.m.

Respectfully submitted,

Melissa Moore
City Clerk

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: James Kosluchar, Public Works Director
Brandon Brodhag, Assistant City Engineer

Title

Resolution No. 2023-50, Awarding 2023 Street Rehabilitation Project No. ST2023-01

Background

On Tuesday, May 16 bids were publicly opened online via the virtual platform available on QuestCDN and Microsoft Teams for the 2023 Street Rehabilitation Project No. ST2023-01. Five responsive bids were received.

This project, which is part of our annual street rehabilitation program, includes rehabilitation in four distinct project locations: Cheri Lane-Fillmore Street east of Trunk Highway 65 and south of I-694, 51st Way and the East River Road East Service Drive in the southern industrial center, East River Road West Service drive north of I-694 accessing the Georgetown Apartments, and Stinson Boulevard from 73rd Avenue (County Road H2) to Osborne Road (County Road I). The total project length is approximately 2.49 miles.

Rehabilitation of the streets will include asphalt reclaiming, asphalt paving, and concrete curb repairs. Watermain work will include replacing one hydrant and replacement of segments of existing 6 inch cast iron pipe on Hartman Circle.

In addition to the pavement improvements along Stinson Boulevard (known in Mounds View as Pleasant View Drive), a shared-use bituminous trail along the corridor between 73rd Avenue (County Road H2) to Osborne Road (County Road I) will be included with the project on the Mounds View side of the roadway. The incorporation of the trail fulfils goals in the City's Comprehensive Plan and Active Transportation Plan, serving as a vital connection to existing City and County pedestrian facilities at 73rd Avenue and Osborne Road (County Road I).

Proposed water main improvements will include the replacement of 13 fire hydrants along the Cheri-Fillmore and south industrial project areas in addition to distribution system improvements along the East River Road West Service Drive project corridor.

As noted, five bids were received. The low bid was received from T.A. Schifsky & Sons, Inc. of North St. Paul, in the amount of $1,542,764, which is 1.7% below the final engineer's estimate of $1,568,500

(Exhibit A). The two lowest bids were very competitive and within $22,153 of one another and the four lowest bids were within $82,082. Of the five bids, the high bid received was $1,723,199.

The City of Mounds View will be providing funding for a portion of the project through a Joint Powers Agreement. They have been advised of our recommendation and concur with the recommended award.

The City of Fridley has worked with T.A. Schifsky & Sons, Inc. in the past. Most recently on the City's 2020 Street Rehabilitation Project, where they were the paving subcontractor on the project. Staff believes they are a knowledgeable and reputable contractor and will deliver the project within the requisite quality specified in the bid documents.

Based on the low bid, special assessments are expected to be within projections. Property owners will receive notification of project advancement this May presuming the City Council awards the project at this meeting. A project information sheet will provide a tentative work schedule, work description and contact information. During the project, staff will distribute weekly project updates via email and the project-specific page on the City's website to minimize disruption to the residents. Staff expect the work to begin in June with substantial completion in September of this year.

Financial Impact

Funding for this project is derived from several sources including the City of Mounds View through a cost-share Joint Powers Agreement, Municipal State Aid street funding, special assessments, and Utility CIP funds (water, sanitary sewer, and storm sewer).

Recommendation

Staff recommends the approval of Resolution No. 2023-50.

Focus on Fridley Strategic Alignment

X Vibrant Neighborhoods & Places
____ Community Identity & Relationship Building
____ Financial Stability & Commercial Prosperity
____ Public Safety & Environmental Stewardship
____ Organizational Excellence

Attachments and Other Resources

- Resolution No. 2023-50
- Exhibit A – Bid Tabulation

Resolution No. 2023-50

Awarding 2023 Street Rehabilitation Project No. ST2023-01

Whereas, the 2023 Street Rehabilitation Project No. ST2023-01 (Project) included as part of the City of Fridley's (City) regular street maintenance programs under its Capital Investment Program and includes rehabilitation in four distinct project locations: Cheri Lane-Fillmore Street east of Trunk Highway 65 and south of I-694, 51st Way and the East River Road East Service Drive in the southern industrial center, East River Road West Service drive north of I-694 accessing the Georgetown Apartments, and Stinson Boulevard from 73rd Avenue (County Road H2) to Osborne Road (County Road I), along with associated roadway repairs, and other ancillary items; and

Whereas, the City has prepared a Capital Investment Program to systematically reconstruct streets in the City regularly to maintain roadway quality and performance; and

Whereas, Resolution No. 2022-151 adopted December 19, 2022 received the Project feasibility report and called for a public hearing on the matter of the construction of certain improvements listen therein; and

Whereas, a public hearing regarding said improvements considered under the Project was set for January 9, 2023 and ten days mailed notice and two weeks published notice of the hearing was given; and

Whereas, at said hearing on improvements, the City Council heard all those persons that desired to address the Council; and

Whereas, Resolution No. 2023-04 subsequently adopted January 9, 2023 ordered final plans, specifications and calling for bids.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves received bids per the attached bid tabulation and award the 2023 Street Rehabilitation Project No. ST2023-01 to the lowest responsive bidder, T.A. Schifsky & Sons, Inc. of North St. Paul, MN in the amount of $1,542,764.93.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk

2023-01 Street Rehabilitation Project
Owner: City of Fridley
Bid Opening: 5/16/2023 9:00 AM

Line Item	Item Description	Unit	Quantity	Engineer Estimate Unit Price	Engineer Estimate Extension	T.A. Schifsky & Sons, Inc. Unit Price	T.A. Schifsky & Sons, Inc. Extension	S.M. Hentges & Sons, Inc. Unit Price	S.M. Hentges & Sons, Inc. Extension	Park Construction Company Unit Price	Park Construction Company Extension	Northwest Unit Price	Northwest Extension	GMH Asphalt Corporation Unit Price	GMH Asphalt Corporation Extension
1	Mobilization	LUMP SUM	1	$ 60,000.00	$ 60,000.00	$79,610.00	$79,610.00	$114,900.00	$114,900.00	$164,500.00	$164,500.00	$116,325.00	$116,325.00	$115,000.00	$115,000.00
2	Clearing and Grubbing	LUMP SUM	1	$ 1,000.00	$ 1,000.00	$6,325.00	$6,325.00	$5,700.00	$5,700.00	$5,810.00	$5,810.00	$16,000.00	$16,000.00	$6,066.00	$6,066.00
3	Remove Bollard	EACH	1	$ 200.00	$ 200.00	$100.00	$100.00	$280.00	$280.00	$338.00	$338.00	$450.00	$450.00	$100.00	$100.00
4	Remove Casting	EACH	1	$ 250.00	$ 250.00	$100.00	$100.00	$250.00	$250.00	$237.00	$237.00	$125.00	$125.00	$174.00	$174.00
5	Remove Drainage Structure	EACH	2	$ 700.00	$ 1,400.00	$468.65	$937.30	$700.00	$1,400.00	$467.00	$934.00	$650.00	$1,300.00	$691.00	$1,382.00
6	Remove Gate Valve & Box	EACH	5	$ 425.00	$ 2,125.00	$772.50	$3,862.50	$600.00	$3,000.00	$769.00	$3,845.00	$250.00	$1,250.00	$1,534.00	$7,670.00
7	Remove Hydrant & Gate Valve	EACH	13	$ 800.00	$ 10,400.00	$875.50	$11,381.50	$650.00	$8,450.00	$872.00	$11,336.00	$450.00	$5,850.00	$1,093.00	$14,209.00
8	Salvage Sign Type C	EACH	5	$ 50.00	$ 250.00	$41.20	$206.00	$50.00	$250.00	$40.40	$202.00	$75.00	$375.00	$42.20	$211.00
9	Remove Sign Type C	EACH	1	$ 50.00	$ 50.00	$41.20	$41.20	$50.00	$50.00	$40.40	$40.40	$65.00	$65.00	$42.20	$42.20
10	Sawing Bituminous Pavement (Full Depth)	LIN FT	1233	$ 4.00	$ 4,932.00	$4.50	$5,548.50	$2.50	$3,082.50	$2.55	$3,144.15	$5.00	$6,165.00	$3.50	$4,315.50
11	Remove Concrete Curb & Gutter	LIN FT	4834	$ 5.00	$ 24,170.00	$7.00	$33,838.00	$4.00	$19,336.00	$5.40	$26,103.60	$10.95	$52,932.30	$9.40	$45,439.60
12	Remove Concrete Valley Gutter	LIN FT	33	$ 15.00	$ 495.00	$15.00	$495.00	$6.00	$198.00	$14.50	$478.50	$25.00	$825.00	$10.30	$339.90
13	Remove Pipe Sewers (Storm)	LIN FT	17	$ 20.00	$ 340.00	$10.30	$175.10	$38.00	$646.00	$10.30	$175.10	$40.00	$680.00	$27.35	$464.95
14	Remove Watermain	LIN FT	127	$ 30.00	$ 3,810.00	$8.24	$1,046.48	$29.00	$3,683.00	$8.20	$1,041.40	$25.00	$3,175.00	$8.75	$1,111.25
15	Remove Bituminous Pavement	SQ YD	105	$ 5.00	$ 525.00	$9.00	$945.00	$6.50	$682.50	$93.40	$9,807.00	$15.00	$1,575.00	$11.25	$1,181.25
16	Remove Bituminous Driveway Pavement	SQ YD	134	$ 10.00	$ 1,340.00	$9.00	$1,206.00	$5.00	$670.00	$10.90	$1,460.60	$15.00	$2,010.00	$6.00	$804.00
17	Remove Concrete Driveway Pavement	SQ YD	58	$ 15.00	$ 870.00	$15.00	$870.00	$7.00	$406.00	$16.80	$974.40	$20.00	$1,160.00	$20.00	$1,160.00
18	Remove Concrete Walk	SQ YD	41	$ 12.00	$ 492.00	$15.00	$615.00	$10.00	$410.00	$15.00	$615.00	$22.00	$902.00	$8.30	$340.30
19	Common Excavation (P) (Excess Reclaim)	CU YD	407	$ 20.00	$ 8,140.00	$15.00	$6,105.00	$18.00	$7,326.00	$11.20	$4,558.40	$28.36	$11,542.52	$33.30	$13,553.10
20	Common Excavation (P)	CU YD	200	$ 25.00	$ 5,000.00	$35.00	$7,000.00	$75.00	$15,000.00	$38.60	$7,720.00	$56.11	$11,222.00	$75.50	$15,100.00
21	Select Granular Embankment (CV)	CU YD	50	$ 45.00	$ 2,250.00	$25.00	$1,250.00	$53.00	$2,650.00	$48.50	$2,425.00	$65.00	$3,250.00	$25.25	$1,262.50
22	Subgrade Preparation (P)	RDST	10.86	$ 500.00	$ 5,430.00	$295.00	$3,203.70	$515.00	$5,592.90	$267.00	$2,899.62	$365.00	$3,963.90	$550.00	$5,973.00
23	Street Sweeper (With Pickup Broom)	HOUR	22	$ 175.00	$ 3,850.00	$165.00	$3,630.00	$185.00	$4,070.00	$167.00	$3,674.00	$155.00	$3,410.00	$148.00	$3,256.00
24	Aggregate Base (CV) Class 5 (P)	CU YD	436	$ 45.00	$ 19,620.00	$28.00	$12,208.00	$41.00	$17,876.00	$31.30	$13,646.80	$36.52	$15,922.72	$33.80	$14,736.80
25	Full Depth Reclamation (P)	SQ YD	5925	$ 2.00	$ 11,850.00	$3.50	$20,737.50	$1.00	$5,925.00	$1.10	$6,517.50	$1.25	$7,406.25	$3.50	$20,737.50
26	Mill Bituminous Surface (2.0" Depth)	SQ YD	33676	$ 1.50	$ 50,514.00	$1.20	$40,411.20	$1.49	$50,177.24	$1.45	$48,830.20	$1.54	$51,861.04	$1.25	$42,095.00
27	Mill Bituminous Surface (3.5" Depth)	SQ YD	3528	$ 3.00	$ 10,584.00	$1.77	$6,244.56	$2.50	$8,820.00	$2.10	$7,408.80	$1.85	$6,526.80	$1.75	$6,174.00
28	Bituminous Joint Saw & Seal	LIN FT	700	$ 4.00	$ 2,800.00	$3.50	$2,450.00	$7.00	$4,900.00	$6.80	$4,760.00	$7.15	$5,005.00	$9.25	$6,475.00
29	Bituminous Material For Tack Coat	GALLONS	2683	$ 4.50	$ 12,073.50	$0.01	$26.83	$3.50	$9,390.50	$3.05	$8,183.15	$3.50	$9,390.50	$3.50	$9,390.50
30	3" Bituminous Driveway W/ 6" Class 5 Aggregate	SQ YD	70	$ 55.00	$ 3,850.00	$45.00	$3,150.00	$51.00	$3,570.00	$53.80	$3,766.00	$24.36	$1,705.20	$36.25	$2,537.50
31	Type SP. 9.5 Wearing Course Mix (2,C) - Trail	TON	474	$ 120.00	$ 56,880.00	$95.00	$45,030.00	$99.00	$46,926.00	$106.00	$50,244.00	$91.80	$43,513.20	$93.10	$44,129.40
32	Type SP 9.5 Wearing Course Mix (3,C)	TON	5231	$ 100.00	$ 523,100.00	$87.00	$455,097.00	$99.50	$520,484.50	$89.80	$469,743.80	$86.75	$453,789.25	$89.85	$470,005.35
33	Type SP 12.5 Non Wearing Course Mix (3,C)	TON	744	$ 110.00	$ 81,840.00	$84.00	$62,496.00	$87.00	$64,728.00	$91.00	$67,704.00	$90.45	$67,294.80	$88.90	$66,141.60
34	15" RC Pipe Sewer Des 3006	LIN FT	8	$ 150.00	$ 1,200.00	$91.67	$733.36	$215.00	$1,720.00	$91.30	$730.40	$110.00	$880.00	$99.80	$798.40
35	Connect to Existing Storm Sewer	EACH	3	$ 1,500.00	$ 4,500.00	$1,545.00	$4,635.00	$925.00	$2,775.00	$1,540.00	$4,620.00	$1,000.00	$3,000.00	$3,827.00	$11,481.00
36	6" Gate Valve & Box	EACH	2	$ 3,500.00	$ 7,000.00	$3,296.00	$6,592.00	$3,000.00	$6,000.00	$3,570.00	$7,140.00	$2,418.63	$4,837.26	$6,569.00	$13,138.00
37	8" Gate Valve & Box	EACH	4	$ 4,000.00	$ 16,000.00	$4,635.00	$18,540.00	$4,000.00	$16,000.00	$4,910.00	$19,640.00	$3,695.00	$14,780.00	$8,404.00	$33,616.00
38	Hydrant With 6" Gate Valve Assembly (Install Only)	EACH	13	$ 5,000.00	$ 65,000.00	$2,884.00	$37,492.00	$1,300.00	$16,900.00	$3,160.00	$41,080.00	$2,906.00	$37,778.00	$4,374.00	$56,862.00
39	Adjust Gate Valve & Box	EACH	16	$ 1,000.00	$ 16,000.00	$500.00	$8,000.00	$250.00	$4,000.00	$451.00	$7,216.00	$652.00	$10,432.00	$929.00	$14,864.00
40	Connect to Existing Watermain	EACH	11	$ 2,000.00	$ 22,000.00	$900.00	$9,900.00	$920.00	$10,120.00	$877.00	$9,647.00	$1,250.00	$13,750.00	$957.00	$10,527.00
41	6" Ductile Iron Watermain, CL 52	LIN FT	25	$ 85.00	$ 2,125.00	$82.40	$2,060.00	$150.00	$3,750.00	$82.00	$2,050.00	$79.51	$1,987.75	$95.80	$2,395.00
42	8" Ductile Iron Watermain, CL 52	LIN FT	70	$ 95.00	$ 6,650.00	$82.40	$5,768.00	$100.00	$7,000.00	$82.00	$5,740.00	$89.65	$6,275.50	$108.00	$7,560.00
43	8" FPVC Watermain (Directional Drilled)	LIN FT	253	$ 150.00	$ 37,950.00	$133.90	$33,876.70	$175.00	$44,275.00	$129.00	$32,637.00	$138.45	$35,027.85	$159.00	$40,227.00
44	8" PVC Watermain	LIN FT	50	$ 80.00	$ 4,000.00	$92.70	$4,635.00	$150.00	$7,500.00	$87.20	$4,360.00	$72.03	$3,601.50	$87.50	$4,375.00
45	6-Inch CIPP Watermain Lining	LIN FT	360	$ 200.00	$ 72,000.00	$194.67	$70,081.20	$178.00	$64,080.00	$152.00	$54,720.00	$187.88	$67,636.80	$217.00	$78,120.00
46	8-Inch CIPP Watermain Lining	LIN FT	387	$ 215.00	$ 83,205.00	$200.85	$77,728.95	$194.00	$75,078.00	$161.40	$62,461.80	$196.26	$75,952.62	$228.00	$88,236.00
47	Fittings	POUND	1195	$ 15.00	$ 17,925.00	$11.33	$13,539.35	$35.00	$41,825.00	$11.30	$13,503.50	$15.43	$18,438.85	$12.65	$15,116.75
48	Construct Drainage Structure Design 48-4020	EACH	1	$ 1,000.00	$ 1,000.00	$5,974.00	$5,974.00	$2,800.00	$2,800.00	$6,800.00	$6,800.00	$4,295.35	$4,295.35	$3,407.00	$3,407.00
49	Construct Drainage Structure Design 2' X 3'	EACH	1	$ 750.00	$ 750.00	$1,946.70	$1,946.70	$2,200.00	$2,200.00	$2,790.00	$2,790.00	$3,756.75	$3,756.75	$2,632.00	$2,632.00
50	Casting Assembly	EACH	3	$ 1,500.00	$ 4,500.00	$1,350.00	$4,050.00	$1,400.00	$4,200.00	$853.00	$2,559.00	$795.00	$2,385.00	$1,005.00	$3,015.00
51	Adjust Frame And Ring Casting (Sewer)	EACH	49	$ 800.00	$ 39,200.00	$950.00	$46,550.00	$785.00	$38,465.00	$1,070.00	$52,430.00	$845.00	$41,405.00	$1,220.00	$59,780.00
52	6" Concrete Walk	SQ FT	1072	$ 20.00	$ 21,440.00	$16.94	$18,159.68	$14.00	$15,008.00	$19.40	$20,796.80	$22.65	$24,280.80	$18.60	$19,939.20
53	Concrete Curb & Gutter Design B618	LIN FT	4773	$ 25.00	$ 119,325.00	$30.85	$147,247.05	$26.00	$124,098.00	$37.10	$177,078.30	$31.34	$149,585.82	$33.60	$160,372.80
54	Concrete Curb & Gutter Design B624	LIN FT	124	$ 40.00	$ 4,960.00	$47.12	$5,842.88	$36.00	$4,464.00	$37.10	$4,600.40	$36.38	$4,511.12	$50.25	$6,231.00
55	Concrete Curb & Gutter Design V6	LIN FT	10	$ 25.00	$ 250.00	$51.50	$515.00	$47.00	$470.00	$66.80	$668.00	$67.20	$672.00	$52.75	$527.50
56	6" Concrete Driveway Pavement	SQ YD	103	$ 100.00	$ 10,300.00	$112.73	$11,611.19	$69.00	$7,107.00	$76.20	$7,848.60	$82.12	$8,458.36	$115.00	$11,845.00
57	6" Concrete Valley Gutter	SQ YD	22	$ 100.00	$ 2,200.00	$168.15	$3,699.30	$125.00	$2,750.00	$88.30	$1,942.60	$88.72	$1,951.84	$172.00	$3,784.00
58	Truncated Domes	SQ FT	191	$ 60.00	$ 11,460.00	$82.40	$15,738.40	$55.00	$10,505.00	$72.70	$13,885.70	$75.00	$14,325.00	$84.40	$16,120.40
59	Repair/Replace Pet Fence & Irrigation System	LUMP SUM	1	$ 3,000.00	$ 3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$3,000.00
60	Removal, Temporary Installation & Reinstallation of Mailboxes	EACH	21	$ 50.00	$ 1,050.00	$189.00	$3,969.00	$174.00	$3,654.00	$177.00	$3,717.00	$210.00	$4,410.00	$278.00	$5,838.00
61	Traffic Control	LUMP SUM	1	$ 8,000.00	$ 8,000.00	$60,291.05	$60,291.05	$9,000.00	$9,000.00	$8,990.00	$8,990.00	$32,500.00	$32,500.00	$9,390.00	$9,390.00
62	Install Sign Type C	EACH	5	$ 400.00	$ 2,000.00	$257.50	$1,287.50	$248.00	$1,240.00	$253.00	$1,265.00	$275.00	$1,375.00	$264.00	$1,320.00
63	Sign Panels Type C	SQ FT	43	$ 150.00	$ 6,450.00	$87.55	$3,764.65	$86.00	$3,698.00	$85.90	$3,693.70	$84.00	$3,612.00	$89.70	$3,857.10
64	Rigid PVC Loop Detector 6' x 6'	EACH	11	$ 2,000.00	$ 22,000.00	$1,493.50	$16,428.50	$1,451.00	$15,961.00	$1,460.00	$16,060.00	$1,865.00	$20,515.00	$1,971.00	$21,681.00
65	Flashing Beacon System	SYSTEM	2	$ 3,000.00	$ 6,000.00	$25,235.00	$50,470.00	$24,000.00	$48,000.00	$24,700.00	$49,400.00	$24,700.00	$49,400.00	$26,054.00	$52,108.00
66	Storm Drain Inlet Protection	EACH	40	$ 225.00	$ 9,000.00	$110.00	$4,400.00	$115.00	$4,600.00	$195.00	$7,800.00	$125.00	$5,000.00	$126.00	$5,040.00
67	Stabilized Construction Exit	EACH	1	$ 1,000.00	$ 1,000.00	$1,500.00	$1,500.00	$2,100.00	$2,100.00	$0.01	$0.01	$8,600.00	$8,600.00	$1,000.00	$1,000.00

