



**REGULAR CITY COUNCIL MEETING  
VIRTUAL MEETING HELD VIA WEBEX  
JANUARY 11, 2022  
7:00 PM**

**INTRODUCTORY PROCEEDINGS**

Call to order

Pledge of Allegiance

Open forum

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council. Individuals who wish to address the Council must have registered prior to the meeting.***

Approval of the Minutes of the (1) Special City Council Meeting of December 9, 2021; (2) City Council Work Session of December 14, 2021; and (3) City Council Regular Meeting of December 14, 2021.

**AGENDA APPROVAL**

1. Approval of the Agenda
2. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
  - A. Consider approval of a Joint Power Agreement with the State of Minnesota Financial Crime Task Force and the City of Richfield acting on behalf of its Police Department.  
Staff Report No. 01
  - B. Consider approval of a Temporary On Sale Intoxicating Liquor license for the Blessed Trinity Catholic School's Sno\*ball event to take place on Saturday, February 5, 2022, at St. Richard's Catholic Church, located at 7540 Penn Ave S.  
Staff Report No. 02
  - C. Consider approval of the Covid-19 Response Services Agreement with the City of Bloomington.  
Staff Report No. 03
  - D. Motion to pass a resolution regarding Hennepin County SCORE 2022-2025 Agreement.  
Staff Report No. 04
  - E. Consider resolutions designating official depositories for the City of Richfield for 2022, including the approval of collateral.  
Staff Report No. 05

- F. Consider a resolution authorizing the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City.

Staff Report No. 06

- G. Consider a resolution designating an official newspaper for 2022.

Staff Report No. 07

- H. Consider approval to designate an Acting City Manager for 2022.

Staff Report No. 08

- I. Consider the designation of a Mayor Pro Tempore for 2021.

Staff Report No. 09

3. Consideration of items, if any, removed from Consent Calendar

### **RESOLUTIONS**

4. Consider a request for a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66th Street East.

Staff Report No. 10

5. Consider a resolution to communicate and respond to the recent surge in COVID-19 cases.

Staff Report No. 11

### **CITY MANAGER'S REPORT**

6. City Manager's Report

### **CLAIMS AND PAYROLLS**

7. Claims and Payroll

### **COUNCIL DISCUSSION**

8. Hats Off to Hometown Hits

9. Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special City Council Work Session

### December 9, 2021

#### CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 7:45 a.m. virtually via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Simon Trautmann; Sean Hayford Oleary

Council Members Absent: Ben Whalen

Legislators Present: State Senator Melissa Wiklund, District 50; State Senator Patricia Torres Rey, District 63; State Representative Emma Greenman, District 63B; State Representative Michael Howard, District 50A; Metropolitan Council Representative Molly Cummings, District 5; Hennepin County Commissioner Debbie Goettel, District 5; Steven Unowsky, ISD 280 Superintendent; Timothy Pollis, ISD 280 School Board Chair; Talia Glass, Community Representative for Congresswoman Omar

Staff Present: Katie Rodriguez, City Manager; John Stark, Community Development Director; Melissa Poehlman, Assistant Community Development Director, Jay Henthorne, Public Safety Director; Kristin Asher, Public Works Director; Amy Markle, Recreation Services Director; Mike Dobesh, Fire Chief; Bill Fillmore, Liquor Store Director; Krista Guzman, Human Resources Manager, Scott Kulzer, Administrative Aide/Analyst; Blanca Martinez Gavina, Equity Administrator; Kelly Wynn, Senior Office Assistant; and Chris Swanson, Management Analyst.

#### Item #1

#### DISCUSSION WITH LEGISLATORS

The City Council and City staff met with the local Legislators to discuss items of mutual interest to the City of Richfield.

#### ADJOURNMENT

The work session was adjourned by unanimous consent at 9:10 a.m.

Date Approved: January 11, 2022

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Maria Regan Gonzalez  
Mayor

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Kari Sinning  
City Clerk

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Katie Rodriguez  
City Manager





# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## City Council Work Session Virtual via WebEx

**December 14, 2021**

### CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 6:30 p.m. virtually via WebEx

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Simon Trautmann; Sean Hayford Oleary; and Ben Whalen

Others Present: James Lawrence, Metropolitan Airports Commission District C Commissioner

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Sam Ketchum, City Attorney; Chris Swanson, Management Analyst; and Kelly Wynn, Administrative Assistant.

### ITEM #1

### COUNCIL MEET AND GREET WITH METROPOLITAN AIRPORTS COMMISSION - DISTRICT C COMMISSIONER, JAMES LAWRENCE

Mayor Regan Gonzalez introduced District C Commissioner Lawrence.

Commissioner Lawrence then provided Council with his background.

Council and Commissioner Lawrence had a brief meet and greet with general questions.

### ADJOURNMENT

The work session was adjourned by unanimous consent at 6:55 p.m.

Date Approved: January 11, 2022

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Maria Regan Gonzalez  
Mayor

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Kelly Wynn  
Administrative Assistant

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Katie Rodriguez  
City Manager



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Regular Council Meeting Virtual via WebEx

**December 14, 2021**

### CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 7:00 p.m. virtually via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Simon Trautmann; Sean Hayford Oleary; and Ben Whalen

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Rachel Lindholm, Sustainability Specialist; Jay Henthorne, Police Chief; Mike Dobesh, Fire Chief; John Stark, Community Development Director; Julie Urban, Housing Manager; Kelly Wynn, Administrative Assistant; and Chris Swanson, Management Analyst.

Others Present: Amanda Kueper, Sustainability Commission Chair; Mary Stratton, Civil Service Commission President; and James Frechette, Civil Service Commissioner; Edwina Garcia, Former Council Member; Maureen Scaglia, Edwina Garcia Community Builder Award recipient and Ryan Schwickert, MWF Properties.

### PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

### OPEN FORUM

Administrative Assistant Wynn reviewed the options to participate:

- Participate live by calling 612-861-0651 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting [kwynn@richfielmn.gov](mailto:kwynn@richfielmn.gov)
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Administrative Assistant Wynn stated that there were no callers.

### APPROVAL OF MINUTES

M/Whalen, S/Supple to approve the minutes of the: (1) City Council Work Session of November 23, 2021; (2) City Council Meeting of November 23, 2021; and (3) Special City Council Meeting of November 30, 2021

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford O'Leary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #1</b>	<b>SUSTAINABILITY COMMISSION ANNUAL PRESENTATION GIVEN BY CHAIR AMANDA KUEPER</b>
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Chair Kueper provided a report of the work the Sustainability Commission was able to accomplish in the 2021 year including citywide organized collection and a tree preservation policy.

Council Member Whalen expressed excitement to be involved with the commission and looks forward to seeing what the group can do next.

Council Members Trautmann and Hayford O'Leary thanked the commission for their hard work.

<b>ITEM #2</b>	<b>CIVIL SERVICE COMMISSION ANNUAL PRESENTATION GIVEN BY CHAIR MARY STRATTON</b>
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President Stratton encouraged residents to apply for commissions as the process is currently open and it is a wonderful way to serve the community. She then provided an overview of the tasks the commission performed over the last year. She also thanked all firefighters for their professionalism and service they provide for the entire community.

Council thanked the commission for their service and flexibility during all the changes in the last year and a half with the department.

<b>ITEM #3</b>	<b>PRESENTATION OF THE EDWINA GARCIA COMMUNITY BUILDER AWARD AND PROCLAMATION TO MAUREEN SCAGLIA</b>
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Mayor Regan Gonzalez introduced former councilmember, Edwina Garcia, who spoke on behalf of the Edwina Garcia Community Builder Award.

Maureen Scaglia, recipient of the award, spoke of how she came into volunteering for the community and some of the areas she has spent most of her time.

Mayor Regan Gonzalez read the award inscription and proclamation.

Members of the community praised Maureen for her contributions to Richfield

Councilmembers also expressed deep gratitude for Maureen's leadership, volunteer efforts and commitment to show up for the community.

<b>ITEM #4</b>	<b>APPROVAL OF THE AGENDA</b>
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M/Trautmann, S/Whalen to approve the agenda

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford O'leary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #5</b>	<b>CONSENT CALENDAR</b>
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City Manager Rodriguez presented the consent calendar.

- A. Consider to approve the renewal of the 2022 licenses for On-Sale Intoxicating/Club, Wine and 3.2 Malt Liquor licenses. (Staff Report No. 177)
- B. Consider to approve the renewal of the 2022 licenses for On-Sale 3.2 Percent Malt Liquor, Off-Sale 3.2 Percent Malt Liquor, Secondhand Goods Dealer and taxi companies doing business in Richfield. (Staff Report No. 178)
- C. Consider approval of a third amendment to the Consent Decree in the State of Minnesota by City of Minneapolis, et al. v. Metropolitan Airports Commission, et al., Hennepin County Case No. 27-CV-0SS474. (Staff Report No. 179)
- D. Consider approval of a second amendment to the agreement with the City of Bloomington for the provision of public health services for the City of Richfield for 2022. (Staff Report No. 180)
- E. Consider a resolution to accept \$1,923,436 in funds from the American Rescue Plan Act (ARPA) grant and a second supplemental payment of \$62,987.23 in additional funds. (Staff Report No. 181)

**RESOLUTION NO. 11901**

**RESOLUTION AUTHORIZING ACCEPTANCE OF THE AMERICAN  
RESCUE PLAN ACT FUNDS**

- F. Consider the adoption of a resolution authorizing the Richfield Recreation Services Department to accept 2021 Round-up donations.. (Staff Report No. 182)

**RESOLUTION NO. 11902**

**RESOLUTION AUTHORIZING THE RICHFIELD RECREATIONS  
SERVICES DEPARTMENT TO ACCEPT 2021 ROUND-UP  
DONATIONS**

- G. Consider the approval of a resolution in support for Public Works' Safe Routes to School grant application to MnDOT for the installation of pedestrian improvements on 71st St near Richfield STEM Elementary and Dual Language Schools. (Staff Report No. 183)

**RESOLUTION NO. 11903**

**RESOLUTION SUPPORTING PUBLIC WORKS' MNDOT SAFE  
ROUTES TO SCHOOL APPLICATION**

- H. Consider the approval of a resolution removing parking restrictions along 70th St from Penn Ave to Lake Shore Dr. (Staff Report No. 184)

**RESOLUTION NO. 11904**

**RESOLUTION REMOVING PARKING RESTRICTIONS ON 70TH ST**

- I. Consider the approval of a resolution authorizing the "Preparing for Emerald Ash Borer" grant agreement with the Minnesota Department of Natural Resources, Division of Forestry in the amount of \$99,840.00. (Staff Report No. 185)

**RESOLUTION NO. 11905**

**RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO ENTER  
INTO A GRANT AGREEMENT AND ACCEPT GRANT FUNDS FROM  
MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION  
OF FORESTRY**

- J. Consider a resolution authorizing condemnation of property for the reconstruction of 65th Street. (Staff Report No. 186)

**RESOLUTION NO. 11906**

**RESOLUTION AUTHORIZING ACQUISITION BY  
EMINENT DOMAIN AND APPROVAL OF  
APPRAISED VALUES OF EASEMENTS FOR  
65TH STREET IMPROVEMENTS PROJECT**

- K. Consider the approval of a work order amendment from Kimley-Horn & Associates, Inc., for additional design engineering services for the 65th Street Improvements Project. (Staff Report No. 187)
- L. Consider the approval of a cost share agreement between the City and Hope Presbyterian Church for the construction of public storm sewer across the church's private parking lot and authorize City staff to execute and record the dedication of a drainage and utility easement over the public storm sewer. (Staff Report No. 188)
- M. Consider the approval of a revised agreement between the City of Richfield and the Woodlawn Terrace Cooperative for the use of a 4,690 square-foot strip of land along the edge of Lincoln Field. (Staff Report No. 189)
- N. Consider approval of a Resolution for the City of Richfield to opt-into the national opioid settlement.

**RESOLUTION NO. 11907**

**RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT  
(MOA) BETWEEN THE STATE OF MINNESOTA AND LOCAL  
GOVERNMENTS AND AUTHORIZING PARTICIPATION IN  
NATIONAL OPIOID SETTLEMENTS**

M/Hayford Oleary, S/Supple to approve the consent calendar.

Council Member Whalen thanked staff for their work in finding collaborations and funding to make so many projects possible.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford Oleary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #6</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR</b>
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None.

<b>ITEM #7</b>	<b>CONSIDER APPROVAL OF THE SECOND READING OF AN ORDINANCE AMENDING SECTION 1202.07 OF THE RICHFIELD CITY CODE RELATING TO LICENSE ELIGIBILITY OF INTOXICATING LIQUOR, WINE AND BEER ESTABLISHMENTS (STAFF REPORT NO. 190)</b>
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Council Member Whalen presented Staff Report 190.

M/Whalen, S/Trautmann to approve the second reading of an ordinance amending Section 1202.07 of the Richfield City Code, by eliminating paragraph (g) relating to license eligibility.

**BILL NO. 2021-18**

**AN ORDINANCE AMENDING SECTION 1202 OF THE RICHFIELD  
CODE OF ORDINANCES RELATING TO LIQUOR LICENSE  
ELIGIBILITY**

Council Members Hayford Oleary and Trautmann expressed appreciation for staff efforts to encourage investment in Richfield and to finding solutions.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford Oleary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #8</b>	<b>PUBLIC HEARING AND CONSIDER TO APPROVE THE RENEWAL OF 2022</b>
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	<b>PAWNBROKER AND SECONDHAND GOODS DEALER LICENSES FOR METRO PAWN &amp; GUN, INC., 7529 LYNDAL AVENUE SOUTH (STAFF REPORT NO. 191)</b>
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Council Member Hayford Oleary presented staff report 191 and opened the public hearing.

Administrative Assistant Wynn stated the options to participate in the public hearing and stated that there were no callers.

Council Member Hayford Oleary verified that there were no more residents for the public hearing.

M/ Hayford Oleary, S/Whalen to close the public hearing.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
Supple: AYE  
Trautmann: AYE  
Hayford Oleary: AYE  
Whalen: AYE

Motion carried 5-0

M/Hayford Oleary, S/Supple to approve the renewal of 2022 Pawnbroker and Secondhand Goods Dealer licenses for Metro Pawn & Gun, Inc., 7529 Lyndale Avenue South

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
Supple: AYE  
Trautmann: AYE  
Hayford Oleary: AYE  
Whalen: AYE

Motion carried 5-0

<b>ITEM #9</b>	<b>PUBLIC HEARING AND CONSIDER THE APPROVAL OF A NEW ON SALE INTOXICATING AND SUNDAY LIQUOR LICENSES FOR DAGOBAN, LLC D/B/A PROTAGONIST KITCHEN AND BAR LOCATED AT 6601 PENN AVENUE SOUTH (STAFF REPORT NO. 192)</b>
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Council Member Whalen presented staff report 192 and opened the public hearing.

Administrative Assistant Wynn stated the options to participate in the public hearing and stated that there were no callers.

Council Member Whalen verified that there were no more residents for the public hearing.

M/Whalen, S/Trautmann to close the public hearing.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
Supple: AYE  
Trautmann: AYE  
Hayford Oleary: AYE  
Whalen: AYE

Motion carried 5-0

M/Whalen, S/Hayford Oleary to approve the issuance of new On Sale Intoxicating and Sunday Liquor licenses for Dagobah, LLC d/b/a Protagonist Kitchen and Bar located at 6601 Penn Avenue South.

Mayor Regan Gonzalez welcomed the new restaurant.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
Supple: AYE  
Trautmann: AYE  
Hayford Oleary: AYE  
Whalen: AYE

Motion carried 5-0

ITEM #10	<b>PUBLIC HEARING TO APPROVE HOST DESIGNATION FOR THE CITY OF BETHEL TO ISSUE HOUSING BONDS TO FINANCE AN AFFORDABLE HOUSING DEVELOPMENT TO BE CONSTRUCTED BY MWF PROPERTIES AT 7700 PILLSBURY AVENUE SOUTH (STAFF REPORT NO. 193)</b>
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Council Member Trautmann presented staff report 193 and opened the public hearing.

Administrative Assistant Wynn stated the options to participate in the public hearing and stated that there were no callers.

Council Member Trautmann verified that there were no more residents for the public hearing.

M/Trautmann, S/Hayford Oleary to close the public hearing.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
Supple: AYE  
Trautmann: AYE  
Hayford Oleary: AYE  
Whalen: AYE

Motion carried 5-0

M/Trautmann, S/Supple to approve a resolution providing host approval to and consenting to the issuance, sale, and delivery by the City of Bethel of its revenue bonds and approving and authorizing the execution of a Cooperative Agreement.



**RESOLUTION NO. 11908****RESOLUTION PROVIDING HOST APPROVAL TO AND  
CONSENTING TO THE ISSUANCE, SALE, AND DELIVERY BY THE  
CITY OF BETHEL OR ANOTHER MUNICIPALITY OF THE STATE OF  
MINNESOTA OF ITS REVENUE BONDS; APPROVING AND  
AUTHORIZING THE EXECUTION OF A COOPERATIVE  
AGREEMENT; AND TAKING OTHER ACTIONS WITH RESPECT  
THERE TO**

Council Member Whalen asked about the possibility to increase the number of units available at the 30% AMI level.

Ryan Schwickert, MSF Properties, stated due to lack of investors they will be unable to increase the number of units.

Council Member Whalen expressed desire to explore possibilities as a city to increase units available in buildings at the 30% AMI level.

Director Stark agreed with comments and stated there are limited resources but staff has discussed it with legislators.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford Oleary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #11</b>	<b>PUBLIC HEARING TO APPROVE HOST DESIGNATION FOR THE CITY OF BETHEL TO ISSUE TAX EXEMPT BONDS TO FINANCE CAPITAL IMPROVEMENTS AT PARTNERSHIP ACADEMY. (STAFF REPORT NO. 194)</b>
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Council Member Supple presented staff report 194.

Lisa Hendricks, Partnership Academy, spoke of the need for an addition to the building to accommodate more students as they have an extensive waiting list for a number of grades.

Council Member Supple opened the public hearing.

Administrative Assistant Wynn stated the options to participate in the public hearing and stated that there were no callers.

Council Member Supple verified that there were no more residents for the public hearing.

M/Supple, S/Trautmann to close the public hearing.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE  
Trautmann: AYE  
Hayford O'Leary: AYE  
Whalen: AYE

Motion carried 5-0

M/Supple, S/Whalen to approve a resolution providing host approval to and consenting to the issuance, sale, and delivery by the City of Bethel of its revenue Bonds.

**RESOLUTION NO. 11909**

**RESOLUTION CONSENTING TO AND APPROVING THE ISSUANCE  
BY THE CITY OF BETHEL OF ITS CHARTER SCHOOL LEASE  
REVENUE OBLIGATIONS AND TAKING OTHER ACTIONS WITH  
RESPECT THERETO**

Members of the council thanked Partnership Academy and the City of Bethel.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
Supple: AYE  
Trautmann: AYE  
Hayford O'Leary: AYE  
Whalen: AYE

Motion carried 5-0

<b>ITEM #12</b>	<b>CONSIDER RESOLUTIONS APPROVING THE 2021 REVISED/2022 PROPOSED BUDGET AND TAX LEVY AND RELATED RESOLUTIONS (STAFF REPORT NO. 195)</b>
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Council Member Supple presented staff report 195.

City Manager Rodriguez encouraged residents to review the previous meetings and documentation of the budget.

M/Supple, S/Whalen to adopt the resolutions approving the 2021 Revised/2022 Proposed budget and tax levy and related resolutions.

**RESOLUTION NO.11910**

**RESOLUTION ADOPTING A BUDGET AND TAX LEVY FOR THE  
YEAR 2022**

**RESOLUTION NO. 11911**

**RESOLUTION AUTHORIZING BUDGET REVISIONS**

**RESOLUTION NO. 11912**

**RESOLUTION AUTHORIZING REVISION OF 2021 BUDGET OF  
VARIOUS DEPARTMENTS**

**RESOLUTION NO. 11913**

**RESOLUTION AUTHORIZING ADJUSTMENT TO CITY'S MILEAGE  
REIMBURSEMENT RATE TO CONFORM TO INTERNAL REVENUE  
SERVICE STATUTORY MILEAGE REIMBURSEMENT RATE**

**RESOLUTION NO. 11914**

**RESOLUTION ADOPTING THE 2022 CAPITAL IMPROVEMENT  
BUDGET**

**RESOLUTION NO. 11915**

**RESOLUTION ADOPTING THE 2023-2026 CAPITAL IMPROVEMENT  
PROGRAM**

**RESOLUTION NO. 11916**

**RESOLUTION ESTABLISHING WASTEWATER SERVICE RATES  
AND CHARGES, WATER RATES AND CHARGES, SPECIAL WATER  
SERVICE CHARGES, STORM SEWER RATES AND CHARGES,  
STREET LIGHT RATES AND CHARGES, AND 6.5% PENALTY ON  
PAST DUE ACCOUNTS**

**RESOLUTION NO. 11917**

**RESOLUTION ESTABLISHING PUBLIC WORKS ON-CALL  
COMPENSATION RATES FOR 2022**

**RESOLUTION NO. 11918**

**RESOLUTION AUTHORIZING A CAR ALLOWANCE  
REIMBURSEMENT POLICY**

**RESOLUTION NO. 11919**

**RESOLUTION RELATING TO THE 2021 GENERAL SERVICES  
SALARY COMPENSATION PLAN**

**RESOLUTION NO. 11920**

**RESOLUTION RELATING TO THE 2021 MANAGEMENT  
SALARY COMPENSATION PLAN**

**RESOLUTION NO. 11921**

**RESOLUTION RELATING TO THE 2021 SPECIALIZED PAY PLAN**

Council thanked staff for their hard work and comments from residents to best invest money on behalf of the city.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford Oleary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #13</b>	<b>CONSIDER A RESOLUTION DESIGNATING BUILDINGS LOCATED AT 6501-13 PENN AVENUE SOUTH AS STRUCTURALLY SUBSTANDARD WITHIN THE RICHFIELD REDEVELOPMENT PROJECT AREA AND AUTHORIZING THEIR DEMOLITION (STAFF REPORT NO. 196)</b>
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Council Member Trautmann presented staff report 196 and asked if the HRA would be reimbursed for demolition.

Housing Manager Urban stated staff has multiple options that are being explored.

M/Trautmann, S/Whalen to adopt a resolution designating the buildings located at 6501-13 Penn Avenue South as structurally substandard within the Richfield Redevelopment Project Area and authorizing their demolition.

**RESOLUTION NO. 11922**

**RESOLUTION DESIGNATING BUILDINGS AS STRUCTURALLY  
SUBSTANDARD WITHIN THE RICHFIELD REDEVELOPMENT  
PROJECT**

Council Member Whalen asked about the timeline on the tax credit decisions.

Housing Manager Urban stated it has been delayed until January.

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Hayford O'Leary: AYE

Whalen: AYE

Motion carried 5-0

<b>ITEM #14</b>	<b>CONSIDER THE ADOPTION OF A RESOLUTION AUTHORIZING RICHFIELD PUBLIC SAFETY/POLICE DEPARTMENT TO ACCEPT DONATIONS FROM THE LISTED AGENCIES, BUSINESSES AND PRIVATE INDIVIDUALS FOR DESIGNATED USES. (STAFF REPORT NO. 197)</b>
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Council Member Hayford O'Leary presented staff report 197.

M/Hayford O'Leary, S/Supple to adopt a resolution authorizing Richfield Public Safety/Police Department to accept donations from the listed agencies, businesses and private individuals for designated uses.

**RESOLUTION NO. 11923**

**RESOLUTION AUTHORIZING RICHFIELD PUBLIC SAFETY/POLICE  
DEPARTMENT TO ACCEPT DONATIONS FROM THE LISTED  
AGENCIES, BUSINESSES AND PRIVATE INDIVIDUALS FOR  
DESIGNATED USES**

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
 Supple: AYE  
 Trautmann: AYE  
 Hayford Oleary: AYE  
 Whalen: AYE

Motion carried 5-0

<b>ITEM #15</b>	<b>CITY MANAGER'S REPORT</b>
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City Manager Rodriguez congratulated Equity Administrator Martinez Gavina on her new position with Citizens League. She also congratulated Director Stark on his new City Manager role for the city of North St. Paul.

Council thanked Equity Administrator Martinez Gavina and Director Stark for their leadership and integrity they brought to the city.

Director Stark thanked council for their support and stated he believes Richfield's brightest days are ahead.

<b>ITEM #16</b>	<b>CLAIMS AND PAYROLL</b>
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M/Trautmann, S/Whalen that the following claims and payrolls be approved:

<b>U.S. Bank</b>	<b>12/14/2021</b>
A/P Checks: 302129 - 302576	\$1,198,150.30
Payroll: 166516 - 167140	<u>\$1,425,741.61</u>
TOTAL	\$2,623,891.91

Management Analyst Swanson took roll call vote:

Regan Gonzalez: AYE  
 Supple: AYE  
 Trautmann: AYE  
 Hayford Oleary: AYE  
 Whalen: AYE

Motion carried 5-0

<b>ITEM #17</b>	<b>HATS OFF TO HOMETOWN HITS</b>
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Council Member Supple thanked the Public Works employees for all their hard work in removing snow; the new Recreation brochure is now available; encouraged residents to drop off VEAP donations; and thanked Council Member Hayford Oleary for speaking at the Orange Line ribbon cutting.

Council Member Whalen thanked residents for participating in the holiday lights competition and encouraged residents to get out to Wood Lake Nature Center for the Candlelight and Ice event.

Council Member Hayford Oleary thanked Equity Administrator Martinez Gavina for her impact on the community.

Council Member Trautmann also thanked Equity Administrator Martinez Gavina for her leadership and advocacy for change.

Mayor Regan Gonzalez expressed gratitude for UPS driver, Benton Alexander, as he assisted a distraught woman by offering his truck for warmth and calling 9-1-1.

<b>ITEM #18</b>	<b>ADJOURNMENT</b>
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The meeting was adjourned by unanimous consent at 9:04 p.m.

Date Approved: January 11, 2022

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Maria Regan Gonzalez  
Mayor

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Kelly Wynn  
Administrative Assistant

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Katie Rodriguez  
City Manager



**STAFF REPORT NO. 01**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Jay Henthorne, Director of Public Safety/Chief of Police

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
12/29/2021

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider approval of a Joint Power Agreement with the State of Minnesota Financial Crime Task Force and the City of Richfield acting on behalf of its Police Department.**

**EXECUTIVE SUMMARY:**

The Richfield Police Department wishes to participate in the Minnesota Financial Crimes Task Force ("MNFCTF") established to investigate and prosecute identity theft and related financial crimes. The Richfield Police Department would like to enter into this Agreement with the purpose of implementing a three-pronged approach to combat financial crimes: prevention, education and enforcement.

This Agreement is effective on the date State obtains all required signatures pursuant to Minnesota Statutes § 16C.05, subdivision 2.1.2. This Agreement expires five (5) years from the Effective Date unless terminated earlier pursuant to clause 12.

**RECOMMENDED ACTION:**

**By motion approve a Joint Power Agreement with the State of Minnesota Financial Crime Task Force and the Richfield Police Department.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

The Minnesota Financial Crimes Task Force (MNFCTF) protects and serves the public by investigating financial crimes related to identity theft, with a special emphasis on organized criminal enterprises. The MNFCTF is comprised of multi-jurisdictional law enforcement agencies working together to provide investigative expertise and resources. The MNFCTF works in partnership with local, state and federal agencies.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

The MNFCTF is under the authority of the Commissioner of the Department of Public Safety (Minnesota Statute 299A.681). The task force also makes reports to the Financial Crimes Advisory Board which provides advice and direction for items pertaining to MNFCTF initiatives.

**C. CRITICAL TIMING ISSUES:**

**D. FINANCIAL IMPACT:**

BCA shall reimburse Governmental Unit an amount not to exceed Fifty Thousand and 00/100 Dollars (\$50,000.00) during the Term of this Agreement.

**E. LEGAL CONSIDERATION:**

The City Attorney has reviewed the Joint Powers Agreement and approves of its contents.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could deny the Joint Power Agreement with the State of Minnesota Financial Crime Task Force and the City of Richfield would not be able to submit for overtime, loss of additional training, and access to additional software to combat financial crimes.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

**ATTACHMENTS:**

Description	Type
□ Joint Powers Agreement	Contract/Agreement
□ Resolution	Resolution Letter





## STATE OF MINNESOTA FINANCIAL CRIMES TASK FORCE MULTIPLE-AGENCY LAW ENFORCEMENT JOINT POWERS AGREEMENT

This Multiple-Agency Law Enforcement Joint Powers Agreement, and amendments and supplements thereto, ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension ("State" or "BCA"), empowered to enter into this Agreement pursuant to Minnesota Statutes § 471.59, subdivisions 10 and 12, and **the City of Richfield acting on behalf of its Police Department, 6700 Portland Avenue South, Richfield, MN 55423** ("Governmental Unit"), empowered to enter into this Agreement pursuant to Minnesota Statutes § 471.59, subdivision 10.

**WHEREAS**, the Governmental Unit wishes to participate in the Minnesota Financial Crimes Task Force ("MNFCTF") established to investigate and prosecute identity theft and related financial crimes;

**NOW THEREFORE**, the parties agree as follows:

### 1. Term

- 1.1 Effective Date.** This Agreement is effective on the date State obtains all required signatures pursuant to Minnesota Statutes § 16C.05, subdivision 2.
- 1.2 Expiration Date.** This Agreement expires five (5) years from the Effective Date unless terminated earlier pursuant to clause 12.

### 2. Purpose

The Governmental Unit approves, authorizes, and enters into this Agreement with the purpose of implementing a three-pronged approach to combat financial crimes: **prevention, education and enforcement.**

### 3. Standards

The Governmental Unit will adhere to the Minnesota Financial Crimes Task Force Standards identified below:

- 3.1** Provide and assign only licensed peace officers for services pursuant to this Agreement.
- 3.2** Investigate major financial crimes by organized groups or individuals related to identity theft, e.g. bank fraud, wire fraud, access device fraud, commercial fraud, retail fraud and other similar economically-related forms of fraud (as defined in Minnesota Statutes § 609.52).
- 3.3** Prepare an investigative plan for each case assigned which will include: the identification of witnesses and witness statements; and obtaining and analyzing appropriate bank and business records.
- 3.4** Prepare a case synopsis which will include witness lists and relevant evidence for presentation to state and/or federal prosecutors for prosecution.
- 3.5** Comply with state and/or federal laws in obtaining arrest warrants, search warrants and civil and criminal forfeitures including compliance with proper legal procedures in securing evidence and, when applicable, recovery of computers.
- 3.6** Understand and use appropriate legal procedures in the handling of informants including documentation of identity, monitoring of activities, use and recordation of payments.
- 3.7** Use, as appropriate, a comprehensive portfolio of investigative technologies and techniques including surveillance, covert technologies and undercover assignments.

- 3.8 Interview and prepare reports on the victims of financial crimes, directing those victims to appropriate public and private resources to assist them in the recovery of their identities.
- 3.9 Investigate cases involving cross-jurisdictional and/or organized financial crime and high value theft schemes. [Note: An assignment may require travel throughout Greater Minnesota in addition to the seven county metropolitan area as investigations expand or as assigned by the task force commander.]

#### 4. Responsibilities of the Governmental Unit and the BCA

- 4.1 The Governmental Unit will:
  - 4.1.1 Conduct investigations in accordance with provisions of the Minnesota Financial Crimes Task Force Standards, identified in clause 3 above, and conclude such investigations in a timely manner.
  - 4.1.2 Maintain accurate records pertaining to prevention, education, and enforcement activities, to be collected and forwarded quarterly to the MNFCTF Commander, or the Commander's designee, for statistical reporting purposes.
  - 4.1.3 Assign one or more employees of the Governmental Unit as members to the MNFCTF. All employees of the Governmental Unit assigned as members, and while performing MNFCTF assignments, shall continue to be employed and directly supervised by the same Governmental Unit currently employing that member. All services, duties, acts or omissions performed by the MNFCTF member will be within the course and duty of the member's employment and therefore covered by the Workers Compensation and other compensation programs of the Governmental Unit including fringe benefits.
  - 4.1.4 Make a reasonable good faith attempt to be represented at all scheduled MNFCTF meetings in order to share information and resources among the MN FCTF members.
  - 4.1.5 Participate fully in any audits required by the Minnesota Financial Crimes Task Force.
- 4.2 The parties mutually agree that any investigators assigned to the MNFCTF by the Governmental Unit will be provided an undercover vehicle and basic equipment, e.g. gun, handcuffs, vest, etc., by the Governmental Unit.
- 4.3 Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by a member as an employee of the Governmental Unit.

#### 5. Reimbursement Requests and Payments

- 5.1 Upon the Effective Date of this Agreement, the Governmental Unit will be entitled to reimbursements in accordance with clause 5.3.
- 5.2 The Governmental Unit will submit a written request to the MNFCTF Commander prior to receiving a reimbursement from the BCA in accordance with clause 5.3. All requests will be submitted using the **Financial Crimes Task Force Outside Agency Reimbursement** form which will be provided by the BCA upon request from the Governmental Unit.
- 5.3 The Governmental Unit will only be reimbursed by the BCA for the following expenses which must be **pre-approved** by the MNFCTF Commander: 1) overtime salary including fringe benefits; 2) equipment; 3) training and training-related expenses directly incurred and relating to performance of MNFCTF assignments.
- 5.4 Reimbursement by the BCA to the Governmental Unit will be made until all designated member funds have been expended.
- 5.5 BCA shall reimburse Governmental Unit an amount not to exceed Fifty Thousand and 00/100 Dollars (\$50,000.00) during the Term of this Agreement.
- 5.6 The Governmental Unit shall submit original receipts when seeking reimbursement on pre-approved requests. Approved reimbursements will be paid directly by the BCA to the Governmental Unit within thirty (30) days after the BCA receives reimbursement request. Reimbursement to the Governmental Unit will be paid to Richfield Police Department, 6700 Portland Avenue South, Richfield, MN 55423.

**6. Authorized Representatives**

The BCA's Authorized Representative is the person below or his successor:

Name: Donald Cheung, MNFCTF Commander  
Address: Department of Public Safety; Bureau of Criminal Apprehension  
1430 Maryland Street East  
Saint Paul, MN 55106  
Telephone: 651.793.1072  
E-mail Address: [donald.cheung@state.mn.us](mailto:donald.cheung@state.mn.us)

The Governmental Unit's Authorized Representative is the person below or his/her successor:

Name: Jay Henthorne, Chief  
Address: Richfield Police Department  
6700 Portland Avenue South  
Richfield, MN 55423  
Telephone: 612.861.9828  
E-mail Address: [JHenthorne@richfieldmn.gov](mailto:JHenthorne@richfieldmn.gov)

**7. Assignment, Amendments, Waiver, and Agreement Complete**

- 7.1 Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement.
- 7.2 Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3 Waiver.** If the State fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- 7.4 Agreement Complete.** This Agreement contains all negotiations and agreements between the BCA and the Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

**8. Liability**

The BCA and the Governmental Unit agree each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The BCA's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes §§ 466.01-466.15, and other applicable law.

**9. Audits**

Under Minnesota Statutes § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and/or the State Auditor and/or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

**10. Government Data Practices**

The Governmental Unit and the BCA must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by the BCA under this Agreement and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the BCA.

If the Governmental Unit receives a request to release the data referred to in this clause, the Governmental Unit must immediately notify the BCA. The BCA will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

**11. Venue**

The venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

**12. Expiration and Termination**

**12.1** Either party may terminate this Agreement at any time, with or without cause, upon 30 days written notice to the other party. To the extent funds are available, the Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.

**12.2** Upon expiration or earlier termination of this Agreement, the Governmental Unit shall provide the MNFCTF Commander, in a timely manner, all investigative equipment that was acquired with funding received under this Agreement.

**13. E-Verify Certification (In accordance with Minnesota Statutes § 16C.075)**

For services valued in excess of \$50,000, the Governmental Unit certifies that as of the date of services performed on behalf of the BCA, the Governmental Unit and all its subcontractors will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of the BCA. The Governmental Unit is responsible for collecting all subcontractor certifications and may do so utilizing the E-Verify Subcontractor Certification Form available at <http://www.mmd.admin.state.mn.us/doc/EVerifySubCertForm.doc>. All subcontractor certifications must be kept on file with the Governmental Unit and made available to the BCA upon request.

**14. Continuing Obligations**

The following clauses survive the expiration or cancellation of this Agreement: 8, Liability; 9, Audits; 10, Government Data Practices; and 11, Venue.

**THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK**

**The State and the Governmental Unit indicate their agreement and authority to execute this Agreement by signing below.**

**GOVERNMENTAL UNIT**

Governmental Unit certifies that the appropriate persons have executed this Agreement on behalf of the Governmental Unit and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions, or ordinances.

\_\_\_\_\_  
By and Title: \_\_\_\_\_  
Governmental Unit

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governmental Unit Title:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governmental Unit Title:

\_\_\_\_\_  
Date

**DEPARTMENT OF PUBLIC SAFETY; BUREAU OF CRIMINAL APPREHENSION**

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Date

**COMMISSIONER OF ADMINISTRATION**

As delegated to the Office of State Procurement

\_\_\_\_\_  
By and Title: \_\_\_\_\_

\_\_\_\_\_  
Date

**STATE ENCUMBRANCE VERIFICATION**

Individual certifies that funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.

\_\_\_\_\_  
SWIFT P.O. Number: \_\_\_\_\_

\_\_\_\_\_  
Date

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF  
RICHFIELD ON BEHALF OF ITS POLICE DEPARTMENT**

WHEREAS, the City of Richfield on behalf of its Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to participate in the Minnesota Financial Crimes Task Force (MNFCTF) established to investigate and prosecute identity theft and related financial crimes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Richfield, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Richfield Police Department on behalf of its Police Department, are hereby approved.
2. That the Chief, Jay Henthorne, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.
3. That Maria Regan- Gonzalez, the Mayor for the City of Richfield, and Kari Sinning , the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 11<sup>th</sup> day of January, 2022.

CITY OF RICHFIELD

\_\_\_\_\_  
By: Maria Regan-Gonzalez  
Its Mayor

ATTEST: \_\_\_\_\_  
By: Kari Sinning  
Its City Clerk



**STAFF REPORT NO. 02**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
12/29/2021

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider approval of a Temporary On Sale Intoxicating Liquor license for the Blessed Trinity Catholic School's Sno\*ball event to take place on Saturday, February 5, 2022, at St. Richard's Catholic Church, located at 7540 Penn Ave S.**

**EXECUTIVE SUMMARY:**

On November 19, 2021, the City received application materials for a Temporary On Sale Intoxicating Liquor license for the Blessed Trinity Catholic School's Sno\*ball event to take place on to take place on Saturday, February 5, 2022. The event will take place from 5:00 p.m. to 9:00 p.m. at St. Richard's Catholic Church, located at 7540 Penn Ave S.

The request is to serve wine, beer, and spirits, along with a dinner.

All required information, documents and licensing fees have been provided. The Director of Public Safety has reviewed all required information and documents and has found no basis for denial.

The City Council has previously granted licenses in conjunction with similar events for Blessed Trinity.

**RECOMMENDED ACTION:**

**By motion: Approve the issuance of a Temporary On Sale Intoxicating Liquor license for Blessed Trinity Catholic School's Sno\*ball event to take place on Saturday, February 5, 2022, at St. Richard's Catholic Church, located at 7540 Penn Ave S.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

The applicant has satisfied the following requirements for the issuance of this license:

- The required licensing fees have been received.
- Proof of liquor liability insurance has been provided showing The Catholic Mutual Relief Society of America affording the coverage.
- Blessed Trinity Catholic School has contacted food sanitarians from the City of Bloomington to ensure food handling practices are followed.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Richfield City Code Section 1202.05 requires all applicants to comply with all of the provisions of this code, as well as the provisions of Minnesota Statute Chapter 340A.

**C. CRITICAL TIMING ISSUES:**

Blessed Trinity Catholic School's Sno\*ball event takes place on Saturday, February 5, 2022, so approval by the City Council is needed at the regular meeting on January 11, 2022.

**D. FINANCIAL IMPACT:**

The required licensing fees have been received.

**E. LEGAL CONSIDERATION:**

There are no legal considerations.

**ALTERNATIVE RECOMMENDATION(S):**

The Council could deny the approval of the Temporary On Sale Intoxicating Liquor license for Blessed Trinity Catholic School. This would mean the applicant would not be able to serve alcohol at their Sno\*ball event; however, Public Safety has not found any basis for denial.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

A representative of Blessed Trinity Catholic School will be present.





**STAFF REPORT NO. 03**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police  
12/29/2021

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider approval of the Covid-19 Response Services Agreement with the City of Bloomington.**

**EXECUTIVE SUMMARY:**

Pandemic response and vaccination implementation is a combined state and local responsibility that requires close collaboration between public health, health care, external agencies, and community partners. The purpose of the Covid-19 Response Services Agreement is the rapid administration of Covid-19 vaccine and will allow for an expansion of services like booster clinics, testing, etc.

**RECOMMENDED ACTION:**

**By Motion: Approve the Covid-19 Response Services Agreement. The agreement would be in effect from January 1, 2022 - December 31, 2023.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

Covid-19 has placed unprecedented stress and pressure on public health and health care providers around the world. It has tested the resilience of public health staff, public health emergency plans, community testing and vaccination efforts and public health education efforts. In order to continue providing robust services and resources to Richfield, Bloomington Public Health will require additional funding above and beyond the annual Health Services contract and PHEP/CRI agreement from the cities of Richfield and Edina. The cities of Richfield and Edina have Federal vaccine implementation funding that will cover the cost of this agreement, which will amount to \$390,000 from January 1, 2022 - December 31, 2023 from the City of Richfield.

Bloomington Public Health can continue to provide the excellent Covid-19 response services and activities to Richfield and Edina in the areas of pandemic monitoring, recovery, vaccine implementation and distribution, promoting vaccine confidence and uptake, providing incentives and reporting to State and Federal agencies.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

Community Health Boards are mandated by Minnesota State Statute 145A to perform core public health services, which are funded by a combination of local, state, and federal dollars. Mandated core services

include:

- 1) Assure an adequate public health infrastructure,
- 2) Promote healthy communities and healthy behaviors
- 3) Prevent the spread of infectious disease
- 4) Protect against environmental health hazards
- 5) Prepare for and respond to disasters and assist communities in recovery
- 6) Assure the quality and accessibility of health services.

**C. CRITICAL TIMING ISSUES:**

**D. FINANCIAL IMPACT:**

The City of Richfield has Federal vaccine implementation funding received through the Minnesota Department of Health to respond to the Covid-19 pandemic. These funds can be used for the Covid-19 Response Services Agreement with the City of Bloomington.

**E. LEGAL CONSIDERATION:**

The City Attorney has reviewed the agreement and approves of its contents.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could deny the approval of the Covid-19 Services Agreement, however, Richfield would experience drastically reduced services and resources to fight Covid-19.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

**ATTACHMENTS:**

Description	Type
▣ Covid-19 Response Services Agreement	Cover Memo

## COVID-19 RESPONSE SERVICES AGREEMENT

### BETWEEN THE MINNESOTA CITIES OF BLOOMINGTON AND RICHFIELD

THIS AGREEMENT is made by and between the **CITY OF BLOOMINGTON, MINNESOTA**, a Minnesota municipal corporation, acting through its Public Health Division, located at 1800 West Old Shakopee Road, Bloomington, Minnesota 55431-3027 (“Bloomington”), and the **CITY OF RICHFIELD, MINNESOTA**, a Minnesota municipal corporation located at 6700 Portland Avenue, Richfield, Minnesota 55423 (“Richfield”). Bloomington and Richfield are herein referred to collectively as the “Parties”.

### RECITALS

- A. Bloomington warrants and represents that its Division of Public Health is a duly certified public health agency operating in accordance with all applicable federal and state requirements.
- B. Bloomington's Division of Public Health provides COVID-19 Response Services including, but not limited to pandemic response; vaccination implementation, distribution, and promotion; and COVID-19 monitoring (“COVID-19 Response Services”).
- C. Richfield desires to contract with Bloomington to provide Richfield’s residents such COVID-19 Response Services, funding these duties via Minnesota Department of Health (MDH) grant dollars and subject to the grant compliance timelines provided by MDH.
- D. Bloomington is willing to provide such COVID-19 Response Services to residents of Richfield on the terms and conditions set forth in this Agreement.

**NOW, THEREFORE**, in consideration of the terms and conditions expressed in this Agreement, Bloomington and Richfield agree as follows:

### AGREEMENT

- 1. **Services to be Provided.** Bloomington agrees to provide the residents of Richfield with COVID-19 Response Services as described in the Scope of Services attached to this Agreement as Exhibit A or any supplemental letter agreements, or both, entered into between Bloomington and Richfield (the “Services”). The Services referenced in the attached Exhibit A or any supplemental letter agreements shall be incorporated into this Agreement by reference. All Services shall be provided in a manner consistent with the level of care and skill ordinarily exercised by contractors currently providing similar services.
- 2. **Time for Completion.** This Agreement shall remain in force and effect commencing from January 1, 2022 (“Effective Date”) and continuing until December 31, 2023, unless terminated by either party or amended pursuant to the Agreement.

3. **Consideration.** The consideration, which Richfield shall pay to Bloomington, shall not exceed \$390,000.00, as set forth in Exhibit B and incorporated into this Agreement.
4. **Approvals.** Bloomington will secure Richfield's written approval before making any expenditures, purchases, or commitments on Richfield's behalf beyond those listed in the Services. Richfield's approval may be provided via electronic mail.
5. **Termination.** Notwithstanding any other provision hereof to the contrary, either party may terminate this Agreement for any reason upon giving thirty (30) days' written notice to the other party. In the event of termination:
  - a. The quarterly payment next due shall be prorated and paid for only the period ended on the date of termination, and Richfield shall pay such reduced quarterly payment for the period ended on the date of termination, within fifteen (15) days after receipt of Bloomington's invoice.
  - b. The Parties may take whatever action at law or in equity that may appear necessary or desirable to collect damages arising from a default or violation or to enforce performance of this Agreement.
  - c. The provisions of this section will continue and survive termination of the Agreement.
6. **Amendments.** No amendments may be made to this Agreement except in writing signed by both parties.
7. **Records/Inspection.** Pursuant to Minnesota Statutes § 16C.05, Subd. 5, the Parties agree that the books, records, documents, and accounting procedures and practices, that are relevant to the contract or transaction, are subject to examination by the other party and the state auditor or legislative auditor for a minimum of six years. The Parties shall maintain such records for a minimum of six years after final payment.
8. **Indemnification.**
  - a. To the fullest extent permitted by law, Bloomington and its successors or assigns, agree to protect, defend, indemnify, save, and hold harmless Richfield, its officers, officials, agents, volunteers, and employees from any and all claims; lawsuits; causes of actions of any kind, nature, or character; damages; losses; or the costs, disbursements, and expenses of defending the same, including but not limited to attorneys' fees, professional services, and other technical, administrative or professional assistance resulting from or arising out of Bloomington's (or its subcontractors, agents, volunteers, members, invitees, representatives, or employees) performance of the duties required by or arising from this Agreement, or caused in whole or in part by any negligent act or omission or willful misconduct, or arising out of the failure to obtain or maintain the insurance required by this Agreement.
  - b. To the fullest extent permitted by law, Richfield, and its successors or assigns, agree to protect, defend, indemnify, save, and hold harmless Bloomington, its officers, officials, agents, volunteers, and employees from any and all claims; lawsuits; causes of actions of any kind, nature, or character; damages; losses; or the costs, disbursements, and expenses of defending the same, including but not limited to

attorneys' fees, professional services, and other technical, administrative or professional assistance resulting from or arising out of Richfield's (or its subcontractors, agents, volunteers, members, invitees, representatives, or employees) performance of the duties required by or arising from this Agreement, or caused in whole or in part by any negligent act or omission or willful misconduct, or arising out of the failure to obtain or maintain the insurance required by this Agreement.

- c. Nothing in this Agreement shall constitute a waiver or limitation of any immunity or limitation on liability to which the Parties are entitled. The Parties agree that these indemnification obligations will survive the completion or termination of this Agreement.
9. **Insurance.** To the extent allowed by law, the Parties agree to maintain the following insurance coverages, in an amount equal to, or greater than, the minimum limits described below, and upon request, to provide the other with a certificate of insurance evidencing such coverages:
- a. Commercial General Liability Insurance in the amount of at least \$1,500,000 per occurrence for bodily injury or death arising out of each occurrence, as well as \$1,500,000 per occurrence for property damage. In the alternative, each party may maintain a general aggregate of at least \$2,000,000. Each party agrees to name the other party as an additional insured on its Commercial General Liability and to provide an endorsement of such status. In addition, each party agrees to notify the other party thirty (30) days prior to cancellation or a change in any of the aforementioned insurance policies. All insurance must be provided at the respective party's expense and at no additional cost to the other party.
  - b. Bloomington agrees to maintain Workers' Compensation Insurance as required by Minnesota Statutes, Section 176.181.
10. **Subcontracting.** Neither Bloomington nor Richfield shall assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that may become due or moneys that are due) in the Agreement without the written consent of the other except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent Bloomington from employing such independent consultants, associates, and subcontractors, as it may deem appropriate to assist it in the performance of services required by this Agreement. Any instrument in violation of this provision is null and void.
11. **Assignment.** Neither Bloomington nor Richfield shall assign this Agreement or any rights under or interest in this Agreement, in whole or in part, without the other party's prior written consent. Any assignment in violation of this provision is null and void.
12. **Independent Contractor.** Bloomington shall be deemed an independent contractor. Bloomington's duties will be performed with the understanding that Bloomington has special expertise as to the services which Bloomington is to perform and is customarily engaged in the independent performance of the same or similar services for others. All

required equipment and personnel shall be provided or contracted for by Bloomington. The manner in which the services are performed shall be controlled by Bloomington; however, the nature of the services and the results to be achieved shall be specified by Richfield. The Parties agree that this is not a joint venture and the Parties are not co-partners. Bloomington is not to be deemed an employee or agent of Richfield and has no authority to make any binding commitments or obligations on behalf of Richfield except to the extent expressly provided in this Agreement. All services provided by Bloomington pursuant to this Agreement shall be provided by Bloomington as an independent contractor and not as an employee of Richfield for any purpose, including but not limited to: income tax withholding, workers' compensation, unemployment compensation, FICA taxes, liability for torts and eligibility for employee benefits.

13. **Compliance with Laws.** The Parties shall exercise due care to comply with applicable federal, state and local laws, rules, ordinances and regulations in effect as of the date Bloomington agrees to provide the Services.
14. **Entire Agreement.** This Agreement, any attached exhibits and any addenda or amendments signed by the parties shall constitute the entire agreement between Bloomington and Richfield, and supersedes any other written or oral agreements between Bloomington and Richfield. This Agreement can only be modified in writing signed by Bloomington and Richfield. If there is any conflict between the terms of this Agreement and referenced or attached items, the terms of this Agreement shall prevail.
15. **Third Party Rights.** The Parties to this Agreement do not intend to confer on any third party any rights under this Agreement.
16. **Choice of Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the state of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Hennepin County, Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.
17. **Conflict of Interest.** Bloomington shall use reasonable care to avoid conflicts of interest and appearances of impropriety in representation of Richfield. In the event of a conflict of interest, Bloomington shall advise Richfield and either secure a waiver of the conflict or advise Richfield that it will be unable to provide the requested services.
18. **Work Products and Ownership of Documents.** All records, information, materials and other work products, including, but not limited to the completed reports, drawings, plans, and specifications prepared and developed in connection with the provision of services pursuant to this Agreement shall become the property of Richfield, but reproductions of such records, information, materials and other work products in whole or in part may be retained by Bloomington. Regardless of when such information was provided, Bloomington agrees that it will not disclose for any purpose any information Bloomington has obtained arising out of or related to this Agreement, except as authorized by Richfield or as required by law. These obligations survive the termination of this Agreement.

19. **Agreement Not Exclusive.** Bloomington retains the right to perform other COVID-19 Response Services for other entities, in Bloomington's sole discretion.
20. **Data Practices Act Compliance.** Any and all data provided to Bloomington, received from Bloomington, created, collected, received, stored, used, maintained, or disseminated by Bloomington pursuant to this Agreement shall be administered in accordance with, and is subject to the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. The Parties agree to notify the other party within three (3) business days if it receives a data request from a third party. This paragraph does not create a duty on the part of Bloomington to provide access to public data to the public if the public data are available from Richfield, except as required by the terms of this Agreement. These obligations survive the termination of this Agreement.
21. **No Discrimination.** The Parties agree not to discriminate in providing products and services under this Agreement on the basis of race, color, sex, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion. Violation of any part of this provision may lead to immediate termination of this Agreement. The Parties agree to comply with Americans with Disabilities Act, as amended ("ADA"), Section 504 of the Rehabilitation Act of 1973, and the Minnesota Human Rights Act, Minnesota Statutes, Chapter 363A. Each party agrees to hold harmless and indemnify the other party from costs, including but not limited to damages, attorney's fees and staff time, in any action or proceeding brought alleging a violation of these laws by the acting party or its guests, invitees, members, officers, officials, agents, employees, volunteers, representatives and subcontractors. Upon request, the Parties shall provide accommodation to allow individuals with disabilities to participate in all services under this Agreement. The Parties agree to utilize their own auxiliary aid or service in order to comply with ADA requirements for effective communication with people with disabilities.
22. **Authorized Agents.** Richfield's authorized agent for purposes of administration of this contract is Jennifer Anderson, Health Administrator/Support Services Manager, or designee. Bloomington's authorized agent for purposes of administration of this contract is Nicholas Kelley, Public Health Administrator, who shall perform or supervise the performance of all Services.
23. **Notices.** Any notices permitted or required by this Agreement shall be deemed given when personally delivered or upon deposit in the United States mail, postage fully prepaid, certified, return receipt requested, addressed to:

Bloomington: City of Bloomington, 1800 West Old Shakopee Road, Bloomington, MN 55431, Attn: Nicholas Kelley; [nkelley@bloomingtonmn.gov](mailto:nkelley@bloomingtonmn.gov); 952-563-4962;

Richfield: City of Richfield, 6700 Portland Avenue, Richfield, MN 55423, Attn: Jennifer Anderson; [jenniferanderson@richfieldmn.gov](mailto:jenniferanderson@richfieldmn.gov); 612-861-9881;

or such other contact information as either party may provide to the other by notice given in accordance with this provision.

24. **Waiver.** No waiver of any provision or of any breach of this Agreement shall constitute a waiver of any other provisions or any other or further breach, and no such waiver shall be effective unless made in writing and signed by an authorized representative of the party to be charged with such a waiver.
25. **Headings.** The headings contained in this Agreement have been inserted for convenience of reference only and shall in no way define, limit or affect the scope and intent of this Agreement.
26. **Mediation.** Both Parties agree to submit all claims, disputes and other matters in question between the parties arising out of or relating to this Agreement to mediation at the Conflict Resolution Center, 2101 Hennepin Avenue, Suite 100, Minneapolis, Minnesota 55405. In the event mediation is unsuccessful, either party may exercise its legal or equitable rights.
27. **Publicity.** Bloomington and Richfield shall develop language to use when discussing the Services. Bloomington and Richfield agree that any publicity regarding the Services or the subject matter of this Agreement must not be released unless it complies with the approved language. Bloomington must not use Richfield's logo or state that Richfield endorses its services without Richfield's advanced written approval. Publicity approvals may be provided electronically.
28. **Severability.** In the event that any provision of this Agreement shall be illegal or otherwise unenforceable, such provision shall be severed, and the balance of the Agreement shall continue in full force and effect.
29. **Signatory.** Each person executing this Agreement ("Signatory") represents and warrants that he or she is duly authorized.
30. **Counterparts and Electronic Communication.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument. This Agreement may be transmitted by electronic mail in portable document format ("pdf") and signatures appearing on electronic mail instruments shall be treated as original signatures.
31. **Recitals.** Bloomington and Richfield agree that the Recitals are true and correct and are fully incorporated into this Agreement.

[The balance of this page left blank intentionally.]



**IN WITNESS WHEREOF**, the Parties have caused this Services Agreement to be executed by their duly authorized representatives in duplicate on the respective dates indicated below.

**CITY OF BLOOMINGTON, MINNESOTA**

DATED:\_\_\_\_\_ BY:\_\_\_\_\_  
Tim Busse  
Its: Mayor

DATED:\_\_\_\_\_ BY:\_\_\_\_\_  
James D. Verbrugge  
Its: City Manager

Reviewed and approved by the City Attorney.

\_\_\_\_\_  
Melissa J. Manderschied

**CITY OF RICHFIELD, MINNESOTA**

DATED:\_\_\_\_\_ BY:\_\_\_\_\_  
Maria Regan Gonzalez  
Its: Mayor

DATED:\_\_\_\_\_ BY:\_\_\_\_\_  
Katie Rodriguez  
Its: City Manager

EXHIBIT A TO AGREEMENT BETWEEN  
THE MINNESOTA CITIES OF BLOOMINGTON AND RICHFIELD

SCOPE OF SERVICES

Pandemic response and vaccination implementation is a combined state and local responsibility that requires close collaboration between public health, health care, external agencies, and community partners. The overall purpose of this grant is the rapid administration of COVID-19 vaccination.

**COVID-19 Response**

- Implement activities as needed to prevent and respond to COVID 19 in the jurisdiction. This could include, but is not limited to, non-vaccine related activities such as testing, essential services and other resources necessary for COVID-19 response efforts.
- Provide ongoing support for COVID-19 testing. This could include but, is not limited to, maintaining awareness of testing resources at the state and local level, referring individuals who seek testing to appropriate resources, and monitoring testing uptake and positivity rates in the local jurisdiction.
- Work with MDH to respond to outbreaks in communities or settings (worksites, jails, shelters, schools, Institutes of Higher Education, etc.) as able to assure local coordination of response.
- Assure ongoing communication to the community and information sharing among partners related to COVID-19 response, recovery and vaccine implementation.
- Provide ongoing and targeted support to communities at higher risk of complications due to COVID (high SVI, at-risk populations) by working with trusted community-organizations and partners.

**COVID-19 Monitoring**

- Build and/or maintain the capacity to monitor, analyze and share data and trends related to COVID-19 and COVID-19 vaccination efforts. The Grantee should monitor data and trends related to COVID-19 infection and vaccination, including data on race, ethnicity and populations residing in areas with a high social vulnerability index (SVI) and populations most affected by the pandemic (e.g. barriers to testing, vaccine and treatment).
- Coordinate with MDH and health providers as necessary to assess, test, and implement data modernization systems to improve ongoing assessment and reporting of data, including data quality interventions as needed, assistance in developing and enhancing electronic data exchange, resources for case investigations and contact tracing, and weekly county-level reporting.

**COVID-19 Recovery**

- Support staff recovery efforts, including identifying, monitoring and addressing the mental wellbeing of staff and volunteers involved in the response and providing the necessary support to aide in their recovery.
- Support ongoing community recovery efforts by working with the community to identify recovery needs and determine how best to address those needs.

- Work with MDH and health care providers to identify and prioritize secondary effects of COVID-19 on community public health efforts, including maintaining childhood vaccination rates, scheduling well-child and Child and Teen Checkup visits, addressing chronic conditions, and adverse mental health impacts.

### **COVID-19 Vaccination Implementation and Distribution**

- Administer COVID-19 vaccine as rapidly as possible to prioritized groups, based on jurisdictional priorities and CDC and MDH guidance.
- Work with the MDH to vaccinate at-risk populations as needed based on the current state of the vaccination efforts.
- Support ongoing community vaccinations efforts by working with the community to identify vaccine gaps and determine how best to address those needs.
- Support vaccine implementation and distribution, including:
  - a. Staff salary and fringe benefits as needed to complete grant duties and support vaccination clinics.
  - b. Increased staffing by contracting with or hiring additional staff to work with rural, communities of color, and/or communities of high social vulnerability.
  - c. Subcontracts for vaccine administration. This includes, but is not limited to, subcontracting for community vaccinators. Grantees will be asked to provide the name of the subcontractor, amount of subcontract and period of performance.
  - d. Purchase of supplies and equipment necessary to support vaccine administration. Procurement of a single piece of equipment over \$5,000 or higher (including retrofitting or leasing of a vehicle) requires prior approval from the State's Authorized Representative.
  - e. Costs associated with vaccine clinics (open and closed PODs). This may include, but is not limited to:
    - i. Rental of space and or equipment
    - ii. Security and or traffic management
    - iii. Necessary translation services (through staff with language competency or subcontracts with community organizations/individuals)
    - iv. Support for community engagement to ensure populations of focus are targeted and served
    - v. Support for software/reporting
  - f. Costs associated with expanded vaccine clinic hours – including evening, overnight, weekends – to increase throughput. This may include but is not limited to staff overtime costs and other additional costs noted in (e).
  - g. Purchases to transport and store vaccines in the field and to increase the efficiency and safety of vaccinating (vaccine transportation coolers, ancillary supplies, etc.).
  - h. Purchase and maintenance of a vaccination scheduling or other IT solution.

### **Promote Vaccine Confidence and Increase Vaccination Uptake**

- Work with local partners (local and regional health care, long term care facilities, community vaccinators, community organizations, pharmacists, etc.) to assure vaccination of priority groups.
- When setting up vaccination sites, the Grantee should address the following considerations:

- a. Clinic hours that are accessible to a broad range of community members, including evening and weekend hours
  - b. Accessibility considerations (e.g., ADA compliant locations, transportation options, accessible by public transportation)
  - c. At or near community locations where individual currently receive services/activities (e.g. faith-based, housing complex, food shelves, jobs centers, community gathering locations)
  - d. Mechanism for distributing vaccine and vaccine location information in multiple languages
- When possible, plan clinics and identify locations in partnership with focus communities and in non-traditional settings to support vaccination in underserved communities.
  - Used funds to support local education campaigns and approaches to adapting MDH and CDC materials to community audiences, including a focus on racial and ethnic minority groups and/or communities with high social vulnerability.
  - Use funds to promote vaccine confidence by developing local messages, based on MDH and CDC guidance, especially among underserved populations in their communities.
  - Use funds to address vaccine misinformation to increase vaccine uptake, including racial and ethnic minority groups in their communities.

### **Incentives**

- Grantees may use grant funds to purchase incentive instruments in order to aid in meeting the goals and objectives of the grant agreement.
- Grantees using incentive instruments must have written effective policies and procedures on file before purchasing any incentive instruments. Grantees are required to monitor and track incentive instruments.
- MDH reserves the right to inspect and review incentive instruments purchased and distributed, and related documents, as part of its monitoring oversight.
- Only a percentage of one funding source for this grant can be used for vaccine incentives. Allowable funding amounts are included in the amended award letter.

### **Reporting Requirements**

- Complete and submit reports as required by MDH. This may include, but not be limited to:
  - a. Updates on vaccine administration and progress. This may include information on vaccination of focused populations.
  - b. Updates on vaccine need and local vaccine supply (doses on hand).
  - c. Reports on vaccine clinic operations successes and challenges.
  - d. Changes/increases in staffing.
  - e. Report in MIIC or other reporting software as required.
  - f. Quarterly financial reporting/invoicing as required, including reporting on incentive distribution and use.

EXHIBIT B TO AGREEMENT BETWEEN  
THE MINNESOTA CITIES OF BLOOMINGTON AND RICHFIELD

TERMS OF PAYMENT

- A. During the term of this Agreement Richfield shall pay Bloomington the total not-to-exceed amount of \$390,000.00 for COVID-19 Response Services.
- B. Bloomington will provide quarterly itemized invoices to Richfield on the following dates:

**Invoice Dates:**

April 15, 2022  
July 15, 2022  
October 15, 2022  
January 15, 2023  
April 15, 2023  
July 15, 2023  
October 15, 2023  
January 15, 2024

- C. Richfield shall make payment to Bloomington within 15 days of receipt of Bloomington's invoice.
- D. Invoices will be calculated as follows:  
The shared costs for COVID-19 response and vaccination services will allocated to each city based on the state funding formula used to award these grant funds which is 42% Bloomington, 29% Edina and 29% Richfield. Bloomington's vaccination contractor is expected to invoice by clinic location and those costs will be charged to each respective city when possible.



**STAFF REPORT NO. 04**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Rachel Lindholm

DEPARTMENT DIRECTOR REVIEW: Kris Weiby, Acting Recreation Services Director  
1/5/2022

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Motion to pass a resolution regarding Hennepin County SCORE 2022-2025 Agreement.**

**EXECUTIVE SUMMARY:**

Hennepin County has adopted a new SCORE funding policy, which will be in place for 2022-2025. The SCORE policy details how funds for recycling and organics participation and education are distributed to cities in the county as well as some guidelines and restrictions for how the funding can be used.

Staff is requesting passage of the attached resolution which will indicate approval of the Hennepin County policy and will allow Richfield to receive granted funds.

**RECOMMENDED ACTION:**

**Pass the resolution to accept the amendment to the SCORE contract.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- The City of Richfield annually receives Select Committee on Recycling and the Environment (SCORE) funding from Hennepin County to apply towards recycling education, administrative costs, and credits to residents.
- The annual award is determined by both recycling and organics efforts that cities report. In the past few years, organics efforts have comprised a higher percentage of the funding amount, therefore decreasing the recycling portion. This new policy continues that style, and also adds funding for multi-unit education efforts.
- With Richfield's organized collection program, the amount of funding that the City will receive in 2022 is set to increase from previous years due to the establishment of the organics program.
- This funding will help the City provide resources and education to Richfield residents using curbside organics collection as well as the drop-off organics program and other general recycling resources as well.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

The proposed resolution and the Hennepin County Residential Waste Reduction and Recycling Funding Policy have been included.

C. **CRITICAL TIMING ISSUES:**

The County would like to have the approval process completed before the end of January 2022. Prompt approval will also help staff coordinate any necessary actions on the City's end.

D. **FINANCIAL IMPACT:**

The City will be awarded approximately \$75,000 in 2022 to use for recycling and organics education, staff, resident credits, materials, and more.

E. **LEGAL CONSIDERATION:**

Agreement has been reviewed and approved by counsel.

**ALTERNATIVE RECOMMENDATION(S):**

None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

**ATTACHMENTS:**

Description	Type
▣ Hennepin County SCORE Resolution	Resolution Letter
▣ Hennepin County SCORE Funding Policy	Contract/Agreement

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION APPROVING THE 2022-2025 RESIDENTIAL WASTE REDUCTION  
AND RECYCLING GRANT AGREEMENT WITH HENNEPIN COUNTY**

**WHEREAS**, pursuant to Minnesota Statutes, Chapter 115A.552, Counties shall ensure that residents have an opportunity to recycle; and

**WHEREAS**, Hennepin County Ordinance 13 requires that each city implement and maintain a recycling and organics recycling program; and

**WHEREAS**, the Hennepin County Board at its October 26, 2021 meeting adopted a funding policy to continue to fund cities within Hennepin County for the contract period of January 1, 2022 through December 31, 2025; and

**WHEREAS**, in order to receive grant funds, the City must sign the agreement; and

**WHEREAS**, the City wishes to receive these grant funds each year.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richfield, Minnesota, that the City Council accepts the agreement as proposed.

**BE IT FURTHER RESOLVED**, that the City Council authorizes the Mayor, City Administrator or their designee to execute such Residential Waste Reduction and Recycling Grant Agreement with the County.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of January, 2022.

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Maria Regan Gonzalez, Mayor

ATTEST:

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Kari Sinning, City Clerk



# Residential Waste Reduction and Recycling Funding Policy

January 1, 2022 – December 31, 2025

Department communication to the Hennepin County Board of  
Commissioners on October 5, 2021

# I. Policy Overview

## A. Background

The Hennepin County Board of Commissioners has determined that residential waste reduction and recycling programs support county goals to make progress toward zero waste, reduce greenhouse gas emissions, and reduce disparities associated with waste disposal. The county has adopted the goals established in State Statute and by the Minnesota Pollution Control Agency (MPCA) in its Metropolitan Solid Waste Management Policy Plan and developed a Residential Waste Reduction and Recycling Funding Policy to help reach a 75% recycling rate by 2030.

## B. SCORE funds

The county receives funding from the state's Select Committee on Recycling and the Environment (SCORE) for the development and implementation of waste reduction and recycling programs. SCORE funds are based on revenue received by the State of Minnesota from the solid waste management tax (SWMT) on garbage services and are subject to change based on the SWMT revenue received by the state and funds allocated by the legislature.

## C. Support for city programs

City recycling programs play an important role in the solid waste management system. The county has funded city programs for over 30 years and will use this policy to make available all SCORE funds to cities for residential waste reduction and recycling programs. SCORE funds will be dedicated to four different purposes: 1) general funding for waste reduction and recycling programs, 2) curbside organics recycling programs, 3) organics drop-off sites, and 4) multifamily waste reduction and recycling. Funds distributed to cities for a calendar year will be based on SCORE funds received by the county in the state's corresponding fiscal year.

## D. Term of the policy

Hennepin County is committed to implementing this policy from January 1, 2022 through December 31, 2025. The county may revise this policy to align with strategic priorities developed in the zero waste plan or solid waste management master plan. In addition, the county may revise this policy if it determines changes are needed to assure compliance with state law and MPCA goals established for metropolitan counties. If SCORE funds are eliminated from the state budget or significantly reduced, the county will consult with cities at that time and develop a recommendation to the board on future funding for residential waste reduction and recycling programs.

## E. Grant agreements

Each city seeking funding under the terms of the Residential Waste Reduction and Recycling Funding Policy must enter into a grant agreement with the county for a term concurrent with the expiration of this policy, December 31, 2025. The grant agreement must be accompanied by a resolution authorizing the city to enter into such an agreement. If cities form a joint powers organization responsible for waste reduction and recycling programs, the county will enter into a grant agreement with that entity and distribute funds to that organization.

## II. Allocation of Funds

SCORE funds will be dedicated to the following purposes:

- General funding for waste reduction and recycling programs
- Curbside organics recycling programs
- Organics drop-off sites
- Multifamily waste reduction and recycling

### A. Waste reduction and recycling programs

The county will dedicate 40% of SCORE funds to provide funding for city waste reduction and recycling programs. For the purposes of this policy, city waste reduction and recycling programs include organics recycling. Funds will be allocated based on number of eligible households with curbside recycling service. The following formula will be used to calculate a city's grant amount.

$$\begin{array}{ccccc} \text{Number of eligible households} & & & & \text{Waste reduction} \\ \text{with curbside recycling in city} & & & & \text{and recycling} \\ \text{-----} & \times & \text{40\% of SCORE} & = & \text{grant amount} \\ & & \text{funds available} & & \text{available to the} \\ \text{Total number of eligible} & & & & \text{city} \\ \text{households with curbside} & & & & \\ \text{recycling in county} & & & & \end{array}$$

Eligible households are defined as households in single family through fourplex residential buildings or other residential buildings where each household has its own recycling collection container to set out for curbside collection and receives recycling collection service through the city. In cities with open recycling collection, eligible households are defined as households in single family through fourplex residential buildings where each household has its own recycling collection container to set out for curbside collection. The number of eligible households will be determined by counting the number of eligible households on January 1 of each funding year. The city will report the number in its application for funding.

## B. Curbside organics recycling programs

The county will dedicate 50% of SCORE funds to provide funding for curbside organics recycling programs. Funds will be allocated using participation targets for each city. Funding is not contingent upon meeting the participation target. The following formula will be used to calculate a city's grant amount.

$$\frac{\text{Target number of households with curbside organics recycling in city}}{\text{Total target number of households with curbside organics recycling in county}} \times 50\% \text{ of SCORE funds available} = \text{Curbside organics recycling amount available to the city}$$

Initial participation targets (as a percent of households with curbside recycling service):

- 50% for cities that contract for organics recycling service
- 10% for cities that require haulers to offer organics recycling service

## C. Organics drop-off sites

The county will dedicate up to \$3,300 per eligible city to provide funding for organics drop-off site expenses. Cities with a population of less than 10,000 are eligible.

## E. Multifamily waste reduction and recycling

The county will take 10% of SCORE funds, subtract the amount allocated to organics drop-off sites, and dedicate the remainder to provide funding for multifamily waste reduction and recycling programs. For the purposes of this policy, city waste reduction and recycling programs include organics recycling. Funds will be allocated based on the number of multifamily households. The following formula will be used to calculate a city's grant amount.

$$\frac{\text{Number of multifamily households in city}}{\text{Total number of multifamily households in county}} \times 10\% \text{ of SCORE funds available minus organics drop-off funds} = \text{Multifamily waste reduction and recycling amount available to the city}$$

Multifamily households in cities with organized recycling collection are defined as 1) households in buildings where each household does not have its own recycling collection container to set out for curbside collection, or 2) households in buildings that do not receive recycling collection service through the city, including apartment buildings, condominiums, townhomes, and cooperative housing units where a property manager or association coordinates collection service. Multifamily households in cities with open recycling collection are defined as households in residential buildings larger than a fourplex.