68	Common Topsoil Borrow	CU YD	215	$ 50.00	$ 10,750.00	$35.00	$7,525.00	$40.00	$8,600.00	$60.10	$12,921.50	$82.00	$17,630.00	$47.15	$10,137
69	Fertilizer Type 3	POUND	204	$ 1.75	$ 357.00	$2.06	$420.24	$0.74	$150.96	$2.00	$408.00	$1.00	$204.00	$0.92	$187.68
70	Seeding	ACRE	0.57	$ 2,000.00	$ 1,140.00	$2,060.00	$1,174.20	$5,900.00	$3,363.00	$2,020.00	$1,151.40	$6,650.00	$3,790.50	$7,889.00	$4,496.73
71	Hydraulic Bonded Fiber Matrix	POUND	1995	$ 2.00	$ 3,990.00	$1.95	$3,890.25	$1.99	$3,970.05	$1.90	$3,790.50	$2.10	$4,189.50	$1.31	$2,613.45
72	Seed Mixture 25-151 (120 LB/AC)	POUND	71	$ 8.00	$ 568.00	$7.20	$511.20	$4.99	$354.29	$7.05	$500.55	$6.00	$426.00	$3.55	$252.05
73	Seed Mixture 33-262 (44 LB/AC)	POUND	1	$ 30.00	$ 30.00	$103.00	$103.00	$19.99	$19.99	$101.00	$101.00	$22.00	$22.00	$17.80	$17.80
74	4" Broken Line Paint	LIN FT	5072	$ 0.15	$ 760.80	$0.36	$1,825.92	$0.40	$2,028.80	$0.36	$1,825.92	$0.37	$1,876.64	$0.44	$2,231.68
75	4" Solid Line Paint	LIN FT	5012	$ 0.15	$ 751.80	$0.36	$1,804.32	$0.40	$2,004.80	$0.36	$1,804.32	$0.37	$1,854.44	$0.44	$2,205.28
76	4" Double Solid Line Paint	LIN FT	3303	$ 0.40	$ 1,321.20	$0.72	$2,378.16	$0.75	$2,477.25	$0.72	$2,378.16	$0.75	$2,477.25	$0.89	$2,939.67
77	24" Solid Line Paint	LIN FT	60	$ 6.50	$ 390.00	$5.67	$340.20	$5.25	$315.00	$5.65	$339.00	$8.85	$531.00	$6.95	$417.00
78	Pavement Message Paint	SQ FT	343.5	$ 10.00	$ 3,435.00	$6.39	$2,194.97	$6.10	$2,095.35	$6.35	$2,181.23	$6.35	$2,181.23	$7.85	$2,696.48
79	Crosswalk Paint	SQ FT	856	$ 6.00	$ 5,136.00	$4.94	$4,228.64	$5.10	$4,365.60	$4.90	$4,194.40	$5.00	$4,280.00	$6.10	$5,221.60
Bid Total:					**$1,568,500.30**		**$1,542,764.93**		**$1,564,918.23**		**$1,615,590.21**		**$1,624,847.21**		**$1,723,199.02**

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: James Kosluchar, Public Works Director
Brandon Brodhag, Assistant City Engineer

Title

Resolution No. 2023-51, Requesting No Parking Designation on 53rd Avenue

Background

The 53rd Avenue Trail and Walk Improvements Project No. ST2023-21 includes a new trail along the south side of 53rd Avenue from Main Street to Central Avenue (Trunk Highway 65) and a new sidewalk on the north side of 53rd Avenue from University Avenue East Service Road to Monroe Street which is currently being designed (see attached map). The project will include relocation of the existing curb on the south side of 53rd Avenue and on portions of the north side of 53rd Avenue to accommodate the new trail and sidewalk. Existing parking lanes on the south side of 53rd Avenue will be eliminated from Main Street to 3rd Street. Existing parking lanes on the north side of 53rd Avenue will be eliminated from University Avenue East Service Road to 4th Street and between 6th Street to 7th Street. There will still be parking on the opposite side of these street segments and on side streets adjacent to these corridors.

This proposed elimination of parking has been presented in prior neighborhood meetings on the project. The public involvement for the project started at a neighborhood event in October 2019 that was hosted by City of Fridley (City) staff to gauge resident interest and feedback in potential modifications to 53rd Avenue. The proposed alternatives were accompanied by potential changes to boulevards widths, removal of on-street parking, and modification of lane widths. The attendees were supportive of losing one lane of street parking if the project-maintained parking available on one side of the street. City staff moved forward with that feedback to go forward with applying for grants and continue with preliminary design.

In 2022, City staff hosted an open house for the 53rd Avenue Trail and Walk Improvements project and presented the preliminary layouts for the 53rd Avenue modifications, City staff of their concern with losing parking on one side of the street. At the January 9, 2023, City Council Meeting, the 53rd Avenue Trail and Walk Improvement project public hearing was held for residents to voice their concerns to the City Council on the proposed layout, which included elimination of a parking lane on one side of the street. No residents expressed concern during the public hearing for the project.

Financial Impact

Funding for this project is derived from several sources including Local Road Improvement Program Grant, Municipal State Aid Street funding, special assessments, and utility CIP funds for water, sanitary sewer, and storm sewer.

Recommendation

Staff recommends the approval of Resolution No. 2023-51.

Focus on Fridley Strategic Alignment

X Vibrant Neighborhoods & Places
____ Community Identity & Relationship Building
____ Financial Stability & Commercial Prosperity
____ Public Safety & Environmental Stewardship
____ Organizational Excellence

Attachments and Other Resources

- Resolution No. 2023-51
- No Parking Resolution – Location Map

Resolution No. 2023-51

Requesting No Parking Designation on 53rd Avenue

Whereas, the City of Fridley is currently completing construction plans for the 53rd Avenue Trail and Walk Improvements Project No. ST2023-21, including the addition of a trail on the south side of 53rd Avenue from Main Street to Central Avenue (Trunk Highway 65) and the addition of a sidewalk on the north side of 53rd Avenue from University Avenue East Service Road to Monroe Street; and

Whereas, these changes will require elimination of parking lanes on the south side of 53rd Avenue from Main Street to 3rd Street and on the north side of 53rd Avenue between University Avenue East Service Road to 4th Street and 6th Street to 7th Street, respectively; and

Whereas, ample off-street, across-street, and side-street parking is available adjacent to these segments of 53rd Avenue; and

Whereas, this parking lane elimination has been presented to stakeholders at prior meetings, and any concerns have been responded to;

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves:

1. The City Council designates the south side of 53rd Avenue as No Parking along the south side of 53rd Avenue between Main Street to 3rd Street; and

2. The City Council designates the north side of 53rd Avenue as No Parking along the north side of 53rd Avenue between University Avenue East Service Road to 4th Street and 6th Street to 7th Street; and

3. The Public Works Department install signage in accordance with the parking prohibitions listed above in conjunction with the construction of Project ST2023-21.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

____

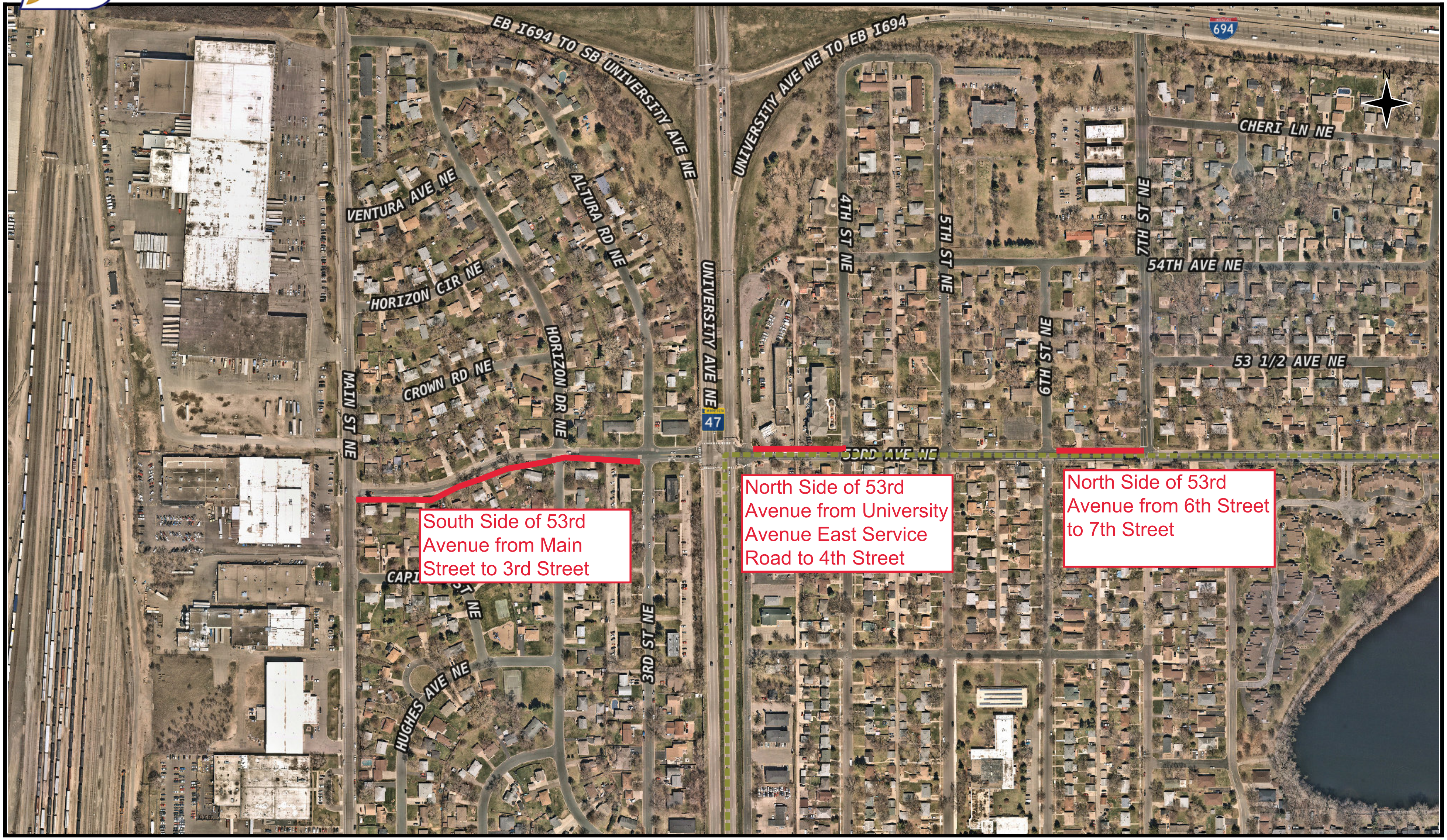
Scott J. Lund – Mayor

Attest:

____

Melissa Moore – City Clerk

No Parking Resolution - Location Map



Date Created: May 12, 2023

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AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: James Kosluchar, Public Works Director
Brandon Brodhag, Assistant City Engineer

Title

Resolution No. 2023-52, Approving Changes to Roadway Major Maintenance Financing Policy

Background

The Roadway Major Maintenance Financing Policy sets forth guidelines for the financing of major roadway maintenance projects. The existing policy was enacted in 2006, updated with minor modifications in 2009 and revised in 2020. This policy document is used as a guide to provide preliminary and budgetary projections of special assessment funding. While the City Council (Council) is the final arbiter regarding setting final assessments, historically this policy has been closely followed.

Attached is a policy showing redlines for all changes. The redlined policy shows the existing policy with changes being requested for approval by the Council. These include:

1. Added language to the Benefited Property section under Definitions regarding frontage roads with the presence of adjacent public right-of-way and lack of public circulatory access are deemed to be of benefit to commercial or industrial properties.

2. Added verbiage to the Commercial, Industrial, Manufacturing, Tax Exempt, Institutional, and Medium and High-Density Residential section under Cost Allocation defining that the entire costs of any improvement on frontage roads shall be assessable to the benefitted properties, even if only those properties on one side of such frontage roads are benefitted.

While evaluating the four project areas within the 2023 Street Rehabilitation Project ST2023-01, three roadway segments were unusual in that they are bordered on one side by non-LDR properties opposite public rights-of-way (MnDOT and Anoka County). In one case, on Cheri Lane, circulation for the public is provided, and thus the assessment is proposed to apply costs for only the near side of the street. The two remaining street segments do not provide circulation and therefore do not follow the traditional equity distribution of assessment costs. In these locations, the presence of adjacent public right-of-way and lack of public circulatory access differ from the standard policy and require additional considerations when determining and allocating benefit. See the attached memo for further analysis specific to this project. It is also of note that there were no objections or concerns indicated to date regarding the estimated assessments included in our notices for the Hearing on Improvements for the 2023 Street Rehabilitation Project ST2023-01.

A typical application of the policy allocates special assessments to benefitting properties with frontage and existing access to the improved street. Under these conditions, low-density residential (LDR) assessments are allocated on a per-unit basis and commercial (non-LDR) properties are assessed by front footage method. The City of Fridley has also utilized an area method in the past for assigning benefit to commercial properties where frontage does not accurately reflect benefit.

The recommended changes to the policy will provide additional revenue reflecting received benefit to special assessment properties for future projects to the Street Capital Projects Fund. While the policy will have an impact on some special assessments, the changes will be modest and can be accommodated with current projects.

Financial Impact

The proposed policy change will provide additional revenue reflecting benefit to special assessment properties for future projects to the Street Capital Projects Fund.

Recommendation

Staff recommends the approval of Resolution No. 2023-52.

Focus on Fridley Strategic Alignment

X Vibrant Neighborhoods & Places
____ Community Identity & Relationship Building
____ Financial Stability & Commercial Prosperity
____ Public Safety & Environmental Stewardship
____ Organizational Excellence

Attachments and Other Resources

- Resolution No. 2023-52
- Updated Roadway Major Maintenance Financing Policy
- Memorandum to Wally Wysopal - 2023 ST2023-01 Preliminary Special Assessment Summary

Resolution No. 2023-52

Approving Changes to Roadway Major Maintenance Financing Policy

Whereas, the City of Fridley's Roadway Major Maintenance Financing Policy sets forth guidelines for the financing of roadway major maintenance projects; and

Whereas, the Policy is used as a guide document to provide preliminary and budgetary projections of special assessment funding; and

Whereas, the Policy was enacted in 2006 and updated with minor modifications in 2009; and

Whereas, the City Council approved the latest revisions to the Policy July 13, 2020; and

Whereas, the updated revisions to the Policy include additional language for benefitting properties abutting up to frontage roads shall be assessable the entire costs of any improvement on frontage roads, even if only those properties on one side of such frontage roads are benefitted.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves and authorizes the amendments to the Roadway Major Maintenance Financing Policy.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

____
Scott J. Lund – Mayor

Attest:

____
Melissa Moore – City Clerk

Roadway Major Maintenance Financing Policy

City of Fridley, Minnesota

Approved by City Council 7/13/20

Introduction and Purpose

The following policy sets forth guidelines for the financing of roadway major maintenance projects.

(Total reconstruction of streets for the initial upgrade from a bituminous curbed street to a concrete curbed street will continue to be assessed based on the existing policy of calculating the assessment based on the costs to install the concrete curb and gutter.)

Definitions

A. Benefited Property: Property with frontage (rear, side, or front) along a roadway will be considered to receive benefit from any major maintenance projects. In the low-density residential lots (four or fewer dwelling units), those properties with frontage and an existing access to the roadway will be considered to receive benefit. Frontage roads along highways or other arterial streets, the presence of adjacent public right-of-way and lack of public circulatory access are deemed to be of benefit to commercial or industrial properties.

B. Major Maintenance: For the purpose of this policy, major maintenance will consist of overlays, partial or total reconstruction together with other associated infrastructure repairs, reconstruction, and minor extensions.

C. Minor Maintenance: For the purpose of this policy, minor maintenance shall consist of pothole patching, crack sealing, seal coating and minor skin overlays. Funding of these maintenance activities are not addressed as part of this major maintenance policy.

D. Project Cost: Included in the improvement cost to be assessed shall be the roadway major maintenance activity construction costs incurred to implement the improvements. This will include costs for project engineering, oversight, and administration calculated at the greater of 1) 15% of construction costs, or 2) actual expenditures for project engineering, oversight, and administration.

E. New Construction: Construction of new streets and utilities through development shall be paid for by the landowner or developer. Costs and payment thereof shall be determined under a Developer's Agreement.

F. Land Use Type: The classification of the land use will be based on the property's current land use – not on what the underlying zoning of the property is.

Cost Allocation

The total project cost for major maintenance is to be allocated in accordance with the policy. It is the intention of this policy to allocate cost on a project basis rather than on a street-by-street or block-by-block basis.

A. All publicly owned and maintained streets under City jurisdiction

1. Low-Density Residential Lots (those with four or fewer dwelling units)

For major maintenance reconstruction of residential streets, 50% percent of the project cost will be assessed to the area benefited on a per residential lot basis. Residential properties will be assessed for construction on the roadway to which they access. In the event that a residential lot has frontage on two streets and is of sufficient size to split or subdivide, those portions of the lot that front on a second street will be assessed for current projects and may be assessed for future road construction as defined in this policy statement.

For purpose of this assessment policy, only those residential lots with frontage and an existing access to the roadway will be considered to receive benefit.

For multiple-unit Low-Density Residential Lots (those with four or fewer dwelling units), the assessment will be at a rate equal to the lesser of the High-Density Residential rate, or the following:

2 Units (duplex):	1.5 times the single-unit residential rate
3 Units (triplex):	2.0 times the single-unit residential rate
4 Units (fourplex):	2.5 times the single-unit residential rate

2. Commercial, Industrial, Manufacturing, Tax Exempt, Institutional, and Medium and High-Density Residential

Commercial, industrial, manufacturing, tax exempt, institutional and medium and high-density (more than four dwelling unit) multi-residential frontages will be assessed actual project costs based on the lineal footage of streets being maintained adjacent to front, side, or rear lot sides. For individually owned multi-family structures, this cost will be divided equally between the individual units. The entire costs of any improvement on frontage roads shall be assessable to the benefitted properties, even if only those properties on one side of such frontage roads are benefitted.

Unplatted or vacant commercial, industrial, manufacturing, tax exempt, institutional medium and high-density residential properties will be assessed as described above based upon the land use allowed by the ordinance.

Associated Infrastructure Repairs

Storm Sewer, Sanitary Sewer, Water main, and Concrete Curb and Gutter:

1. The cost for major extension of storm sewer to new areas under major roadway reconstruction will be assessed on a per lot basis. The current per lot assessment will be set by the City Council.

2. The cost of lateral and main storm sewer maintenance and reconstruction within the area where streets are receiving major roadway maintenance will not be included in the project cost to be assessed.

3. The cost of lateral and main sanitary sewer and water main maintenance and reconstruction, and existing concrete curb and gutter repairs within the area where streets are receiving major roadway maintenance will not be included in the project cost to be assessed.

Financing

A. The cost of the roadway major maintenance and related utility improvements will ordinarily be assessed over a period not to exceed 10 years, except for those assessments that are prepaid or deferred.

B. The project costs not funded by assessments will be funded from any funding sources as specified by the City Council.

C. The assessment rate will be based on the project cost including the rate of interest on bonds sold to finance the project plus expenses.

MEMORANDUM

Public Works Department

Streets • Parks • Water • Sewer • Stormwater • Fleet • Facilities • Forestry • Engineering

Date: 12/15/2022

To: Wally Wysopal, City Manager

From: James Kosluchar, Public Works Director
Brandon Brodhag, Assistant City Engineer
Carl Lind, Graduate Engineer

RE: 2023 Street Rehabilitation Project No. ST2023-01 Preliminary Special Assessment Summary

In conjunction with feasibility report development and preliminary design of the 2023 Street Rehabilitation Project No. ST2023-01, staff have prepared estimates of special assessments to benefitting properties adjacent to the proposed roadway improvements. These assessments were calculated in accordance with the City's major street maintenance policy for local streets.

A typical application of the policy allocates special assessments to benefitting properties with frontage and existing access to the improved street. Under these conditions, low-density residential (LDR) assessments are allocated on a per-unit basis and commercial (non-LDR) properties are assessed by front footage method. The City has also utilized an area method in the past for assigning benefit to commercial properties where frontage does not accurately reflect benefit.

While evaluating the four project areas within the 2023 Street Rehabilitation Project, three roadway segments were unusual in that they are bordered on one side by non-LDR properties opposite public rights-of-way (MnDOT and Anoka County). In one case, on Cheri Lane, circulation for the public is provided, and thus the assessment is proposed to apply costs for only the near side of the street. The two remaining street segments do not provide circulation and therefore do not follow the traditional equity distribution of assessment costs. In these locations, the presence of adjacent public right-of-way and lack of public circulatory access differ from the standard policy and require additional considerations when determining and allocating benefit.

A summary of the special benefit interpretation and preliminary assessment calculations in these locations is detailed below:

East River Road East Service Drive (53rd Way to North)

This portion of the East River Road East Service Drive extends north of 53rd Way and serves as the primary access for three commercial properties before terminating at a cul-de-sac to the north. The western frontage to the segment abuts Anoka County/MnDOT right-of-way and is not assessable. A map of the project area and preliminary assessment allocations has been included for context.

The segment is an example of how the standard calculation cannot be equitably applied under these circumstances, where one parcel has approximately 90 feet of frontage (5401 East River Road), and the other parcels (5301 and 5353 East River Road) have several hundred feet of frontage, yet the three businesses receive comparable benefit from the roadway. Furthermore, without circulatory access to other City streets for public use nor benefitting properties to the west along this segment, staff interpretation of the City’s assessment policy assigns full benefits for this portion of the roadway improvements to the three adjacent commercial properties.

The pavement improvement costs along the segment were then split from the remainder of the Great Northern Industrial project area and assessed to the three properties on an area-basis due to irregular frontage. The resulting preliminary assessment rate for these properties is approximately $5,000 per acre, with preliminary assessments ranging from $30,000 to $50,000.

East River Road West Service Drive (Georgetown Apartments/Estates at Fridley)
This segment of the East River Road West Service Drive serves as the only access to the Georgetown Apartments and Estates at Fridley before both legs terminate into additional parking lot access to the apartments with no further outlets for traffic circulation. The eastern frontage to the segment abuts Anoka County right-of-way and is not assessable. A map of the project area has been included.

Similar to the previous example, this segment lacks circulatory benefit to the public. Without circulation, the improvement benefits are solely attributable to the three benefitting parcels. Staff have prepared preliminary assessments with pavement improvement costs assessed to the benefitting properties on an area-basis. The resulting preliminary assessment rate for these properties is $6,200 per acre, with preliminary assessments among parcels ranging from $8,000 to $67,000.

Pursuant with the policy application detailed above, staff recommends the consideration of circulatory benefit to the public during future special benefit assignment of future roadway improvements beyond those set forth in the City’s major street maintenance policy.