### III. Application for Funding

#### A. General program and curbside organics application

To receive funding for waste reduction and recycling programs and curbside organics recycling, each city must complete an annual grant application by February 15 of that year. The application consists of a web-based report that requests the following: contract, program, tonnage, and financial information. The participation rate for the curbside recycling program must also be included in the web-based report. The city must calculate its participation rate during the month of October. The methodology for measuring participation must be provided to the county upon request. The county may request additional information, such as a planning document with a description of activities the city will implement to increase recycling and make progress toward county objectives.

#### B. Organics drop-off sites and multifamily supplementary application

To receive funding for organics drop-off sites and multifamily waste reduction and recycling, each city must submit a supplementary grant application form annually. The county will provide this form by February 15 and the city must complete it by March 15 of that year.

### IV. Use of Funds

#### A. Conditions applying to all funds

The following requirements apply to the use of all funds:

1. Funds must be expended on eligible activities per Minnesota Statutes §115A.557.
2. All grant funds accepted from the county must be used in the year granted unless the county agrees to an exception. The county will not provide any funds in excess of actual expenses. Funds not spent must be returned to the county.

3. A city or joint powers organization may not charge its residents through property tax, utility fees, waste fees, environmental fees, or any other method for the portion of its waste reduction and recycling program costs that are funded by county grant funds.
4. Cities must track expenditures for waste reduction and recycling programs, curbside organics recycling, organics drop-off sites, and multifamily waste reduction and recycling and establish accounting mechanisms to provide the information requested in the financial section of the annual grant application.
5. Waste reduction and recycling activities, revenues, and expenditures are subject to audit.

## B. Curbside organics use of funds

Curbside organics grant funds may be used for program expenses, including the following:

- Incentives for participation (service discounts, countertop pails, compostable bags)
- City contract costs
- Education and outreach
- Carts
- Other expenses approved by the county

Yard waste expenses are not eligible. If organics are co-collected with other waste, the organics expenses must be tracked separately. If a city passes funds through to a hauler, 100% of those funds must be credited to residents' bills.

## C. Organics drop-off sites use of funds

Organics drop-off site grant funds may be used for program expenses, including the following:

- Hauling and disposal
- Dumpsters or carts
- Site construction
- Education and outreach
- Incentives for participation (countertop pails, compostable bags)
- Other expenses approved by the county

## D. Multifamily waste reduction and recycling use of funds

Cities that choose to apply for multifamily waste reduction and recycling funding will work with the county to identify eligible activities that are customized to the city's goals and needs. These activities will be determined through the supplementary grant application process.

Unused funds will be used by the county to provide multifamily waste reduction and recycling program services. Multifamily resources provided by the county, including reusable tote bags/baskets and multifamily specific signs and labels, are not eligible expenses.

## V. City Requirements

### A. Materials accepted

A city's curbside collection program must accept a list of mixed recyclables as selected by the county in consultation with haulers, local material recovery facilities, and end markets. The county will update the list of materials as needed, distribute the list to city recycling coordinators, and post the list on the county's website.

### B. Education and outreach

The partnership between the county and municipalities has been highly effective in educating residents and motivating behavior change. To continue this partnership and increase these efforts, city waste reduction, recycling and organics recycling activities must be coordinated with county and regional efforts. Municipalities must adhere to the following requirements:

1. Use county terminology on promotional and educational materials when describing recycling and organics recycling guidelines, including the description of materials accepted and not accepted, as well as when describing preparation guidelines.
2. Use images approved by the county if using images of mixed recyclables and organic materials.
3. Provide the following information on the city's website;
  - Recycling and organics recycling materials accepted and not accepted
  - Curbside collection calendar
  - Organics drop-off site(s) information
  - Links to county resources and programs
4. Provide a guide on recycling and organics recycling to residents each year. The guide shall contain information on curbside collection, materials accepted and not accepted, organics drop off site information (if applicable), and a curbside collection calendar.
5. Complete two or more waste reduction, recycling and organics recycling educational activities annually that include the promotion of curbside collection. The county will provide a list of activities to city recycling coordinators. These activities are in addition to the provision of an annual guide.

6. If a city develops its own educational materials, does not use a template produced by the county, does not utilize design services offered by the county, or relies on a hauler to provide an annual guide, then the city must submit the materials to the county for approval.

### C. Waste reduction and recycling performance

On an annual basis, cities must demonstrate that a reasonable effort has been made to improve waste reduction and recycling programs. If a city does not demonstrate measurable progress, a waste reduction and recycling improvement plan must be submitted by the city within 90 days of being notified by the county. The waste reduction and recycling improvement plan must be negotiated with the county and specify the efforts that will be undertaken by the municipality to improve its program to yield the results necessary to achieve county objectives. In cooperation with the county, the city may be required to participate in waste sorts and community engagement to identify strategies to improve waste reduction and recycling outcomes.

## VI. Grant Payments

The county will make two equal payments to the city. Those two payments will provide the sum of each city's total grant amount for general waste reduction and recycling programs, curbside organics recycling programs, organics drop-off sites, and multifamily waste reduction and recycling. One payment will be made after the county receives the applications for funding. A second payment will be made after basic program requirements, education and outreach requirements, and performance have been confirmed and approved. If the city meets the county requirements, both payments will be made during the same calendar year.

Cities are expected to fulfill the conditions of this policy and the requirements of Ordinance 13. It is the responsibility of each city to meet the requirements of Ordinance 13. The implementation of the county requirements for cities shall be the responsibility of each respective city. If any city fails to establish or implement any or all of the city requirements in Ordinance 13, all SCORE funding will be withheld until the city meets the requirements or a waste reduction and recycling improvement plan is negotiated with the county.





**STAFF REPORT NO. 05**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Chris Swanson, Management Analyst

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider resolutions designating official depositories for the City of Richfield for 2022, including the approval of collateral.**

**EXECUTIVE SUMMARY:**

In compliance with Minnesota statutes, the City of Richfield must designate on an annual basis those financial institutions it does business with.

U.S. Bank acts as the banking institution in the City's banking arrangement with the 4M Fund.

The following resolutions for the City Council's consideration will designate U.S. Bank/4M Fund as a depository of City funds, and designate certain savings and loan associations, banks, credit unions and certain financial institutions as depositories for the investment of City funds.

**RECOMMENDED ACTION:**

**By Motion: Adopt the attached resolutions designating official depositories, with the understanding that the City could not invest in any of the depositories beyond the level of insurance coverage or the pledged collateral.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

N/A

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

In accordance with Minnesota Statutes Section 118A.01 - 118A.06, the City of Richfield must designate financial institutions annually. The institutions must pledge the collateral over and above the amount of federal insurance, as public depositories.

U.S. Bank acts as the banking institution in the City's banking arrangement with the 4M Fund. Monies received, checks written by the City, flow through U.S. Bank, however, at the end of each business day, any proceeds remaining in City U.S. Bank accounts are swept to the 4M Fund to be invested. Therefore, at the end of the business day the City accounts are zero, which means the collateral

requirements of Minnesota Statutes Section 118A.03 are not required. Accordingly, U.S. Bank has met all other statutory requirements and should be considered as a depository for the City's Deputy Registrar, payroll and vendor accounts and all savings deposits.

The City must also annually designate certain savings and loan associations, banks, and credit unions as official depositories for deposit and investment of certain City funds. With approval of these official depositories, the City will be able to deposit and invest funds in these institutions, not exceeding the federal insurance of \$250,000.

An annual designation must also be made for certain financial institutions as depositories for the investment of City funds for 2021. These institutions, such as investment brokerage firms, offer government securities in the manner required by law. These financial institutions include RBC Capital Markets, Wells Fargo Institutional Retirement & Trust, Raymond James & Associates, Inc., Northland Securities, Oppenheimer & Co., and the 4M Fund.

**C. CRITICAL TIMING ISSUES:**

N/A

**D. FINANCIAL IMPACT:**

N/A

**E. LEGAL CONSIDERATION:**

The City is required by Minnesota Statute 118A.01 - 118A.06, to designate as a depository of funds, insured banks or thrift institutions. Any collateral so deposited is accompanied by an assignment pledged to the City in the amount specified in the attached resolutions.

**ALTERNATIVE RECOMMENDATION(S):**

None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

**ATTACHMENTS:**

Description		Type
□	Resolution Designation Certain Financial Institutions as Depositories for the Investment of City of Richfield Funds in 2022	Resolution Letter
□	Resolution Designation Certain Savings and Loan Associations, Banks, and Credit Unions as Depositories for the Deposit and Investment of City Funds in 2022	Resolution Letter
□	Resolution Designation U.S. Bank a Depository of Funds for the City of Richfield for the Year 2022	Resolution Letter

**RESOLUTION NO.**

**RESOLUTION DESIGNATING CERTAIN FINANCIAL INSTITUTIONS AS  
DEPOSITORIES FOR THE INVESTMENT OF CITY OF RICHFIELD FUNDS IN  
2022**

**WHEREAS**, the City of Richfield (City) has money available for investment; and

**WHEREAS**, different financial institutions offer different rates of return on investments;  
and

**WHEREAS**, the City shall purchase U.S. Treasury Bills, U.S. Treasury Notes and other such government securities in the manner required by law from the institution offering the highest rate to the City, providing greater flexibility in the investment program and maximize interest income thereon; and

**NOW, THEREFORE, BE IT RESOLVED**, the City of Richfield, Minnesota, inaccordance with Minnesota Statutes, Sections 118A.01 – 118A.06, as follows:

1. It is hereby found and determined that it is in the best interest of the proper management of City funds that certain financial institutions be designated as additional depositories for City fund in 2022.

2. The following financial institutions designated as depositories for City funds:

RBC Capital Markets	Raymond James & Assoc.
Wells Fargo Institutional Retirement & Trust	4M Fund
Northland Securities, Inc.	Oppenheimer & Co.

3. The Finance Director is hereby authorized to deposit City funds in any or all of the depositories herein designated. Such deposits may be made and withdrawn from time to time by the Finance Director's discretion and as the interest of the City dictates.

4. The investment of funds and the reporting thereof pursuant to this resolution shall be conducted in accordance with established policies regarding the investment of these funds.

Adopted by the City Council of the City of Richfield, Minnesota this 11<sup>th</sup> day of January, 2022.

Maria Regan Gonzalez, Mayor

ATTEST

Kari Sinning, City Clerk

## **RESOLUTION NO.**

### **RESOLUTION DESIGNATING CERTAIN SAVING AND LOAN ASSOCIATIONS, BANKS, AND CREDIT UNIONS AS DEPOSITORIES FOR THE DEPOSIT AND INVESTMENT OF CITY FUNDS IN 2022**

**BE IT RESOLVED**, by the City Council of City of Richfield (City), Minnesota

**WHEREAS**, pursuant to Minnesota Statutes, Sections 118A.01 – 118A.06, municipal funds may be deposited in any Savings and Loan Association, Bank or Credit Union which has its deposits insured by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA); and

**WHEREAS**, the amount of said deposits may not exceed the FDIC/NCUA insurance covering such deposits which insurance amount is presently \$250,000; and

**WHEREAS**, the deposit of City funds in Savings and Loan Associations and Banks would provide greater flexibility in the City's investment program and maximize interest income thereon; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. It is hereby found and determined that it is in the best interest of the property management of City funds that various banks be designated as additional depositories for City funds for 2022.
2. It is further found and determined that the purpose of such depository designation is to facilitate the proper and advantageous deposit and investment of City funds and that such designation is not exclusive nor does it preclude the deposit of any City funds in other officially designated depositories of the City.
3. The Finance Director is hereby authorized to deposit City funds in various depositories up to the amount of \$250,000, or such other amount as may be subsequently permitted by law, such deposits to be in the form of demand accounts, payable to the City on the signature of the Finance Director. Such deposits may be made and withdrawn from time to time by the Finance Director as their best judgment and the interests of the City dictates.
4. The investment of funds and the reporting thereof pursuant to this resolution shall be conducted in accordance with established policies of the City regarding the investment of City funds.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of January, 2022.

Maria Regan Gonzalez, Mayor

ATTEST

Kari Sinning, City Clerk

**RESOLUTION NO.**

**RESOLUTION DESIGNATING U.S. BANK  
A DEPOSITORY OF FUNDS FOR THE CITY OF  
RICHFIELD FOR THE YEAR 2022**

**BE IT RESOLVED**, by the City Council of the City of Richfield (the City) as follows:

That, in accordance with Minnesota Statutes, Section 118A.01- 118A.06, U.S. Bank be, and hereby is designated a depository of the funds of the City, subject to modification and revocation at any time by said city, and subject to the following terms and conditions:

The said depository shall not be required to give bonds or other securities for such deposits provided that the total sum thereof shall not at any time exceed in any depository the sums for which its deposits are insured under the Acts of Congress of the United States relating to insurance of bank deposits; but that in case such deposits in any such depository shall at any time exceed such insured sum, said depository shall immediately furnish bonds or other security for such excess according to law, approved by the City Council of said city.

That said depository shall pay on demand all deposits therein; and shall pay all time deposits, at or after the end of the period for which the same shall be deposited, on demand.

**BE IT FURTHER RESOLVED**, that there shall be maintained a general account in which shall be deposited all monies from the water, sewer, storm sewer, liquor, swimming pool/ice arena, deputy register fees, city permits and other deposits not otherwise specifically provided for. The following officers or their facsimile signatures shall sign checks on this account;

KATIE RODRIGUEZ, CITY MANAGER  
MELISSA POEHLMAN, ACTING CITY TREASURER

**BE IT FURTHER RESOLVED**, that all funds remaining in the account at the end of each business day will be transferred from U.S. Bank to the 4M Fund where funds deposited are invested and insured.

Passed by the City Council of the City of Richfield, Minnesota this 11<sup>th</sup> day of January, 2022.

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Maria Regan Gonzalez, Mayor

ATTEST:

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Kari Sinning, City Clerk



**STAFF REPORT NO. 06**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Chris Swanson, Management Analyst

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider a resolution authorizing the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City.**

**EXECUTIVE SUMMARY:**

In accordance with Minnesota Statutes, the City of Richfield must authorize the use of credit cards by any City employee authorized to make purchases on behalf of the City.

In today's business environment, most retail businesses, will no longer allow the City to purchase on an account and will only accept a City check or a City credit card.

Finally, the use of a City credit card provides efficiency and flexibility for employees to purchase goods and services on behalf of the City.

**RECOMMENDED ACTION:**

**By Motion: Adopt the attached resolution authorizing the use of City credit cards by City employees otherwise authorized to make purchases on behalf of the City.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

The following are the current credit/purchasing cards in use by City employees:

The City participates in Purchasing Card program as offered through US Bank. The program is designed to make the purchasing/procurement process for low dollar valued items more efficient. The intent is to save time and paperwork by reducing the need for purchase orders, petty cash, check requests and employee reimbursements.

The City Purchasing card program began in 2010 on a limited basis and has expanded since that time. The program will allow controls to be put in place to limit monthly and single purchase amounts. Finally, a City Purchasing Card Policy has been established which is consistent with the City's Purchasing Policy and Minnesota Statutes.

US Bank Purchasing Card Program. The following thirty-one purchasing cards will be issued to the following:

- City Manager (1) – one card
- Building Services Employees (1) – one card.
- Utility Department Employees (3) – three cards.
- Information Technology Employees (3) – three cards.
- Administrative Services Director (1) – one card.
- Communications Manager (1) – one card
- Finance Director (1) – one card.
- City Clerk (1) – one card
- Recreation Service Employees (8) – eight cards.
- Public Safety Employees (4) – four cards.
- Fire Employees (3) – three cards.
- Public Works Employees (3) – three cards.
- Community Development Accountant (1) – one card.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

In accordance with Minnesota Statutes Section 471.382, the City of Richfield must authorize the use of credit cards by any City employee otherwise authorized to make a purchase on behalf of the City.

Further, if a City employee makes or directs a purchase by credit card that is not approved by the City Council, the employee could be personally liable for the amount of the purchase.

A purchase by credit card must otherwise comply with all statutes, rules, and City policies applicable to City purchases.

The City's auditors recommend that the City authorize the use of credit cards by City employees on an annual basis.

**C. CRITICAL TIMING ISSUES:**

**D. FINANCIAL IMPACT:**

The holders of City credit cards are responsible for reviewing and approving all purchases completed with the credit card.

**E. LEGAL CONSIDERATION:**

The City is required by Minnesota Statute 471.382 to authorize the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could decide to not authorize the use of credit cards by City employees. This could be an issue as most retail businesses in today's environment will no longer allow the City to purchase on an account and will only accept a City check or a City credit card. The use of City credit cards by employees provides efficiency and flexibility for employees to purchase goods and services on behalf of the City.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

**ATTACHMENTS:**

Description	Type
D Resolution Authorizing the Use of Credit Card for City Employees for the year 2022	Resolution Letter

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS BY CITY  
EMPLOYEES AUTHORIZED TO MAKE PURCHASES ON BEHALF OF THE CITY  
OF RICHFIELD FOR THE YEAR 2022**

**BE IT RESOLVED**, by the City Council of the City of Richfield (City) as follows:

That, in accordance with Minnesota Statutes, Section 471.382, the City Council of the City of Richfield may authorize the use of a credit card by city employees otherwise authorized to make a purchase on behalf of the City.

The authorization is subject to modification and revocation at any time by said City Council of the city of Richfield, and subject to the following terms and conditions:

If a city employee makes or directs a purchase by credit card that is not approved by the City Council, the employee can be personally liable for the amount of purchase.

The purchases by credit card must comply with all statutes, rules and City policies applicable to city purchases.

**BE IT FURTHER RESOLVED**, designated city staff is hereby authorized to use the following city credit cards to make purchases on behalf of the City:

Thirty-one U.S. Bank Purchasing cards and the cardholders will be the following:

- City Manager (1) – one card
- Building Services Employees (1) – two cards.
- Utility Department Employees (3) – three cards.
- Information Technology Employees (3) – three cards.
- Administrative Services Director (1) – one card.
- Communications Manager (1) – one card
- Finance Director (1) – one card.
- City Clerk (1) – one card
- Recreation Services Employees (8) – six cards.
- Public Safety Employees (4) – four cards.
- Fire Employees (3) – three cards.
- Public Works Employees (3) – three cards.
- Community Development Accountant (1) – one card.

Passed by the City Council of the City of Richfield, Minnesota this 11th day of January, 2022.

Maria Regan Gonzalez, Mayor

ATTEST

Kari Sinning, City Clerk





**STAFF REPORT NO. 07**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Kelly Wynn, Administrative Assistant

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW:

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider a resolution designating an official newspaper for 2022.**

**EXECUTIVE SUMMARY:**

Section 13.01 of the Charter of the City of Richfield requires the City Council annually designate an official newspaper for the City.

The *Richfield Sun-Current* has served as the official paper for the City since 1969 and has proven to be a reliable and professional publication that is delivered to nearly all residences in the City. The *Richfield Sun-Current* has expressed an interest in continuing to serve as the official newspaper of the City.

**RECOMMENDED ACTION:**

**By motion: Adopt a resolution designating the *Richfield Sun-Current* as the official newspaper for the City of Richfield for 2022.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

This information is contained in the Executive Summary.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

This information is contained in the Executive Summary.

**C. CRITICAL TIMING ISSUES:**

The City Council typically considers the designation of an official newspaper at the first meeting in January of each year.

**D. FINANCIAL IMPACT:**

The 2022 price quote from the Sun-Current for the publication of legal notices is reasonable and similar to the cost of publishing in the Star Tribune.

**E. LEGAL CONSIDERATION:**

A newspaper must be designated each year by the City for publication of all official and legal City business.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council may choose to postpone designation of an official newspaper to a future meeting and request the City Clerk's office to gather quotes from other newspapers.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
▣	Resolution	Resolution Letter
▣	2022 Sun Current Bid	Backup Material
▣	2022 Star Tribune Bid	Backup Material

**RESOLUTION NO.**

**RESOLUTION DESIGNATING AN OFFICIAL  
NEWSPAPER FOR 2022**

**WHEREAS**, the Charter of the City of Richfield requires in Section 13.01 thereof that the City Council annually designate an official newspaper for the City.

**NOW, THEREFORE, BE IT RESOLVED**, that the *Richfield Sun-Current* is designated the official legal newspaper for the City of Richfield for 2022 for all publications required to be published therein.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of January, 2022.

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Maria Regan Gonzalez, Mayor

ATTEST:

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Kari Sinning, City Clerk



December 3, 2021

City of Richfield  
City Council  
6700 Portland Avenue  
Richfield, MN 55423-2599

Dear City Council Members:

Please accept the following bid from the **Richfield Sun-Current** for legal newspaper designation for the City of Richfield. This newspaper is qualified by the State of Minnesota as a legal newspaper under Minnesota Statutes Section 331A.02, Subd. 1.

The following rate structure for legals is effective January 1, 2022:

First insertion:	<b>\$11.90</b> per column inch
Subsequent insertions:	<b>\$7.00</b> per column inch
Characters per inch:	<b>320</b>
Lines per inch:	<b>9</b>

A notarized affidavit will be provided for each notice published. A \$20.00 charge will be assessed on legal notices that require typing. All published legal notices are posted on the *Sun-Current* website at no additional charge.

The *Sun-Current* is published weekly on Thursdays. The deadline is 2:00 p.m. on Thursday for publication the following Thursday. Early deadlines apply for a holiday week. Please email legal notices to **publicnotice@apgecm.com**.

Thank you for considering the *Sun-Current* as the official newspaper for the City of Richfield for the upcoming year. We appreciate the opportunity to serve the needs of your community.

Sincerely,

A handwritten signature in blue ink that reads "Tonya Orbeck".

Tonya Orbeck  
Legal Notice Manager  
Adams Publishing Group  
763-442-9921



### **2022 Designated Legal Newspaper Rates**

- \$1.31 per line per day
  - Legal notices will also run on startribune.com at no extra charge.
- Approximately \$14.85 per column inch
  - Notices are charged per line not per column inch so you are not paying for space you are not using.

### **Deadlines (applies to placement, changes & cancellations):**

- Two days prior to first publication date at 4pm CST
- | <b>Publication Date</b> | <b>Deadline</b> |
|-------------------------|-----------------|
| Monday                  | Friday 4pm      |
| Tuesday                 | Friday 4pm      |
| Wednesday               | Monday 4pm      |
| Thursday                | Tuesday 4pm     |
| Friday                  | Wednesday 4pm   |
| Saturday                | Thursday 4pm    |
| Sunday                  | Friday 4pm      |
- Deadlines will be advanced for holidays.

### **Affidavits:**

- Emailed 24-48 business hours after last publication date

### **Circulation**

- Sunday ~280,000
- Monday ~134,000
- Tuesday ~134,000
- Wednesday ~134,000
- Thursday ~134,000
- Friday ~134,000
- Saturday ~134,000

### **Contact**

- Email: [placeads@startribune.com](mailto:placeads@startribune.com)
- Call: 612-673-7000



**STAFF REPORT NO. 08**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Kelly Wynn, Administrative Assistant

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider approval to designate an Acting City Manager for 2022.**

**EXECUTIVE SUMMARY:**

It is necessary to designate a person to serve as the Acting City Manager for those times when the City Manager is absent from the City. In 2020, the City Manager designated the Assistant City Manager or an available Department Director as Acting City Manager.

**RECOMMENDED ACTION:**

**By motion: Direct the City Manager to designate the Assistant City Manager or an available Department Director as Acting City Manager for 2021 in the event the City Manager is absent from the City.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

This information is contained in the Executive Summary.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Past practice has been for the City Council to designate an Acting City Manager for times when the City Manager is absent from the City.
- This designation should be made at the first meeting in January of each year.

**C. CRITICAL TIMING ISSUES:**

It is necessary to designate a person to serve as Acting City Manager to ensure continuation of City operations during an absence of the City Manager.

**D. FINANCIAL IMPACT:**

None

**E. LEGAL CONSIDERATION:**

None

**ALTERNATIVE RECOMMENDATION(S):**

The City Council may defer this designation to a future City Council meeting.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A



**STAFF REPORT NO. 09**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Chris Swanson, Management Analyst

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW:

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider the designation of a Mayor Pro Tempore for 2021.**

**EXECUTIVE SUMMARY:**

The City Charter states it is necessary to designate a City Council Member to serve as the Mayor Pro Tempore for those times when the Mayor is absent from the City.

Council Member Mary Supple served a Mayor Pro Tempore in 2021.

**RECOMMENDED ACTION:**

**By motion: Approve the City Council designation of Council Member Mary Supple as Mayor Pro Tempore for 2022.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

This information is contained in the Executive Summary.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The City Council typically considers the designation of a Mayor Pro Tempore at the first meeting in January of each year.
- Section 2.06. The Mayor. Subdivision 1, of the City Charter states: "The Mayor shall be the presiding officer of the Council, except that the Council shall choose from its members a president pro temp who shall hold office at the pleasure of the Council and shall serve as president in the Mayor's absence and as Mayor in case of the Mayor's disability or absence from the City."

**C. CRITICAL TIMING ISSUES:**

It is necessary to designate a Mayor Pro Tempore to ensure continuation of City operations during an absence of the Mayor.

**D. FINANCIAL IMPACT:**

This designation is at no additional cost to the City.

**E. LEGAL CONSIDERATION:**



None

**ALTERNATIVE RECOMMENDATION(S):**

The City Council may defer this designation to a future City Council meeting.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A



**STAFF REPORT NO. 10**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Ryan Krzos, Planner

DEPARTMENT DIRECTOR REVIEW: Melissa Poehlman, Interim Community Development Director  
1/5/2022

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/5/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider a request for a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66th Street East.**

**EXECUTIVE SUMMARY:**

North Bay Companies (the Applicant) has submitted requests for land use approvals for a mixed use development at 101 66th Street East. The proposal consists of 80 residential units and approximately 2,685 square feet of commercial space within a five-story building. The subject property is guided as Mixed Use by the 2040 Comprehensive Plan and was rezoned Planned Mixed Use in conjunction with prior land use approvals.

The proposed five-story development provides active building uses and pedestrian emphasis along 66th Street. Ground level patios with access along 66th Street are provided for first floor residential units, and a commercial plaza is oriented towards the northwest corner of the site. Off-street parking is provided underground and in a surface lot behind the building. Access is provided via two driveways one each on Stevens Avenue and 1st Avenue. The driveway exiting onto Stevens Avenue is limited to residential traffic and includes a bump out to discourage southbound right out exits. Landscape plantings, fencing, and green area serve as a buffer and screening for the properties to the south.

**Plan Modifications:**

At a work session on June 21, 2021 the Applicant presented a concept plan to the City Council, Housing and Redevelopment Authority, and Planning Commission. Based on feedback from Policymakers and staff, the Applicant reduced the building height from six to five stories, integrated the commercial space into the building and moved the plaza to the west side of the building. Prior to submitting a land use application, though not required to, the Applicant held neighborhood open house meetings on August 17, 2021 and October 28, 2021. Based on feedback from nearby residents, plans were modified to relocate the amenity deck to the 5th floor and modified to provide additional parking below grade in order to eliminate the on-grade enclosed parking lot.

The Planning Commission held a public hearing for the submitted development plans on December 13, 2021. Draft minutes of the meeting are included as an attachment to this report. Six members of the public spoke in opposition to the project. Those speakers expressed concerns over the project's density and height, parking, screening of the building and driveway, noise from residents, noise and odor from commercial tenants. The

Planning Commission voted 3-3 on a motion to approve the proposed project. Since the motion failed, the Planning Commission is not providing a recommendation on the proposal. The Planning Commissioners voting against the motion expressed concerns regarding the project size and density, the number of deviations from Code requirements, and whether the project warranted application of a Planned Unit Development.

Following the Planning Commission meeting, the Applicant further refined the development plans in an attempt to address these concerns. The number of residential units has been reduced from 82 to 80; additional interior parking added; removal of one surface stall for additional setback and buffer from 1st Avenue; and refinement of bicycle parking space to exceed even the newly adopted bicycle parking standards.

**Recommendation Basis and Conditions:**

Proposed as a Planned Unit Development (PUD), the Applicant is requesting flexibility with regard to standards contained in the Zoning Ordinance. Flexibility is granted in exchange for efficient use of land and resources, to encourage innovation in planning and building, and for a well-designed project successfully integrated into the neighborhood. Staff finds that the project warrants application of the PUD form of approval through use of high-quality architectural design that responds to the vision of the Comprehensive Plan and provides a reasonable transition from the commercial areas to the west to residential areas east and south. Furthermore, the zoning code provisions the Applicant is seeking deviations from are relatively minor in nature, and staff finds that the overall design of the project meets the intent of these individual zoning provisions. The requested deviations are discussed in greater detail in the Policies Section and the "Required Findings" attachment to in this report. This project represents one of the initial redevelopments anticipated within the HUB/66th Street and Nicollet Avenue area as envisioned by the Comprehensive Plan. As such, a key consideration in evaluating this proposal should be whether this project sets an appropriate tone for the wider redevelopment efforts for the area, which staff finds to be the case.

To supplement proposed landscaping screening, staff is recommending conditions of approval regarding the replacement of fencing between the subject property and 6613 1st Avenue South, as well as a condition that would direct the Applicant to install boulevard landscaping at 6615 Stevens Avenue South to mitigate headlight impacts (if that neighbor so chooses). Additionally, staff's recommended conditions of approval coincide with those granted to the Emi project, including a provision related to allowed commercial uses and limits on signage on the sides of the building facing south and east.

Staff finds that the proposed project meets the intent and policies of the Comprehensive Plan and code requirements for Mixed Use development. Therefore, staff recommends approval of the project.

**RECOMMENDED ACTION:**

**By motion: Approve the attached resolution approving a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66th Street East.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- Southview Baptist Church vacated the property and began marketing it for sale in 2013.
- Developer PLH & Associates purchased the property in 2016.
- In June 2018, the City Council approved a Comprehensive Plan amendment to guide the property for Mixed Use and approved a PUD and FDP for a 3-story, 31 unit project with 6,000 square feet of ground floor retail space.
- After several project delays, the City Council approved revised development plans for a mixed use building with approximately 1,800 square feet of ground floor commercial space and 42 apartments in October 2020.
- In May of 2021 the site was sold to North Bay Companies.
- In June 2021, North Bay Companies presented a new development proposal at a joint work session of the City Council, Planning Commission, and Housing and Redevelopment Authority. The concept plans consisted of a 75-unit, 6-story residential building and single-story commercial building of approximately 3,200 square feet.
- The Applicant held open house meetings to discuss the proposal with the neighborhood on August 17 and October 28, 2021. Members of the public expressed their concern about the overall

building type, height and density. Additionally, concerns were shared about screening and buffering, vehicular access and circulation, parking, and lighting.

- In October of 2021 the PUD, FDP, and CUP approvals granted to PLH & Associates expired.
- On December 13, 2021 the Planning Commission held a public hearing on the request. Several members of the public spoke and draft minutes are attached to this report.

## **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

### **Comprehensive Plan**

- The 2040 Comprehensive Plan guides this site as Mixed Use and envisions projects with densities in the range of 50-150 dwelling units per acre. The plan states that lower densities (25-75 units per acre) would be allowed at the edges of the mixed use district if needed to appropriately transition to adjacent single-family areas. At 76.6 units per acre, the proposal exceeds this discretionary provision. While the Comprehensive Plan recognizes that there are edges to districts and that reduced densities may be appropriate in those locations, it does not require the development to be within the 25-75 range. As such, a central consideration in reviewing the request should be whether the proposed building serves as logical transition between the large commercial area at Nicollet Avenue and the predominantly residential area to the south and east. The Applicant's submittal includes a number of examples of similarly scaled buildings in relation to nearby residential dwellings to exemplify similar transitions in scale. By focusing commercial activity at the west end of the building and the overall massing toward the north, the proposed building serves as logical transition between the large commercial area at Nicollet Avenue and the predominantly residential area to the south and east.
- As part of the 2040 Comprehensive Plan update, a small area plan for the 66th Street and Nicollet Avenue area (including this site) was prepared. That small area plan included a conceptual master plan, showing potential massing for a mixed use building on this site, and is included as an attachment to this report. Additionally, the small area plan included a market study to assess the type of development that could be supported. The study also confirmed the strength of the Richfield housing market; indicating that there was an opportunity to build additional multi-family units in this area. A small amount of additional office space was also indicated as a possibility for the area, specifically as a complement to the introduction of new residential buildings in a mixed-use development pattern.
- Policies in the Comprehensive Plan that support this proposal include the following:
  - Commit to equitable opportunities for all.
  - Emphasize sustainability.
  - Maintain an appropriate mix of housing types in each neighborhood based on available amenities, transportation resources, and adjacent land use.
  - Promote development that broadens the tax base.
  - Encourage development of areas where vehicle use is minimized.

### **Planned Unit Development**

- PUDs are intended to encourage the efficient use of land and resources and to encourage innovation in planning and building. In exchange for these efficiencies and superior design, flexibility in the application of dimensional requirements is available. There are a number of sets of review criteria that apply to this proposal. A full discussion of all requirements is included as an attachment to this report. Generally, the criteria require that the Council find that the proposal conforms to the goals and policies of the Comprehensive Plan and Zoning Code without having undue adverse impacts on public health, safety, and welfare.
- The proposed development meets the intent of the Mixed Use Neighborhood District regulations. The proposed plans comply with all but four Zoning Code requirements. Those code requirements are discussed in more detail in the "Required Findings" attachment to this report.

Three of the requested deviations relate to the layout of the off-street parking lot. In general these are minor dimensional standards meant to provide for an attractive, screened, and organized

parking area. These deviations are proposed largely to maximize the amount of off-street parking to address concerns from neighbors. Staff finds that the intent of these provisions is substantially met by the proposed development plans; particularly the proposed landscaping plan. Following the Planning Commission meeting, the development plans submitted to the city were refined with regard to the new bicycle parking standards. The ordinance allows for reduction in the off-street parking requirements in exchange for providing bicycle parking above the new minimum standards. Accordingly, the project would now comply with applicable parking standards for all of the residential units and all types of allowed commercial uses. The number of parking stalls was previously included in the list of requested deviations.

An additional requested deviation relates to an upper story setback provision which is intended to prevent monolithic building massing right along the pedestrian realm within transportation corridors. Staff finds that the proposed design provides sufficient architectural detail and interest and suitable pedestrian emphasis such that the intent behind this provision is met.

**C. CRITICAL TIMING ISSUES:**

60-DAY RULE: The 60-day clock 'started' when the application was deemed on November 18, 2021. A decision is required by January 17, 2022 or the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

**D. FINANCIAL IMPACT:**

Required application fees have been paid.

**E. LEGAL CONSIDERATION:**

- A public hearing was held before the Planning Commission on December 13, 2021. Several members of the public spoke and draft minutes are attached to this report.
- The Planning Commission voted 3-3 on a motion approving of the proposal, meaning said motion failed. As such, the Planning Commission did not provide a recommendation on the proposal.