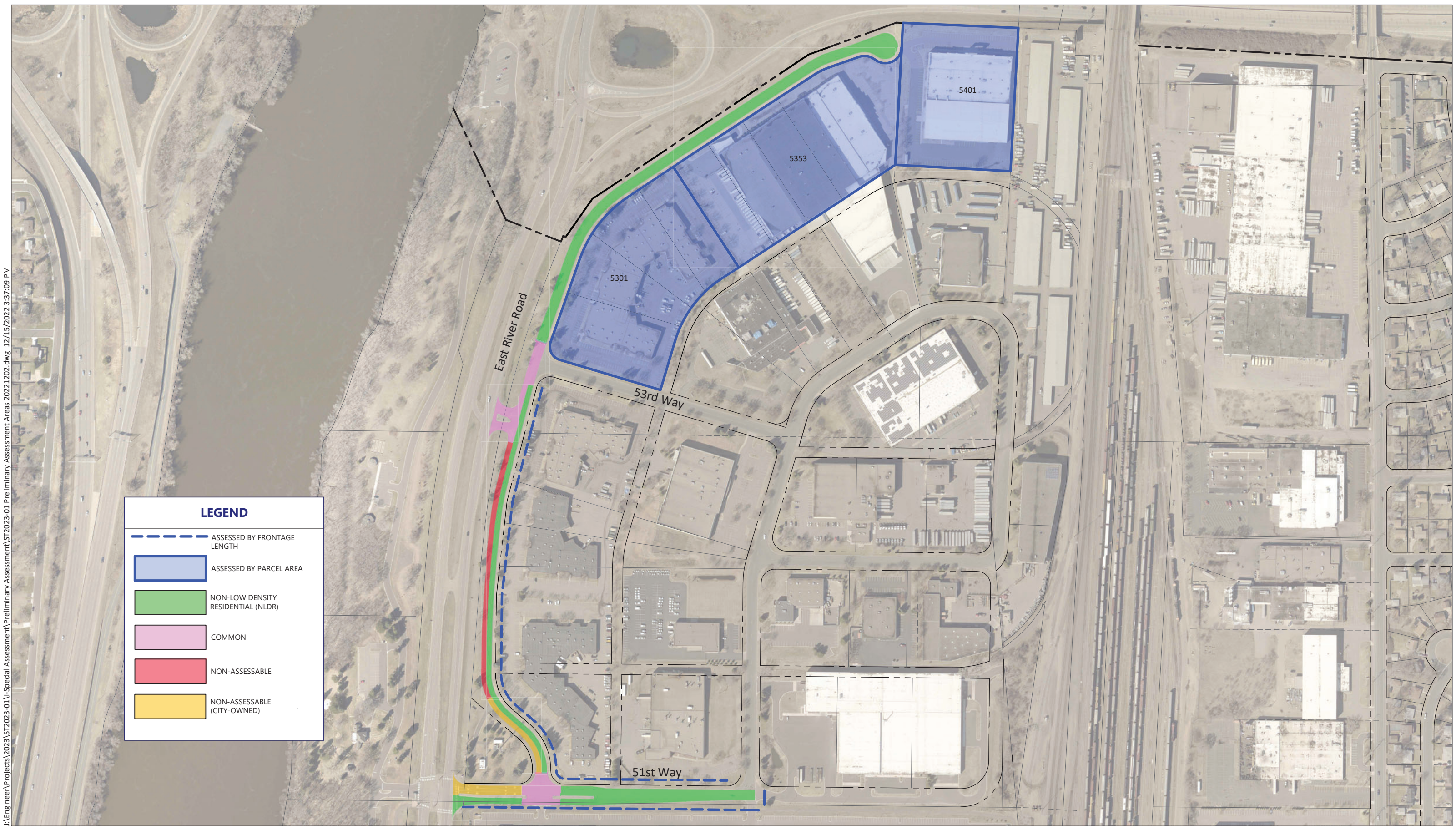
JPK/BJB/CRL/crl

Attachments

2023 Street Rehabilitation Project No. ST2023-01
Fridley, MN

Figure 1: Preliminary Assessment Map (Industrial)
December 2022

City of Fridley
Friendly, Responsive & Driven

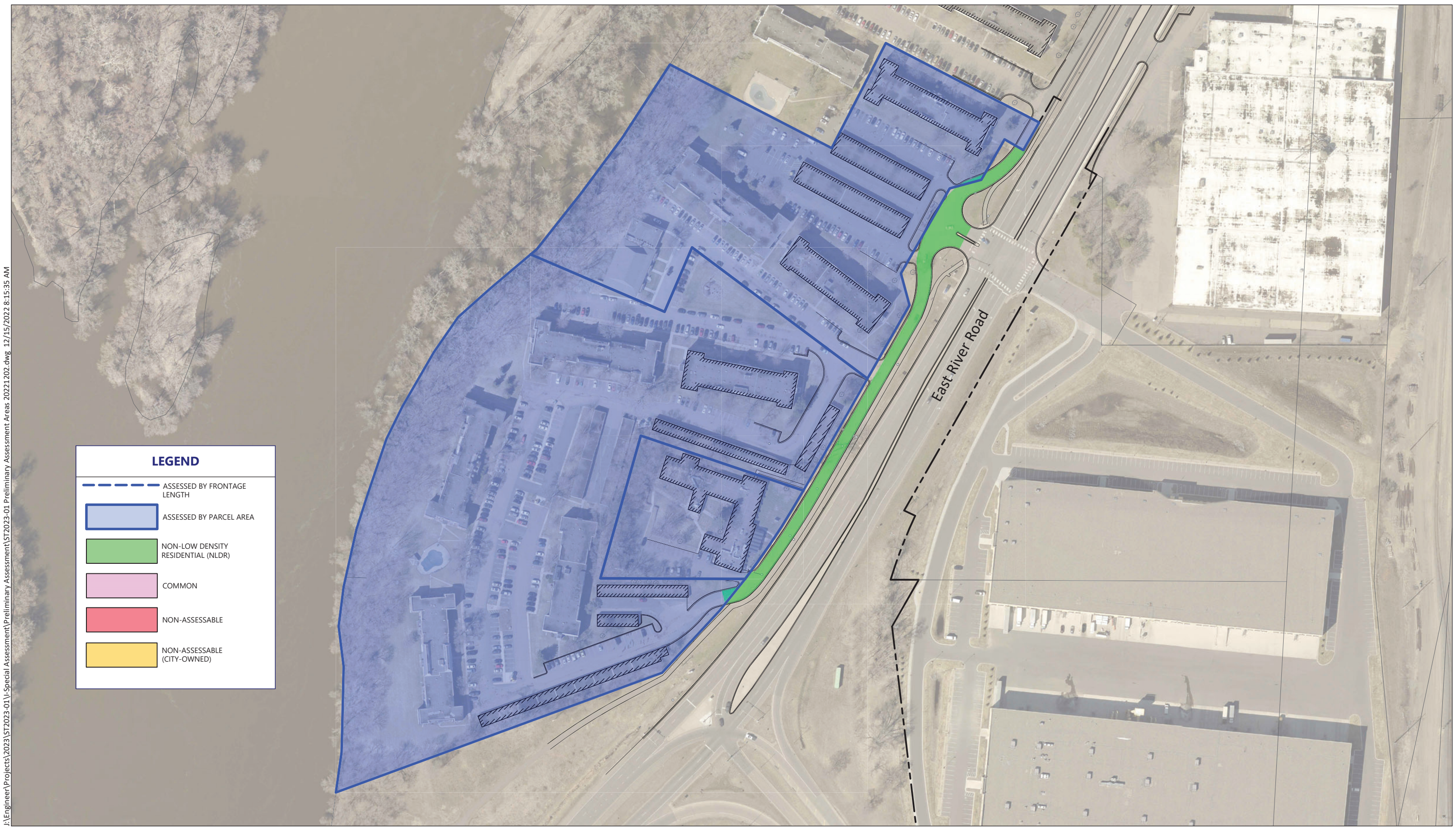


J:\Engineer\Projects\2023\ST2023-01\I-Special Assessment\Preliminary Assessment\ST2023-01 Preliminary Assessment Areas 20221202.dwg 12/15/2022 3:37:09 PM

2023 Street Rehabilitation Project No. ST2023-01
Fridley, MN

Figure 2: Preliminary Assessment Map (Georgetown)
December 2022

City of Fridley
Friendly, Responsive & Driven



City of Fridley

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Korrie Johnson, Assistant Finance Director

Title

Resolution No. 2023-53, Approving Gifts, Donations and Sponsorships Received Between April 15, 2023, and May 12, 2023

Background

Each month, the City of Fridley (City) receives various donations and gifts to support City operations, programs and projects. Pursuant to Minnesota Statute § 465.03, the City may accept these donations and gifts for the benefit of residents. For specific donations or gifts, the donor may prescribe certain requirements, such as for a specific activity or department.

Consistent with the abovementioned statute, staff prepared Schedule No. 1 (Exhibit A), which outlines the various donations, gifts and/or sponsorships received by the City between April 15, 2023, and May 12, 2023. To accept the same, the Council must adopt the attached resolution by a two–third majority vote.

Lastly, for each donation, gift or sponsorship, staff ensure it meets an identified need, does not create a quid–pro–quo or long–term maintenance obligation, and the donor received an acknowledgment of their gift through a letter or publication.

Financial Impact

Every donation benefits the City of Fridley's finances.

Recommendation

Staff recommend the approval of Resolution No. 2023-53.

Focus on Fridley Strategic Alignment

____	Vibrant Neighborhoods & Places	____	Community Identity & Relationship Building
X	Financial Stability & Commercial Prosperity	____	Public Safety & Environmental Stewardship
____	Organizational Excellence		

Attachments and Other Resources

- Resolution No. 2023-53
- Exhibit A: Schedule No. 1

Vision Statement
We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023-53

Approving Gifts, Donations and Sponsorships for the City of Fridley

Whereas, throughout the year the City of Fridley (City) receives various gifts and donations; and

Whereas, the City is sincerely grateful for the support it receives from an array of organizations and individuals; and

Whereas, without this support, the continuation of different events or programs would be difficult to sustain; and

Whereas, the attached schedule (Exhibit A) lists all of the donations and gifts received by various City departments between April 15, 2023, and May 12, 2023; and

Whereas, all of the items listed on the attached schedule (Exhibit A) are required to be accepted by the City Council by a two-thirds majority vote; and

Whereas, all items have been determined to be donated free of any quid-pro-quo expectation by the donor.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves and accepts the various donations, gifts and sponsorships made between April 15 2023, and May 12, 2023.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

____

Scott J. Lund – Mayor

Attest:

____

Melissa Moore – City Clerk

Gifts, Donations, and Sponsorships - City of Fridley **Schedule No. 1**

Date Received	Department or Division	Program	Donor Name, if not anonymous	Amount/ Value	Fund
12/19/2022	SNC	Xcel grant	Springbrook Foundation	$7,500.00	270
12/22/2022	SNC	Green Roof	Springbrook Foundation	$67,751.20	270
12/28/2022	Public Safety - Police	Donation for Police K9 Expenses	Coss Family Foundation (St. Paul & MN Foundation)	$20,000.00	101
12/30/2022	SNC	Donation for Winterfest - Kicksleds	Spring Lake Park Lions	$1,500.00	270
12/31/2022	SNC	Donation Box Contents	Various	$127.00	270
1/3/2023	Public Safety - Police	Donation for "Nite to Unite" supplies	MINCO	$1,000.00	101
1/17/2023	Parks & Recreation - Rec Div	Donation for Winterfest - Kicksleds	Fridley Lions Club	$1,500.00	101
1/18/2023	Public Safety - Fire	Donation for Fire Prevention Activities	MINCO	$1,000.00	101
1/25/2023	SNC	Donation Box Contents	Various	$145.04	270
1/25/2023	SNC	Individual Donation	Jerrilynn Boehland	$100.00	270
2/28/2023	SNC	Donation Box Contents	Various	$295.00	270
3/1/2023	SNC	Donation Box Contents	Various	$88.00	270
3/10/2023	SNC	General Donation	Zoe & Brett Hildreth	$100.00	270
3/16/2023	SNC	Memorial Donation for Dave Kondrick	Roger & Barb Van Batavia	$25.00	270
3/23/2023	Public Works	Donation of Right of Way at 53rd	Target	$137,600.00	406
4/10/2023	Public Safety - Police	Donation for "Shop with a Cop" gift cards	Wal-Mart	$4,000.00	101
4/13/2023	SNC	Memorial Donation for Dave Kondrick	Various	$295.00	270
4/13/2023	SNC	Donation Box Contents	Various	$184.00	270
4/19/2023	**SNC**	**Memorial Donation for Dave Kondrick**	**Barbara & Stephen Kondrick**	**$25.00**	**270**
4/28/2023	**SNC**	**Donation Box Contents**	**Various**	**$65.00**	**270**
5/10/2023	**SNC**	**Memorial Donation for Jeanette Oliverus**	**Shelly Albers**	**$100.00**	**270**
5/12/2023	**SNC**	**SNCF Grant Reimbursement**	**Xcel Energy and International Paper**	**$7,000.00**	**270**
			Year to Date Total	**$250,400.24**	

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: James Kosluchar, Public Works Director
Nic Schmidt, Civil Engineer

Title

Resolution No. 2023-56, Approving Purchasing Agent Agreement with Bredemus Hardware Co., Inc. for Moore Lake Community Building and Site Improvements Project

Background

This resolution will approve the Purchasing Agent Agreement with Bredemus Hardware Co., Inc. for Moore Lake Community Building and Site Improvements Project. Bids for the project were received and awarded April 24, 2023, including a contract for Moore Lake Building Bid Package 08-A Doors, Frames & Hardware – Material Only to Bredemus Hardware Co., Inc. (Agent).

The City wishes to purchase on its own account materials, supplies and equipment for the Project (collectively "Tax-Exempt Materials") as described in the contract documents for the Moore Lake Building Bid Package 08-A Doors, Frames & Hardware. Bredemus Hardware Co., Inc. desires to act as the City's purchasing agent for purposes of acquiring the Tax-Exempt Materials for use exclusively in the Project. The contract amount is $59,393 and does not include sales tax. Savings with tax-exempt status equates to $4,234.

Staff recommends the approval of Resolution No. 2023-56, subject to final review of the agreement and minor amendments recommended by the City Attorney.

Financial Impact

Funding is provided by bond proceeds through the Capital Investment Program.

Recommendation

Staff recommends the approval of Resolution No. 2023-56.

Focus on Fridley Strategic Alignment

X Vibrant Neighborhoods & Places
X Community Identity & Relationship Building
__ Financial Stability & Commercial Prosperity
X Public Safety & Environmental Stewardship
X Organizational Excellence

Attachments and Other Resources

- Resolution No. 2023-56
- Exhibit A – Purchasing Agent Agreement with Bredemus Hardware Co., Inc.

Resolution No. 2023-56

Approving Purchasing Agent Agreement with Bredemus Hardware Co., Inc. for Moore Lake Park Community Building and Site Improvements Project

Whereas, Project bids were received and awarded April 24, 2023, including a contract for Moore Lake Building Bid Package 08-A Doors, Frames & Hardware – Material Only to Bredemus Hardware Co., Inc.; and

Whereas, the City of Fridley (Owner) is in the process of executing construction contracts for the Project, including the contract for Moore Lake Building Bid Package 08-A Doors, Frames & Hardware – Material Only; and

Whereas, this agreement is made by and between Bredemus Hardware Co., Inc. (Agent) and the Owner, a Minnesota city generally exempt from paying state sales and use tax under Minnesota Statute § 297A.70; and

Whereas, Owner is undertaking the construction on its property of certain improvements generally described as Moore Lake Park Community Building and Site Improvements Project; and

Whereas, Owner wishes to purchase on its own account materials, supplies and equipment for the Project (collectively "Tax-Exempt Materials") as described in the contract documents for the Moore Lake Building Bid Package 08-A Doors, Frames & Hardware – Material Only; and

Whereas, Owner has solicited separate bids for the Tax-Exempt Materials, the award of which was not contingent upon the successful award of any other part of the Project; and

Whereas, Agent is the successful bidder for the Tax-Exempt Materials; and

Whereas, Agent desires to act as Owner's purchasing agent for purposes of acquiring the Tax-Exempt Materials for use exclusively in the Project.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves Approval of the attached Purchasing Agent Agreement with Bredemus Hardware Co., Inc. for Moore Lake Park Community Building and Site Improvements Project, subject to final review and minor amendments recommended by the City Attorney.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

____
Scott J. Lund – Mayor

Attest:

____
Melissa Moore – City Clerk

Exhibit A – Purchasing Agent Agreement

THIS AGREEMENT is made by and between **Bredemus Hardware Co., Inc.** ("Agent") and **City of Fridley** ("Owner"), a Minnesota city generally exempt from paying state sales and use tax under Minn. Stat. § 297A.70; and

IS THEREFORE AGREED between the parties hereto that:

1. This Agreement is made with reference to, and where applicable shall be governed by, the specifications and provisions set forth in the Contract Documents as such are defined in the Owner/Contractor Agreement for the Project.

2. Owner appoints Agent to act as its purchasing agent for purchasing the Tax-Exempt Materials, and further authorizes Agent to appoint such subagents as Agent deems appropriate for carrying out the purposes of this Agreement, which subagents shall have similar powers of appointment.

3. It is understood and agreed that: (a) Owner takes title to the Tax-Exempt Materials at the point of delivery; (b) Owner assumes the risk of loss for all Tax-Exempt Materials; and (c) Owner bears all risk for defects in the Tax-Exempt Materials, including Tax-Exempt Materials incorporated into the real estate.

4. Agent (and any subagents) shall include the following Notice to Vendors/Suppliers in all purchase orders and other documents furnished to a vendor or supplier in connection with the purchase of any Tax-Exempt Materials:

NOTICE TO VENDORS/SUPPLIERS
The materials to which this document relates are being purchased by Bredemus Hardware Co., Inc. as the purchasing agent of the City of Fridley ("Owner"). It is the Owner's obligation, not the purchasing agent's, to pay for the materials. Because the Owner is a city of Minnesota, this purchase is exempt from sales tax under Minn. Stat. § 297A.70.

5. Agent shall exercise reasonable care in performance of its duties as purchasing agent, including the inspection of the Tax-Exempt Materials for obvious or apparent defects or the failure of such materials to conform to the plans, specifications and all Contract Documents relating to the Project.