**ALTERNATIVE RECOMMENDATION(S):**

- Approve the proposal with additional/modified stipulations.
- Deny the proposal with findings that requirements are not met.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Representatives of North Bay Companies

**ATTACHMENTS:**

Description	Type
❑ PUD Resolution - 101 66th St E	Resolution Letter
❑ PUD Requirements - 101 66th St E	Backup Material
❑ Zoning Map	Exhibit
❑ Planned Land Uses Map	Exhibit
❑ 66th and Nicollet Concept Plan	Backup Material
❑ Updated Plans	Backup Material
❑ Proposed Architectural Plans	Backup Material
❑ Proposed Civil Plans	Backup Material
❑ Project Narrative	Backup Material
❑ Updated Narrative	Backup Material
❑ Traffic Study	Backup Material
❑ Proposed Landscape Plan	Backup Material
❑ Proposed Lighting Plan	Backup Material
❑ Draft Planning Commission Minutes	Backup Material
❑ Public Comments - 101 66th St (North Bay)	Exhibit

**RESOLUTION NO.**

**RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN  
AND CONDITIONAL USE PERMIT  
FOR A PLANNED UNIT DEVELOPMENT  
AT 101 66TH STREET EAST**

**WHEREAS**, an application has been filed with the City of Richfield which requests approval of a final development plan and conditional use permit for a planned unit development to allow a five-story mixed-use building on the parcel of land located at 101 66th Street East ("subject property"), legally described as follows:

Lots 7 and 8 except the south 50 feet of the west half of Lot 8, Goodspeed's First Plat, Hennepin County, Minnesota

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing at its December 13, 2021 meeting, and a motion recommending approval of the final development plan and conditional use permit failed on a 3-3 vote; Therefore, the Planning Commission did not provide a recommendation on the application; and

**WHEREAS**, notice of the public hearing was mailed to properties within 350 feet of the subject property on November 30, 2021 and published in the Sun Current newspaper on December 2, 2021; and

**WHEREAS**, the final development plan and conditional use permit meet those requirements necessary for approving a planned unit development as specified in Richfield's Zoning Code, Section 542.09, Subd. 3 and as detailed in City Council Staff Report No. \_\_\_\_; and

**WHEREAS**, the request meets those requirements necessary for approving a conditional use permit as specified in Richfield's Zoning Code, Section 547.09, Subd. 6 and as detailed in City Council Staff Report No. \_\_\_\_; and

**WHEREAS**, the City has fully considered the request for approval of a planned unit development, final development plan and conditional use permit; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
2. A planned unit development, final development plan and conditional use permit are approved for a mixed-use development as described in City Council Report No. \_\_\_\_, on the Subject Property legally described above.
3. The approved planned unit development, final development plan and conditional use permit are subject to the following conditions:

- Permitted uses shall include those uses permitted in the Mixed-Use Neighborhood District, except convenience stores. Additionally, the following uses from the Mixed-Use Community District are permitted: offices/clinics, health/athletic clubs, spas, yoga studios and class III restaurants without drive-thru/drive-in service.
- With the consent and cooperation of the property owner at 6615 Stevens Avenue, the developer shall install plantings on the property or boulevard area to mitigate headlight impacts. A boulevard feature permit from Richfield Public Works is required before planting on public right-of-way.
- The existing wood fence abutting the property at 6613 1st Avenue shall be replaced with new fence pickets/panels. Existing fence posts may be reused.
- Final landscaping plans must be approved by the Community Development Department prior to installation.
- If a restaurant tenant is installed, odor control systems are required to mitigate cooking odors in accordance with City Code Subsection 544.27.
- Commercial doors facing 66th Street and 1st Avenue shall not be locked during business hours.
- Signage on the south and east building facades shall not be lit between the hours of 10:00 p.m. and 6:00 a.m., except any signage related to underground parking or resident entry. Large-scale wall or projecting signage shall not be used on the south or east elevation.
- Final details for bicycle parking stalls for internal and external shall be submitted prior to issuance of a building permit.
- All parking spaces shall remain available year round.
- Sidewalks must be installed to the south property line along both 1<sup>st</sup> and Stevens Avenues; and must comply with City Standards and Specifications.
- All new utility service must be underground.
- All utilities must be grouped away from public right-of-way and screened from public view in accordance with Ordinance requirements in manner consistent with the submitted landscaping plan.
- The property owner is responsible for the ongoing maintenance and tending of all landscaping in accordance with approved plans.
- The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated November 18, 2021 and compliance with all other City and State regulations.
- Separate sign permits are required.
- A recorded copy of the approved resolution must be submitted to the City prior to the issuance of a building permit.
- Prior to the issuance of an occupancy permit the developer must submit a surety equal to 125% of the value of any improvements not yet complete.
- Final stormwater management plan must be approved by the Public Works Director. Infiltration not allowed in high-vulnerability wellhead protection area.
- As-builts or \$7,500 cash escrow must be submitted to the Public Works Department prior to issuance of a final certificate of occupancy.

- The Public Works Department will monitor traffic counts and patterns following completion of the development.
4. The approved planned unit development, final development plan and conditional use permit shall expire one year from issuance unless the use for which the permit was granted has commenced, substantial work has been completed or upon written request by the developer, the Council extends the expiration date for an additional period of up to one year, as required by the Zoning Ordinance, Section 547.09, Subd. 9.
  5. The approved planned unit development, final development plan and conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of January 2022.

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Maria Regan-Gonzalez, Mayor

ATTEST:

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Kari Sinning, City Clerk



## Required Findings

**Part 1:** Development proposals in the Mixed Use Districts shall be reviewed for compliance with the following (537.01, Subd.2):

1. *Consistency with the elements and objectives of the City's development guides, including the Comprehensive Plan and any redevelopment plans established for the area.* The 2040 Comprehensive Plan guides this site as Mixed Use and envisions projects with densities in the range of 50-150 dwelling units per acre. The plan states that lower densities (25-75 units per acre) would be allowed at the edges of the mixed use district if needed to appropriately transition to adjacent single-family areas. At 76.6 units per acre, the proposal exceeds this discretionary provision. While the Comprehensive Plan recognizes that there are edges to districts and that reduced densities may be appropriate in those locations, it does not require the development to be within the 25-75 range. By focusing commercial activity at the west end of the building and the overall massing toward the north, the proposed building serves as reasonable transition between the large commercial area at Nicollet Avenue and the predominantly residential area to the south and east.

As part of the 2040 Comprehensive Plan update, a small area plan for the 66th Street and Nicollet Avenue area (including this site) was prepared. That small area plan included a conceptual master plan, showing potential massing for a mixed use building on this site. Additionally, the small area plan included a market study to assess the type of development that could be supported. The study also confirmed the strength of the Richfield housing market; indicating that there was an opportunity to build additional multi-family units in this area. A small amount of additional office space was also indicated as a possibility for the area, specifically as a complement to the introduction of new residential buildings in a mixed-use development pattern.

Policies in the Comprehensive Plan that support this proposal include the following:

- Commit to equitable opportunities for all.
  - Emphasize sustainability.
  - Maintain an appropriate mix of housing types in each neighborhood based on available amenities, transportation resources, and adjacent land use.
  - Promote development that broadens the tax base.
  - Encourage development of areas where vehicle use is minimized.
2. *Consistency with the regulations of the Mixed Use Districts as described by Section 537 of the Code.* The proposed use is consistent with the intent of the Planned Mixed Use District and the underlying Mixed Use Districts. In keeping with the intent of the Planned Unit Development regulations, deviations from underlying code requirements have been used to create a better overall

development that responds to the vision of the Comprehensive Plan. Proposed deviations are as follows:

- **Upper Story setbacks.** A 20-foot upper story setback is required for buildings above the third floor. Portions of the building's fourth and fifth floor are within 20 feet of the property line along 66th Street and Stevens Avenue. The closest these upper stories are to the respective property lines are 17.6 feet from 66th Street and 15.6 feet from Stevens Avenue. The intent of this provision is to prevent large monolithic wall faces opposite of residential property and along transportation corridors. The proposed building elevations are well designed and provide significant architectural detailing by way of changes in relief and variation in materials such that the intent is met. Additionally, the development provides active building uses and pedestrian emphasis along 66th Street. A fifth story is stepped back from the rest of the lower stories along the Stevens Avenue side of the building, which is the side containing three or more stories with the closest proximity to adjoining residential.
- **Landscaping Buffer.** On the west half of the site, the proposed buffer between the parking lot and the adjacent residential property line has an average width of roughly 10 feet with a pinch point of 4.5 feet at the narrowest. A 15 foot buffer is required. The intent of this provision is to provide adequate area to attractively screen the parking lot and buffer adjacent properties from headlights and vehicle noise. The proposed buffer provides screening of the parking lot through a combination of fencing and landscaping. The buffer area is large enough to support the plants selected and will provide an attractive barrier between the development and the adjacent property to south. To supplement proposed landscaping screening, staff is recommending conditions of approval regarding the replacement of fencing between the subject property and 6613 1st Avenue South.
- **Compact Parking Stalls.** 30 of the 118 total parking stalls (25%) are sized for compact vehicle parking, exceeding the limit of 20%. The intent of this maximum is to prevent the creation of parking lots with all or the majority being compact stalls which would then not be used efficiently. All of the proposed stalls would be in the below grade structured parking area where they would be used by residential tenants. As such, provision of these stalls is able to be controlled to a greater extent making it more likely that they would be fully utilized.
- **Parking lot islands.** Five percent of the area encompassing the parking lot is to consist of landscape islands, each being 10 feet by 10 feet and 180 square feet. Landscaping is provided around the perimeter of the parking area instead of a 10 foot by 10 foot island in order to maximize the number of off-street stalls. The intent of this provision is to provide a well landscaped and attractive parking area. The proposed landscaping plan achieves this through plantings around the perimeter of the parking area.

3. Creation of a design for structures and site features which promotes the following:

- i. *An internal sense of order among the buildings and uses.* The location of the building, drive aisle and parking lot, amenities and walkways provide a safe and accessible site that will adequately serve residents and customers arriving by all transportation modes. Pedestrian connections to 66th Street are strong and active uses and building frontages are included on all sides.
- ii. *The adequacy of vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.* Two vehicular access points are provided, one each on the 1st Avenue and Stevens Avenue sides. A driveway curb bump out is proposed on the Stevens Avenue side to discourage southbound right turn exits. As noted above, pedestrian connections are provided on all sides.
- iii. *Energy conservation through the design of structures and the use of landscape materials and site grading.* The proposed development implements multiple sustainability features as noted in the applicant's materials, including a solar ready roof and electric vehicle charging stations. Additionally, the development is situated to take full advantage of the site's proximity to amenities and high frequency transit which would reduce reliance on automobiles.
- iv. *The minimization of adverse environmental effects on persons using the development and adjacent properties.* The proposal includes screening and buffering by way of fencing landscaping along property boundaries. The submitted lighting plan demonstrates that lighting would not spill over onto adjoining properties. Additionally, staff is proposing a condition stating that if the neighbor on Stevens consents, the developer would install landscaping to address headlights from exiting vehicles. Lastly, a subterranean storm water management facility is proposed to address runoff from the added hard surfaces proposed by the development.

**Part 2:** The following findings are necessary for approval of a PUD application (542.09 Subd. 3):

1. *The proposed development conforms to the goals and objectives of the City's Comprehensive Plan and any applicable redevelopment plans.* See above Part 1, #1
2. *The proposed development is designed in such a manner as to form a desirable and unified environment within its own boundaries.* See above – Part 1, #3.
3. *The development is in substantial conformance with the purpose and intent of the guiding district, and departures from the guiding district regulations are justified by the design of the development.* The development is in substantial compliance with the intent of the guiding Mixed-Use District. Departures from requirements are noted in Part 1, #2 and the proposal substantially meets the intent of requirements.

4. *The development will not create an excessive burden on parks, schools, streets or other public facilities and utilities that serve or area proposed to serve the development.* The City's Public Works, Engineering, and Recreation Departments have reviewed the proposal and do not anticipate any issues.
5. *The development will not have undue adverse impacts on neighboring properties.* The site and the conditions of the resolution are designed to minimize any potential negative impacts on neighboring properties. The developer submitted vehicular traffic information, suggesting that the development would produce an estimated 605 total trips per day, with 57 during both the A.M. and P.M. peak hours. Entering or exiting the development through the neighborhood would be slower than directly via 66th Street. Furthermore, 1st and Stevens Avenues do not continue south of 68th Street (the street grid is interrupted) making neighborhood traffic increases unlikely. The plan includes curb modifications to discourage right turns from the development onto southbound Stevens Avenue. Undue adverse impacts are not anticipated.
6. *The terms and conditions proposed to maintain the integrity of the plan are sufficient to protect the public interest.* The final development plan and conditional use permit resolution establish conditions sufficient to protect the public interest.

**Part 3:** All uses are conditional uses in the PMU District. The findings necessary to issue a Conditional Use Permit (CUP) are as follows (Subd. 547.09, Subd. 6):

1. The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan. See above – Part 1, #1.
2. The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use. The development is in substantial compliance with the intent of the guiding Mixed-Use District. Departures from requirements are noted in Part 1, #2 and the proposal substantially meets the intent of requirements.
3. The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines. See above – Part 1, #1.
4. *The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code.* The proposed development is in substantial compliance with performance standards. Deviations from Code requirements are described in Part 1, #2.
5. *The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed*

*improvements.* The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any adverse impacts and the proposal substantially meets the intent of requirements.

6. *The use will not have undue adverse impacts on the public health, safety, or welfare.* Adequate provisions have been made to protect the public health, safety and welfare from undue adverse impacts.

7. *There is a public need for such use at the proposed location.* See above – Part 1, #1. The Comprehensive Plan identifies the need for a mix of housing types at all levels of affordability as is provided in the proposed development. Additionally, the market study prepared in conjunction with the Comprehensive Plan update is suggestive of the ability to support a commercial component of a mixed use development.

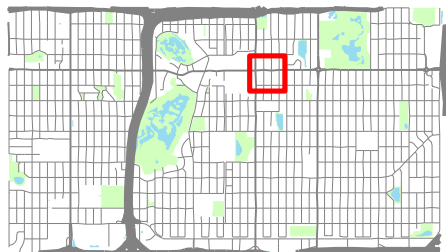
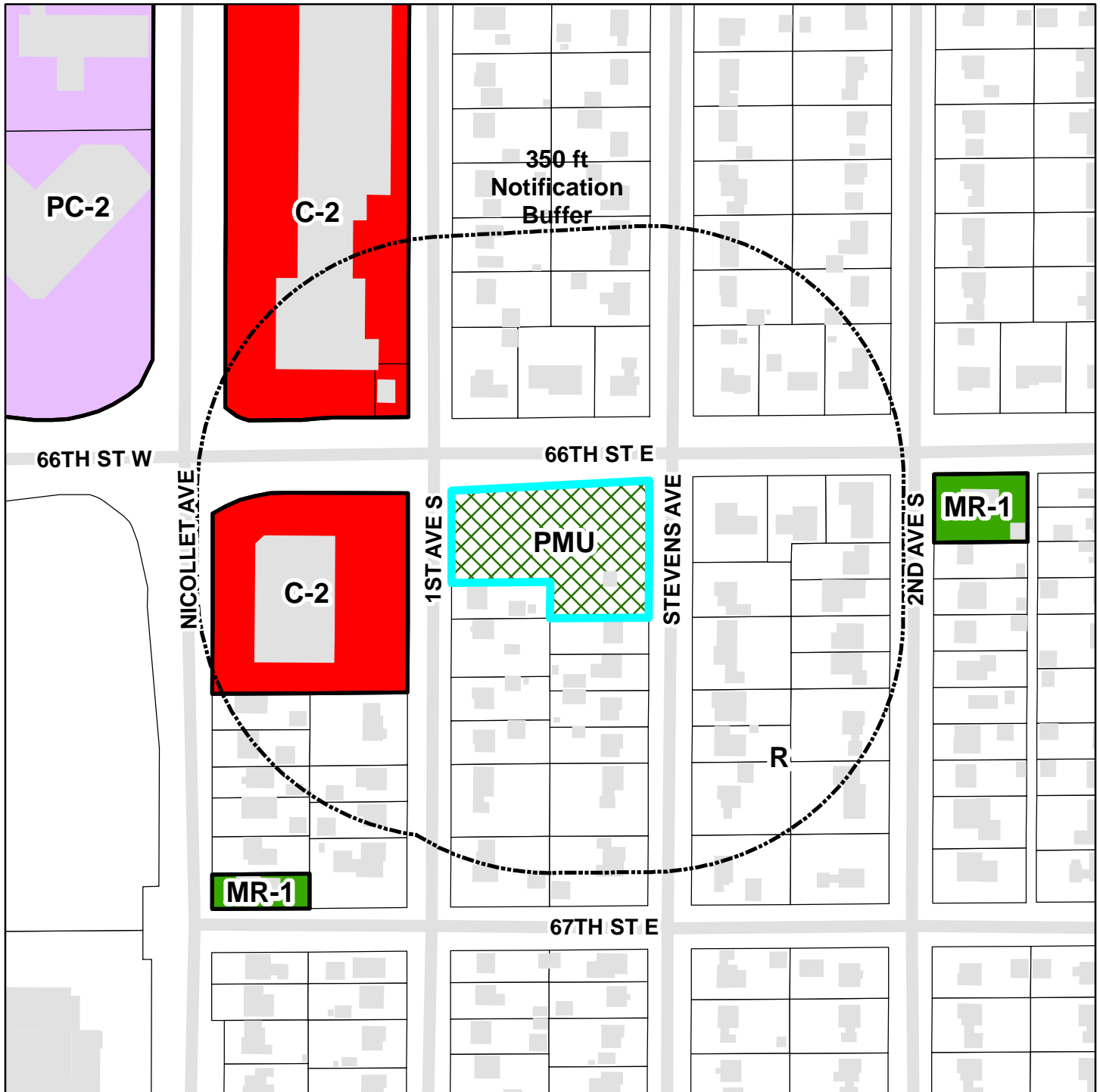
8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* This is requirement is met.



# 101 66th Street E

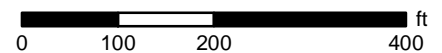
## Surrounding Zoning

Case No: 21-PUD-02, 21-FDP-02, 21-CUP-03



### Zoning Districts

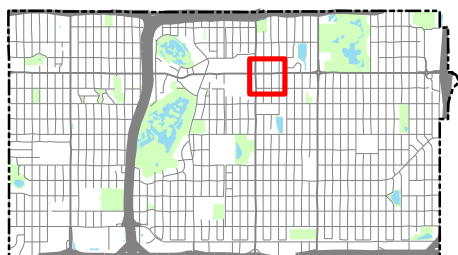
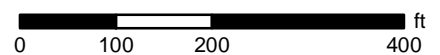
R Single-Family	MR-2/CAC Multi-Fam + Cedar Overlay	PC-2 Planned General Commercial	MU-C/PAC Mixed Use + Penn Overlay
R-1 Low-Density Single-Family	MR-3 High-Density Multi-Family	PMU Planned Mixed Use	MU-N Mixed Use-Neighborhood
MR-1 Two-Family	SO Service Office	MU-C Mixed Use-Community	MU-R Mixed Use-Regional
PMR Planned Multi-Family	C-1 Community Commercial	MU-C/CAC Mixed Use + Cedar Overlay	I Industrial
MR-2 Multi-Family	C-2 General Commercial		





# 101 66th St E

## 2040 Comprehensive Plan Designations



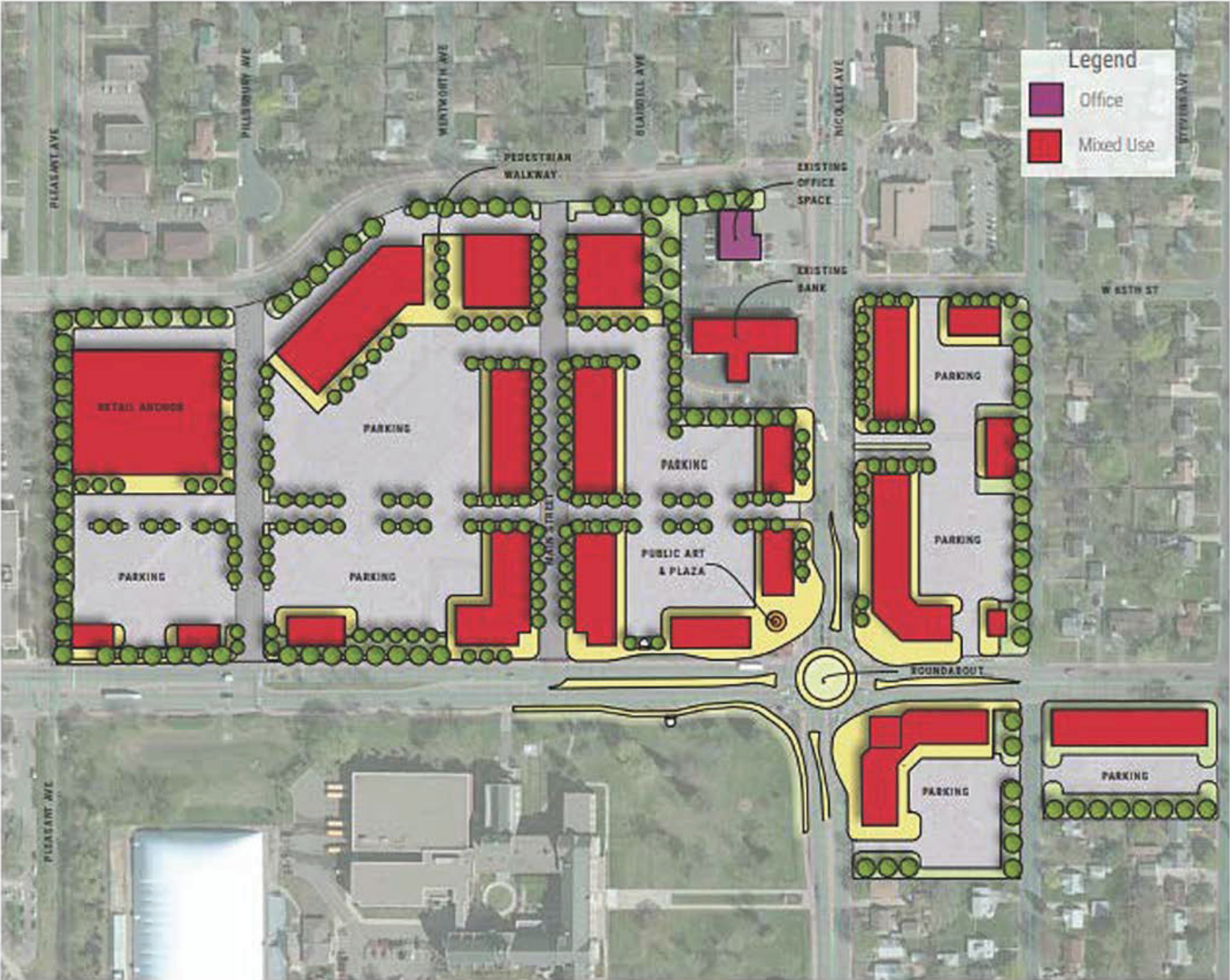
### 2040 Planned Land Use

- |                          |                            |
|--------------------------|----------------------------|
| Mixed Use                | Medium Density Residential |
| Regional Commercial      | Low Density Residential    |
| Community Commercial     | Park                       |
| Neighborhood Commercial  | Quasi-Public               |
| High Density Residential | Right-of-Way (ROW)         |





Figure 2-4. 66th Street and Nicollet Avenue Concept





6601 1ST AVE SOUTH

<b>ZONING</b>	
CURRENT PRIMARY ZONING	PMU
2040 COMP PLAN PLU	MIXED USE
<b>SITE</b>	
TOTAL AREA	45,511 SF per survey
	1.044 acres
SITE AREA - BUILDING FOOTPRINT RES	11,726 SF
SITE AREA - BUILDING FOOTPRINT COM	2,804 SF
<b>ALLOWABLE DENSITY</b>	
PROVIDED DENSITY	75 UNIT/ACRE
	81 UNITS
<b>SITE IMPERVIOUS AREA</b>	
TOTAL AREA	23,097.71 SF
SITE AREA - PERVIOUS	8,613.19 SF
SITE AREA - IMPERVIOUS	14,484.52 SF
<b>PARKING REQUIRED</b>	
80 UNITS =100 STALLS	
COMERCIAL USES, REQUIRED PARKING	
OFFICE	10 STALLS
RETAIL	14 STALLS
RESTAURANT	26 STALLS

WITH 10% TRANSIT REDUCTION	
80 UNITS =90 STALLS	
COMERCIAL USES, REQUIRED PARKING	
OFFICE	9 STALLS
RETAIL	13 STALLS
RESTAURANT	24 STALLS

TOTAL REQUIRED (HIGHEST POTENAL REQUIRED) = 114

TOTAL PARKING STALLS PROVIDED 118

PROVIDING 107 INTERIOR BIKE PARKING SPACES

REQUIRED	80
27/4 (1PER 4 REDUCTION = 6 STALL REDUCTION	

**BUILDING HEIGHT**  
**PROPOSED** 62'-0" - 5 STORIES

AREA SCHEDULE (RENTABLE)				
Name	Level	Count	Area	
1BR	LEVEL 1	4	2,562 SF	
1BR+D	LEVEL 1	1	765 SF	
2BR	LEVEL 1	1	994 SF	
3BR	LEVEL 1	1	1,437 SF	
7			5,758 SF	
1BR	LEVEL 2	7	4,501 SF	
2BR	LEVEL 2	3	2,661 SF	
STUDIO	LEVEL 2	9	4,371 SF	
19			11,533 SF	
1BR	LEVEL 3	7	4,459 SF	
2BR	LEVEL 3	3	2,661 SF	
STUDIO	LEVEL 3	9	4,347 SF	
19			11,468 SF	
1BR	LEVEL 4	7	4,459 SF	
2BR	LEVEL 4	3	2,661 SF	
STUDIO	LEVEL 4	9	4,347 SF	
19			11,468 SF	
1BR	LEVEL 5	6	3,823 SF	
2BR	LEVEL 5	1	898 SF	
STUDIO	LEVEL 5	9	4,355 SF	
16			9,075 SF	
Grand total: 80			49,301 SF	

AREA SCHEDULE (GROSS)		
Name	Level	Area
CIRCULATION	LEVEL P1	416 SF
MEP	LEVEL P1	386 SF
PARKING	LEVEL P1	27,019 SF
STORM RETENTION	LEVEL P1	1,090 SF
LEVEL P1		28,911 SF
1BR	LEVEL 1	2,562 SF
1BR+D	LEVEL 1	765 SF
2BR	LEVEL 1	994 SF
3BR	LEVEL 1	1,437 SF
AMENITY	LEVEL 1	2,668 SF
BIKE	LEVEL 1	646 SF
CIRCULATION	LEVEL 1	995 SF
COMMERCIAL	LEVEL 1	2,658 SF
FITNESS	LEVEL 1	478 SF
MEP	LEVEL 1	323 SF
TRASH	LEVEL 1	526 SF
YOGA	LEVEL 1	478 SF
LEVEL 1		14,530 SF
1BR	LEVEL 2	4,501 SF
2BR	LEVEL 2	2,661 SF
MEP	LEVEL 2	1,740 SF
STUDIO	LEVEL 2	4,371 SF
TRASH	LEVEL 2	84 SF
LEVEL 2		13,356 SF
1BR	LEVEL 3	4,459 SF
2BR	LEVEL 3	2,661 SF
MEP	LEVEL 3	1,740 SF
STUDIO	LEVEL 3	4,347 SF
TRASH	LEVEL 3	84 SF
LEVEL 3		13,291 SF
1BR	LEVEL 4	4,459 SF
2BR	LEVEL 4	2,661 SF
MEP	LEVEL 4	1,740 SF
STUDIO	LEVEL 4	4,347 SF
TRASH	LEVEL 4	84 SF
LEVEL 4		13,291 SF
1BR	LEVEL 5	3,823 SF
2BR	LEVEL 5	898 SF
AMENITY	LEVEL 5	647 SF
MEP	LEVEL 5	1,640 SF
STUDIO	LEVEL 5	4,355 SF
TRASH	LEVEL 5	84 SF
LEVEL 5		11,446 SF
Grand total		94,824 SF

UNIT COUNT BY TYPE	
UNIT TYPE	COUNT
1BR	31
1BR+D	1
2BR	11
3BR	1
STUDIO	36
Unit Count: 80	

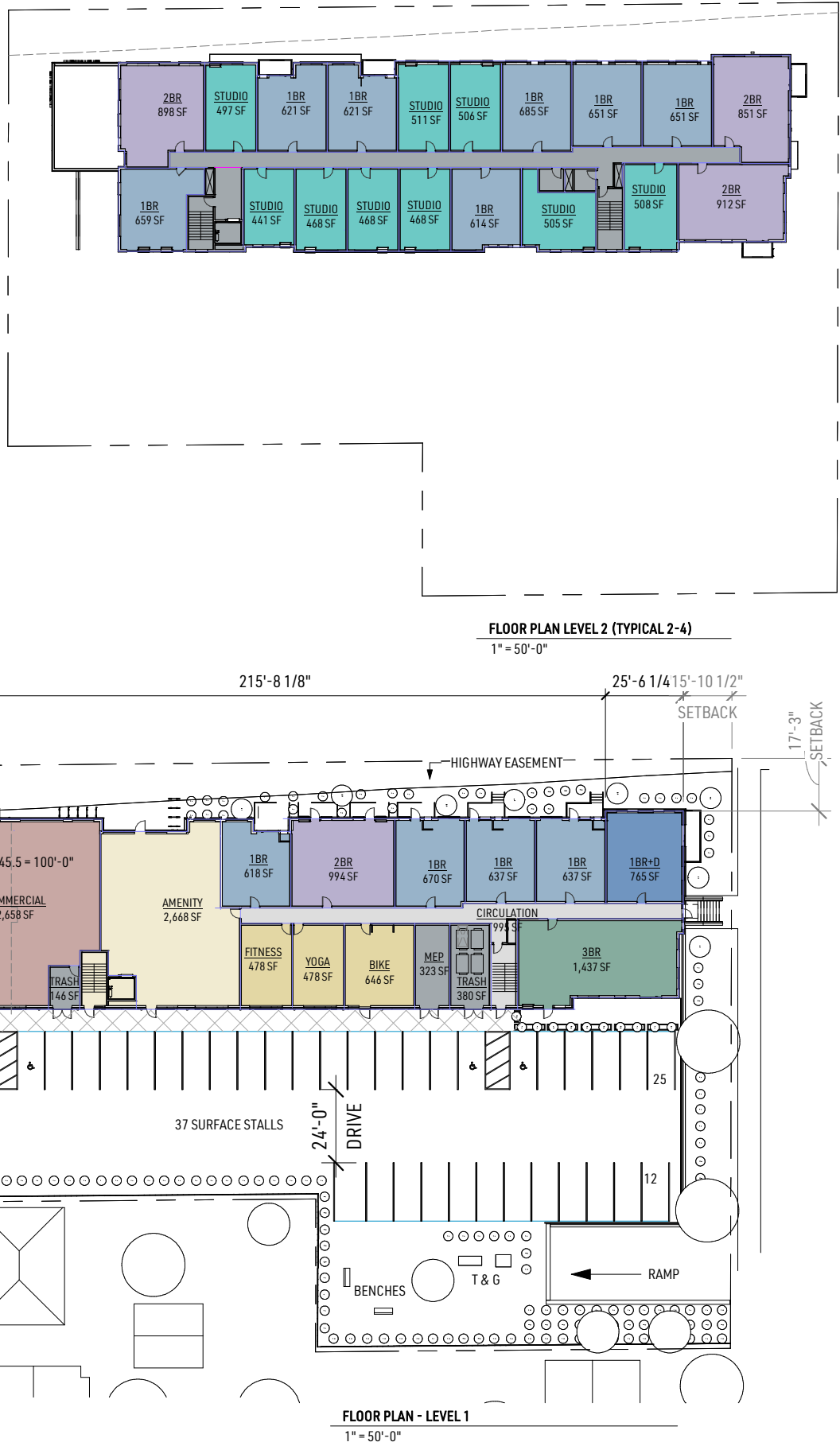
\* rentable totals are approximate, totals may change +/- 2% as project proceeds and building systems are finalized



PARKING SCHEDULE		
Type	Level	Count
LEVEL P1		
8' x 16' - 90 deg	LEVEL P1	24
8'-6" x 16' - 90 deg	LEVEL P1	6
9' x 19' - 90 deg	LEVEL P1	46
9' x 23' - 90 deg	LEVEL P1	5
LEVEL P1: 81		
LEVEL 1		
9' x 18' (8' Aisle)	LEVEL 1	2
9' x 19' - 90 deg	LEVEL 1	33
9' x 19' - 90 deg 2	LEVEL 1	2
LEVEL 1: 37		
Grand total: 118		



HEN COUNTY MAPS  
1" = 200'-0"





101 E 66TH ST. RICHFIELD , MINNESOTA

PROJECT NARRATIVE

The proposed apartment building is located on 66th St E between 1st Ave S and Stevens Ave in Richfield, MN. The site is currently zoned PMU – Planned Mixed Use with a planned land use of Mixed Use according to the Richfield 2040 Comprehensive Plan. The development team is using the Mixed Use- Neighborhood (MU-N) guidelines as a basis for design for the proposed project. The lot is currently vacant, and the existing 2 story building would be demolished to allow for new construction. The proposed 5 story mixed-use residential project includes 80 new units (studios, 1BR, & 2BR distributed over floors 1-5), below grade parking and a surface lot at the rear. A commercial space of ~ 2,800 is located at the west side of the building on Level 1. The building provides ample amenity space for the residents at Level 1 and Level 5. The resident common space includes community rooms, bike storage with maintenance equipment, fitness, and a furnished roof deck. 81 enclosed parking spaces are located below ground and 37 spaces would be located at the surface parking lots on the south side of the property. A ramp to the below grade parking is located on Stevens Ave, and the entry to the surface parking would occur on 1st Ave S. Large setbacks from the street and the residences to the south, allow green space to be provided on the north, south and east side of the building. Inclusionary Zoning Policy Section 3.iv allows a project to apply for a housing unit density bonus of 5-15%. The proposed 80 units would fit within this density bonus, a 9.63% increase. In addition, the project includes 20 units at

60% AMI or 25% of the units in addition to the 4 fully accessible units required by the code. This is 5 more affordable units being provided than would be included in a development of 75 units. If approved the project would break ground May of 2022 with an anticipated completion in May of 2023.

PROJECT RECAP

Current Primary Zoning:	PMU
Total Area	45,511 (1.045acres)

<b>Total Building Footprint- 14,484 SF</b>	<b>31%</b>
Commercial Area - 2,804	6.16%
Impervious Site Area -21,794SF	48.1%
Pervious Site Area - 8,863SF	19.8%

Building Area- 29,199SF- New Construction  
\*includes 14,715SF of parking  
Parcels: 2702824420134

<b>Unit Recap</b>	
Studios	36
1BR	31
1BR+DEN	1
2 BR	11
3 BR	1
Total Units	80

<b>Building Height</b>	
Proposed	5 Stories, 61'-0"

<b>Building Recap</b>	
P1	27,741 GSF
L1	14,146 GSF
L2	13,295 GSF
L3	13,295 GSF
L4	13,295 GSF
L5	11,452 GSF
TOTAL	92,989 GSF

<b>Parking</b>	
80 units	100 Stalls

Commercial uses, required parking	
Office	10 Stalls
Retail	14 Stalls
Restaurant	26 Stalls

**Total parking stalls provided 118**

With 10% Transit Reduction	
80 Units	90 Stalls

Commercial uses, required parking	
Office	9 Stalls
Retail	13 Stalls
Restaurant	24 Stalls

**Total required (with highest potential use) = 114  
Provided = 118**

<b>Bike Parking</b>	
Required	80
Provided	107
27/4 (1per 4 reduction)	6 parking stall reduction



PLANNING & ZONING  
APPLICATION  
RESUBMISSION  
12.30.2021

**101 E 66th St.  
Apartments**  
101 E 66th St.  
Richfield, Minnesota  
21-024.00

Project Information  
**A1.0**



COMMUNITY BENEFITS

Enhancing Local Business

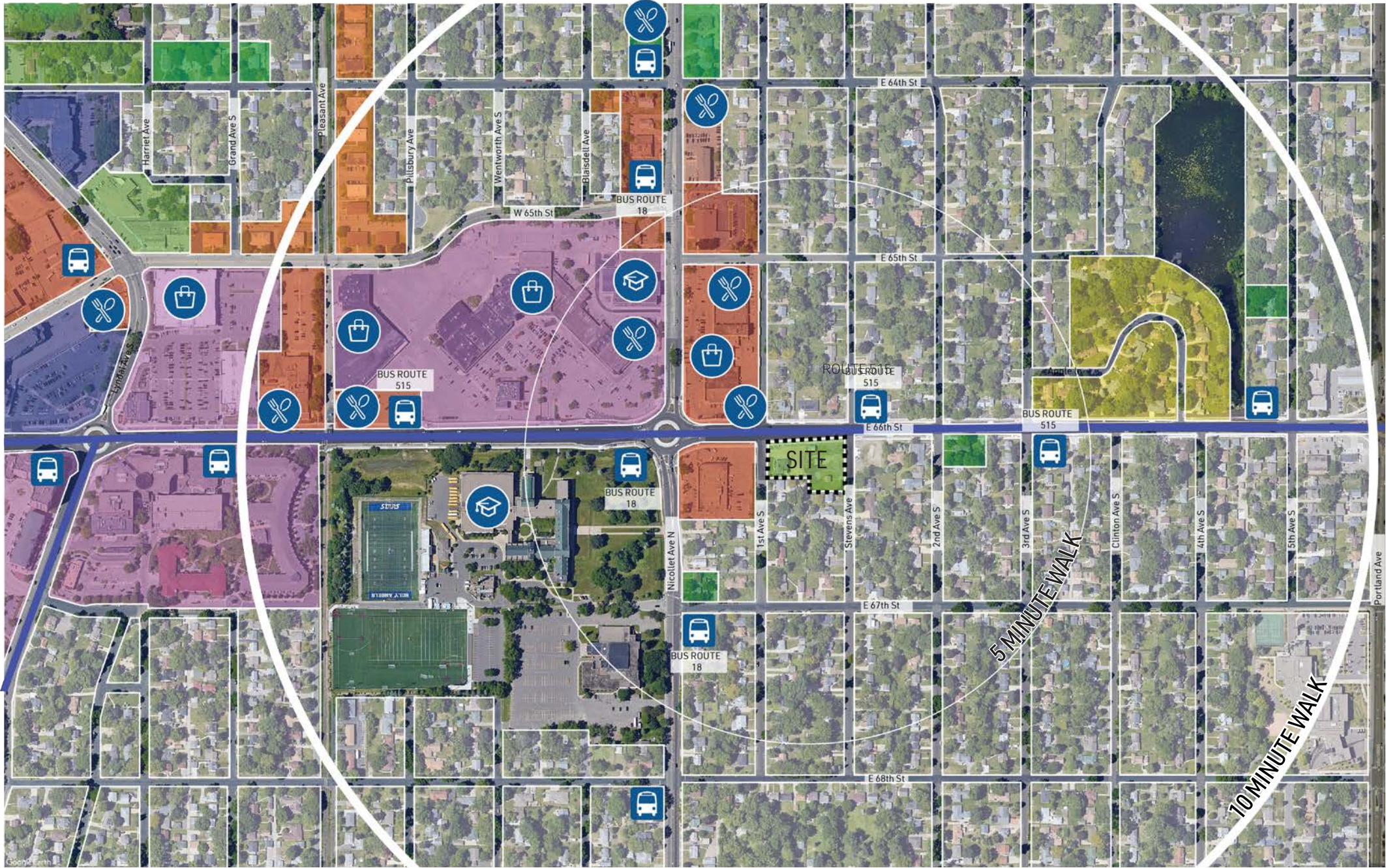
- North Bay is committed to providing a compelling and appropriately scaled retail space that will enhance and complement the adjacent commercial district.
- Parking for the commercial space is provided directly behind the building adjacent to the commercial district to minimize impact on the residential neighborhood.