6. Owner shall pay the sum of $59,393.00 for all of the Tax-Exempt Materials purchased by Agent under this Agreement.

Agent shall direct vendors and suppliers to deliver invoices for the Tax-Exempt Materials to Owner in care of Agent at 1285 Sylvan Street, St. Paul, MN 55117. Agent shall submit invoices for payment to Owner, which invoices shall be due and payable upon Owner's receipt of the invoices.

7. Agent shall promptly notify Owner of any sales and use tax audit by the Minnesota commissioner of Revenue or of the threatened imposition or assessment of any sales or use taxes. Owner may, at its sole option and cost, dispute, contest or otherwise resist the imposition or assessment of any such taxes. Upon reasonable notice to Owner, Agent may (but is not obligated to) take such actions as it deems reasonable in response to the threatened imposition or assessment of taxes, which actions shall be deemed to have been taken on Owner's behalf. If any Minnesota sales or use taxes are imposed or assessed with respect to any Tax-Exempt Materials purchased pursuant to this Agreement, Owner shall be solely responsible for the payment of such taxes, including any related penalties and interest, and shall hold Agent harmless and indemnify Agent from any such cost or expense related thereto, including any legal fees and costs incurred by Agent in connection therewith or in connection with the enforcement of this paragraph.

8. The agency relationship created by this Agreement is intended to be in compliance with Minnesota Rule 8130.1200 and its current interpretation by the Minnesota Department of Revenue.

9. The alternative dispute resolution provisions (if any) in the Owner/Contractor Agreement are incorporated herein by reference and are applicable to any dispute between the parties hereto arising out of this Agreement.

10. Owner may terminate this Agreement at any time and for any reason. Upon receiving notice of termination, Agent shall cease making any purchases and shall promptly notify any subagents it has appointed that such appointment has likewise been terminated, that they are to cease initiating any new purchases, and that they are to likewise notify any subagents they have appointed that they are to cease initiating any new purchases. Any purchases that were initiated by Agent or subagent prior to its receiving notice of termination and that cannot be reasonably reversed after it received notice of termination shall be deemed to have been made with authority.

11. The provisions of this Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, legal representatives, assigns, and any subagents appointed pursuant to this Agreement.

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals this ______ day of ____________________, 2023.

PARTY OF THE FIRST PART
CITY OF FRIDLEY
by

______________________________	______________________________
JAMES P. KOSLUCHAR, DIRECTOR OF PUBLIC WORKS	WALTER T. WYSOPAL, CITY MANAGER
______________________________	______________________________
WITNESS	SCOTT J. LUND, MAYOR

PARTY OF THE SECOND PART

WITNESS	AGENT	
		by
WITNESS	NAME (TITLE)	

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Mike Maher, Parks and Recreation Director

Title:

Resolution No. 2023-57, Approving an Anoka County SHIP Grant for a Gardening Education Program

Background

Parks and Recreation staff have applied for a Statewide Health Improvement Program (SHIP) grant for reimbursement not to exceed $3,100 to start a gardening education program to be housed at Springbrook Nature Center. Portable, tiered garden systems and gardening equipment will be purchased and used for a variety of educational programs to promote cultivation of healthy food by residents.

Financial Impact

Reimbursement will be requested for all material purchases and education programming will not require any additional staffing.

Recommendation

Staff recommends that Council approve Resolution 2023-57.

Focus on Fridley Strategic Alignment

X	Vibrant Neighborhoods & Places		Community Identity & Relationship Building
	Financial Stability & Commercial Prosperity	X	Public Safety & Environmental Stewardship
	Organizational Excellence		

Attachments and Other Resources

- Resolution No. 2023-57
- Anoka County SHIP Grant Memorandum of Understanding

Resolution No. 2023-57

Approving 2023 Anoka County SHIP Grant Application for Gardening Education Program

Whereas, the Fridley Parks and Recreation Department offers educational programming deigned to encourage residents to pursue leisure and environmental interests; and

Whereas, Anoka County offers reimbursement grants through the Statewide Health Improvement Program (SHIP); and

Whereas, Anoka County distributes a portion of this funding to cities to develop and implement programs, practices, and methods to encourage a healthier population; and

Whereas, Springbrook Nature Center and Fridley Parks and Recreation has staff and facilities needed to implement a successful gardening education program.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby authorizes the execution of the Gardening Education Program SHIP Grant from Anoka County.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

____
Scott J. Lund – Mayor

Attest:

____
Melissa Moore – City Clerk

Anoka County
HUMAN SERVICES DIVISION
Community Social Services and Behavioral Health

May 15, 2023

City of Fridley
Attn: Mike Maher
7071 University Ave NE
Fridley, MN 55432

Dear Mr. Maher:

Enclosed is your 2023 contract with Anoka County. Please review the contract and complete the signature portion using DocuSign. If applicable and ready, please attach the necessary insurance information using the attachment link in the DocuSign document. If insurance is not ready and you will be sending this information at a later date, please send to:

Angela.Rodine@co.anoka.mn.us **or**

Angie Rodine
County of Anoka
2100 3rd Avenue, 5th Floor
Anoka, MN 55303

PLEASE NOTE: The following information is required as part of your contract. If the contract is signed and executed without receiving this information in a timely manner, it may be referred to the County Attorney's Office for possible Breach of Contract and/or payments may be withheld until information is received.

CERTIFICATE OF LIABILITY INSURANCE - Required

There is no insurance information needed for this contract.

CONTRACTOR INFORMATION SHEET - Required

Please update/complete and sign this page and return with your contract.

DocuSign will automatically forward a copy of the signed contract to you, once completed. If you have questions regarding the contract, please call your Contract Manager, Justin Navratil, at 763-324-4336.

Sincerely,

Angie Rodine

Angie Rodine
Administrative Assistant, Planning and Operations Support Services

Anoka County Contract #C0009999

STATEWIDE HEALTH IMPROVEMENT PROGRAM
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by Anoka County, a political subdivision of the State of Minnesota, 2100 Third Avenue, Anoka, Minnesota 55303 ("County"), and City of Fridley, 7071 University Ave NE, Fridley, MN 55432 (Contractor).

RECITALS:

(1) As Grantee, County has accepted grant funds from, and entered into a Grant Agreement with, the Minnesota Department of Health based on Grantee's Work Plan.

(2) County included grant activities associated with implementing policies and practices that result in development of MN Eats Community Setting strategies.

(3) Contractor represents that it is qualified and willing to furnish these services.

(4) County wishes to establish a Memorandum of Understanding (MOU) with Contractor for these services.

It is agreed and understood as follows:

1. TERM

1.1 The term for this Memorandum of Understanding begins on **5/1/2023** and ends on **10/31/2023**, regardless of the date of signatures.

2. JOINT EFFORT

2.1 County and Contractor will work together to support healthy eating in the community setting.

2.2 Activities may be guided by input from the Community Leadership Team.

2.3 County and Contractor staff agree to meet jointly as needed to resolve issues that may arise.

2.4 Activities will be developed based on SHIP guidelines.

3. COUNTY RESPONSIBILITIES

3.1 County agrees to:

3.1.1 Provide technical assistance and support.

3.1.2 Reimburse Contractor for purchase of tower gardens, plant supports, frost covers, potting soil, seeds, plants, signs and bases, collapsible hoses, and hose nozzles not to exceed $3,100.00.

4. CONTRACTOR RESPONSIBILITIES

4.1 CONTRACTOR agrees to:

4.1.1 Purchase tower gardens, plant supports, frost covers, potting soil, seeds, plants, signs and bases, collapsible hoses, and hose nozzles.

4.1.2 Have dedicated staff to work with County and provide services described in Attachment A.

4.1.3 Activities and services will be developed based on SHIP guidelines.

4.1.4 Assist County with any documentation, evaluation and reporting necessary.

4.1.5 Retain possession and maintenance of tower gardens, plant supports, frost covers, potting soil, seeds, plants, signs and bases, collapsible hoses and hose nozzles.

County of Anoka

By: ___________________________________
Jonelle Hubbard, Director
Public Health & Environmental Services

Dated:_________________________________

City of Fridley

By:__________________________________

Print Name: Mike Maher

Title: Fridley Community Services Director

Dated: _______________________________

Attachment A

Scope of Services

The goal of the Statewide Health Improvement Partnership (SHIP) MN EATS strategy is to increase the availability of healthy food and reduce the consumption of sugar-sweetened beverages for all Minnesotans, especially those who experience the greatest barriers to accessing safe, healthy, affordable food. The purchase of tower gardens, plant supports, frost covers, potting soil, seeds, plants, signs and bases, collapsible hoses and hose nozzles will allow the City of Fridley to increase the knowledge of small container gardening and gardening in small spaces, as well as increase the availability of healthy food options community members.

- Anoka County SHIP will reimburse City of Fridley for the purchase tower gardens, plant supports, frost covers, potting soil, seeds, plants, signs and bases, collapsible hoses, and hose nozzles
- City of Fridley will use the tower gardens, plant supports, frost covers, potting soil, seeds, plants, signs and bases, collapsible hoses, and hose nozzles to educate the public on how to grow their own food in small spaces.
- City of Fridley will collect input from residents and program participants on future growth of community gardens, and other community food sources.
- City of Fridley will be responsible for any costs related to maintaining the above equipment, including any expenses related to repairs or replacement.
- City of Fridley will foster ongoing communication with Anoka County SHIP and participate in evaluation activities/provide data as needed.

Contract# C0009999 | Item 10.

ANOKA COUNTY HUMAN SERVICES
CONTRACTOR INFORMATION SHEET

Please review the following information for accuracy and completeness, indicate any changes, sign and return to:

Angie Rodine
Anoka County Human Services
2100 3rd Ave, Suite 500
Anoka, MN 55303

LEGAL NAME FOR CONTRACTOR: Fridley, City of

(Legal name and name on Certificate of Insurance must be exactly the same in order for County Signatures to be obtained on the Contract.)

Doing Business As: Fridley, City of

Business/Corporate Address: 7071 University Ave NE
Fridley, MN 55432

National Provider Identification (NPI) #: 8030301

Federal Tax Identification #: 41-6007700

NOTICE: Federal Business Tax ID/Social Security Number is needed for tax purposes as mandated by Section 1211 of the Tax Reform Act of 1976 and Minn. Stat 270.66. This information will be shared with the Minnesota Department of Revenue, the Minnesota Department of Human Services, the Internal Revenue Service, and the U.S. Department of Health, Education and Welfare for the purposes of administering the income tax, child support obligation and social security tax programs.

Individual who Contractor is designating to receive notice under the contract and to act as the responsible authority for data requests under the Minnesota government data practices act (Minn. Stat. Chap. 13):

Name:	Phone:	Fax:	Email:
Rachel Workin	763-572-3594	763-571-1287	rachel.workin@fridleymn.gov

Signature (Required): ______________________ **Date:** ______________

Insurance Agency: ______________________ **Name of Agent:** ______________________

Telephone Number of Insurance Agent: ______________________

Person Completing this Form:

Name: ______________________ Title: ______________________

Phone: ______________ Fax: ______________ Email: ______________________

DocuSign

Certificate Of Completion

Envelope Id: 24A9D67769A24F94A7CACAE095F21119		Status: Sent
Subject: City of Fridley Contract# C0009999		
Source Envelope:		
Document Pages: 5	Signatures: 0	Envelope Originator:
Certificate Pages: 4	Initials: 0	Angie Rodine
AutoNav: Enabled		Anoka County Government Center
EnvelopeId Stamping: Enabled		2100 3rd Avenue
Time Zone: (UTC-06:00) Central Time (US & Canada)		Anoka, MN 55303
		angela.rodine@co.anoka.mn.us
		IP Address: 156.98.106.233

Record Tracking

Status: Original 5/15/2023 12:59:52 PM	Holder: Angie Rodine angela.rodine@co.anoka.mn.us	Location: DocuSign
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: HS-Public Health & Environmental Services	Location: DocuSign

Signer Events	Signature	Timestamp
Mike Maher mike.maher@fridleymn.gov Fridley Community Services Director Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 1/3/2022 9:51:52 AM ID: d6d3370d-4156-4752-9132-022574c863ec Company Name: Anoka County		Sent: 5/15/2023 1:05:21 PM Viewed: 5/17/2023 9:03:25 AM
Jonelle Hubbard Jonelle.Hubbard@co.anoka.mn.us Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 5/4/2023 2:58:24 PM ID: 30c162a7-3748-4c09-9734-8b2614e6c88b Company Name: Anoka County		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp
Angie Rodine angela.rodine@co.anoka.mn.us Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 1/8/2021 1:44:58 PM ID: 6e2d50ad-740c-4672-beb3-aa4bab51e013 Company Name: Anoka County		

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/15/2023 1:05:21 PM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

The following information constitutes Anoka County's (we, us or Company) written notices or disclosures relating to your use of DocuSign in relation to Anoka County's license. Described below are the terms and conditions for providing notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (30 days) after the documents are first sent to you. At any time, if you request paper copies of any documents, you may be charged a fee. You may request paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices, disclosures and documents from us electronically, you may change your mind and tell us that going forward you want to receive documents only in paper format. Please note, processing time will be slowed down dramatically as we will be required to print and send the document through the mail and await your return of the documents. The process to change the method of receipt is described below.

All notices and disclosures will be sent to you electronically

Upon your acceptance to receive electronic notifications, all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you will be provided electronically through the DocuSign system. All of the required documents will be provided to you at the address that you have given us.

How to contact Anoka County:

You may change your preferred method of contact whether electronically, or paper copies, or change your email address. You may also request paper copies of certain information from us, or withdraw your prior consent to receive documents. Please use the contact information below for your request and in the body of your correspondence, identify your desired action. If you are changing an email address, please include your prior email address as well as your new address. If you no longer wish to receive future documents in electronic format, please include that request in the body of your email.

Email: helpdesk@co.anoka.mn.us
Phone: (763) 324-4110
Address: Anoka County Government Center
Attn: Information Technology, #300
2100 3rd Avenue
Anoka, MN 55303

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

ACKNOWLEDGEMENT

To confirm your access to the electronic notices and disclosures, which will be similar to other electronic notices and disclosures that we may provide to you, please acknowledge that you have read this ERSD by selecting the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Anoka County as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Anoka County during the course of your relationship with Anoka County.

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Roberta Collins, Assistant to the City Manager

Title

Resolution No. 2023-53, Approving Claims for the Period Ending May 17, 2023

Background

Attached is Resolution No. 2023-53 and the Claims Report for the period ending May 17, 2023.

Financial Impact

Included in the budget.

Recommendation

Staff recommend the approval of Resolution No. 2023-53.

Focus on Fridley Strategic Alignment

____ Vibrant Neighborhoods & Places
X Financial Stability & Commercial Prosperity
____ Organizational Excellence
____ Community Identity & Relationship Building
____ Public Safety & Environmental Stewardship

Attachments and Other Resources

- Resolution No. 2023-53
- City Council Claims Report

Vision Statement
We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Resolution No. 2023-53

Approving Claims for the Period Ending May 17, 2023

Whereas, Minnesota Statute § 412.271 generally requires the City Council to review and approve claims for goods and services prior to the release of payment; and

Whereas, a list of such claims for the period ending May 17, 2023, was reviewed by the City Council.

Now, therefore be it resolved, that the City Council of the City of Fridley hereby approves the payment of the claims as presented.

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

Scott J. Lund - Mayor

Attest:

Melissa Moore – City Clerk

City of Fridley, MN

Bank Transaction Report
Transaction Detail

Issued Date Range: 05/04/2023 - 05/17/2023

Cleared Date Range: -

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
Accounts Payable							
05/04/2023		200407	AMERICAN BOTTLING COMPANY	Accounts Payable	Outstanding	Check	-417.23
05/04/2023		200408	ARTISAN BEER COMPANY	Accounts Payable	Outstanding	Check	-5,155.72
05/04/2023		200409	BELLBOY CORPORATION	Accounts Payable	Outstanding	Check	-1,238.00
05/04/2023		200410	BLUE CLOUD DISTRIBUTION OF MN	Accounts Payable	Outstanding	Check	-647.00
05/04/2023		200411	BREAKTHRU BEVERAGE BEER LLC	Accounts Payable	Outstanding	Check	-88,186.13
05/04/2023		200412	BREAKTHRU BEVERAGE WINE & SPIRITS	Accounts Payable	Outstanding	Check	-28,158.20
05/04/2023		200413	BROKEN CLOCK BREWING COOPERATIVE	Accounts Payable	Outstanding	Check	-220.00
05/04/2023		200414	CAPITOL BEVERAGE SALES	Accounts Payable	Outstanding	Check	-38,522.12
05/04/2023		200415	CLEAR RIVER BEVERAGE	Accounts Payable	Outstanding	Check	-754.35
05/04/2023		200416	COCA-COLA DISTRIBUTION	Accounts Payable	Outstanding	Check	-1,057.14
05/04/2023		200417	DAILEY DATA & ASSOCIATES	Accounts Payable	Outstanding	Check	-33.75
05/04/2023		200418	DREKKER BREWING COMPANY	Accounts Payable	Outstanding	Check	-963.00
05/04/2023		200419	DUAL CITIZEN BREWING CO	Accounts Payable	Outstanding	Check	-235.00
05/04/2023		200420	GRAPE BEGINNINGS / WINEBOW	Accounts Payable	Outstanding	Check	-644.86
05/04/2023		200421	HOHENSTEINS INC	Accounts Payable	Outstanding	Check	-9,133.55
05/04/2023		200422	INBOUND BREWCO	Accounts Payable	Outstanding	Check	-302.00
05/04/2023		200423	INVICTUS BREWING	Accounts Payable	Outstanding	Check	-244.00
05/04/2023		200424	JOHNSON BROTHERS LIQUOR	Accounts Payable	Outstanding	Check	-46,026.17
05/04/2023		200425	LOMPIAN WINES LLC	Accounts Payable	Outstanding	Check	-379.00
05/04/2023		200426	MATTSON ICE	Accounts Payable	Outstanding	Check	-650.85
05/04/2023		200427	MEGA BEER LLC	Accounts Payable	Outstanding	Check	-459.15
05/04/2023		200428	MODIST BREWING CO LLC	Accounts Payable	Outstanding	Check	-562.00
05/04/2023		200429	MOOSE LAKE BREWING COMPANY	Accounts Payable	Outstanding	Check	-456.00
05/04/2023		200430	OLD WORLD BEER	Accounts Payable	Outstanding	Check	-1,346.06
05/04/2023		200431	PAUSTIS WINE COMPANY	Accounts Payable	Outstanding	Check	-14,864.70
05/04/2023		200432	PHILLIPS WINE & SPIRITS	Accounts Payable	Outstanding	Check	-12,994.19
05/04/2023		200433	PORTAGE BREWING COMPANY	Accounts Payable	Outstanding	Check	-364.50
05/04/2023		200434	PRYES BREWING	Accounts Payable	Outstanding	Check	-533.50
05/04/2023		200435	QUALITY REFRIGERATION SERVICE	Accounts Payable	Outstanding	Check	-332.09
05/04/2023		200436	RED BULL DISTRIBUTION	Accounts Payable	Outstanding	Check	-757.09
05/04/2023		200437	SOUTHERN WINE / SOUTHERN GLAZERS	Accounts Payable	Outstanding	Check	-26,246.67
05/04/2023		200438	SP3 LLC - PEQUOD DISTRIBUTING	Accounts Payable	Outstanding	Check	-1,409.30
05/04/2023		200439	URBAN GROWLER BREWING COMPANY LLC	Accounts Payable	Outstanding	Check	-246.49
05/04/2023		200440	VINOCOPIA INC	Accounts Payable	Outstanding	Check	-1,546.25
05/04/2023		200441	WINE COMPANY	Accounts Payable	Outstanding	Check	-347.00
05/04/2023		200442	WINE MERCHANTS	Accounts Payable	Outstanding	Check	-1,550.80

Bank Transaction Report **Issued Date Range:**

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
05/04/2023		200443	Z WINES USA	Accounts Payable	Outstanding	Check	-1,103.00
05/05/2023		DFT0004368	DELTA DENTAL PLAN OF MINNESOTA	Accounts Payable	Outstanding	Bank Draft	-9,099.74
05/10/2023		200444	ADVANCE AUTO PARTS	Accounts Payable	Outstanding	Check	-7.72
05/10/2023		200445	ADVANCE COMPANIES INC	Accounts Payable	Outstanding	Check	-385.34
05/10/2023		200446	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-386.22
05/10/2023		200447	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-80.46
05/10/2023		200448	ASTLEFORD INTERNATIONAL TRUCKS	Accounts Payable	Outstanding	Check	-369.05
05/10/2023		200449	AUTOMATIC SYSTEMS CO INC	Accounts Payable	Outstanding	Check	-225.00
05/10/2023		200450	AUTONATION FORD WHITE BEAR LAKE	Accounts Payable	Outstanding	Check	-178.25
05/10/2023		200451	BERGERSON-CASWELL INC	Accounts Payable	Outstanding	Check	-6,920.00
05/10/2023		200452	BIRCH TREE CARE LLC	Accounts Payable	Outstanding	Check	-2,562.37
05/10/2023		200453	BLAKE DRILLING COMPANY INC	Accounts Payable	Outstanding	Check	-13,295.00
05/10/2023		200454	BOUND TREE MEDICAL LLC	Accounts Payable	Outstanding	Check	-331.66
05/10/2023		200455	BROADWAY AWARDS	Accounts Payable	Outstanding	Check	-283.00
05/10/2023		200456	CARE RESOURCE CONNECTION	Accounts Payable	Outstanding	Check	-2,000.00
05/10/2023		200457	CDW GOVERNMENT INC	Accounts Payable	Outstanding	Check	-9,280.88
05/10/2023		200458	CENTURY LINK	Accounts Payable	Outstanding	Check	-2,044.58
05/10/2023		200459	COSTAR REALTY INFORMATION	Accounts Payable	Outstanding	Check	-430.00
05/10/2023		200460	DALCO	Accounts Payable	Outstanding	Check	-124.35
05/10/2023		200461	DAVISON, WILFRID	Accounts Payable	Outstanding	Check	-1,530.00
05/10/2023		200462	DEMARS SIGNS	Accounts Payable	Outstanding	Check	-200.00
05/10/2023		200463	EMERGENCY AUTOMOTIVE TECHNOLOGIES	Accounts Payable	Outstanding	Check	-1,408.91
05/10/2023		200464	ENTERPRISE FM TRUST	Accounts Payable	Outstanding	Check	-23,058.42
05/10/2023		200465	FLEET PRIDE TRUCK & TRAILER PARTS	Accounts Payable	Outstanding	Check	-451.04
05/10/2023		200466	GENERAL REPAIR SERVICE	Accounts Payable	Outstanding	Check	-956.75
05/10/2023		200467	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-343.67
05/10/2023		200468	HENNING PROFESSIONAL SERVICES	Accounts Payable	Outstanding	Check	-855.00
05/10/2023		200469	LAKE SUPERIOR COLLEGE	Accounts Payable	Outstanding	Check	-575.00
05/10/2023		200470	LEAGUE OF MN CITIES INS TRUST	Accounts Payable	Outstanding	Check	-8,284.72
05/10/2023		200471	LEPAGE & SONS	Accounts Payable	Outstanding	Check	-914.89
05/10/2023		200472	LOFFLER COMPANIES-131511	Accounts Payable	Outstanding	Check	-45.52
05/10/2023		200473	MADDEN GALANTER HANSEN LLP	Accounts Payable	Outstanding	Check	-80.00
05/10/2023		200474	MANSFIELD OIL COMPANY	Accounts Payable	Outstanding	Check	-13,624.66
05/10/2023		200475	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-511.10
05/10/2023		200476	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-180.98
05/10/2023		200477	METRO-INET	Accounts Payable	Outstanding	Check	-4,563.00
05/10/2023		200478	METROPOLITAN COUNCIL	Accounts Payable	Outstanding	Check	-434,336.81
05/10/2023		200479	MINN FIRE SERVICE CERT BOARD	Accounts Payable	Outstanding	Check	-262.50
05/10/2023		200480	MINN OCCUPATIONAL HEALTH	Accounts Payable	Outstanding	Check	-713.84
05/10/2023		200481	MINNEAPOLIS SAW INC	Accounts Payable	Outstanding	Check	-310.47
05/10/2023		200482	READY WATT ELECTRIC	Accounts Payable	Outstanding	Check	-1,340.00
05/10/2023		200483	REPUBLIC SERVICES #899	Accounts Payable	Outstanding	Check	-28,085.07
05/10/2023		200484	REVSPRING INC	Accounts Payable	Outstanding	Check	-3,743.13

Bank Transaction Report **Issued Date Range:**

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
05/10/2023		200485	SPRINGBROOK NATURE CENT FOUNDATION	Accounts Payable	Outstanding	Check	-346.32
05/10/2023		200486	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-700.00
05/10/2023		200487	STREICHER'S	Accounts Payable	Outstanding	Check	-213.98
05/10/2023		200488	SUBURBAN TIRE WHOLESALE INC	Accounts Payable	Outstanding	Check	-330.62
05/10/2023		200489	SUPPLY SOLUTIONS LLC	Accounts Payable	Outstanding	Check	-741.40
05/10/2023		200490	SVAP II FRIDLEY MARKET LLC	Accounts Payable	Outstanding	Check	-8,172.55
05/10/2023		200491	WSB & ASSOCIATES INC	Accounts Payable	Outstanding	Check	-11,252.50
05/10/2023		200492	FRIDLEY FIRE RELIEF ASSOC	Accounts Payable	Outstanding	Check	-1,080.00
05/10/2023		200493	FRIDLEY POLICE ASSOCIATION	Accounts Payable	Outstanding	Check	-192.00
05/10/2023		200494	LAW ENFORCEMENT LABOR SERVICES	Accounts Payable	Outstanding	Check	-2,793.30
05/10/2023		200495	LEGALSHIELD	Accounts Payable	Outstanding	Check	-466.50
05/10/2023		200496	MINN CHILD SUPPORT PAYMENT CENTER	Accounts Payable	Outstanding	Check	-851.40
05/10/2023		200497	NCPERS MINNESOTA-478000	Accounts Payable	Outstanding	Check	-680.00
05/12/2023		909	CITY OF FRIDLEY-IAFF DUES/INTL ASSOC/FIRE FIGHTERS	Accounts Payable	Outstanding	EFT	-80.00
05/12/2023		DFT0004364	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,539.23
05/12/2023		DFT0004365	EMPOWER RETIREMENT (for MN/MSRS)	Accounts Payable	Outstanding	Bank Draft	-1,242.15
05/12/2023		DFT0004366	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-20,145.73
05/12/2023		DFT0004367	CITY OF FRIDLEY-MISSION SQUARE-457 Def.Comp	Accounts Payable	Outstanding	Bank Draft	-5,213.62
05/12/2023		DFT0004369	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Savinį	Accounts Payable	Outstanding	Bank Draft	-363.48
05/12/2023		DFT0004371	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,910.46
05/12/2023		DFT0004372	OPTUM BANK (HSA)	Accounts Payable	Outstanding	Bank Draft	-3,010.66
05/12/2023		DFT0004373	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-45,514.79
05/12/2023		DFT0004374	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-164.46
05/12/2023		DFT0004375	PERA - PUBLIC EMPLOYEES	Accounts Payable	Outstanding	Bank Draft	-60,702.53
05/12/2023		DFT0004376	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Savinį	Accounts Payable	Outstanding	Bank Draft	-686.16
05/12/2023		DFT0004377	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Savinį	Accounts Payable	Outstanding	Bank Draft	-100.00
05/12/2023		DFT0004378	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Savinį	Accounts Payable	Outstanding	Bank Draft	-2,475.00
05/12/2023		DFT0004379	CITY OF FRIDLEY-MISSION SQUARE RHS, Retiree Health Savinį	Accounts Payable	Outstanding	Bank Draft	-700.00
05/12/2023		DFT0004380	CITY OF FRIDLEY-MISSION SQUARE Roth IRA	Accounts Payable	Outstanding	Bank Draft	-4,518.45
05/12/2023		DFT0004381	BENEFIT RESOURCE LLC	Accounts Payable	Outstanding	Bank Draft	-950.00
05/12/2023		DFT0004382	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-47,069.36
05/12/2023		DFT0004383	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-16,969.28
05/12/2023		DFT0004384	MINN DEPARTMENT OF REVENUE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-24,558.10
05/12/2023		DFT0004385	INTERNAL REVENUE SERVICE - PAYROLL TAXES	Accounts Payable	Outstanding	Bank Draft	-52,988.52
05/17/2023		200499	ABM EQUIPMENT & SUPPLY	Accounts Payable	Outstanding	Check	-390.05
05/17/2023		200500	ADVANCE COMPANIES INC	Accounts Payable	Outstanding	Check	-2,613.55
05/17/2023		200501	AEROMAT PLASTICS	Accounts Payable	Outstanding	Check	-3,325.38
05/17/2023		200502	ALLIED BLACKTOP CO	Accounts Payable	Outstanding	Check	-10,505.00
05/17/2023		200503	ALLINA HEALTH SYSTEM	Accounts Payable	Outstanding	Check	-8,000.00
05/17/2023		200504	ANDERSON, NICHOLAS	Accounts Payable	Outstanding	Check	-104.00
05/17/2023		200505	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-448.02
05/17/2023		200506	ASPEN MILLS INC	Accounts Payable	Outstanding	Check	-134.90
05/17/2023		200507	AUTONATION FORD WHITE BEAR LAKE	Accounts Payable	Outstanding	Check	-171.07