Affordability/ Accessibility

- 25% of units reserved for 60% AMI.
- Affordable units to be distributed proportionally throughout the building.
- ADA ("type A") units scattered through out building.

- 4 Fully accessible units to be provided.
- Designed to be solar ready
- Stormwater retention system
- EV Charging Stations provided
- High efficiency water heaters
- Organics Recycling
- Programmable Thermostats
- Low-flow dual flush toilets
- Occupancy Sensors in common areas
- LED Lights
- Energy Star Appliances
- Participation in the Energy Design Assistance program

Sustainable Design



PC-2	PLANNED GENERAL COMMERCIAL
C-2	GENERAL COMMERCIAL
C-1	COMMUNITY COMMERCIAL
MR2	MULTIFAMILY
MR1	TWO-FAMILY
R1	LOW DENSITY SINGLE FAMILY
PMR	PLANNED MULTIFAMILY
PMU	PLANNED MIX USE
R1	SINGLE FAMILY



DJR  
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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Project Overview

A2.0





A



B



C



D

### Public Realm

- The design of the public realm is critical for Mixed Use Neighborhood districts.
- A plaza at the corner will activate the retail space and enhances the public realm.
- The building is placed along the street to enhance the pedestrian experience and street scape and allow for a buffer between the development and the adjacent single family residences.
- Walk up units along 66th create a more activity along the length of the building and allows for "eyes on the street".
- Thoughtfully designed landscape will create visual interest along the street, while also screening the building from the residential neighborhood to the south.

### Density Appropriate Development

- The design meets the underlying zoning code of MU-N, and is consistent with the 2040 Comprehensive plan.
- The density of the building allows for maximum open space to provide the desired on-site parking and landscaping.
- Per planner and community feedback the height of the building was reduced, and the massing steps back as it approaches the adjacent residential neighborhood
- The placement of surface parking creates a buffer between the mass of the building and the neighborhood to the south.

### Diverse Transportation Options

- Electric vehicle charging stations are provided.
- Bicycle amenities include a Fix-it station and indoor bicycle parking at a ratio of 1 space per bedroom.
- High frequency route 515 transit stop is located at the 66th St. & Stevens Ave.



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Project Information

**A3.0**

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## ZONING

The Planned Mixed-Use district, with a MU-N as a basis for design, matches closest with the project's goals. As described in the city planning, this project is located a block away from an important transit node and along a high-frequency bus route. The project will provide high density housing along an arterial street. The project encourages alternate modes of transportation due to its proximity to existing and future transit infrastructure. The dedicated bike lane on 66th Street also lends itself to development that uses alternate modes of transportation. Ample shopping and dining opportunities surround the proposed site which makes it ideal for a higher density housing project. The project also enhances pedestrian connections to the adjacent commercial corridor at 66th and Nicollet. Active uses are placed at the first floor to enliven the street. The massing of the building is concentrated at the Northeast corner, to provide a generous buffer to the neighbors to the south and east. The project is able to achieve many of the Comprehensive Plan goals, while providing 20 affordable housing units at 60% of

the Area Median Income.

The proposed project complies with the requirements under the Mixed Use Neighborhood (MU-N) guidance. All standards are met in terms of building height, building coverage, impervious surfaces, open space, setbacks, car and bike parking, lighting, architectural standards, and pedestrian and bicycle circulation.

## IMPACTS

Throughout the initial design process, the development team has heard and addressed many of the concerns suggested by neighbors and city officials. At the suggestion of staff/city officials the building was reduced in height, the massing was concentrated on the northwest corner, the commercial space was integrated into the building and the plaza was moved to the west side of the building. After meeting with the neighborhood, a number of changes were made to the project including relocating the amenity deck to

the 5th floor to mitigate noise and moving more of the parking below grade in order to eliminate the on grade enclosed parking lot. The result of this change is that we are providing generous setbacks to the neighbors to the south from the mass of the building. In addition, significant landscape buffering and fencing have been included to provide screening to the adjacent neighborhood. All required parking for the project is being provided on site, and the parking for the commercial area is accessed adjacent to the existing commercial district, to reduce impact on surrounding neighbors.

The design of the public realm is critical for Mixed Use Neighborhood districts. A plaza at the corner will activate the retail space and enhances the public realm. The building is placed along the street to enhance the pedestrian experience and street scape and allow for a buffer between the development and the adjacent single-family residences. Walk up units along 66th create a more activity along the length of the building and allows for "eyes on the street". Thoughtfully

designed landscape will create visual interest along the street, while also screening the building from the residential neighborhood to the south.

During construction, active steps will be taken to lessen the impact on surrounding neighbors such as staggering construction time of parking lots to avoid having people park on the street.



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Site Section

**A4.0**

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A

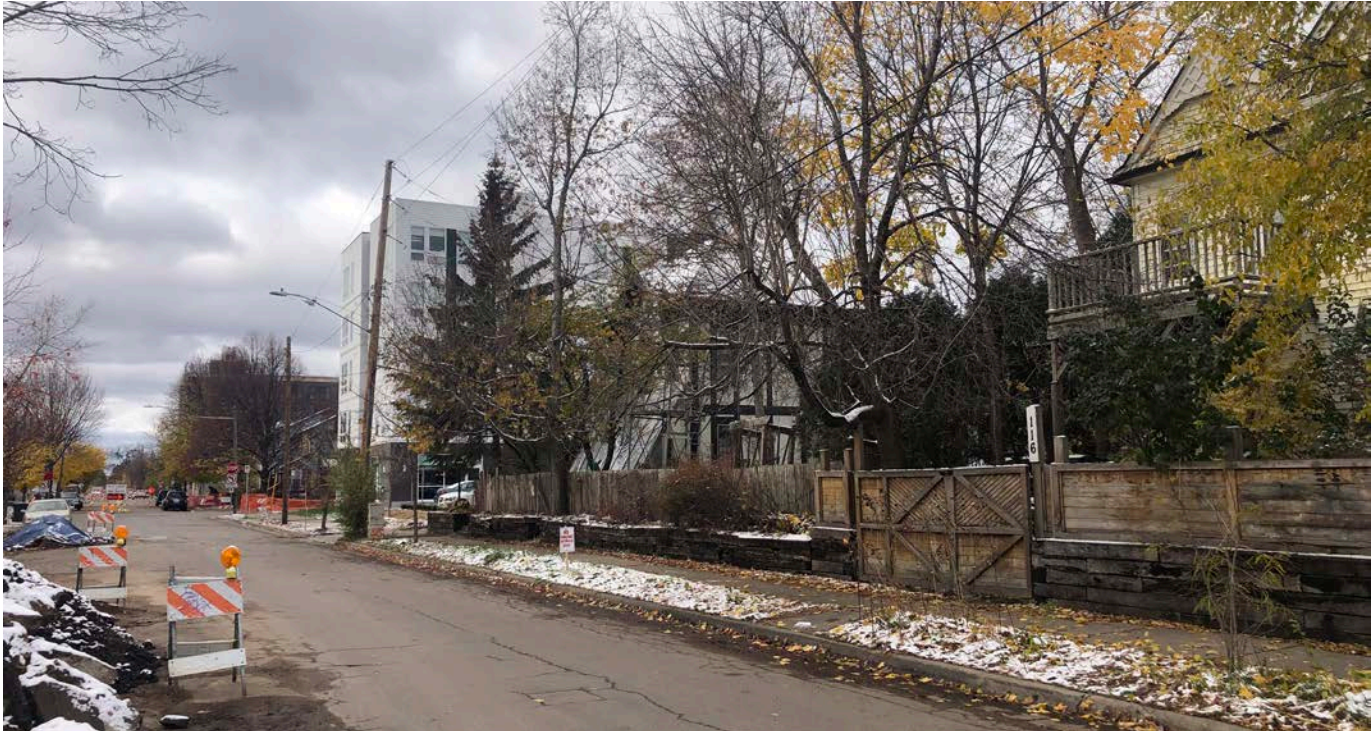


B

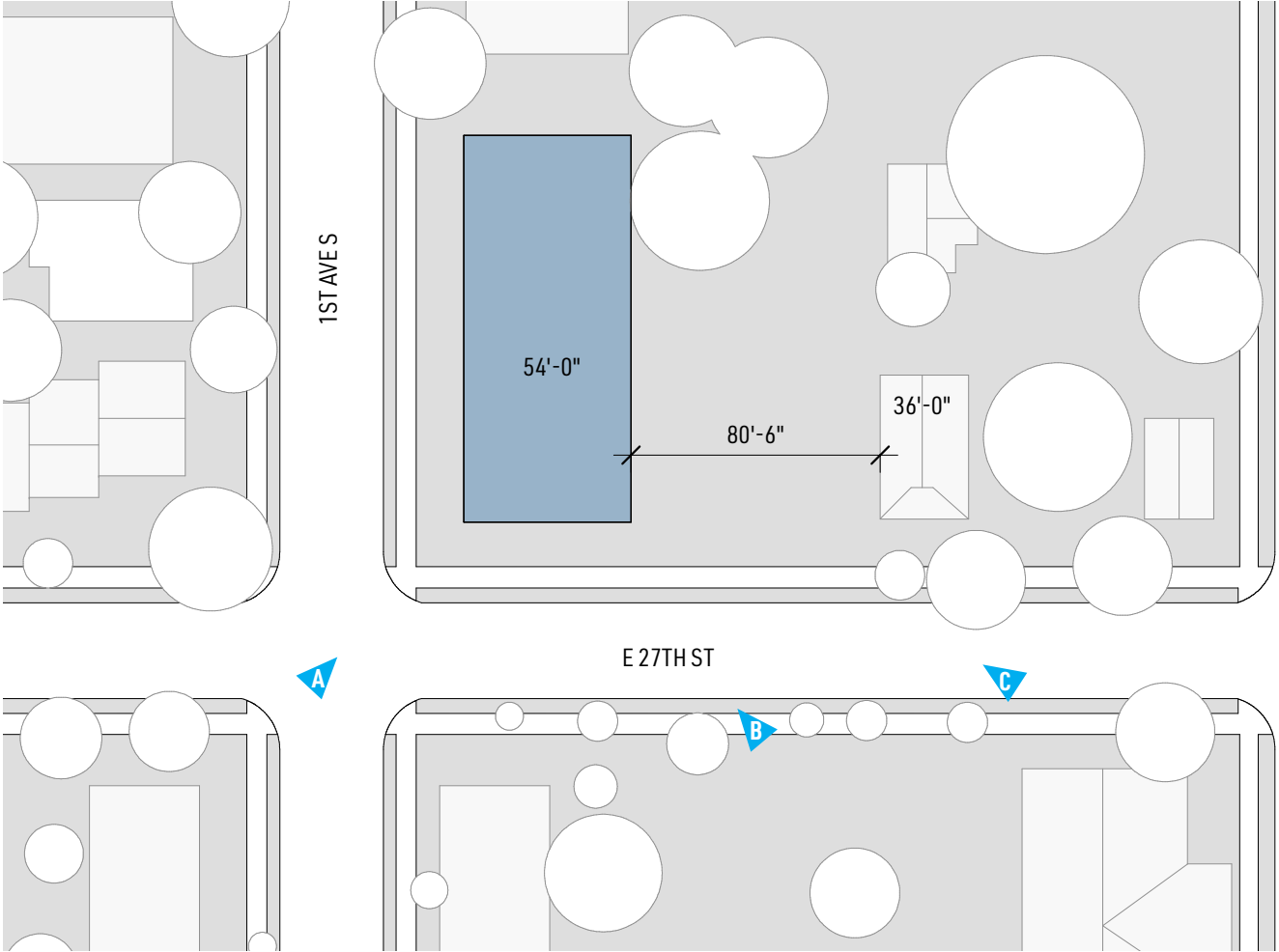
# SIMILAR INSTANCES

## 5 STORY BUILDING IN A RESIDENTIAL NEIGHBORHOOD

EXAMPLE SHOWS BLAISE APARTMENT - 2645 1ST AVE, MINNEAPOLIS, MN  
THIS PROJECT IS 36' CLOSER THAN OUR PROPOSAL WOULD BE FROM A SINGLE FAMILY HOME



C



CONTEXT PLAN - 1" = 60'-0"



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ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Similar Instances  
Blaise Apartments

**A5.0**

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A



B

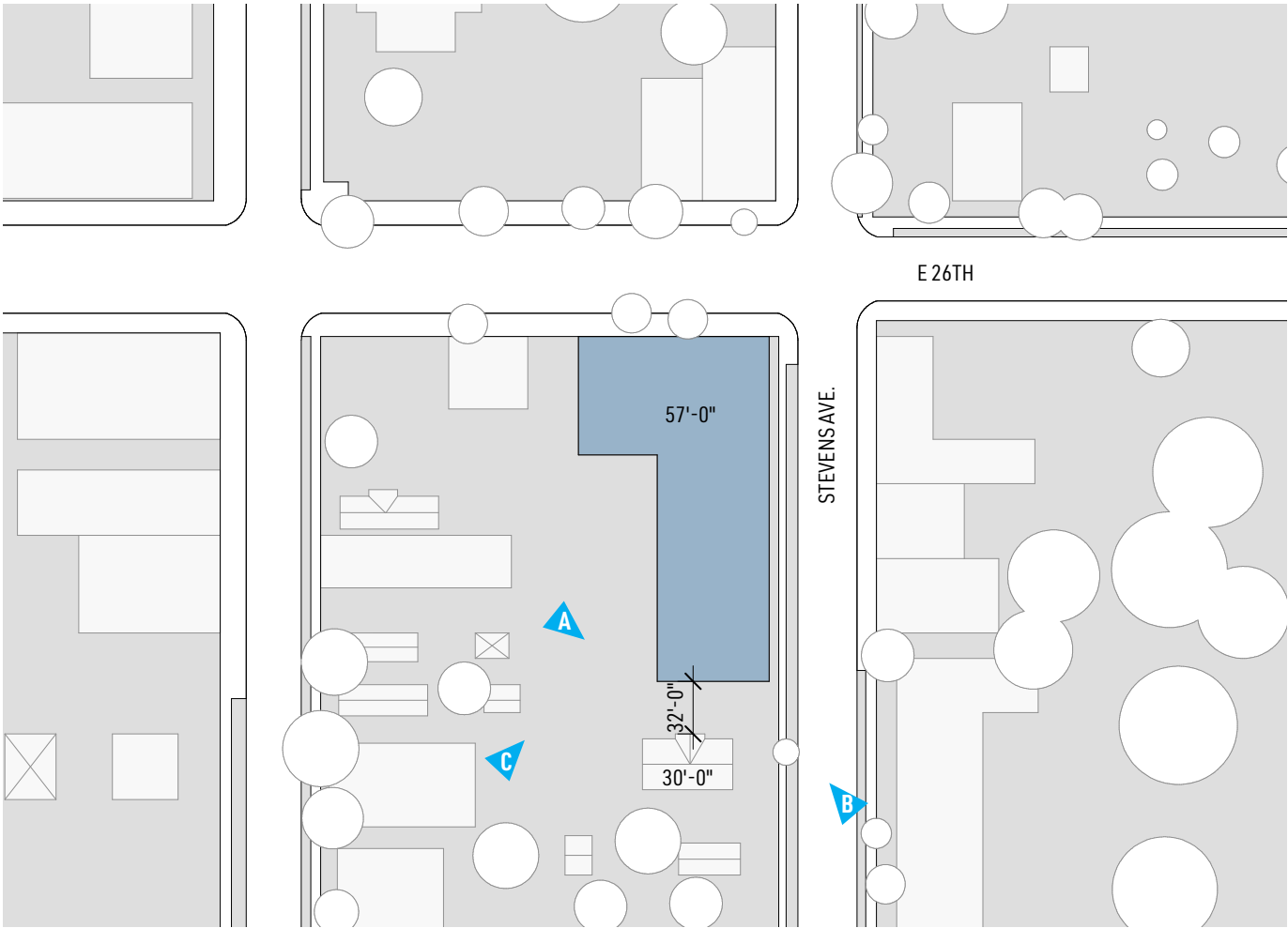
# SIMILAR INSTANCES

5 STORY BUILDING IN A RESIDENTIAL NEIGHBORHOOD

EXAMPLE SHOWS CHROMA APARTMENT - 113 E. 26TH MINNEAPOLIS, MN  
THIS PROJECT IS 84" CLOSER THAN OUR PROPOSAL WOULD BE FROM A SINGLE FAMILY HOME



C



CONTEXT PLAN - 1" = 60'-0"



**DJR**  
ARCHITECTURE

**NORTHBAY**

PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Similar Instances  
Chroma Apartments

**A6.0**

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A



B

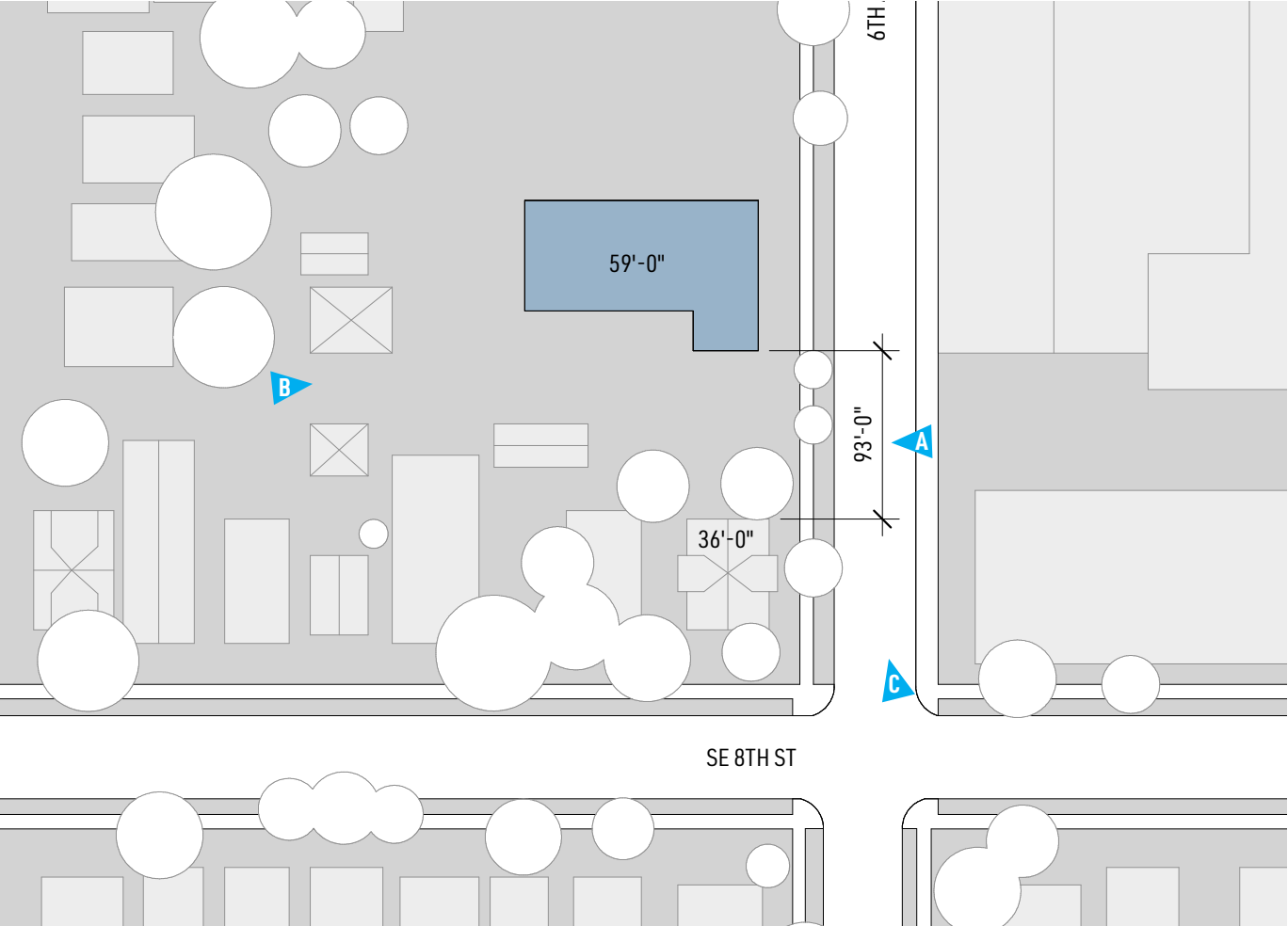
# SIMILAR INSTANCES

## 5 STORY BUILDING IN A RESIDENTIAL NEIGHBORHOOD

EXAMPLE SHOWS MOERTY APARTMENT - 821 6TH AVE. MINNEAPOLIS, MN  
THIS PROJECT IS 23" CLOSER THAN OUR PROPOSAL WOULD BE FROM A SINGLE FAMILY HOME



C



CONTEXT PLAN - 1" = 100'-0"



**DJR**  
ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Similar Instances  
Moerty Apartments

**A7.0**

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A



B

SIMILAR INSTANCES

5 STORY BUILDING IN A RESIDENTIAL NEIGHBORHOOD

EXAMPLE SHOWS RILEY APARTMENT - 600 W 64TH ST. W. RICHFIELD, MN. 55423  
THIS PROJECT IS 23" CLOSER THAN OUR PROPOSAL WOULD BE FROM A SINGLE FAMILY HOME



C



CONTEXT PLAN - 1" = 100'-0"



DJR  
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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Similar Instances

Riley Apartments

A8.0





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RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Site Plan

**A9.0**





AERIAL PERSPECTIVE NW



AERIAL PERSPECTIVE SW



AERIAL PERSPECTIVE SW



AERIAL PERSPECTIVE SE



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PLANNING & ZONING  
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12.30.2021

**101 E 66th St.  
Apartments**

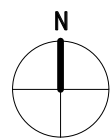
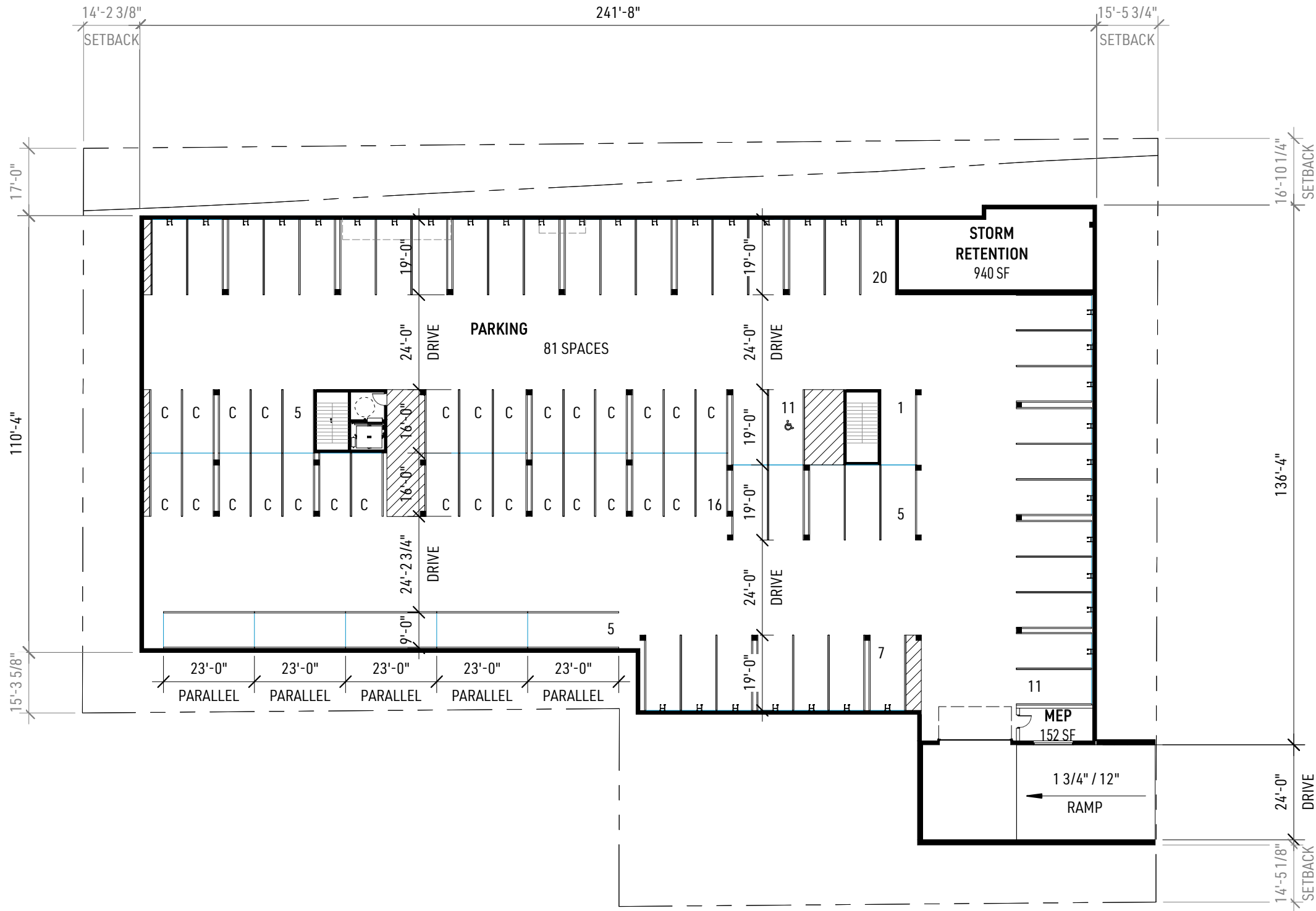
101 E 66th St.  
Richfield, Minnesota

21-024.00

3D Views

**A10.0**





FLOOR PLAN - LEVEL P1  
1" = 30'-0"



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

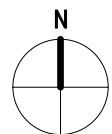
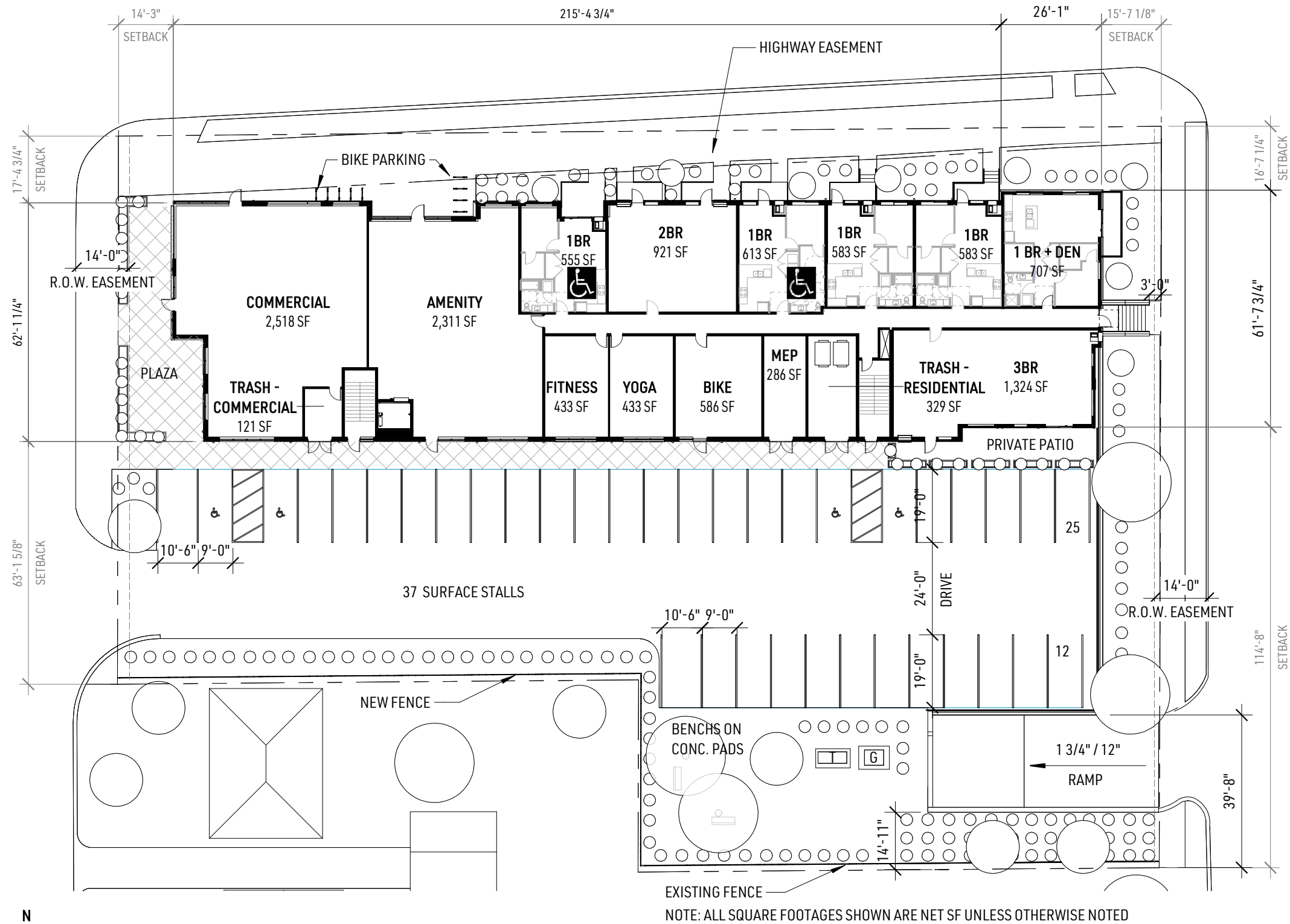
101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Floor Plan

A11.0



**FLOOR PLAN - LEVEL 1**  
1" = 30'-0"



**DJR**  
ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

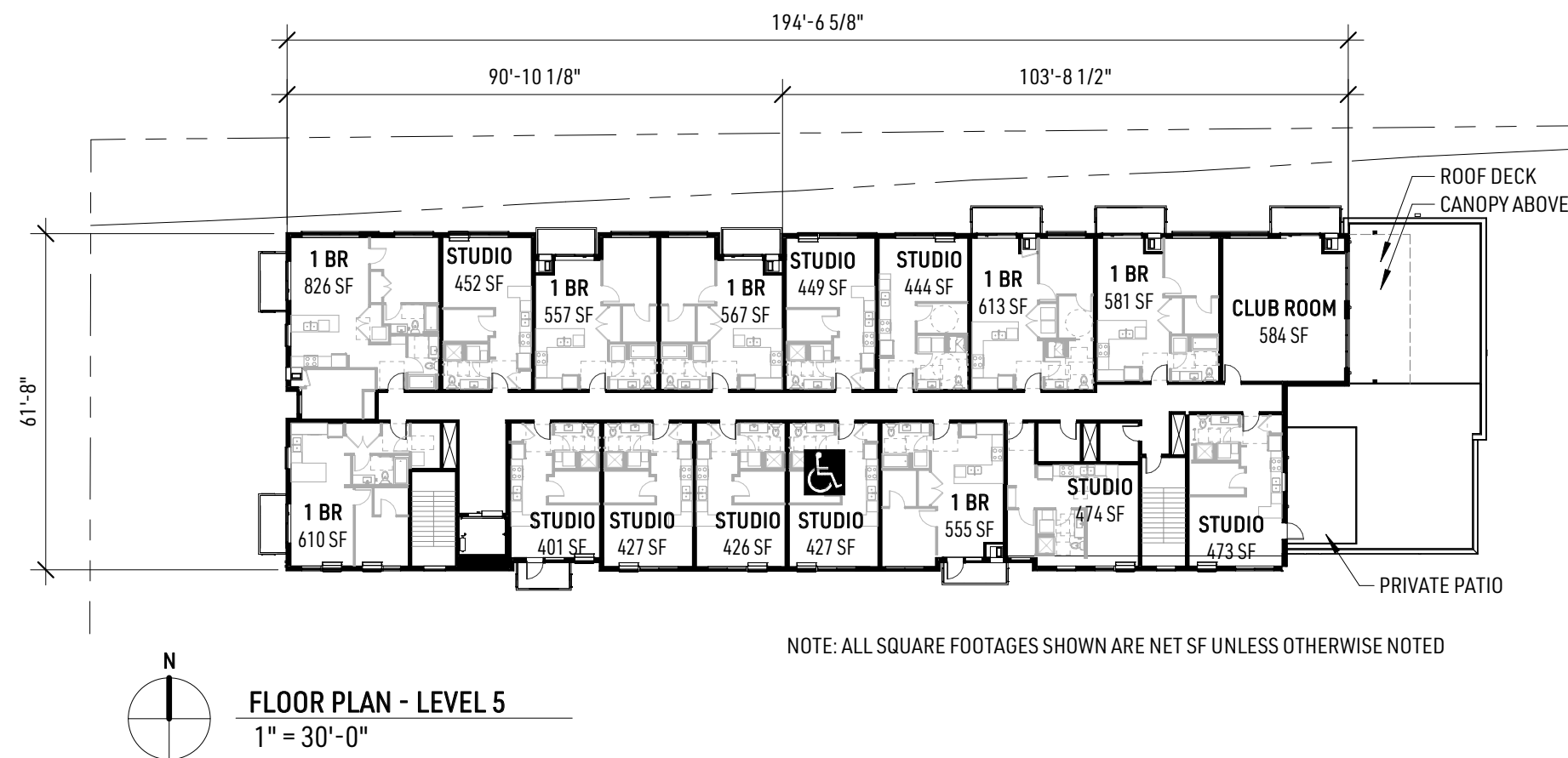
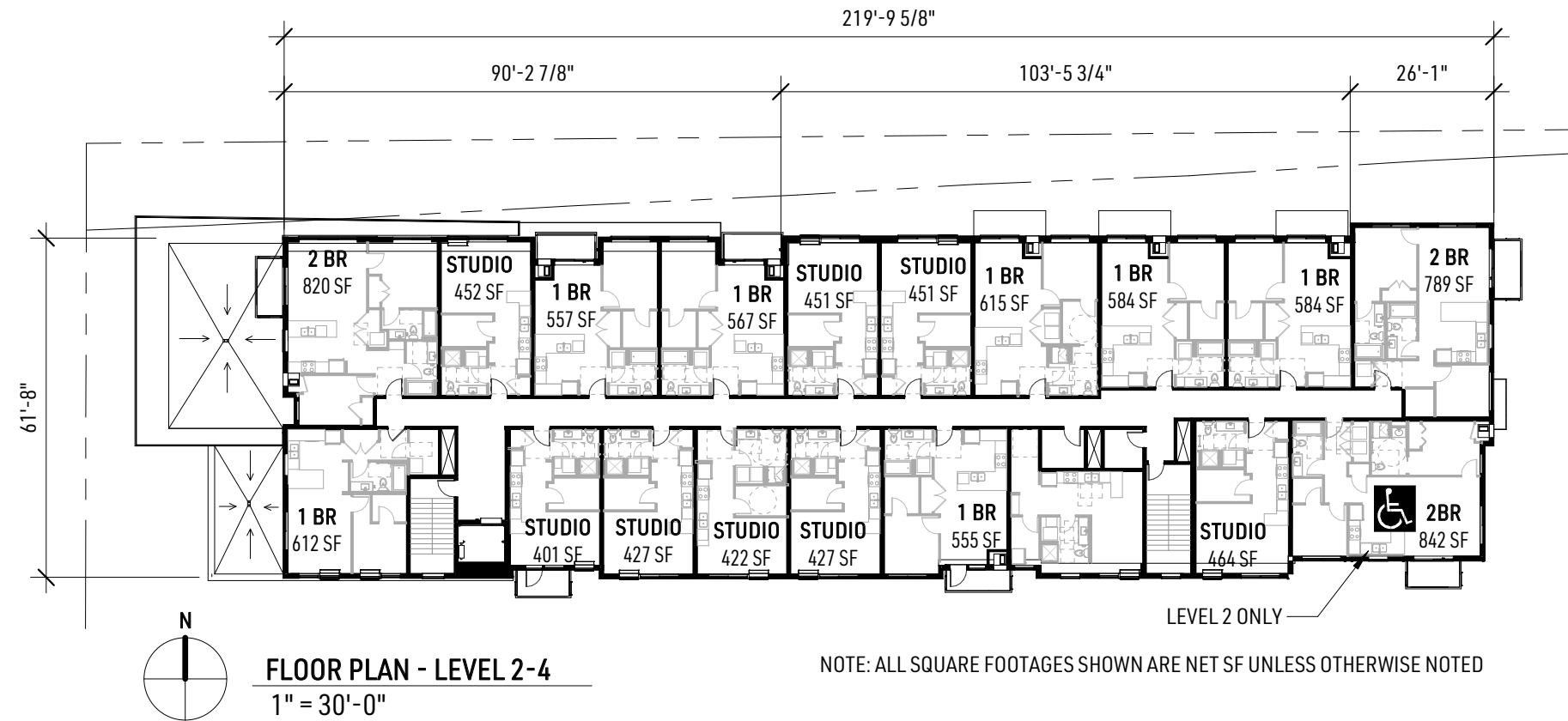
**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Floor Plan