Bank Transaction Report **Issued Date Range:**

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
05/17/2023		200508	BARR ENGINEERING	Accounts Payable	Outstanding	Check	-2,118.00
05/17/2023		200509	BEISSWENGER'S HARDWARE	Accounts Payable	Outstanding	Check	-20.84
05/17/2023		200510	BIRCH TREE CARE LLC	Accounts Payable	Outstanding	Check	-3,623.55
05/17/2023		200511	BRAUN INTERTEC CORPORATION	Accounts Payable	Outstanding	Check	-1,279.50
05/17/2023		200512	BROADCAST PIX INC	Accounts Payable	Outstanding	Check	-2,387.40
05/17/2023		200513	CENTERPOINT ENERGY-MINNEGASCO	Accounts Payable	Outstanding	Check	-4,591.59
05/17/2023		200514	CENTRAL TURF & IRRIGATION SUPPLY	Accounts Payable	Outstanding	Check	-61.69
05/17/2023		200515	COMCAST/XFINITY	Accounts Payable	Outstanding	Check	-317.21
05/17/2023		200516	CORE & MAIN LP	Accounts Payable	Outstanding	Check	-2,140.47
05/17/2023		200517	CUSTOM GRAPHIX	Accounts Payable	Outstanding	Check	-1,217.00
05/17/2023		200518	DETECTACHEM INC	Accounts Payable	Outstanding	Check	-808.28
05/17/2023		200519	EHLERS & ASSOCIATES INC	Accounts Payable	Outstanding	Check	-3,640.00
05/17/2023		200520	EMERGENCY APPARATUS MAINT	Accounts Payable	Outstanding	Check	-6,867.83
05/17/2023		200521	EMERGENCY AUTOMOTIVE TECHNOLOGIES	Accounts Payable	Outstanding	Check	-380.46
05/17/2023		200522	ENVIRONMENTAL EQUIP & SERVICE INC	Accounts Payable	Outstanding	Check	-493.00
05/17/2023		200523	FINANCE AND COMMERCE INC	Accounts Payable	Outstanding	Check	-132.00
05/17/2023		200524	FLEXIBLE PIPE TOOL CO	Accounts Payable	Outstanding	Check	-54.70
05/17/2023		200525	FOLLOW ME DOGS LLC	Accounts Payable	Outstanding	Check	-596.82
05/17/2023		200526	GAUPP, VERN	Accounts Payable	Outstanding	Check	-85.00
05/17/2023		200527	GEMLO, SAMUEL	Accounts Payable	Outstanding	Check	-100.00
05/17/2023		200528	GENUINE PARTS CO/NAPA	Accounts Payable	Outstanding	Check	-93.06
05/17/2023		200529	GRAINGER	Accounts Payable	Outstanding	Check	-56.85
05/17/2023		200530	GRANICUS LLC	Accounts Payable	Outstanding	Check	-38,839.07
05/17/2023		200531	GREENHAVEN PRINTING	Accounts Payable	Outstanding	Check	-7,470.80
05/17/2023		200532	HAWKINS INC	Accounts Payable	Outstanding	Check	-60.00
05/17/2023		200533	HELLEGERS, BECCA	Accounts Payable	Outstanding	Check	-2,925.00
05/17/2023		200534	HILLTOP TRAILER SALES	Accounts Payable	Outstanding	Check	-200.00
05/17/2023		200535	HOFFMAN BROS. SOD	Accounts Payable	Outstanding	Check	-780.00
05/17/2023		200536	INSTRUMENTAL RESEARCH INC	Accounts Payable	Outstanding	Check	-352.00
05/17/2023		200537	INTERSTATE ALL BATTERY CENTER	Accounts Payable	Outstanding	Check	-587.35
05/17/2023		200538	IPMA - INTL PUBLIC MGMT ASSN-HR	Accounts Payable	Outstanding	Check	-25.00
05/17/2023		200539	KONE INC	Accounts Payable	Outstanding	Check	-204.17
05/17/2023		200540	MARTIN MARIETTA	Accounts Payable	Outstanding	Check	-734.54
05/17/2023		200541	MENARDS - FRIDLEY	Accounts Payable	Outstanding	Check	-109.22
05/17/2023		200542	MINN CITY/COUNTY MANAGEMENT ASSOC	Accounts Payable	Outstanding	Check	-226.80
05/17/2023		200543	MINN DEPT OF HEALTH	Accounts Payable	Outstanding	Check	-32.00
05/17/2023		200544	MINNESOTA METRO NORTH TOURISM BUREAU	Accounts Payable	Outstanding	Check	-9,893.46
05/17/2023		200545	NELSON CHEESE & DELI	Accounts Payable	Outstanding	Check	-149.25
05/17/2023		200546	NORTH METRO MAYORS ASSOCIATION	Accounts Payable	Outstanding	Check	-12,260.00
05/17/2023		200547	NORTHERN SANITARY SUPPLY INC	Accounts Payable	Outstanding	Check	-139.20
05/17/2023		200548	NYKANEN, ANDREW	Accounts Payable	Outstanding	Check	-4,936.00
05/17/2023		200549	ON SITE COMPANIES	Accounts Payable	Outstanding	Check	-1,532.15
05/17/2023		200550	PALMER, JACOB	Accounts Payable	Outstanding	Check	-100.00

Bank Transaction Report **Issued Date Range:**

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
05/17/2023		200551	POBUDA, DANIEL	Accounts Payable	Outstanding	Check	-100.00
05/17/2023		200552	Q3 CONTRACTING INC	Accounts Payable	Outstanding	Check	-5,496.23
05/17/2023		200553	RADCO INDUSTRIES INC	Accounts Payable	Outstanding	Check	-1,070.72
05/17/2023		200554	RELIAKOR SERVICES	Accounts Payable	Outstanding	Check	-1,278.50
05/17/2023		200555	SCHIFSKY & SONS INC	Accounts Payable	Outstanding	Check	-1,448.56
05/17/2023		200556	SHRED RIGHT	Accounts Payable	Outstanding	Check	-65.62
05/17/2023		200557	STIMEY ELECTRIC	Accounts Payable	Outstanding	Check	-2,131.63
05/17/2023		200558	SUN BADGE CO	Accounts Payable	Outstanding	Check	-139.00
05/17/2023		200559	TOLL GAS & WELDING SUPPLY	Accounts Payable	Outstanding	Check	-59.37
05/17/2023		200560	VERIZON WIRELESS	Accounts Payable	Outstanding	Check	-1,889.96
05/17/2023		200561	XCEL ENERGY	Accounts Payable	Outstanding	Check	-9,547.43
05/17/2023		200562	ZASADA, SUSAN	Accounts Payable	Outstanding	Check	-102.00
05/17/2023		200563	ZIEGLER INC	Accounts Payable	Outstanding	Check	-2,839.94
						Accounts Payable Total: (178)	**-1,347,670.70**
Payroll							
05/12/2023	05/10/2023	11	11	Payroll	Cleared	Check	0.00
05/12/2023		EFT0000185	Payroll EFT	Payroll	Outstanding	EFT	-386,078.64
						Payroll Total: (2)	**-386,078.64**
Utility Billing							
05/16/2023		187859	Reverse Refund Check DOROTHEA OLSON	Utility Billing	Outstanding	Check Reversal	17.55
05/16/2023		200498	DOROTHEA OLSON	Utility Billing	Outstanding	Check	-17.55
						Utility Billing Total: (2)	**0.00**
						Report Total: (182)	**-1,733,749.34**

Summary

Bank Account		Count	Amount
0000100479 City of Fridley		182	-1,733,749.34
	Report Total:	**182**	**-1,733,749.34**

Cash Account		Count	Amount
No Cash Account		1	0.00
999 999-101100 Cash in Bank - CITY Pooled Cash		181	-1,733,749.34
	Report Total:	**182**	**-1,733,749.34**

Transaction Type	Count	Amount
Bank Draft	21	-301,921.72
Check	158	-1,045,686.53
Check Reversal	1	17.55
EFT	2	-386,158.64
Report Total:	**182**	**-1,733,749.34**

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council Meeting

Submitted By: Melissa Moore, City Clerk/Communications Manager
Ryan George, Deputy Director of Public Safety
Beth Kondrick, Deputy City Clerk

Title

Interim Ordinance No. 1408, Authorizing a Study and Imposing a Moratorium on the Sale of Cannabinoid Products

Background

At the September 12, 2022 and May 8, 2023 City Council Conference Meetings, staff presented information to the Fridley City Council (Council) related to changes to State law regarding the legalization of THC and other intoxicating cannabinoid products. In 2022, a law was enacted that allowed the sale of certain cannabinoid products. Cannabinoid products include products that contain THC. The moratorium would apply to the sale of products that contain more than a trace amount of THC. A product is considered to have no more than a trace amount of THC if the manufacturer is not required by any State or Federal law to identify the amount of any tetrahydrocannabinol on the product label or the product label indicates the product contains less than 0.1 milligrams of any tetrahydrocannabinol.

Staff recommend placing a moratorium on the retail sale of cannabinoid products is necessary to allow for more time to determine what, if any additional licensing and/or regulations of these products the City would like to pursue. This would not include the selling of products containing THC related to the Medical Cannabis Program as administrated by the Minnesota Department of Health.

There are both business licensing and zoning issues associated with the sale of cannabinoid products. Staff recommend the Council authorize a study to consider the development and adoption of appropriate local regulations. To protect the planning process and the health, safety, and welfare of residents while the City conducts its study and the City Council engages in policy discussions regarding possible regulations, this ordinance imposes a temporary moratorium on the sale of cannabinoid products for 12 months.

If the Council approves a first reading at this evening's meeting and a second reading at its meeting on June 12, the ordinance will be published in the June 15 edition of the Official Publication and become effective on June 30, 2023.

Financial Impact

None.

Recommendation

Staff recommend the Council approve a first reading of Interim Ordinance No. 1408.

Focus on Fridley Strategic Alignment

___ Vibrant Neighborhoods & Places
___ Community Identity & Relationship Building
___ Financial Stability & Commercial Prosperity
_X_ Public Safety & Environmental Stewardship
___ Organizational Excellence

Attachments and Other Resources

- Interim Ordinance No. 1408

Interim Ordinance No. 1408

Authorizing a Study and Imposing a Moratorium on the Sale of Cannabinoid Products

The City Council of the City of Fridley does ordain, after review, examination and staff recommendation that a moratorium on cannabinoid products be enacted as follows:

Section 1. Purpose

The Fridley City Council (Council) finds that an interim ordinance placing a moratorium on the retail sale of cannabinoids is necessary to protect the health, safety general welfare of the citizens of the City of Fridley (City).

The City further finds that an ordinance establishing a moratorium on the retail sale of cannabinoids will allow the City time to study the issue and determine what, if any, additional licensing and/or regulations for these cannabinoid products are appropriate.

Section 2. Definitions

Cannabinoids: any product containing tetrahydrocannabinol (THC), tetrahydrocannabinol acetate (THC-O), Tetrahydrocannabivarin (THC-V), hexahydrocannabinol (HHC), tetrahydrocannabiphorol (THC-P or THC-Heptyl), tetrahydrocannabioctyl (THCjd), tetrahydrocannabihexol (THC-H), and cannabinol (CBN). This term excludes products that are not intended to be eaten or consumed by humans or that are marketed as being a cannabidiol (CBD) product which contains less than 0.1 percent of any tetrahydrocannabinol (THC).

Trace amount: a product that contains no more than a trace amount of THC if the manufacturer is not required by any State or Federal law to identify the amount of any tetrahydrocannabinol on the product label or the product label indicates the product contains less than 0.1 milligrams of any tetrahydrocannabinol.

Section 3. Legislative Findings

1. There is a great deal of uncertainty regarding the effect of Minnesota Laws 2022, Chapter 98 amending M.S. § 151.72 (Act) to allow the sale of certain cannabinoid products.

2. Because the proposal to allow the sale of cannabinoids received little publicity until the Act went into effect on July 1, 2022, the City did not have an opportunity to study and consider the potential impacts of the Act on the City. Nor did the Council have sufficient time to engage in policy discussions regarding the regulations the Council may elect to impose on the sale of cannabinoids and now wishes to do so to ensure responsible and adequate regulations are implemented.

3. The Act authorizes the Minnesota Board of Pharmacy to enforce the Act, but the Act does not provide for any licensing of manufacturers or of those who sell cannabinoids. The Act is also silent regarding the enactment of local regulations related to cannabinoids.

4. The Legislature did not expressly prohibit or limit local regulations, and the regulations established in the Act clearly do not constitute the Legislature having occupied the field of regulation regarding the sale of cannabinoids.

5. The Council finds the uncertainties associated with sale of cannabinoids, and the options for local regulation compels the need for a study to develop information the Council can rely on as it engages in policy discussions related to potential regulation of cannabinoids through the adoption of licensing and zoning controls.

6. Pursuant to M.S. § 462.355, subd. 4(a), the Council is authorized to adopt an interim ordinance “to regulate, restrict, or prohibit any use…within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective.”

7. The Council is also authorized as part of its general police powers to adopt business licensing requirements related to the sale of cannabinoids.

8. The Minnesota Supreme Court in *Almquist v. Town of Marshan*, 245 N.W.2d 819 (Minn. 1976) upheld the enactment of a moratorium despite the lack of express statutory authority as being a power inherent in a broad legislative grant of power to municipalities. In most cases, the enactment of business licensing requirements is based on a city’s police powers, which is the broadest grant of power to cities. Inherent in that broad grant of authority is the power to temporarily place a moratorium on a business activity to study and potentially implement licensing regulations on that business activity.

9. There are both business licensing and zoning issues associated with the sale of cannabinoids that the Council determines it needs time to study in order to consider the development and adoption of appropriate local regulations. In order to protect the planning process and the health, safety, and welfare of the residents while the City conducts its study and the Council engages in policy discussions regarding possible regulations, the Council determines it is in the best interests of the City to impose a temporary moratorium on the sale of cannabinoids.

Section 4. Study

City staff will conduct a study regarding cannabinoids and provide the Council a report on the potential regulations of such products. The report must include the staff’s recommendations on whether the Council should adopt regulations and, if so, the recommended types of regulations. The study will consider, but is not limited to, the following:

1. The potential impacts of the sale of cannabinoids within the City;

2. Licensing the sale of cannabinoids and related regulations; and

3. Zoning regulations related to the sale, manufacture, and distribution of cannabinoids as uses within the City.

Section 5. Moratorium

A moratorium is hereby imposed to prohibit any business, person, or entity from offering for sale or selling cannabinoids to the public within the jurisdictional boundaries of the City. The City will not accept, process, or act on any application, site plan, building permit, or other zoning approval for a business proposing to engage in the sale of cannabinoids.

Section 6. Exceptions

This moratorium does not apply to the selling of products containing THC related to the Medical Cannabis Program as administered by the Minnesota Department of Health, provided that such activity is done in accordance with the regulations and laws of Minnesota regarding Medical Cannabis.

Section 7. Violations

During the term of the moratorium, it is a violation of this Ordinance for any business, person, or entity to offer for sale, or to sell cannabinoid products within the City.

Section 8. Enforcement

A violation of this Ordinance is a misdemeanor. In addition, the City may enforce this Ordinance by mandamus, injunction, other appropriate civil remedy in any court of competent jurisdiction, or through the City's administrative penalties program under Section 203.05 of the Fridley City Code (Code).

Section 9. Severability

Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part of this Ordinance. If any section, provision, or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment will not invalidate any other section, provision, or part of this Ordinance.

Section10. Effective Date and Term

This Ordinance will have a term of 12 months. This Ordinance will remain in effect until June 30, 2024, until it is expressly repealed by the Council or until the effective date of an ordinance amending the Code to address the sale of cannabinoid products, whichever occurs first.

Section 11. Notice

This Ordinance has been published to clearly inform the public of the intent and effect of the Council. A copy of this Ordinance is available for inspection by any person during regular business hours at the office of the City Clerk at Fridley City Hall (7071 University Ave N.E.).

Passed and adopted by the City Council of the City of Fridley the 12th day of June, 2023.

____

Scott J. Lund, Mayor

Attest:

____

Melissa Moore, City Clerk

First reading: May 22, 2023
Second reading:
Publication:

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Joe Starks, Director of Finance/City Treasurer
Scott Hickok, Community Development Director

Title

Resolution No. 2023-54, Approving an Increase in the Not-to-Exceed Amount of Multifamily Housing Facility Revenue Bonds That May Be Issued to Finance a Multifamily Housing Project Pursuant to Minnesota Law and the Amendment of a Public Hearing Notice

Background

The City of Fridley (City) previously granted preliminary approval to the issuance of conduit revenue bonds or other obligations (Bonds) in a total principal amount not to exceed $27 million (Not-to-Exceed Amount). If the Bonds are issued, the proceeds would be lent by the City to Roers Fridley Apartments Owner II LLC (Borrower) for the purpose of financing a portion of the acquisition and construction of an approximately 250,000-square-foot rentable apartment community consisting of an approximately 169-unit multifamily housing development for households of low and moderate income, and functionally related facilities, expected to be known as Moon Plaza, to be located at approximately 6237 University Avenue NE in the City, and to be owned and operated by the Borrower or a related entity (Project). The City has received an allocation of bonding authority to issue tax-exempt bonds in the amount of $25,837,893 (Tax-Exempt Bonds).

As staff understand the plan of finance, the Borrower intends to finance the costs of the Project (which are projected to exceed $44 million) with a combination of the Tax-Exempt Bonds, $11.74 million of taxable bridge financing (Bridge Loan), and $6.5 million of taxable debt backed by revenue from tax-increment financing (TIF) approved for the Project by the Fridley Housing & Redevelopment Authority (TIF Loan). The preliminary approval previously given anticipated the City issuing only the Tax-Exempt Bonds. As set forth in a separately provided letter from the Borrower to the City, the Borrower now requests that the City assist in accessing the capital markets by acting as issuer for the other two portions of the financing. Because the Bridge Loan and the TIF Loan would be issued as taxable bonds, no allocation of bonding authority is required; however, it is necessary that the upcoming public hearing and the housing program related to the Project each account for both the anticipated Tax-Exempt Bonds and the taxable bonds.