**A12.0**



**DJR**  
ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
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12.30.2021

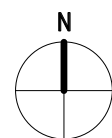
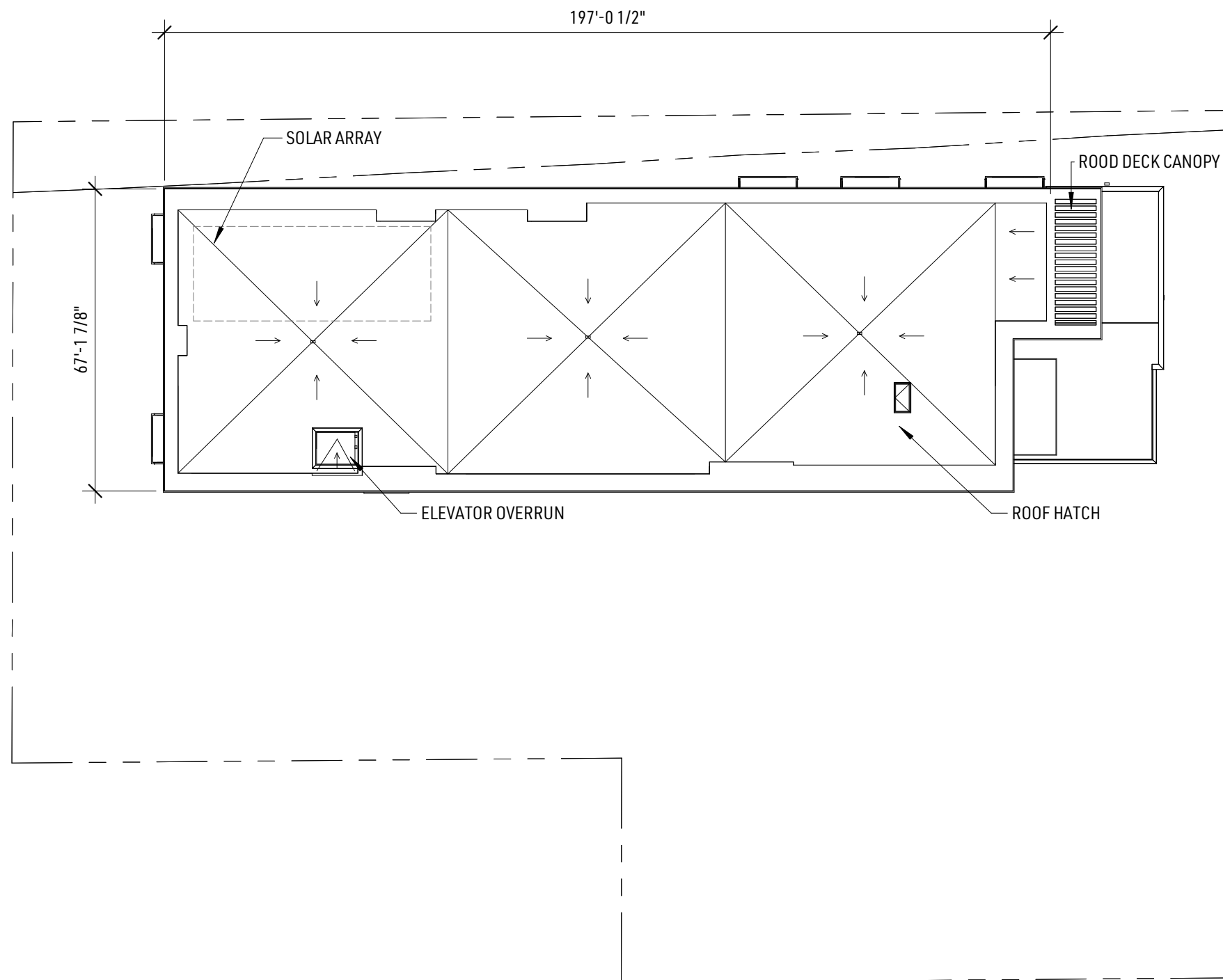
## 101 E 66th St. Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Floor Plans

# A13.0



ROOF PLAN  
1" = 30'-0"



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Floor Plan

**A14.0**



**NORTH EXTERIOR ELEVATION**  
3/64" = 1'-0"



**EAST EXTERIOR ELEVATION**  
3/64" = 1'-0"



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Exterior Elevations

**A15.0**





### SOUTH EXTERIOR ELEVATION

3/64" = 1'-0"



### WEST EXTERIOR ELEVATION

3/64" = 1'-0"



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PLANNING & ZONING  
APPLICATION  
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12.30.2021

## **101 E 66th St. Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Exterior Elevations

# A16.0





RENDERING FROM NE



DJR  
ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Rendering

A17.0





RENDERING FROM SE



DJR  
ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Rendering

A18.0





RENDERING FROM NW



DJR  
ARCHITECTURE



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Rendering

A19.0





RENDERING AT DUSK



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APPLICATION  
RESUBMISSION

12.30.2021

101 E 66th St.  
Apartments

101 E 66th St.  
Richfield, Minnesota

21-024.00

Rendering

A19.1





RENDERING AT STREET LEVEL



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

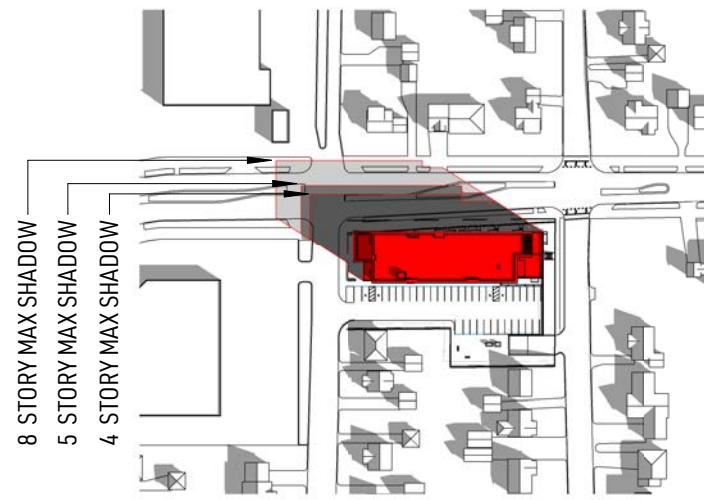
101 E 66th St.  
Richfield, Minnesota

21-024.00

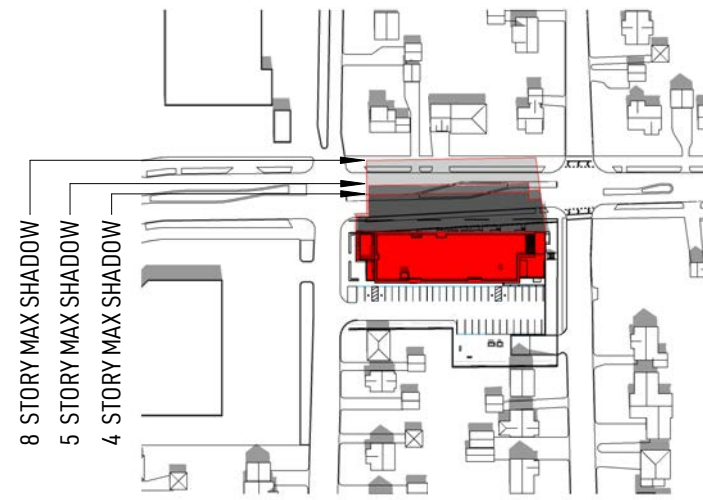
Rendering

**A19.2**

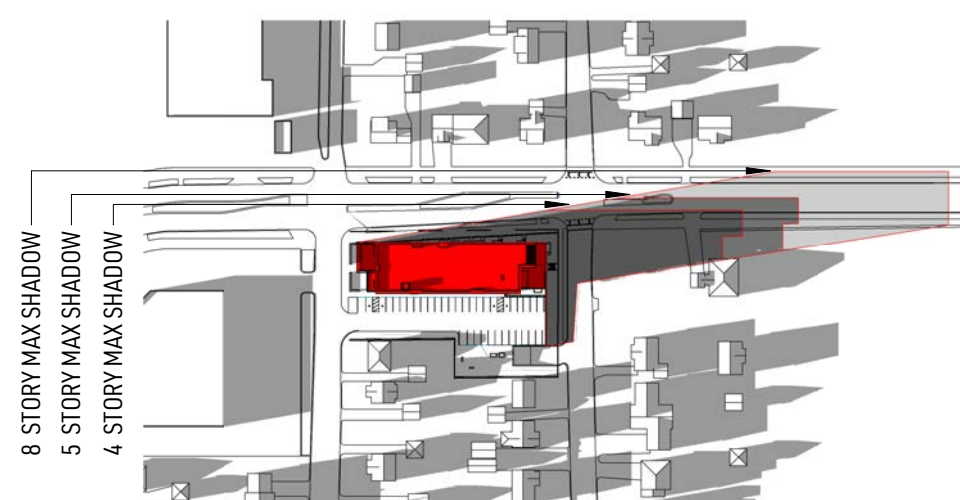




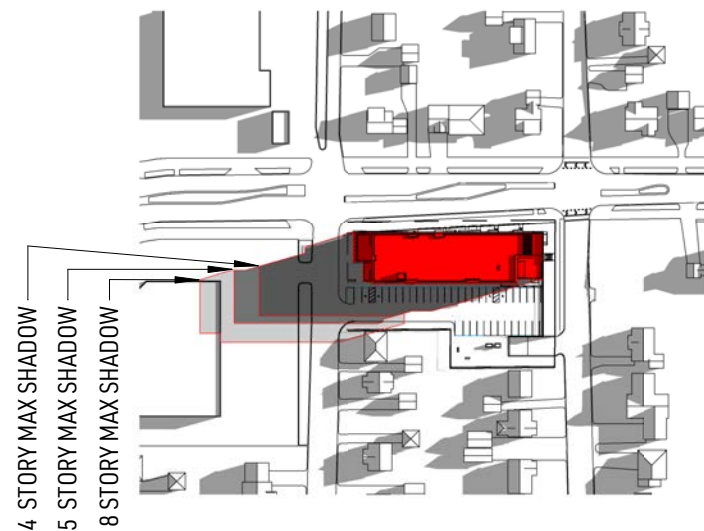
EQUINOX MARCH 22ND  
8:10 AM (HOUR AFTER SUNRISE)



EQUINOX MARCH 22ND  
12:00 PM



EQUINOX MARCH 22ND  
6:25 PM (HOUR BEFORE SUNSET)



SOLSTICE JUNE 22ND  
6:23 AM (HOUR AFTER SUNRISE)



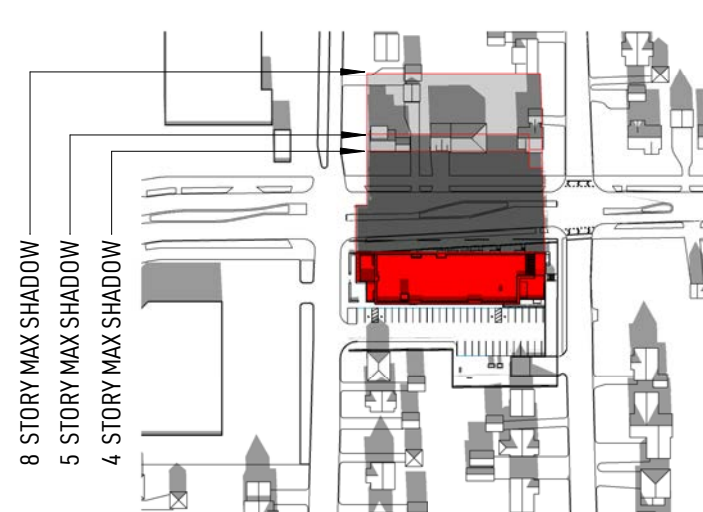
SOLSTICE JUNE 22ND  
12:00 PM



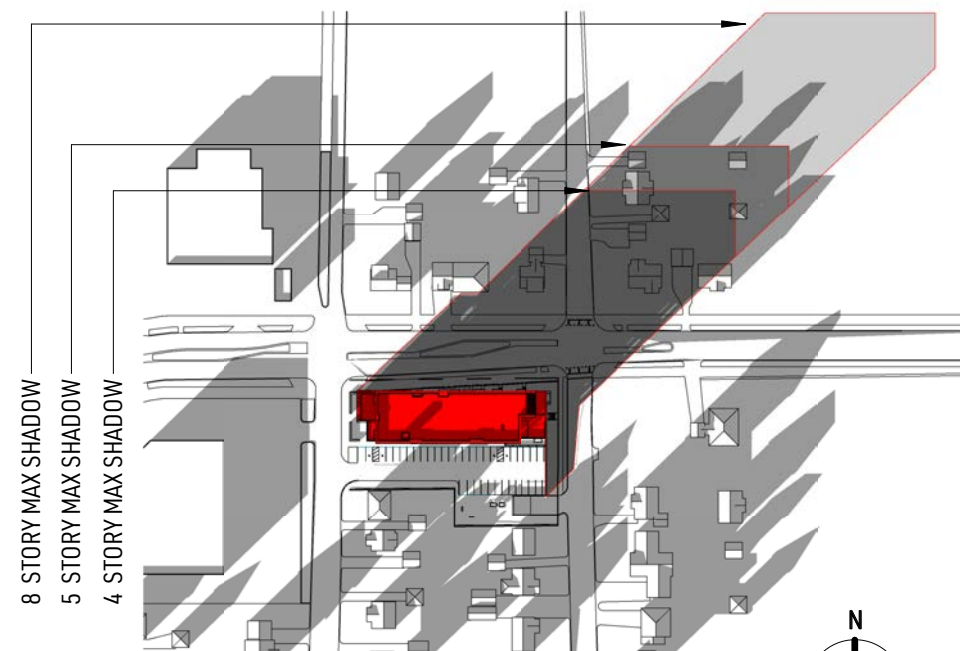
SOLSTICE JUNE 22ND  
8:03 PM (HOUR BEFORE SUNSET)



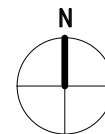
WINTER SOLSTICE DEC. 22ND  
8:49 (HOUR AFTER SUNRISE)



WINTER SOLSTICE DEC. 22ND  
12:00 PM



WINTER SOLSTICE DEC. 22ND  
3:35 PM (HOUR BEFORE SUNSET)



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PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Shadow Study

**A20.0**

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**101 E 66th St.  
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101 E 66th St.  
Richfield, Minnesota

21-024.00

Shadow Study

**A20.1**

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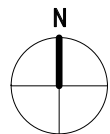
SHADOW STUDY  
DECEMBER 22ND 2:00PM

112 66TH ST E  
13,209 SF

3,948 SF SHADOW  
29.88% MAX COVERAGE  
>50% ALLOWED

120 66TH ST E  
9,457SF

3,981 SF SHADOW  
42.09% MAX COVERAGE  
>50% ALLOWED



SHADOW STUDY  
1" = 100'-0"



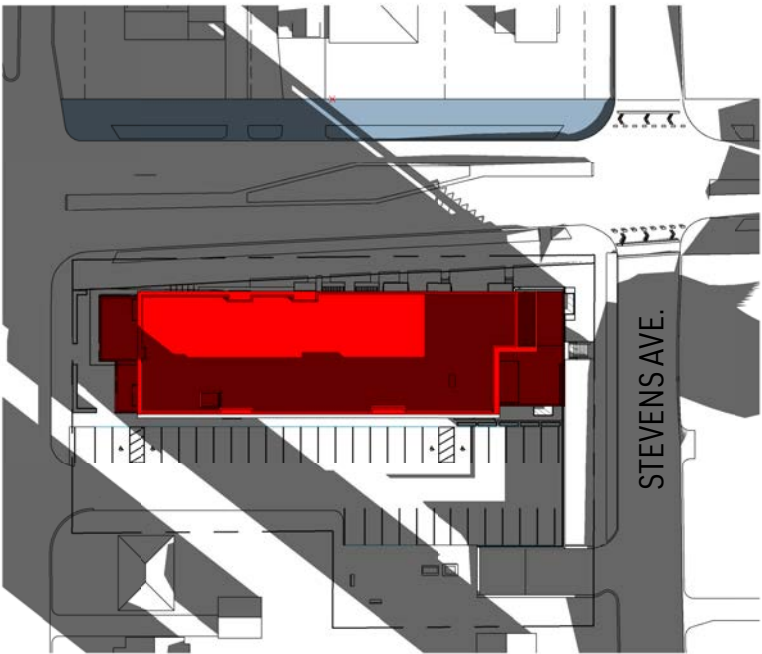


**DJR**  
ARCHITECTURE

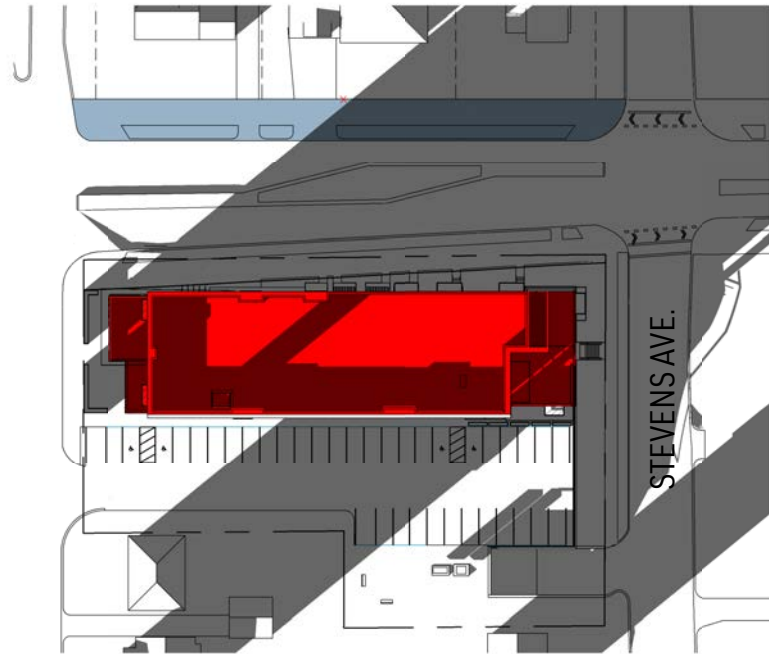


MAXIMUM DURATION OF A SHADOW CAST ON ANY GIVEN SPOT ON THE BACK OF THE SIDEWALK ON THE OPPOSITE SIDE OF THE ADJACENT STREET IS 7.75 HOURS. THIS DURATION ONLY LAST FROM NOV 1ST TO FEB 15TH

DECEMBER 21ST  
08:15 AM



DECEMBER 21ST  
04:00 PM



DECEMBER 21ST  
12:00 PM



PLANNING & ZONING  
APPLICATION  
RESUBMISSION

12.30.2021

**101 E 66th St.  
Apartments**

101 E 66th St.  
Richfield, Minnesota

21-024.00

Shadow Study

**A20.2**

COUNTY ROAD NO. 53  
(66TH STREET E)  
(A Public R/W)



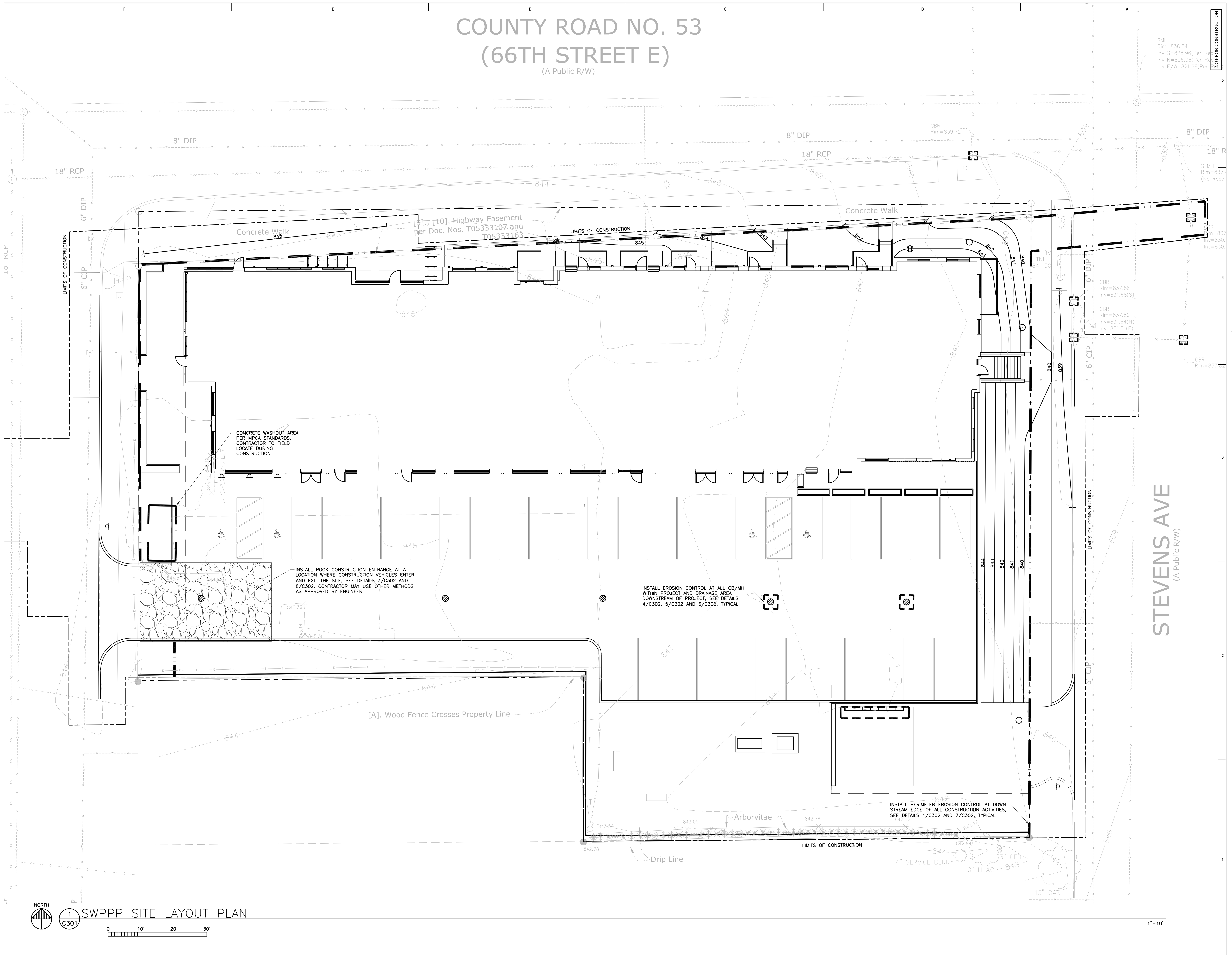
NOT FOR CONSTRUCTION

Project #:	21-052
Date:	11/28/21
Drawn by:	RZ
Checked by:	RSP
Issue:	Date:
CITY REVIEW	11-08-2021
REVISED PER CITY COMMENTS	11-29-2021
PLANNING AND ZONING APPLICATION	11-29-2021
RESUBMITTAL	11-29-2021

6601 1ST AVE S

SWPPP SITE LAYOUT PLAN

C301





COUNTY ROAD NO. 53  
(66TH STREET E)  
(A Public R/W)

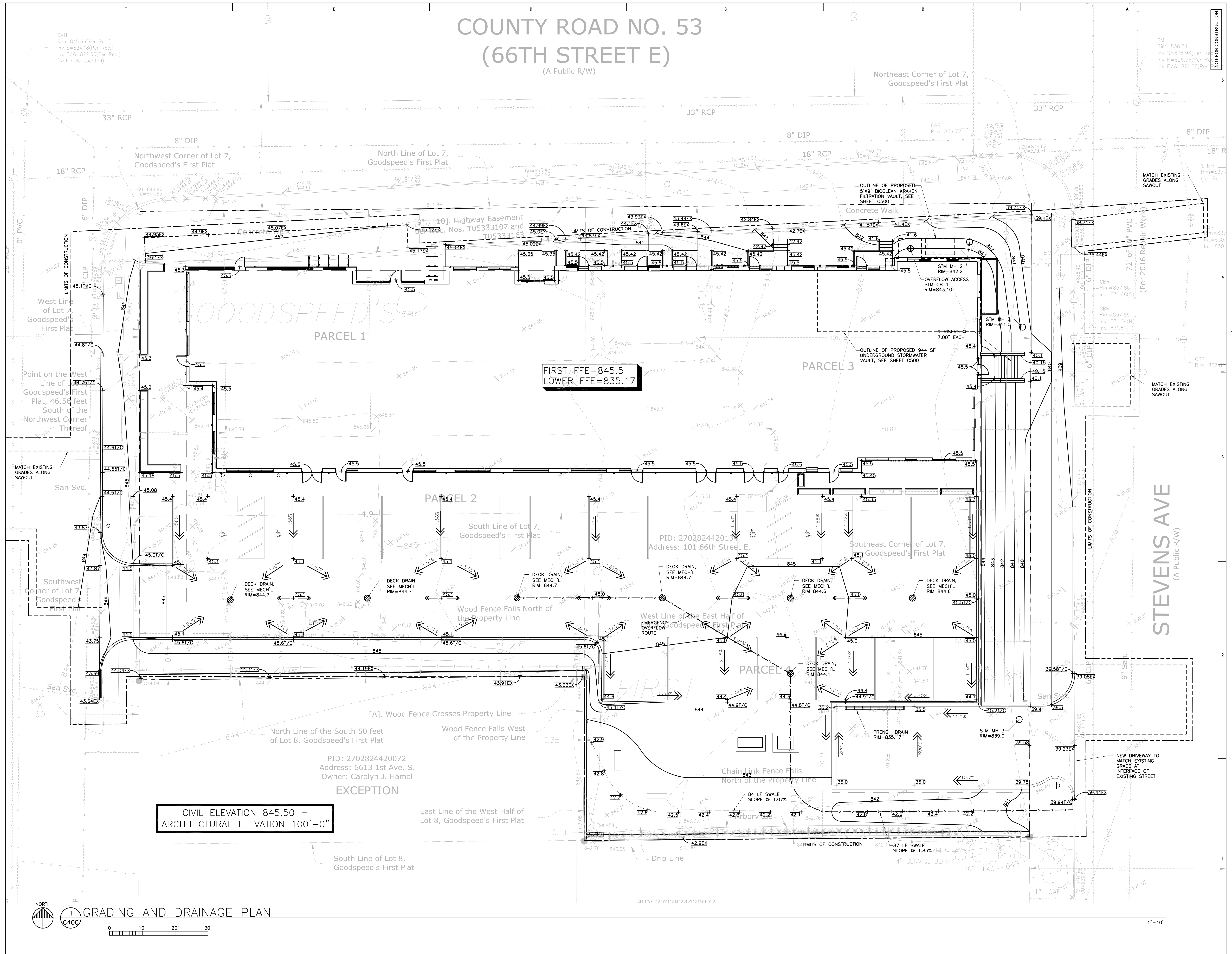
NOT FOR CONSTRUCTION

Project #: 21-052  
Date: 11/29/21  
Drawn by: RZ  
Checked by: RSP  
Issue: Date:  
CITY REVIEW 11-08-2021  
REVISED PER CITY COMMENTS 11-29-2021  
PLANNING AND ZONING APPLICATION 11-29-2021  
RESUBMITTAL

6601 1ST AVE S

GRADING AND DRAINAGE PLAN

**C400**





(A Public R/W)

SMH  
Rim=838.54  
— Inv S=828.96(Per Rec.  
Inv N=826.96(Per Rec.  
1.544x 221.66(2.00



Use:	Date:
TY REVIEW	11-08-2021
REVISED PER CITY COMMENTS	11-29-2021
DRAINING AND ZONING APPLICATION	11-29-2021
SUBMITTAL	

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# C500


$$1'' = 10'$$







Project narrative:

- a) Basic Description of the project
- b) Anticipated completion date. If project occurs in phases, provide a schedule.
- c) The effect or impact the proposal will have on adjacent properties and how any effect or impact will be mitigated.

### **101 66<sup>th</sup> St E – Project Narrative**

The proposed apartment building is located on 66<sup>th</sup> St E between 1<sup>st</sup> Ave S and Stevens Ave in Richfield, MN. The site is currently zoned PMU – Planned Mixed Use with a planned land use of Mixed Use according to the Richfield 2040 Comprehensive Plan. The development team is using the Mixed Use-Neighborhood (MU-N) guidelines as a basis for design for the proposed project. The lot is currently vacant, and the existing 2 story building would be demolished to allow for new construction. The proposed 5 story mixed-use residential project includes 82 new units (studios, 1BR, & 2BR distributed over floors 1-5), below grade parking and a surface lot at the rear. A commercial space of ~ 2,800 is located at the west side of the building on Level 1. The building provides ample amenity space for the residents at Level 1 and Level 5. The resident common space includes community kitchens, bike storage with maintenance equipment, fitness, and a furnished roof deck. 77 enclosed parking spaces are located below ground and 38 spaces would be located at the surface parking lots on the south side of the property. A ramp to the below grade parking is located on Stevens Ave, and the entry to the surface parking would occur on 1<sup>st</sup> Ave S. Large setbacks from the street and the residences to the south allow green space to be provided on the north, south and east side of the building. Inclusionary Zoning Policy Section 3.iv allows a project to apply for a housing unit density bonus of 5-15%. The proposed 82 units would fit within this density bonus, a 9.63% increase. In addition, the proposal includes 22 units at 60% AMI or 26.8% of the units in addition to the 4 fully accessible units required by the code. This is 7 more affordable units being provided than would be included in a development of 75 units. If approved the project would break ground May of 2022 with an anticipated completion in May of 2023.

### **Zoning**

The Planned Mixed-Use district, with a MU-N as a basis for design, matches closest with the project's goals. As described in the city planning, this project is located a block away from an important transit node and along a high-frequency bus route. The project will provide high density housing along an arterial street. The project encourages alternate modes of transportation due to its proximity to existing and future transit infrastructure. The dedicated bike lane on 66th Street also lends itself to development that uses alternate modes of transportation. Ample shopping and dining opportunities surround the proposed site which makes it ideal for a higher density housing project. The project also enhances pedestrian connections to the adjacent commercial corridor at 66<sup>th</sup> and Nicollet. Active uses are placed at the first floor to enliven the street. The massing of the building is concentrated at the Northeast corner, to provide a generous buffer to the neighbors to the south and east. The project is able to achieve many of the Comprehensive Plan goals, while provided 22 affordable housing units at 60% of the Area Median Income.

The proposed project complies with the requirements under the Mixed Use Neighborhood (MU-N) guidance. All standards are met in terms of building height, building coverage, impervious surfaces, open space, setbacks, car and bike parking, lighting, architectural standards, and pedestrian and bicycle circulation.

## **IMPACTS**

Throughout the initial design process, the development team has heard and addressed many of the concerns suggested by neighbors and city officials. At the suggestion of staff/city officials the building was reduced in height, the massing was concentrated on the northwest corner, the commercial space was integrated into the building and the plaza was moved to the west side of the building. After meeting with the neighborhood, a number of changes were made to the project including relocating the amenity deck to the 5<sup>th</sup> floor to mitigate noise and moving more of the parking below grade in order to eliminate the on grade enclosed parking lot. The result of this change is that we are providing generous setbacks to the neighbors to the south from the mass of the building. In addition, significant landscape buffering and fencing have been included to provide screening to the adjacent neighborhood. All required parking for the project is being provided on site, and the parking for the commercial area is accessed adjacent to the existing commercial district, to reduce impact on surrounding neighbors.

The design of the public realm is critical for Mixed Use Neighborhood districts. A plaza at the corner will activate the retail space and enhances the public realm. The building is placed along the street to enhance the pedestrian experience and street scape and allow for a buffer between the development and the adjacent single-family residences. Walk up units along 66th create a more activity along the length of the building and allows for “eyes on the street”. Thoughtfully designed landscape will create visual interest along the street, while also screening the building from the residential neighborhood to the south.

During construction, active steps will be taken to lessen the impact on surrounding neighbors such as staggering construction time of parking lots to avoid having people park on the street.



333 Washington Ave N  
Suite 210 | Union Plaza  
Minneapolis MN 55401  
612.676.2700 | [www.djrarch.com](http://www.djrarch.com)

**To: Ryan Krzos & Richfield City Council**

Below is a narrative describing the 101 66<sup>th</sup> Street- Mixed Use Apartment Project and our responses to neighbor's, Planning Commission and Planning Staff's concerns. The project was first presented at the Richfield working session on June 21<sup>st</sup> and subsequently presented at two neighborhood meetings on August 17<sup>th</sup> and October 28<sup>th</sup>. The public hearing before the Planning Commission on the zoning applications was held on December 13, 2021.

**Location and Site Status**

The project is located at 101 66<sup>th</sup> street and contains 4 structures that have been vacant for approximately 4-5 years. The site is 1.044 acres, or 45,511 square feet in size.

**2040 Comprehensive plan support**

The project supports the Future Land Use of the Richfield 2040 Comprehensive plan. The site is located within the Lyndale / Nicollet & 66<sup>th</sup> Street Mixed Use (MU) district which is intended to create a city center that serves as a downtown for Richfield. The site is located at the eastern edge of this district and is guided for MU-N. 25-75 units per acre, 2-8 stories, 25-50% building coverage.

Our proposed 5-story project fits well within the guidance of this future land use district. The Inclusionary Affordable Housing Policy allows an additional 5-15% density as an incentive to projects that include affordable units as described in the Inclusionary Affordable Housing Policy.