The attached resolution approves an increase in the Not-to-Exceed Amount of the Bonds that may be issued by the City from $27 million to $50 million, an amount that would accommodate the issuance of all three portions of the financing, and provides related updates to the form of the notice of public hearing on the issuance of the Bonds.

Financial Impact

The bonds do not constitute a debt of the City and the City will have no duty to make any payments nor pledge any security to the repayment of the bonds, both of which remain the responsibility of the borrower. Additionally, Roers Companies is responsible for any costs (underwriting, legal, etc.) associated with the issuance process. Per the City's Conduit Debt Policy, increasing the amount of the do not exceed amount of the bonds will increase the administrative fee due to the City by $230,000 (1% of the principal amount of conduit bonds that are issued) to $500,000.

Recommendation

Staff recommend approval of Resolution No. 2023-54.

Focus on Fridley Strategic Alignment

X	Vibrant Neighborhoods & Places	X	Community Identity & Relationship Building
X	Financial Stability & Commercial Prosperity	____	Public Safety & Environmental Stewardship
____	Organizational Excellence		

Attachments and Other Resources

- Resolution No. 2023-54
- Exhibit A Notice of Public Hearing
- Letter from Roers to City of Fridley

Resolution No. 2023-54

Approving an Increase in the Not-to-Exceed Amount of Multifamily Housing Facility Revenue Bonds that may be Issued to Finance a Multifamily Housing Project Pursuant to Minnesota Law and the Amendment of a Public Hearing Notice (Roers Fridley Apartments Project)

Whereas, Minnesota Statutes Chapter 462C (Act), confers upon a city the power to issue revenue obligations to finance multifamily housing developments within the boundaries of that city; and

Whereas, the Fridley City Council (Council) of the City of Fridley (City), adopted Resolution No. 2022-61 on June 13, 2022, which gave preliminary approval to the proposal of a Delaware limited liability company known as Roers Fridley Apartments Owner II LLC (Borrower) that the Borrower undertake a Project (hereinafter defined) and that the City undertake a program to assist in financing the Project pursuant to the Act through the issuance of revenue bonds or obligations (in one or more series) (Bonds) in a total principal amount not to exceed $27 million (Not-to-Exceed Amount); and

Whereas, the Council adopted Resolution 2022-143 on December 12, 2022, which affirmed and updated Resolution 2022-61 with revised information about the Borrower and the Project; and

Whereas, located at approximately 6237 University Avenue NE in the City (Project), an area commonly referred to as Moon Plaza, will be owned and operated by the Borrower or a related entity; and

Whereas, the Project consists of the acquisition and construction of an approximately 250,000-square-foot rentable apartment community that will consist of an approximately 169-unit multifamily housing development for households of low and moderate income, and functionally related facilities,; and

Whereas, the Borrower has requested that the City increase the Not-to-Exceed Amount from $27 million to $50 million; and

Whereas, no public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

Now, therefore, be it resolved by the City Council of the City of Fridley, as follows:

1. The Not-to-Exceed Amount is hereby increased to $50 million.

2. A public hearing on the housing finance program and proposal of the Borrower will be held at the time and place as determined by the City Manager and as set forth in a Notice of Public Hearing substantially in the form attached hereto as Exhibit A.

3. Resolution No. 2022-61 and Resolution No. 2022-143 are hereby ratified and affirmed in all other respects.

Adopted by the City Council of the City of Fridley, Minnesota, this 22nd day of May, 2023.

____

Scott J. Lund, Mayor

Attest:

____

Melissa Moore, City Clerk

Extract of Minutes of a Meeting of the
City Council of the
City of Fridley, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Fridley, was duly called and held at the City Hall on May 22, 2023, at 7:00 p.m.

The following members were present:

and the following were absent:

Member _________ introduced the following resolution and moved its adoption:

Approving an Increase in the Not-to-Exceed Amount of Multifamily Housing Facility Revenue Bonds that may be Issued to Finance a Multifamily Housing Project Pursuant to Minnesota Law and the Amendment of a Public Hearing Notice (Roers Fridley Apartments Project)

The motion for the adoption of the foregoing resolution was duly seconded by member ________, and after full discussion thereof and upon 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.

Exhibit A

Notice of Public Hearing on Proposal for a Housing Finance Program and the Issuance of Multifamily Housing Revenue Bonds to Finance a Multifamily Housing Development (Moon Plaza Apartments Project)

Notice is hereby given that the City Council of the City of Fridley will meet in the Council Chambers of City Hall, 7071 University Avenue NE, at 7:00 p.m. on June 12, 2023, to consider a housing finance program of the City and the proposal of Roers Fridley Apartments Owner II LLC, a Minnesota limited liability company (Borrower), that the project described below be assisted by the issuance of multifamily housing revenue bonds under Minnesota Statutes Chapter 462C.

The Project is to be located at approximately 6237 University Avenue NE (Project), the area commonly known as Moon Plaza, and consists of the acquisition and construction of an approximately 250,000-square-foot rentable apartment community that will consist of an approximately 169-unit multifamily housing development for households of low and moderate income, and functionally related facilities. The Project will be owned and operated by the Borrower. The Project is currently anticipated to consist of the following units:

Units	Number of Units	Square Footage Per Unit	Estimated Initial Rent Per Unit
1 BR/1 Bath	50	752	$628-1,315/month
2 BR/2 Bath	68	1,000	$747-1,571/month
3 BR/2 Bath	51	1,368	$858-1,810/month

The aggregate estimated principal amount of the bonds or other obligations to be issued in one or more series to finance the Project pursuant to the housing finance program will not exceed $50 million (Bonds).

Subsequent to approval of a housing finance program, the City may issue the Bonds to finance the housing finance program. The Bonds or other obligations, as and when issued, will not constitute a charge, lien, or encumbrance upon any property of the City, except the Project and the revenues to be derived from the Project. Such Bonds or obligations will not be a charge against the City's general credit or taxing powers but are payable from sums to be paid by the Borrower pursuant to a revenue agreement.

Further information concerning the housing finance program and the Project may be obtained from the City Manager during normal business hours.

At the time and place fixed for the public hearing, the City Council of the City will give all persons who appear at the hearing an opportunity to express their views with respect to the housing finance program and proposal. Written comments will be considered if submitted at the above City office on or before the date of the hearing.

ROERS
COMPANIES

Two Carlson Parkway | Suite 400 | Plymouth, MN 55447

roerscompanies.com

As you may be aware, Roers Fridley Apartments Owner II LLC, a Minnesota limited liability company ("Roers"), is undertaking to acquire and construct an approximately 250,000-square-foot rentable apartment community that will consist of an approximately 169-unit multifamily housing development for households of low and moderate income, and functionally related facilities, expected to be known as Moon Plaza, to be located at approximately 6237 University Avenue NE (the "Project"). In connection with the Project, the Housing and Redevelopment Authority of Fridley and Roers have already entered into a Contract for Private Redevelopment pursuant to which the HRA will be providing tax increment financing in support of the Project.

By this letter, Roers is formally requesting that the City Council of the City of Fridley, Minnesota (the "City") approve the issuance of the following conduit bonds or obligations in support of the Project:

- $25,837,893 of tax-exempt, volume cap limited bonds as previously awarded by the Office of Management and Budget of the State of Minnesota pursuant to its bond allocations made January 10, 2023 (the "Tax-Exempt Series"), which Tax-Exempt Series are expected to provide construction and permanent financing for the Project;

- Up to $24,162,107 of taxable (*not* volume cap limited) bonds, which is expected to be issued in two or more series of taxable bonds for the following purposes:

    - Approximately $6,500,000 of taxable bonds, being the loan which will monetize the tax increment financing, and will be secured by and repayable from the pay-as-you-go TIF that the Project is expected to receive, and being construction and permanent financing for the Project, (the "Taxable TIF Series");

    - Approximately $11,740,000 of taxable bonds, being a taxable low-income housing tax credit equity bridge loan, which will provide financing during the construction period of the Project, which will be required to be paid off from the capital contributions of the low-income housing tax credit investor on the Project (the "Taxable Bridge Series"); and

- Some remaining portion of the authorized taxable bonds may be issued as a "taxable tail" of the permanent loan financing, with a maturity date matching the Tax Exempt Series (the "Taxable Tail Series"). Depending on the preferences of the City and the bond purchaser, this Taxable Tail Series may be included as a small portion of Taxable Bridge Series which is not paid off with LIHTC equity, but continues as permanent debt, or it may be documented as its own series of bonds.

The City is aware of the Tax-Exempt Series which has been under discussion for many months. Roers has only recently become aware of the need to request for the City to also issue the additional taxable bonds for the above-described purposes. To be sure, Roers' required capital stack for the development and construction of the Project has always included the need for the above-described taxable debt facilities. However, Roers only recently became aware that Roers' expected bond purchaser (Piper Sandler and its affiliates) is unable to provide the "taxable TIF loan," the "taxable bridge loan," or a "taxable tail" to the permanent loan unless those debts are structured as municipal bonds issued similarly to the Tax-Exempt Series. The Project is already on a precariously tight schedule to close before the City's statutory authority to issue the Tax-Exempt Series expires in early July, and Roers is not inclined to seek new financing partners for the taxable debt facilities, which would complicate the closing and possibly cause the statutory deadline to be missed.

We have attached to this letter a term sheet between Roers and Piper Sandler which provides a summary of the debt which Piper Sandler is offering to Roers for the Project. We are available to provide further details regarding these debt facilities as needed by the City.

We wish to emphasize that all series of bonds, including the Tax-Exempt Series, the Taxable Bridge Series, and the Taxable Tail Series would be conduit bonds payable solely by Roers and from collateral provided by Roers or its affiliates, including the Project. None of the bonds, or obligations of the City as issuer in connection with the bonds, would be an indebtedness upon the City or a pledge of the full faith and credit of the City, nor would the bonds impose any legal or moral obligation on the City for payment of the indebtedness evidenced by the bonds.

Roers understands that in making the request for the Taxable Bridge Series and the Taxable Tail Series to be issued by the City, these additional facilities would be subject to the City's 1% issuer fee, a fee which would not be collected if these Project debt facilities were not "run through" the City in the form of conduit bonds. Roers understands the additional administrative burden that would be associated with issuing taxable bonds alongside the Tax-Exempt Series, and we hope that the additional issuer fee alleviates that burden.

Respectfully submitted,

Roers Companies

PIPER | SANDLER

PRELIMINARY TERM SHEET

As of May 15, 2023

Term	Observations		
Issuer:	City of Fridley		
Project Name:	Moon Plaza Apartments		
Dated and Delivery Date:	June 22, 203		
Payment Dates:	June 1 and December 1 of each year, commencing December 1, 2023		
Construction Completion:	December 1, 2024		
Conversion:	June 1, 2026		
Series of Bonds:	Series 2023A-1	Series 2023A-2	Series 2023A-3
Par:	$25,835,000	$6,500,000	$11,740,000
Tax Status:	Tax-exempt	Taxable	Taxable
Rate:	TBD	TBD	TBD
Prepayment Option:	TBD	TBD	December 1, 2024 @ 100%
First Principal Payment Date:	TBD	TBD	NA
Final Maturity:	December 1, 2041	TBD	December 1, 2027
Initial Mandatory Tender:	NA	NA	December 1, 2026
Authorized Denominations:	$100,000, and integral multiples of $5,000 in excess thereof		
Restrictions:	The Bonds may only be sold or transferred in Authorized Denominations to Qualified Institutional Buyers (“QIB”) as defined in Rule 144A under the Securities Act of 1933 or Accredit Investors (“AI”) as described in Rule 501of Regulation D under the Securities Act of 1933 Each initial investor of the Bonds shall provide an investor letter. No investor letter is required in connection with subsequent transfers of the Bonds		
Method of Sale:	The Bonds will be sold pursuant to a Preliminary Limited Offering Memorandum		
Credit Rating:	The Bonds are not rated		
Conversion:	Conversion is subject to: a) No default or material change for the Project, Borrower or Guarantor(s) b) Completion of the Project c) Project has achieved 90% occupancy for three (3) consecutive months d) Project has achieved a minimum 1.15:1 Debt Service Coverage Ratio for three (3) consecutive months based on the Permanent Bond Amount. Debt Service Coverage Ratio is defined as Net Operating Income (NOI) divided by annual Debt Service		
Continuing Disclosure:	The Borrower will voluntarily enter into a Continuing Disclosure Agreement (CDA)		
Capitalized Interest Account:	Funded at issuance for an amount equal to interest expense on the Bonds from closing through December 1, 2026		
Operating Reserve Fund:	Funded at conversion for an amount equal to the amount determined by the LIHTC investor. The Fund will be held outside of the trust estate		
Debt Service Reserve Fund:	NA		
Repair and Replacement Reserve Account:	Required, escrowed on a monthly basis for an amount equal to $[300] per unit per year commencing on January 1, 2026		
Borrower:	Roers Fridley Apartments Owner II LLC		
Developer:	Roers Fridley Apartments Developer II LLC		
General Contractor:	Roers General Contracting LLC		
Architect:	Kaas Wilson Architects, LLC		
Property Manager:	Roers Residential LLC		

Term	Observations
Dissemination Agent:	TBD

AGENDA REPORT

Meeting Date: May 22, 2023 **Meeting Type:** City Council

Submitted By: Joe Starks, Director of Finance/City Treasurer

Title

Resolution No. 2023-55, Approving and Authorizing Final Budget Reappropriation for Certain Funds for the Fiscal Year Ending December 31, 2022

Background

The City Charter (Charter) establishes certain processes for the preparation, passage, enforcement and alteration of the annual and revised budgets. Specifically, Section 7.07 of the Charter, authorizes the City Council (Council) to increase expenditures generally under two circumstances: 1) when actual revenues exceed estimated revenues; and/or 2) by identifying offsetting decreases in other areas of the budget.

To maintain compliance with this section of the Charter and minimize the need for subsequent reappropriations, the Council annually adopts a revised budget in December. As part of the preparations of the Annual Comprehensive Financial Report (ACFR), staff typically identify other areas requiring further revisions or reappropriations, which are typically presented to the Council for consideration around the time of acceptance of the ACFR. As part of this process, staff identified one area that requires revision and is attached, with a description.

The expenditure overage noted is in the Solid Waste Abatement Fund and resulted from not fully budgeting for expenditures incurred that were reimbursed by the Anoka County SCORE grant.

Financial Impact

Attached. The increase to the expenditure budget is offset by sufficient revenue and fund balance.

Recommendation

Staff recommend approval of Resolution No. 2023-55

Focus on Fridley Strategic Alignment

____ Vibrant Neighborhoods & Places
X Financial Stability & Commercial Prosperity
____ Organizational Excellence
____ Community Identity & Relationship Building
____ Public Safety & Environmental Stewardship

Attachments and Other Resources

- Resolution No. 2023-55

Resolution No. 2023-55

Approving and Authorizing Final Budget Reappropriation for Certain Funds for the Fiscal Year Ending December 31, 2022

Whereas, the Fridley City Charter (Charter) established certain processes for the preparation, passage, enforcement and alternation to the annual budget; and

Whereas, Section 7.07 of the Charter authorizes the City Council (Council) to increase expenditures under two circumstances: 1) when actual revenues exceed estimated revenues; and 2) by identifying offsetting decreases in other areas of the budget; and

Whereas, for the Fiscal Year ending December 31, 2022, staff identified one Special Revenue Fund requiring reappropriation subject to the Section 7.07 of the Charter; and

Whereas, the Solid Waste Abatement Fund has sufficient revenue and fund balance to cover the overage of expenditures.

Therefore, be it resolved, that the City Council of the City of Fridley hereby approves and authorizes the following amendment to the 2022 Budget.

Type	Department/Division	Category	Debit	Credit
Expenditure	Solid Waste Abatement	Operating Supplies	6,658	
Revenue	Solid Waste Abatement	Recycling Penalties		3,317
Equity	Solid Waste Abatement	Fund Balance		3,341

Passed and adopted by the City Council of the City of Fridley this 22nd day of May, 2023.

Scott J. Lund – Mayor

Attest:

Melissa Moore – City Clerk