- 5 stories
- 31% building coverage
- 80 units (Reduced from 82 units after Planning Commission hearing. The additional 5 units, allowed by the density bonus, units will be affordable units.)
- 20 units are affordable

**Building Mass, Height and Shadowing**

After the June 21<sup>st</sup> working session, the building height was reduced from the original proposal of 6 stories, to 5 stories in order to address the planning staff and neighbors' concerns about height and overall building mass. Also at that time, the 1<sup>st</sup> floor enclosed parking was moved below grade, reducing the overall footprint of the building. The upper floor of the building was also stepped back 25 feet at the Stevens Ave elevation which faces the neighborhood to the east.

The MU-N guidelines allow for 2-8 stories and 25-50% building coverage. The proposed project fits comfortably within the middle of this guidance.

- 5 stories



- 31% building coverage
- The building steps down to 4 stories on the east side which faces the neighborhood
- Generous setbacks are provided from the main mass of building to the neighbors to the south.

It was suggested during the Planning Commission hearing on December 13<sup>th</sup> that a reduction the building height to 4 stories would reduce the shadowing of the sidewalk on the north side of 66<sup>th</sup> street. However, as shown on Shadow Study Sheet A20.0, a 4-story building would still shadow the sidewalk from approximately November 1<sup>st</sup> through February 15<sup>th</sup>. See Shadowing graphics, Sheets A20.0, A20.1, and A20.2

### **Automobile Parking**

Parking is provided in the underground parking garage accessed off Stevens and a surface lot accessed off 1st. We have increased the amount of parking provided from 115 to **118 total stalls**. As shown below, we are now exceeding the zoning requirement following this increase in the parking count, the reduction in the number of units from 82 to 80 and the addition of an internal trash room to the tenant space, which reduced the area used to calculate the parking reduced from 2,804 to 2,658. It important to note that the calculation for the parking requirement for the commercial tenant space assumes that tenant will be a restaurant use. Restaurants have a higher parking requirement than other commercial uses. Depending on the actual tenant, the ultimate parking requirement may be lower than calculated here.

Required residential -  $80 \times 1.25 \text{ stalls/unit} = 100 \text{ spaces}$

Required for restaurant tenant  $(10/1,000\text{sf}) - 2,658/1,000 \times 10 = 26 \text{ spaces}$

Total required parking = 126 spaces

10% (reduction for proximity to transit) = 115

Total provided parking = 118 spaces.

In addition, pursuant to the recently adopted amendments related to bicycle parking, the project also qualifies for a bike parking incentive reduction of up to 5% of the minimum car parking requirement when bike parking in excess of the minimum bike parking requirement is provided. 4 additional bike parking spaces allows for reduction of 1 car parking space. The bicycle parking requirements and incentive are calculated below:

Required residential –  $80 \times 1.0 \text{ stall} = 80 \text{ bike spaces}$

Required for restaurant of 2,658 sf – minimum of 4 bike spaces

Total required bike parking = 84 spaces

Total provided bike parking = 108 spaces (24 space excess over minimum requirement)

5% of minimum parking requirement of 128 car spaces (before transit incentive) = 6 spaces

Excess 24 bike parking spaces / 4 = car parking reduction of 6 spaces

**Therefore, the minimum car parking requirement after application of both the transit and bike parking incentives is 109 spaces, less than the 118 spaces that will be provided.**

### **Garage access and headlight concerns.**

The impact of headlights shining toward the residential properties to the south will be mitigated by a 6-foot fence and landscaping along the entire length of the south property line, which will screen both the surface parking and the garage entry. North Bay pledges to work with the neighbor directly across the street at 6615 Stevens Ave S, in conjunction with the City, to help mitigate their concerns about headlights directed at their property from cars exiting the underground parking garage.

**Public Art**

The owner would like to be a part of the Richfield Public Art Tour. The owner will install a piece of public art on the project site, location and size as approved by the city, at a cost to North Bay not to exceed \$15,000.

**Richfield Climate Action Plan**

The project supports the goals of the Richfield Climate action plan: Transportation Initiatives, Renewable energy, sustainable building design, water quality and conservation, and promoting a low waste economy.

The projects sustainable features are as follows:

- Project provides infrastructure to make the building ready for solar panels
- Stormwater retention and filtration system
- EV charging stations
- High efficiency water heaters
- Organics recycling
- Programable thermostats
- LED lighting
- Low flow dual flush toilets
- Occupancy sensors in common areas
- Energy Star appliances
- Participation in the Excel EDA program

**Responses to other Neighborhood concerns**

Adequate space is provided at the southern property lines for landscape screening and a 6-foot-tall wood fence. Landscaping zones range from 11'-6" to 15'-0" along the south property line and include an open green space. A trip generation analysis was performed by SRF in November 2021. The daily trip generation estimated for the residential use is 335 trips daily and the estimated peak hours trips is 52 (7-8am and 5-6am). Based on the amount of parking provided in the garage, the actual estimated trips onto Stevens Ave is 80% of the total daily trip = 268 trips. The remainder is directed out to 1<sup>st</sup> Ave S. The estimated trips generated for the sit-down restaurant use is 270 which are directed out onto 1<sup>st</sup> Ave S. Based on the current MnDot Traffic Data Application, the average daily traffic volume on 66<sup>th</sup> street is 12,000 vehicles. Adding 605 daily trips would increase traffic by only 5%.

The curb extension was added to the Stevens Ave curb cut to discourage residents from turning right onto Stevens Ave and traveling through the neighborhood to the south.

North Bay actively manages their properties to monitor pet waste which is a concern of the neighbors. They use a DNA monitoring system which identifies pet waste when left on the property and notifies the offending resident.

North Bay also regulates the parking rates to ensure that all parking stalls are occupied and used to their full potential.

Snow storage is designated in the green space located to the south of the surface parking lot. During excessive snow events, the additional snow will be hauled off site.

Both residential and commercial trash and recycling rooms are located within the building.

Thank you,

Amanda Pederson & Mick Stoddard  
DJR Architecture



## Memorandum

SRF No. 02115221

**To:** Garret Duncan | Project Manager | NORTHBAY Companies  
**From:** Jeff Bednar, TOPS, Senior Traffic Engineering Specialist  
**Date:** November 18, 2021  
**Subject:** 101 E 66th Street Development | Trip Generation Estimate/Planning Level Analysis

### Introduction

This Trip Generation Estimate/Planning Level Analysis has been completed for the proposed 101 E 66th Street development in the City of Richfield (see attached Plans and Matrix). The main objectives of this analysis are to provide a trip generation estimate/planning level analysis of the relative traffic impacts of the subject proposed 101 E 66th Street development in Richfield, based on currently available traffic data (since time was not available to collect new traffic data and since traffic continues to be impacted by the COVID 19 pandemic). A summary of the trip generation estimate/planning level analysis findings and conclusions can be found on page 3 of this memorandum.

### Proposed Development

The site of the proposed 101 E 66th Street development is located generally south of East 66th Street between 1st Avenue South and Stevens Avenue South. The proposed development (see attached Plans and Matrix) would consist of the following elements:

- 82 units of multifamily residential rental housing (39 studio, 31 one-bedroom and 12 two-bedroom units) in a five-story (mid-rise) building (plus one level of underground parking).
- 2,804 gross square feet of street level commercial space (assume high-turnover sit-down restaurant for the trip generation estimate).
- 38 surface off-street parking spaces (surface lot has one direct access to 1st Ave South, roughly 115 feet south of East 66th Street).
- Three on-street parking spaces on the eastside of 1st Ave South just south of East 66th Street
- 77 underground parking spaces (underground parking has one direct access to Stevens Avenue South, roughly 170 feet south of East 66th Street).
- 115 off-street parking spaces and three on-street parking spaces for a total of 118 parking spaces.

### Trip Generation Estimate

The trip generation estimates for weekday a.m. commuter peak hour (one hour between 7 to 9 a.m.) and p.m. commuter peak hour (one hour between 4 to 6 p.m.) plus weekday daily trips were made for the proposed development and were based on the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition*.

[www.srfconsulting.com](http://www.srfconsulting.com)

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6601 1ST AVE SOUTH

<b>ZONING</b>	
CURRENT PRIMARY ZONING	PMU
2040 COMP PLAN PLU	MIXED USE
<b>SITE</b>	
TOTAL AREA	45,511 SF per survey
	1.044 acres
SITE AREA - BUILDING FOOTPRINT RES	11,261 SF
SITE AREA - BUILDING FOOTPRINT COM	2,897 SF
<b>ALLOWABLE DENSITY</b>	
PROVIDED DENSITY	75 UNIT/ACRE
	82 UNITS

<b>SITE IMPERVIOUS AREA</b>	
TOTAL AREA	
SITE AREA - PERVIOUS	
SITE AREA - IMPERVIOUS	

<b>PARKING REQUIRED</b>	
COMMERCIAL	
(3.6 PER 1000 W/ 10% TRANSIT REDUCTION)	11 STALLS
<b>RESTAURANT USE</b>	
(10 PER 1000 W/ 10% TRANSIT REDUCTION)	14 STALLS
	ADDITIONAL
<b>RESIDENTIAL</b>	
(1.125 PER UNIT W/ 10% TRANSIT REDUCTION)	92 STALLS
TOTAL REQUIRED	103 STALLS
TOTAL REQUIRED W/ RESTAURANT	117 STALLS
<b>PARKING PROVIDED</b>	<b>115 STALLS</b>

STREET PARKING 1ST AVE	3 STALLS
<b>POTENTIAL PARKING COUNT</b>	<b>118 STALLS</b>
<b>BUILDING HEIGHT</b>	
PROPOSED	62'-0" - 5 STORIES

AREA SCHEDULE (RENTABLE)				
Name	Level	Count	Area	
1BR	LEVEL 1	4	2,564 SF	
2BR	LEVEL 1	2	1,707 SF	
STUDIO	LEVEL 1	3	1,521 SF	
9			5,792 SF	
1BR	LEVEL 2	7	4,345 SF	
2BR	LEVEL 2	3	2,614 SF	
STUDIO	LEVEL 2	9	4,239 SF	
19			11,198 SF	
1BR	LEVEL 3	7	4,345 SF	
2BR	LEVEL 3	3	2,614 SF	
STUDIO	LEVEL 3	9	4,239 SF	
19			11,198 SF	
1BR	LEVEL 4	7	4,345 SF	
2BR	LEVEL 4	3	2,614 SF	
STUDIO	LEVEL 4	9	4,239 SF	
19			11,198 SF	
1BR	LEVEL 5	6	3,712 SF	
2BR	LEVEL 5	1	851 SF	
STUDIO	LEVEL 5	9	4,247 SF	
16			8,810 SF	
Grand total: 82			48,194 SF	

AREA SCHEDULE (GROSS)		
Name	Level	Area
CIRCULATION	LEVEL P1	416 SF
MEP	LEVEL P1	386 SF
PARKING	LEVEL P1	26,251 SF
STORM RETENTION	LEVEL P1	687 SF
LEVEL P1		27,741 SF
1BR	LEVEL 1	2,564 SF
2BR	LEVEL 1	1,707 SF
AMENITY	LEVEL 1	2,252 SF
BIKE	LEVEL 1	646 SF
CIRCULATION	LEVEL 1	997 SF
COMMERCIAL	LEVEL 1	2,804 SF
FITNESS	LEVEL 1	478 SF
MEP	LEVEL 1	323 SF
STUDIO	LEVEL 1	1,521 SF
TRASH	LEVEL 1	380 SF
YOGA	LEVEL 1	478 SF
LEVEL 1		14,149 SF
1BR	LEVEL 2	4,345 SF
2BR	LEVEL 2	2,614 SF
MEP	LEVEL 2	1,570 SF
STUDIO	LEVEL 2	4,239 SF
TRASH	LEVEL 2	293 SF
LEVEL 2		13,061 SF
1BR	LEVEL 3	4,345 SF
2BR	LEVEL 3	2,614 SF
MEP	LEVEL 3	1,863 SF
STUDIO	LEVEL 3	4,239 SF
LEVEL 3		13,061 SF
1BR	LEVEL 4	4,345 SF
2BR	LEVEL 4	2,614 SF
MEP	LEVEL 4	1,863 SF
STUDIO	LEVEL 4	4,239 SF
LEVEL 4		13,061 SF
1BR	LEVEL 5	3,712 SF
2BR	LEVEL 5	851 SF
AMENITY	LEVEL 5	644 SF
MEP	LEVEL 5	1,764 SF
STUDIO	LEVEL 5	4,247 SF
TRASH	LEVEL 5	0 SF
LEVEL 5		11,218 SF
Grand total		92,290 SF

UNIT COUNT BY TYPE	
UNIT TYPE	COUNT
1BR	31
2BR	12
STUDIO	39
Unit Count: 82	

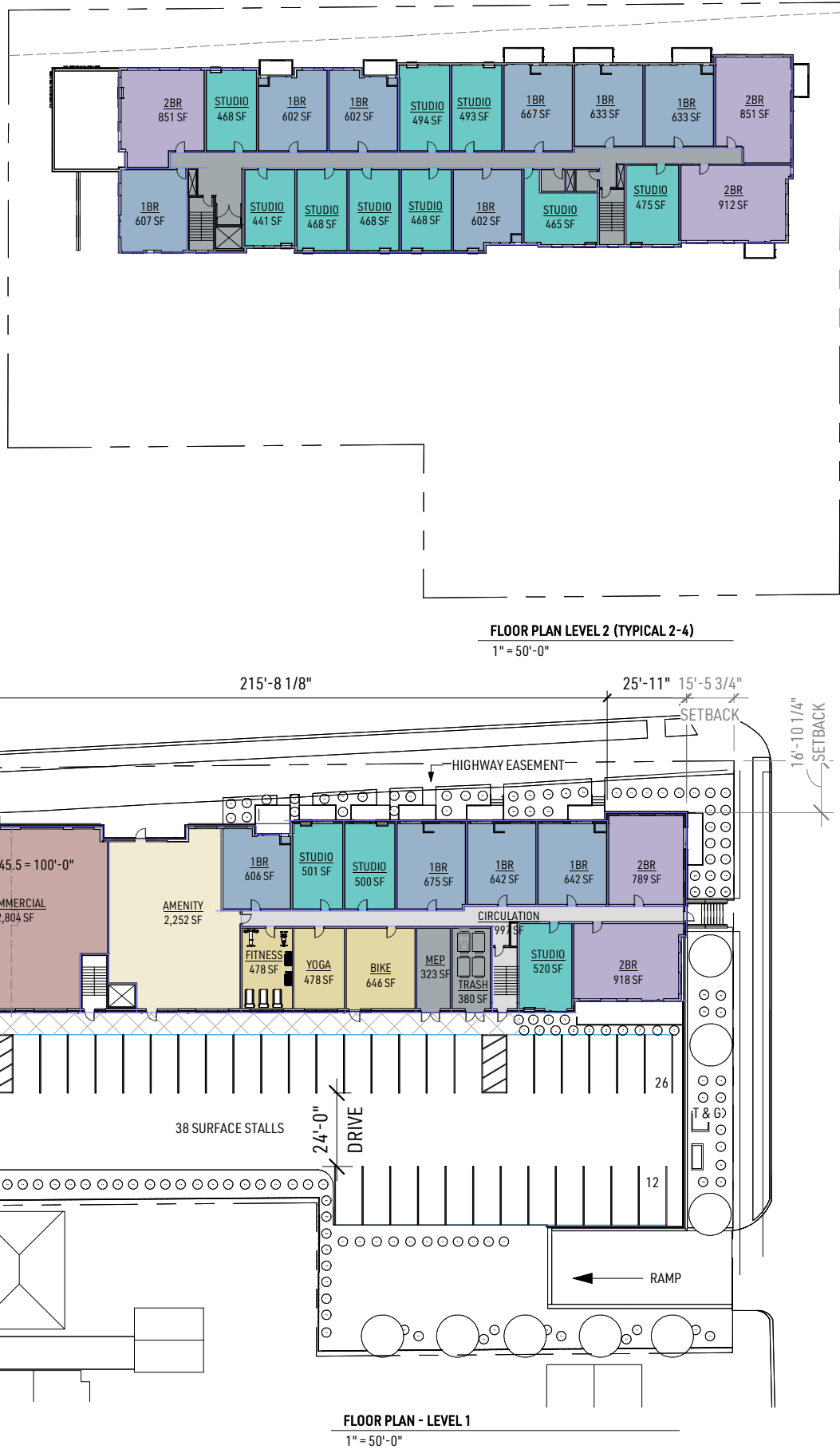
\* rentable totals are approximate, totals may change +/- 2% as project proceeds and building systems are finalized



PARKING SCHEDULE		
Type	Level	Count
LEVEL P1		
8' x 16' - 90 deg	LEVEL P1	30
9' x 19' - 90 deg	LEVEL P1	47
LEVEL P1: 77		
LEVEL 1		
9' x 18' (8' Aisle)	LEVEL 1	2
9' x 19' - 90 deg	LEVEL 1	39
LEVEL 1: 41		
Grand total: 118		



HEN COUNTY MAPS  
1" = 200'-0"





Results of the trip generation estimate shown in Table 1 indicate that the proposed 101 E 66th Street development is expected to generate a total of 52 a.m. peak hour (7-8 a.m.) trips, 52 p.m. commuter peak hour (5-6 p.m.) trips, and 605 daily trip ends (50 percent in/50 percent out).

**Table 1. Trip Generation Estimates – Proposed Development**

Land Use (ITE Land Use Code)	Size	AM Commuter		PM Commuter		Daily Trip Ends
		Peak Hour (7-8 a.m.)		Peak Hour (5-6 p.m.)		
		In	Out	In	Out	
Multifamily Housing (Mid-Rise) (221)	82 units <sup>(1)</sup>	7	23	20	12	372
High-Turnover (Sit-Down) Restaurant (932)	2,804 GSF <sup>(2)</sup>	15	12	15	10	300
Proposed 101 E 66th Street Development Totals		22	35	35	22	672
		57		57		
Applied 10% Modal/Transit Reduction		5		5		67
Proposed 101 E 66th Street Development Adjusted Totals		52		52		605

(1) Units = Rental Dwelling Units.

(2) GSF = Gross Square Feet of floor area.

## Planning Level Analysis

Based on the current MnDOT Traffic Data Application, the annual average daily traffic (AADT) volume on East 66th Street between 1st Avenue South and Stevens Avenue South, is 12,000 vehicles. Adding all 605 daily trips generated by the proposed 101 E 66th Street development to the 12,000 AADT volume on East 66th Street would increase traffic by only five percent.

The trips generated by the proposed 101 E 66th Street development for both peak hours are estimated at only 52 trips, therefore, the proposed development would not exceed a widely accepted threshold (ITE/others) of 100 trips in any one hour to justify preparation of an operations level traffic analysis.

## Summary of Findings and Conclusions

Based on this proposed 101 E 66th Street development trip generation estimate/planning level analysis, the following summary of findings and conclusions is offered for your consideration:

1. The proposed 101 E 66th Street development is expected to generate a total of only; 52 a.m. peak hour (7-8 a.m.) trips, 52 p.m. commuter peak hour (5-6 p.m.) trips, and 605 daily trip ends.
2. Based on this proposed 101 E 66th Street development trip generation estimate/planning level analysis, it is concluded that the proposed development would generate only a modest level of new traffic. Therefore, the City of Richfield may consider the proposed 101 E 66th Street development, without concern that it would represent a significant negative traffic impact to the supporting area roadway system.

# Land Use: 221

## Multifamily Housing (Mid-Rise)

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### Description

Mid-rise multifamily housing includes apartments and condominiums located in a building that has between four and 10 floors of living space. Access to individual dwelling units is through an outside building entrance, a lobby, elevator, and a set of hallways.

Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), off-campus student apartment (mid-rise) (Land Use 226), and mid-rise residential with ground-floor commercial (Land Use 231) are related land uses.

### Land Use Subcategory

Data are presented for two subcategories for this land use: (1) not close to rail transit and (2) close to rail transit. A site is considered close to rail transit if the walking distance between the residential site entrance and the closest rail transit station entrance is ½ mile or less.

### Additional Data

For the six sites for which both the number of residents and the number of occupied dwelling units were available, there were an average of 2.5 residents per occupied dwelling unit.

For the five sites for which the numbers of both total dwelling units and occupied dwelling units were available, an average of 96 percent of the total dwelling units were occupied.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

***It is expected that the number of bedrooms and number of residents are likely correlated to the trips generated by a residential site. To assist in future analysis, trip generation studies of all multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e., number of units by number of bedrooms at the site complex).***

The sites were surveyed in the 1990s, the 2000s, the 2010s, and the 2020s in Alberta (CAN), California, District of Columbia, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, Montana, New Jersey, New York, Ontario (CAN), Oregon, Utah, and Virginia.

### Source Numbers

168, 188, 204, 305, 306, 321, 818, 857, 862, 866, 901, 904, 910, 949, 951, 959, 963, 964, 966, 967, 969, 970, 1004, 1014, 1022, 1023, 1025, 1031, 1032, 1035, 1047, 1056, 1057, 1058, 1071, 1076

# Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

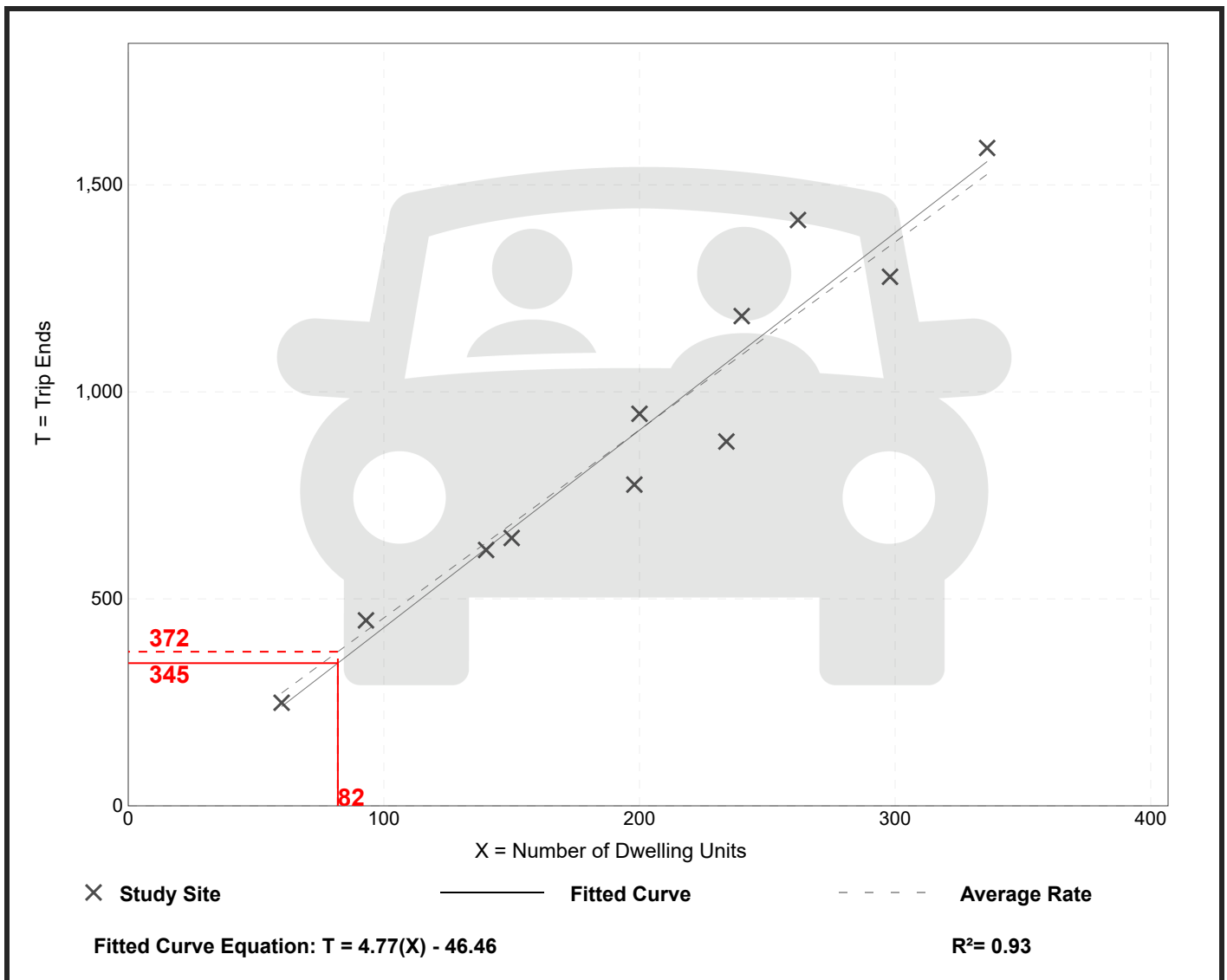
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 11  
Avg. Num. of Dwelling Units: 201  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
4.54	3.76 - 5.40	0.51

## Data Plot and Equation



# Land Use: 932

## High-Turnover (Sit-Down) Restaurant

---

### Description

This land use consists of sit-down, full-service eating establishments with a typical duration of stay of 60 minutes or less. This type of restaurant is usually moderately priced, frequently belongs to a restaurant chain, and is commonly referred to as casual dining. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours a day. These restaurants typically do not accept reservations. A patron commonly waits to be seated, is served by wait staff, orders from a menu, and pays after the meal.

Some facilities offer carry-out for a small proportion of its customers. Some facilities within this land use may also contain a bar area for serving food and alcoholic drinks.

Fast casual restaurant (Land Use 930), fine dining restaurant (Land Use 931), fast-food restaurant without drive-through window (Land Use 933), and fast-food restaurant with drive-through window (Land Use 934) are related uses.

### Additional Data

***Users should exercise caution when applying statistics during the AM peak periods, as the sites contained in the database for this land use may or may not be open for breakfast. In cases where it was confirmed that the sites were not open for breakfast, data for the AM peak hour of the adjacent street traffic were removed from the database.***

If the restaurant has outdoor seating, its area is not included in the overall gross floor area. For a restaurant that has significant outdoor seating, the number of seats may be more reliable than GFA as an independent variable on which to establish a trip generation rate.

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Florida, Georgia, Indiana, Kentucky, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, Vermont, and Wisconsin.

### Source Numbers

126, 269, 275, 280, 300, 301, 305, 338, 340, 341, 358, 384, 424, 432, 437, 438, 444, 507, 555, 577, 589, 617, 618, 728, 868, 884, 885, 903, 927, 939, 944, 961, 962, 977, 1048



# High-Turnover (Sit-Down) Restaurant (932)

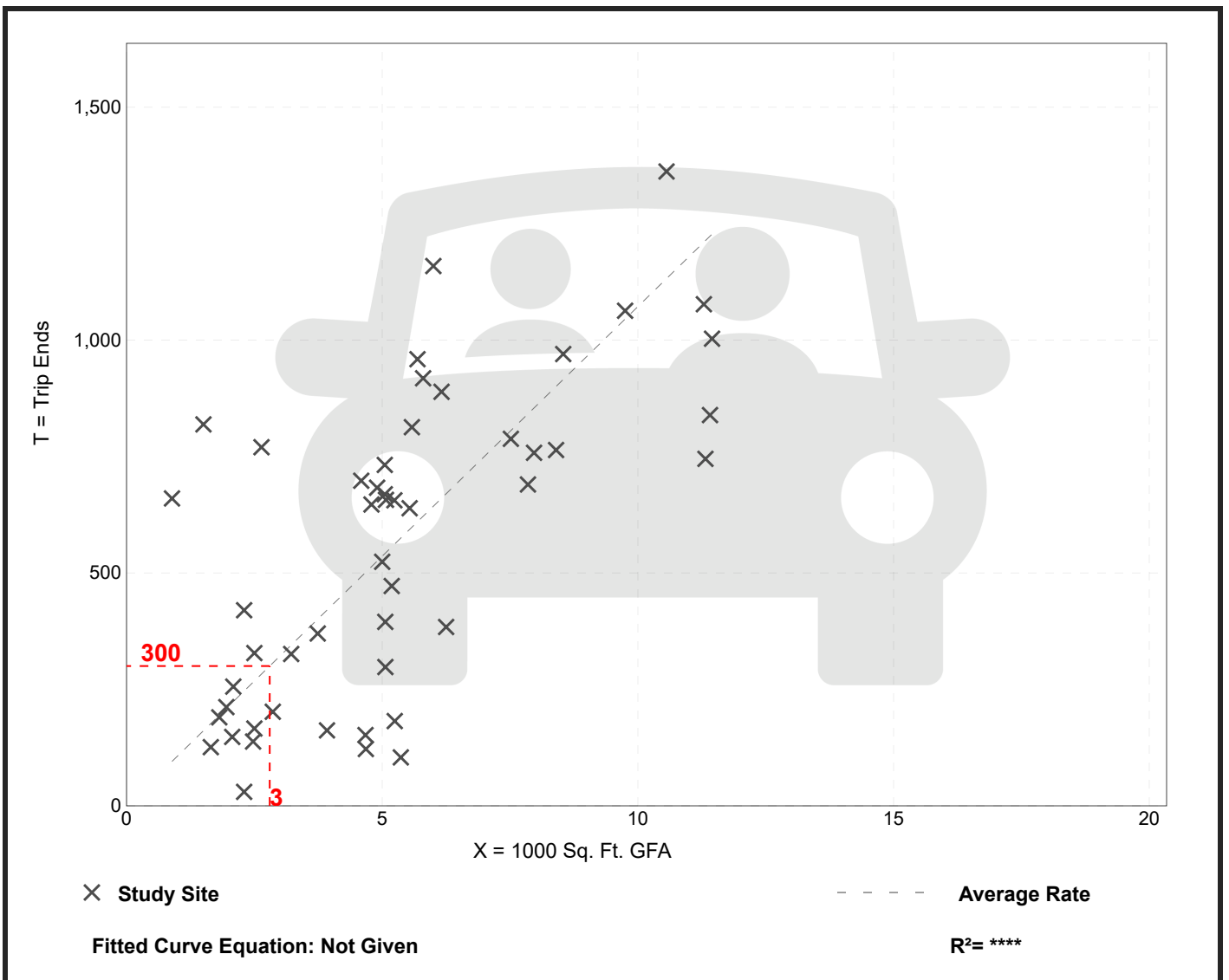
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 50  
Avg. 1000 Sq. Ft. GFA: 5  
Directional Distribution: 50% entering, 50% exiting

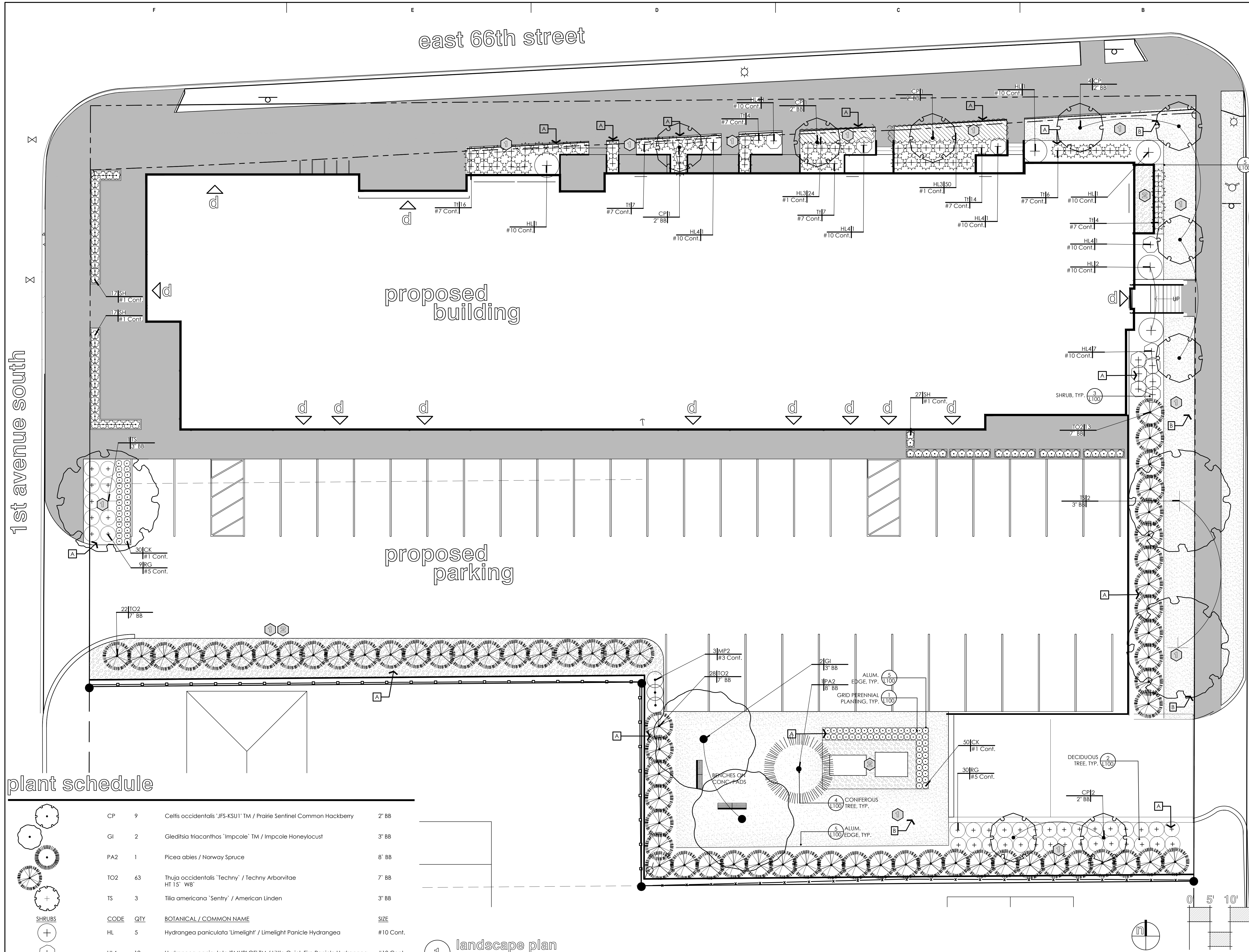
## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
107.20	13.04 - 742.41	66.72

## Data Plot and Equation







## plant schedule

CP	9	Celtis occidentalis 'JFS-KSU1' TM / Prairie Sentinel Common Hackberry	2' BB
GI	2	Gleditsia triacanthos 'Impcole' TM / Impcole Honeylocust	3' BB
PA2	1	Picea abies / Norway Spruce	8' BB
TO2	63	Thuja occidentalis 'Techny' / Techny Arborvitae HT 15' W8'	7' BB
TS	3	Tilia americana 'Sentry' / American Linden	3' BB
CODE	QTY	BOTANICAL / COMMON NAME	SIZE
HL	5	Hydrangea paniculata 'Limelight' / Limelight Panicle Hydrangea	#10 Cont.
HL4	12	Hydrangea paniculata 'SMHPLQF' TM / Little Quick Fire Panicle Hydrangea	#10 Cont.
RG	39	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	#5 Cont.
TI	57	Taxus x media 'Tauntoni' / Tauntoni Yew	#7 Cont.
CODE	QTY	BOTANICAL / COMMON NAME	SIZE
CK	80	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass HT 36" W 18"	#1 Cont.
MP2	3	Miscanthus sinensis 'Purpureus' / Flame Grass	#3 Cont.
SH	61	Sporobolus heterolepis / Prairie Dropseed	#1 Cont.
CODE	QTY	BOTANICAL / COMMON NAME	CONT.
HL3	74	Hosta lancifolia / Narrow Leaved Hosta	#1 Cont.
CODE	QTY	BOTANICAL / COMMON NAME	CONT.
PP	3,952 sf	Poa pratensis / Kentucky Bluegrass	sod

## 1 landscape plan

### soils notes

- ALL PLANTING BEDS SHALL RECEIVE 6" PULVERIZED LOAM TOPSOIL BORROW MN DOT SPEC. 3877-2B ENHANCE WITH AGED AND SCREEN COMPOST
- ALL SODDED (LAWN) AREA SHALL RECEIVE 4" MIN. COMMON TOPSOIL BORROW MN DOT SPEC. 3877-1A

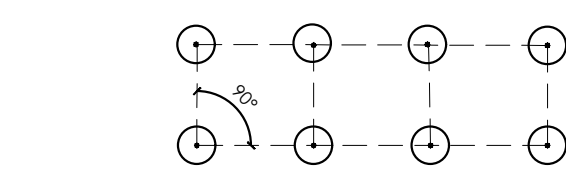
### key notes

- IRRIGATION: PROVIDE IRRIGATION FOR SOD AND PLANTING AREAS WITHIN THE PROJECT BOUNDARIES FOR 100% COVERAGE. REFER TO DESIGN BUILD IRRIGATION SPECIFICATION. PROVIDE SHOP DRAWING FOR IRRIGATION SYSTEM INCLUDING HEAD LAYOUT, SPACING, TYPE, BACKFLOW PREVENTER LOCATIONS, POINT OF CONNECTION, SLEEVES, CONTROLLER, VALVE BOX LOCATIONS, ZONE INDICATIONS AND PIPE SIZING. PROVIDE ON-SITE OPERATION TUTORIAL FOR OWNER AND INCLUDE ALL MANUALS AND INFORMATION ON THE SYSTEM
- PROVIDE INSTALL 1 1/2" TRAP ROCK MULCH TO A 4" DEPTH ON NON WOVEN LANDSCAPE FABRIC

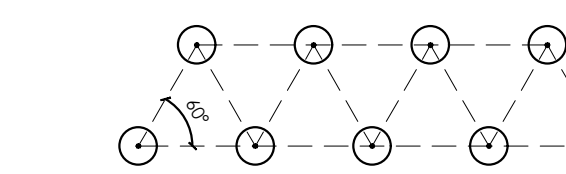
## planting notes

- CONFIRM ALL QUANTITIES, SHAPES AND LOCATIONS OF BEDS, AND ADJUST AS REQUIRED TO CONFORM TO THE SITE CONDITIONS. CONFIRM ANY ADJUSTMENTS WITH THE LANDSCAPE ARCHITECT.
- LOCATE ALL UTILITIES. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS WITH NEW CONSTRUCTION.
- ALL PLANTING BEDS SHALL RECEIVE 6" MIN. OF PLANTING SOIL. REFER TO SOIL NOTES FOR PLANTING SOIL MIX REQUIREMENTS.
- ALL SOD AREAS SHALL RECEIVE 4" OF TOP SOIL. REFER TO SOIL NOTES FOR TOP SOIL MIX REQUIREMENTS.
- ALL PLANTING AREAS SHALL RECEIVE HARDWOOD SHREDED MULCH APPLIED TO 3" DEPTH WITH PELLET WEED PREVENTER UNDER ALL MULCH BEDS UNLESS INDICATED AS OTHER MULCH ON PLANS.
- THE CONTRACTOR SHALL REMOVE FROM THE SITE ALL SOD/TURF WHICH HAS BEEN REMOVED FOR NEW PLANT BEDS. ANY PLANT STOCK NOT PLANTED ON DAY OF DELIVERY SHALL BE HEeled IN AND WATERED UNTIL INSTALLATION. PLANTS NOT MAINTAINED IN THIS MANNER WILL BE REJECTED.
- THE PLAN TAKES PRECEDENCE OVER THE PLANT SCHEDULE IF DISCREPANCIES EXIST. ADVISE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
- THE CONTRACTOR SHALL AVOID DAMAGING EXISTING TREES. DO NOT STORE OR DRIVE HEAVY MATERIALS OVER TREE ROOTS. DO NOT DAMAGE TREE BARK OR BRANCHES.
- THE CONTRACTOR SHALL KEEP PAVEMENTS, FIXTURES AND BUILDINGS CLEAN AND UNSTAINED. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. THE PROJECT SITE SHALL BE KEPT CLEAR OF CONSTRUCTION WASTES AND DEBRIS.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING SOIL QUANTITIES TO COMPLETE THE WORK SHOWN ON THE PLAN. MULCH, PLANTING SOIL AND OTHER MISCELLANEOUS PLANTING COMPONENTS SHALL BE CONSIDERED INCIDENTAL TO THE RELATED PLAN. VERIFY ALL QUANTITIES.
- CONTRACTOR IS RESPONSIBLE FOR WATERING AND ALL PLANT CARE UNTIL FINAL ACCEPTANCE BY THE OWNER.
- PLANT MATERIAL SHALL BE PROTECTED AND MAINTAINED UNTIL THE INSTALLATION OF PLANTINGS IS COMPLETE. INSPECTION HAS BEEN MADE AND PLANTING IS ACCEPTED EXCLUSIVE OF THE GUARANTEE.
- MAINTENANCE SHALL INCLUDE WATERING, WEEDING, MULCHING, REMOVAL OF DEAD MATERIAL PRIOR TO GROWING SEASON, RE-SETTING PLANTS AND PROPER GRADE, AND KEEPING PLANTS IN A PLUMB POSITION. AFTER ACCEPTANCE, THE OWNER SHALL ASSUME MAINTENANCE RESPONSIBILITIES. HOWEVER, THE CONTRACTOR SHALL CONTINUE TO BE RESPONSIBLE FOR KEEPING THE TREES PLUMB THROUGHOUT THE GUARANTEE PERIOD.
- WATERING: MAINTAIN A WATERING SCHEDULE WHICH WILL THOROUGHLY WATER ALL PLANTS ONCE A WEEK AND SOD EVERY OTHER DAY UNTIL ACCEPTANCE BY THE OWNER. IN EXTREMELY HOT, DRY WEATHER, WATER MORE OFTEN AS REQUIRED BY INDICATIONS OF HEAT STRESS SUCH AS WILTING LEAVES. CHECK MOISTURE UNDER MULCH PRIOR TO WATERING TO DETERMINE NEED. CONTRACTOR SHALL MAKE THE NECESSARY ARRANGEMENTS FOR WATER.

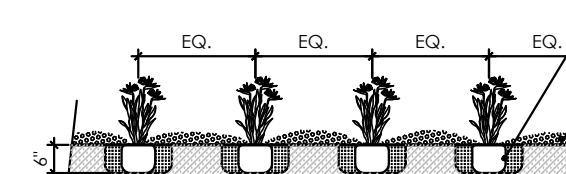
### TYPICAL GRID SPACING



### TYPICAL OFFSET SPACING



### NOTE SPACING PER PLAN



### CUT SITS IN ORGANIC CONTAINER



### NOTE SPACING PER PLAN



### SECTION



### 1 perennial

scale: nts

### NOTES

- IT IS THE CONTRACTOR'S OPTION TO STAKE TREES. HOWEVER, THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING TREES IN A PLUMB POSITION THROUGHOUT THE GUARANTEE PERIOD.
- SCAFFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.
- DO NOT PLANT TOO DEEP. EXPOSE TOP OF ROOT FLARE AND PULL MULCH AWAY FROM TRUNK.

### 2 deciduous tree

scale: nts

### NOTES

- HAND LOOSEN ROOTS OF CONTAINERED MATERIAL (TYPICAL).
- SCAFFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.
- SHRUBS TO SIT ON SUBGRADE.
- APPLY PELLET WEED PREVENTER PRIOR TO MULCHING.

### 3 shrub

scale: 1" = 10'

### NOTES

- CONTAINER TO HAVE SHREDED HARDWOOD MULCH UNLESS NOTED OTHERWISE. NO MULCH TO BE IN CONTACT WITH TRUNK.
- SCAFFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.
- TWO ALTERNATE METHODS OF TREE STAKING ARE ILLUSTRATED.
- IT IS THE CONTRACTOR'S OPTION TO STAKE TREES. HOWEVER, THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING TREES IN A PLUMB POSITION THROUGHOUT THE GUARANTEE PERIOD.
- DO NOT PLANT TOO DEEP. EXPOSE TOP OF ROOT FLARE AND PULL MULCH AWAY FROM TRUNK.

### 4 coniferous tree

scale: 1" = 10'

### NOTES

- CONTAINER TO HAVE SHREDED HARDWOOD MULCH UNLESS NOTED OTHERWISE. NO MULCH TO BE IN CONTACT WITH TRUNK.
- SCAFFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING.
- TWO ALTERNATE METHODS OF TREE STAKING ARE ILLUSTRATED.
- IT IS THE CONTRACTOR'S OPTION TO STAKE TREES. HOWEVER, THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING TREES IN A PLUMB POSITION THROUGHOUT THE GUARANTEE PERIOD.
- DO NOT PLANT TOO DEEP. EXPOSE TOP OF ROOT FLARE AND PULL MULCH AWAY FROM TRUNK.

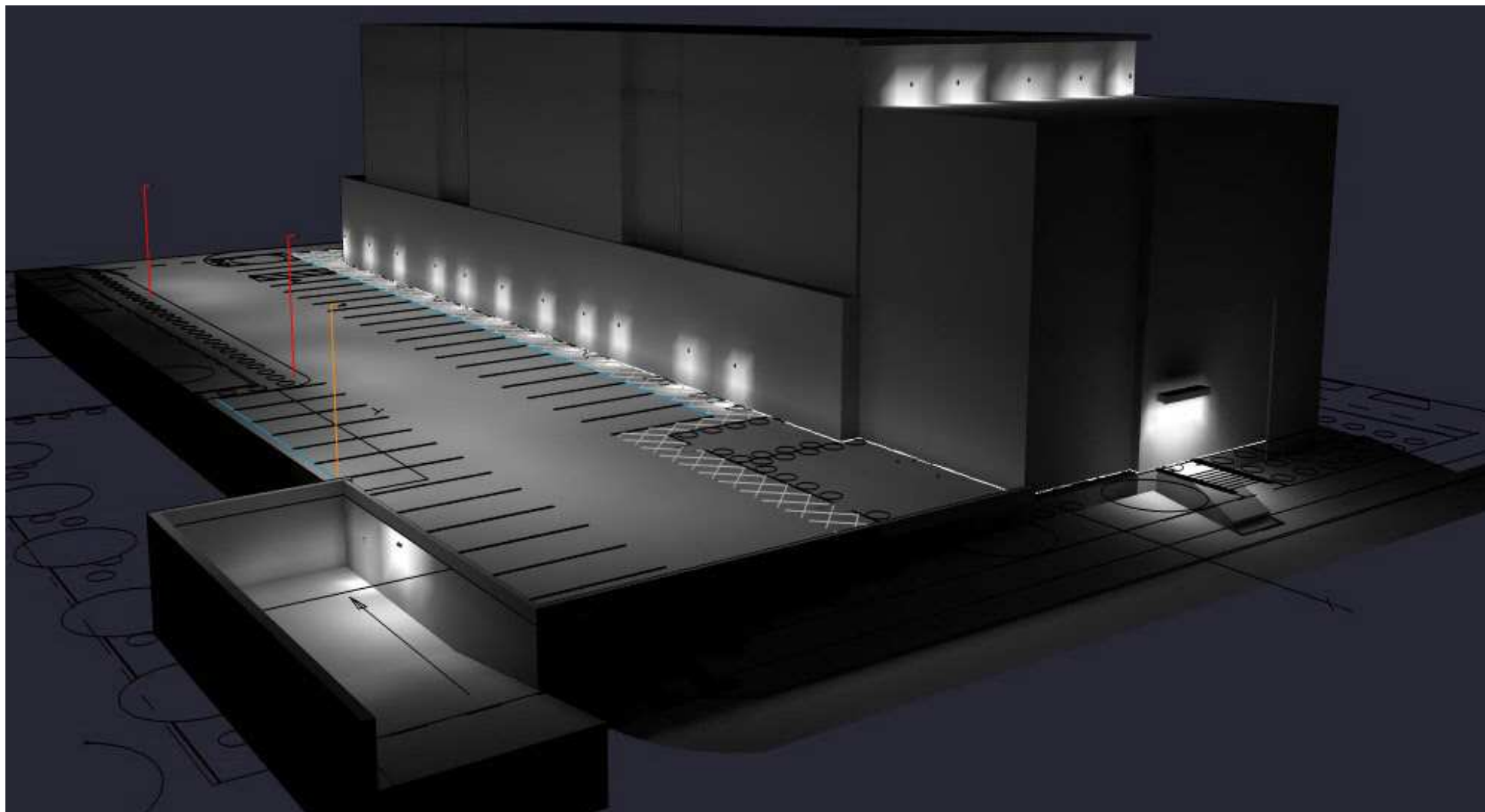
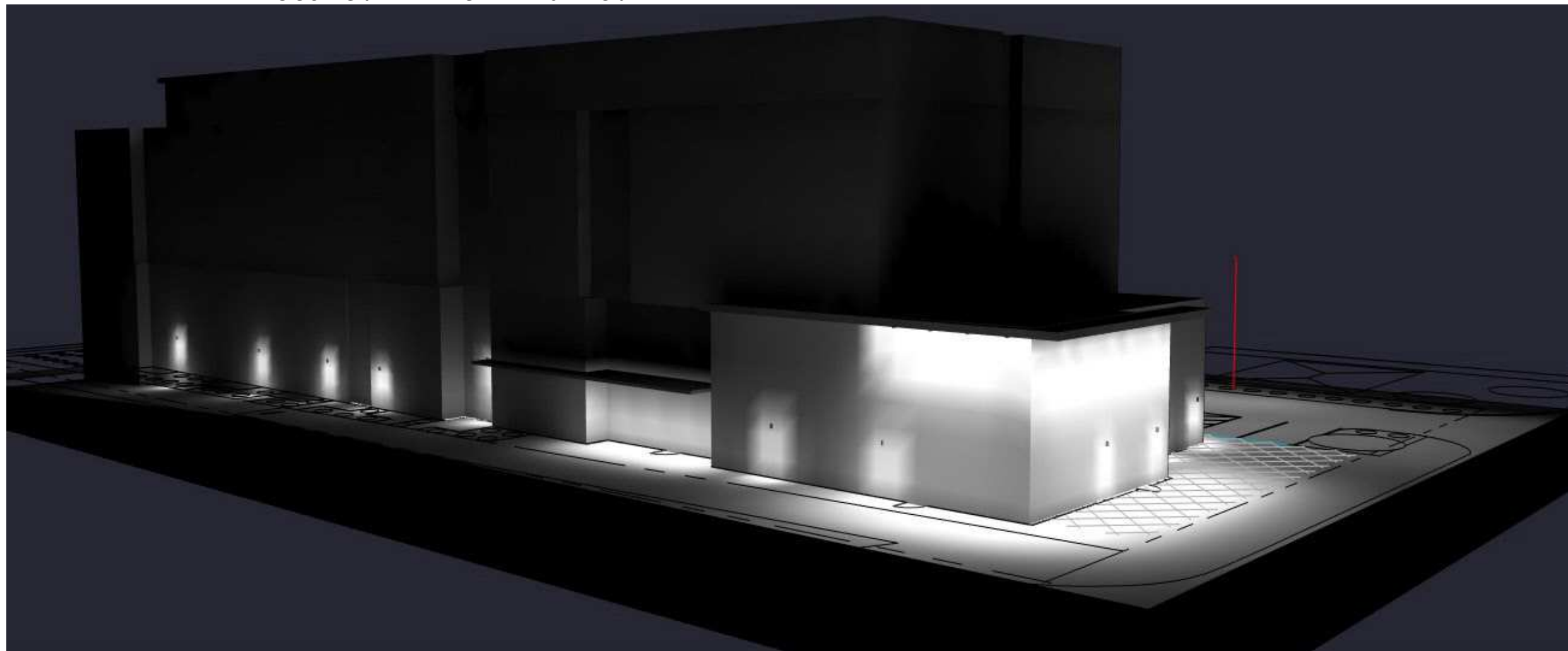
### 5 alumin. edge

scale: 1" = 10'

### NOTES

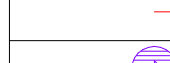


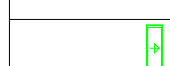

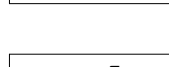
- 4" MILL FRESH ALUMINUM EDGING
- 12" STAKES LOCKED INTO EDGING





These drawings are for conceptual use only and are not intended for construction. Fixture runs and quantities should be verified prior to order. Values represented are an approximation generated from manufacturers photometric inhouse or independent lab tests with data supplied by lamp manufacturers.

Scale: 1 inch= 10 Ft.

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Description	Total Watts
	2	P1A	Single	12044	0.900	SLM-LED-18L-SIL-FT-40-70CRI-IL	148.5
	11	R1	Single	3009	0.900	LCD6 LAD6 LAD46-LED-32L-40-WF-TR6R-SF-HAZ	32.3
	7	R	Single	1337	0.900	LCD6 LAD6 LAD46-LED-14L-40-WF-TR6R-SF-HAZ	14
	1	P1	Single	18904	0.900	SLM-LED-18L-SIL-FT-40-70CRI	135
	1	WP	Single	5930	0.900	SMW-LED-06L-3-UNV-DIM-40	47
	28	DL	Single	972	0.900	C06-S-12w-40k-GY	12.1

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts 1	Illuminance	Fc	5.26	110.3	0.1	52.60	1103
Garage Entry	Illuminance	Fc	3.07	25.8	0.1	30.70	258.00
Parking	Illuminance	Fc	2.23	11.2	0.0	N.A.	N.A.
Patio 5th Flr	Illuminance	Fc	0.23	0.6	0.1	2.30	6.00
Site	Illuminance	Fc	2.23	110.3	0.0	N.A.	N.A.



Revisions		Comments	
#	Date		

Drawn By: Joe Frey	
Checked By:	
Date: 11/24/2021	
Sales Agent: Steve Hahn	
Scale: 1" = 10'	

6601 1st Ave S	
Richfield, MN	





# Planning Commission Minutes

December 13, 2021

MEMBERS PRESENT: Chair Kathryn Quam, Commissioners Brendan Kennealy, Susan Rosenberg, James Rudolph, Bryan Pynn, and Brett Stursa

MEMBERS ABSENT: none

STAFF PRESENT: Melissa Poehlman, Assistant Community Development Director; Ryan Krzos, Planner; Nellie Jerome, Assistant Planner

OTHERS PRESENT: Garret Duncan and Daniel Oberpriller from North Bay Companies, and Michael Stoddard and Amanda Pederson from DJR Architecture, for Item #1

Chairperson Quam called the meeting to order at 7:00 p.m.

## APPROVAL OF MINUTES

M/Rudolph, S/Pynn to approve the minutes of the September 27, 2021, Planning Commission and City Council Work Session meeting.

*Motion carried: 5-0 (Commissioner Stursa was not present for the vote)*

## OPEN FORUM

No members of the public spoke, no comments received.

## APPROVAL OF AGENDA

M/Rudolph, S/Kennealy to approve the agenda.

M/Quam, S/Kennealy to amend the motion and switch the order of the public hearing items on the agenda

*Motion as amended carried: 6-0*

## PUBLIC HEARINGS

**ITEM #1 Continue a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.**

Assistant Director Melissa Poehlman presented the staff report. The applicant is working with neighbors to address their concerns and has requested that the hearing be continued to January 24, 2022.

M/Quam, S/Kennealy to continue a public hearing to consider an amendment to the Conditional Use Permit, Final Development Plans, and Planned Unit Development at 6402 Lyndale Avenue South to January 24, 2022.

*Motion carried: 6-0*

**ITEM #2 - Public Hearing to consider a request for a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66<sup>th</sup> Street East.**

Planner Ryan Krzos presented the staff report. Members of the public called in during the open forum and spoke about their concerns.



Tracy Satterlund, 6628 Stevens, called in with concerns about the size and number of residential units in the project, the impact of car headlights coming out of the parking garage and shining into the neighbors house, and the impact of noise.

Cathy Bender at 6637 Steven Ave was concerned about changes to the neighborhood, the size of the project, lack of visitor parking, and traffic access from Stevens to and from 66<sup>th</sup> St.

Bruce O'Dell at 6616 Stevens Ave, adjacent to the project, was concerned about plantings, noise, and street parking.

Julie Lapensky, 6621 Stevens Ave, felt that the project was too large for the site. She added that, although apartments are needed, the traffic generation and street parking will have a negative impact on the neighbors and the building is too tall relative to nearby structures.

Jonna Klisch at 6641 1<sup>st</sup> Ave stated that the number of proposed units is too high and she was concerned that the city utilities wouldn't be able to support the demand of new units. She also observed that Neighbors haven't felt heard in regards to their concerns for this project.

Kathleen Balaban, 6526 Stevens Ave, had concerns about the size of the project, the traffic being routed north, towards 66<sup>th</sup> St, and the lack of neighborhood input in this property development.

M/Quam, S/Stursa to close the Public Hearing.

*Motion carried: 6-0*

Staff responded to public comments, noting that the developer would need to meet the city's landscaping, lighting, and odor control requirements. Staff also clarified that there is no tenant for the proposed commercial space, and if it were a restaurant there would be shortage of 3 parking spaces which is part of the flexibility that the developer is looking for in this land use approval.

The development team addressed garage door noise, solar access for neighbors, and landscaping, and noted that they would be happy to work with neighbors regarding any issues that come up. Commissioner Rosenberg also encouraged the developer to ensure that they work with neighbors.

Chair Quam had concerns that the setbacks were too small and that the project was too large for the site. Commissioner Rudolph asked the developer about studies that would show impacts on neighbors and noted that overflow street parking has equity impacts in regards to snow emergencies through ticketing and towing.

The development team responded to concerns of equity, stating that they would have affordable units, bike parking for all residents, electric vehicle parking, and water retention designs as part of the project. They were also open to the possibility of a transit pass program for residents.

Commissioners and staff further discussed parking, bulk and height of upper stories, number of units, the neighborhood's openness to sidewalks in the future, and shadowing of the proposed building. Staff clarified that PUD approval does not involve variances, but that PUD approvals must be in line with the city's Comprehensive Plan.

M/Quam, S/ Rudolph to recommend approval of the attached resolution approving a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66th Street East.

*Motion failed: 3-3 (Chair Quam, Commissioner Pynn, and Commissioner Rudolph voted against the amendment)*

### **LIAISON REPORTS**

Community Services Advisory Commission: No report

City Council: No report

Housing and Redevelopment Authority (HRA): No report

Richfield School Board: (vacant)

Transportation Commission: they met to discuss updates to the 77<sup>th</sup> St underpass, the 494 airport to 169 project, the new rapid bus line, and bicycle friendly communities

Chamber of Commerce: (vacant)

Sustainability Commission: No report

### **PLANNER'S REPORT**

The bicycle parking standards were adopted in late November and are now in effect. The Community Development Director, John Stark, is leaving the city to take a position as City Manager of the City of North Saint Paul. He has been with Richfield for twenty-one years and has assisted in \$450 million in value-added to the community over the last ten years. He has been a mentor and friend to many. He is leaving the city stronger than when he joined two decades ago, and has set us up for continued success.

### **ADJOURNMENT**

The next regular meeting is scheduled for Monday, January 24, 2022, at 7pm, on Webex.

There are openings on the Planning Commission and those who are interested in serving are encouraged to apply. Commissioner Pynn announced his resignation from the Planning Commission as his schedule doesn't allow the time commitment that he would like to dedicate to the Planning Commission.

M/Pynn, S/Rudolph to adjourn the meeting.

*Motion carried: 6-0*

The meeting was adjourned by unanimous consent at **9:02 p.m.**

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Planning Commission Secretary

## Ryan Krzos

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**From:** Melissa Poehlman  
**Sent:** Monday, December 13, 2021 10:36 AM  
**To:** 'Klisch, Jonna'  
**Cc:** Ryan Krzos  
**Subject:** RE: Planning Commission Open Forum - 101 66th Street East comments

Hi Jonna,

Thank you. We will pass your comments along to the Planning Commission right now.

Thanks,  
Melissa

**Melissa Poehlman, AICP (she/her/hers)**  
Asst. Director of Community Development | City of Richfield  
☎ 612.861.9766

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**From:** Klisch, Jonna [<mailto:Jonna.Klisch@biworldwide.com>]  
**Sent:** Monday, December 13, 2021 8:48 AM  
**To:** Melissa Poehlman  
**Subject:** Planning Commission Open Forum - 101 66th Street East comments

Good morning Melissa,

I'd like to provide some feedback for the planning commission meeting this evening in regards to the proposed development at 101 66<sup>th</sup> Street East, please.

Thanks in advance,  
Jonna Klisch  
6641 1<sup>st</sup> Ave S  
612-861-3611

The site in question is, in my opinion, too small for a building with 82 rental units. The maximum number of units the site is currently zoned for is 75, so I'm concerned that the developer has taken the liberty of proposing a building with more units than current zoning allows. Concerns raised to the developers during the most recent community meeting on units size were brushed off as "being for the good of Richfield". Um, I live in Richfield too, as do my neighbors that will be impacted by this building! At the proposed 5 stories, the height of the building will be more than double the height than anything currently existing in our neighborhood. I also am doubtful that the current City infrastructure can support this many units (water/sewer/electric service); water pressure already drops in the morning with heavy "getting ready for the day" usage.

I am fearful that tenants for this proposed development will be primarily using off street parking for their vehicles as the developer has stated that underground parking is an additional cost for renters; as the City of Richfield has implemented a pilot program to declare snow emergencies from the old 2" snowfall to a new 4" snowfall because of concerns that ticketing and towing of unmoved vehicles is too impactful for renters, exactly where are these vehicles going to park during snow emergencies and plowing activity? As is seen in the side streets near many of the 76<sup>th</sup> Street apartment buildings, I don't want my street crammed with bumper to bumper off street parking and poorly plowed/swept streets because the developer wants to build for resident density that is simply too high. I also have concerns about the

increased traffic in my neighborhood, especially on 1<sup>st</sup> which is already experiencing high traffic volume during rush hour with vehicles detouring down 1<sup>st</sup> or 67<sup>th</sup> to avoid the back up in the 66<sup>th</sup> & Nicollet roundabout.

I think that all of the neighbors are in agreement that some kind of residential building will be built in this space and are open to it, but going from an area that housed 3 single family homes and the church building to a huge 82 unit apartment building is excessive. Our feedback on other alternate housing for the space (such as townhomes or row homes that are more in line with the single family housing currently in the neighborhood) has been scoffed at by the developer.

Lastly, I'm really frustrated with this entire process and I know from speaking to my neighbors that they are frustrated as well. Development is planned and often times very limited notice (or no notice at all) is given to attend informational meetings. We attend and provide our feedback; perhaps a few things are addressed in future plans, but the majority of the concerns voiced are not. Feedback to City leaders seems to fall on deaf ears – despite our concerns, the decision in every city meeting I've attended on the project is in favor of the developer and is approved by the City. The language in the packet for the 12/13 meeting already talks about recommended approval – why is that when the meeting has not yet been held? Most neighbors I spoke with this weekend (6 of them) about this evening's meeting don't plan to attend because they feel like our concerns are ignored, so what is the point of sitting through yet another meeting where our feedback is disregarded in favor of the developer.

Pretty sad commentary from neighbors that have chosen to live and pay taxes in Richfield for many years.

JONNA KLISCH

Account Manager | Automotive Solutions Group

d: 952.844.4693

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## Ryan Krzos

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**From:** Tracy Satterlund <tluv2travl@aol.com>  
**Sent:** Thursday, December 9, 2021 3:48 PM  
**To:** Melissa Poehlman; Ryan Krzos; Tracy Satterlund  
**Subject:** Planning Commission Open Forum, property at 6601 1st Ave and 6600 Stevens Ave

The neighborhood has provided consistent feedback for a number of years regarding the development of the property on the corner of 66th street and Stevens/1st Avenues. I want to again highlight some of the concerns we have previously raised in the hope that they will be taking into consideration prior to the meeting on Monday Dec 13.

1. The neighborhood is not against the development of the property but are concerned about the size. We feel an 82 unit, 5 story building is not a fit directly adjacent to single family homes and would like to see a more size appropriate development. This 5 proposed story building is going to tower over the homes directly adjacent to it and create a huge wall for everyone else.

2. I live on Stevens Ave and can attest to the fact that currently it is a low traffic, quiet street. There is a valid concern about the increase in traffic a project of this size will create. With no sidewalks, pedestrians/dog walkers must use the street. The increased number of cars travelling out of the parking ramp could create a public safety issue. Also, has anyone studied how it will affect traffic on 66th street? The project is one block from the roundabout on 66th and Nicollet, right where the street narrows to one lane with a bus stop on the corner. Either it will increase congestion on 66th street or drivers will move to 67th street and travel up Stevens from the South. Both creating more traffic in a residential area.

3. There is also concern about the potential for our block becoming a parking lot of on-street parking. Renters will have to pay extra for a parking space. If they have more than one car, or don't want to pay to park, where will they park if not on the street. This also adds to the public safety concern as this will push walkers even farther into the street to avoid the parked cars. Not to mention the noise of people coming and going in front of our homes. Also we've never been given a good answer as to where visitors will park. I don't believe there is any visitor parking in the proposal. Is it possible to put in a parking restriction limiting no overnight parking?

4. How does this proposal not adversely affect the adjacent neighbors?

a. The parking ramp for the garage is directly across from a single family home. Lights will shine directly into the house. When the homeowner asked the developer what he would do about it, the response was that the homeowner could buy light reflecting film for his windows.

b. The ramp and garage door entrance are right next to the home to the south of the project with the garage door facing the home. How can the homeowners not hear the coming and going of cars in the garage? Also, won't lights from the garage shine into their house? Even with downward facing lights, won't it still be noticeable when lights go on and off?

c. The pet relief area is directly adjacent to this same homeowner. The developer says waste must be picked up but what about the noise from barking?

5. We requested that a party deck be moved from on top of the garage to the top of the building on the corner of 1st Ave and 66th Street. The thought being that it would overlook a mostly commercial area and be less likely to create a noise disturbance. The party deck has instead been moved to the corner of 66th and Stevens so it still overlooks single family homes and could be a noise nuisance. It also is now attached to a party room and the part of the building that was reduced to 4 stories has also been reduced. Is that to accommodate the party room? When asked about it, the

developer said no one will use the party room and feels like they complied with our request. He doesn't want to put it over by the commercial space because of potential venting needed. But he couldn't say why venting was needed.

6. Commercial space. Why is this even in the project, is it needed? When asked why it was there, the developer said because it was zoned that way. I asked again why commercial space was included and he again said because it was zoned for it. Just because its zoned for it doesn't mean you have to include it. Things have changed since the pandemic. Businesses are finding it hard to find staff, people are doing more of their shopping online. Do we really need more commercial space? Wouldn't it make more sense to utilize that space for the apartment building and then reduce the height of the project? We also don't need another smelly restaurant in the neighborhood. And is there enough parking for a commercial space? Or will that also be pushed to the street?

7. Where is the green space in this project? As far as I can see, the only green space is a pet relief area. The rest is all concrete.

8. Zoning. My understanding is that the property is zoned for 25 -75 units and the proposal is for 82 units. The neighbors are and have been opposed to the size of this project. Everyone I talk to is appalled at the size and don't see how that fits at the end of our block directly adjacent to single family homes. The fact that the developer is having trouble fitting in parking and suggesting that he has to make it bigger to be able to afford to build it supports our claim that the site is too small for a project of this size. The project as proposed will be a huge wall at the end of the block and will loom over the adjacent homes. It is not our responsibility to make up for the lack of foresight of the developer. The previous project was approved for 42 units and that is what he bought. He is now trying to double the size.

9. As I said before, we are not opposed to development of the site. We were hoping for a project on a smaller scale that would blend in with the single family homes adjacent to it. We had asked the developer to look into affordable townhomes similar to those on 69th and Penn thinking there could be financial assistance from HUD funding. The developer said its too much trouble to apply for funding.

10. The previous project had certain conditions/limitations attached to it and we want to make sure those remain in place.

- a. No drive-thru business
- b. No convenience store
- c. I believe there was a limit to the hours of operation for the commercial space
- d. The garage exit on Stevens was to have a left turn deterrent installed (pork chop)
- e. The developer was to work with the adjacent neighbors to address issues with noise, lighting, etc. providing fencing, trees, shrubbery. Based on the responses received so far from the developer, this seems to already be an issue.

I would like these issues reviewed and addressed at the meeting on Monday Dec 13.

Thank you,

Tracy Satterlund  
6628 Stevens Ave  
612-866-8849 (home)  
612-360-0083 (cell)  
tluv2travl@aol.com

Redevelopment at this site provides many benefits to the developer, and to the city in meeting its development goals. Neighbors have been viewing the poorly maintained structures on the site for nearly 10 years. New housing for the city is a positive development, and neighbors would like a new development to have a compatible scale for the context of the site.

**Concerns about the current proposal center around too much activity being concentrated into too small a space, with no buffer zone to mitigate the negative impacts on the surrounding homes.**

This site sits at the far eastern edge of the 66<sup>th</sup>/Lyndale City Center district. In the Comprehensive Plan, page 49 *“it is assumed a lower density range (25 units per acre) will occur at the fringes to serve as a buffer/transition between adjacent neighborhoods.”* On page 54, a 25-75 unit number is cited. A townhome development or smaller apartment building would be a better fit for this site.

- Following the June City Council work session, the first plan shared with the neighbors on August 17 had some improvements, and a stepped back 4 story-section helped the building to better fit with the surroundings, neighbors provided feedback about the building being oversized for site
- The building was then **increased** in size from 75 to 82 units, reversing some of the improvements
- Neighbors asked that the additional units be removed at the October 28 neighborhood meeting. The developer said they additional units could be removed, but they were not.

Despite all neighborhood feedback to date, the developer’s proposal **exceeds the recommended density for the site and a multitude of variances have been requested.**

Planned Unit Developments, in the Richfield, MN Code of Ordinances, 542.09 Subd. 3 e) “The development will not have undue adverse impacts on neighboring properties.” Undue adverse impacts include:

The 61-space underground parking garage has been expanded to 77 spaces. The underground parking is ideal, the issue is that it empties out into a block of single-family homes. Hundreds of trips per day into and out of this ramp will create constant noise directly adjacent to homeowners’ bedrooms and living rooms. This is a top issue for those living near the site.

A “High-Turnover” restaurant would generate hundreds of additional trips per day and increase the demand for on-street parking. In the previous PUD, a restaurant was not to exceed 2,000 sq ft. Other approved uses for this site such as offices, etc. would generate far less traffic and parking needs.

Landscaping and fencing around the raised open parking lot do not appear sufficient to adequately screen adjacent properties from headlights and noise.

Neighbors had requested the roof deck be moved to commercial west end of building.

Previous PUD required signage and a larger curb extension to prohibit right turns onto Stevens Ave. This provision was the result of extensive work between the city and residents and should go back into the document and the plan.

With greatly increased traffic and potential street parking, neighbors are concerned for the safety of young children who ride bikes and play in the street on 1<sup>st</sup> and Stevens Ave, and pedestrians walking in an area with no sidewalks. Julie Lapensky 6621 Stevens Ave







**STAFF REPORT NO. 11**  
**CITY COUNCIL MEETING**  
**1/11/2022**

REPORT PREPARED BY: Chris Swanson, Management Analyst

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager  
1/11/2022

**ITEM FOR COUNCIL CONSIDERATION:**

**Consider a resolution to communicate and respond to the recent surge in COVID-19 cases.**

**EXECUTIVE SUMMARY:**

The City Manager's Report will include a presentation with Dr. Nick Kelley, Public Health Administrator at Bloomington Public Health and Jennifer Anderson, Community Health Services Administrator, on the current COVID-19 infection surge. The presentation will also include an update on City staff impacts, mitigations we have taken to date and steps to prepare for the federal vaccination requirement.

We all feel the urgency to do more to respond to the pandemic and understand that Council Members are receiving input and feedback from Richfield residents. Therefore, we will also discuss possible other options to respond including a local mask mandate.

Following the presentation and update, it's my recommendation the Council discusses their preference to proceed with a local mask mandate or adopt a resolution communicating the urgency of the current phase of the pandemic and strongly urging the community to follow public health guidance.

**Considerations:**

- The Governor's office has stated they are not going to issue a state-wide mask mandate like they did in 2020. The Governor's 2020 action was important in establishing the legitimacy of action at the local level.
- If the City's action is going to demand compliance, i.e., implementing a mask mandate, a discussion about enforcement is necessary. The increased toll on our public health and safety staff will be significant. This mandate would come at a time when our organization is already facing staffing shortages due to position vacancies and Covid infections. It would be extremely challenging to effectively implement and manage this mandate, and would leave our community confused by the new rules.
- Our public safety professionals are seeing an increase in crime in the community. If the police department must pivot and focus on enforcing this new mandate it will be harder for the officers to attend to these crime calls in our community.
- Richfield and many other cities in the metro regularly faced challenges during the face mask mandate implemented in 2020. It was difficult for employees to force compliance at city buildings, let alone in private establishments. Staff may face more pushback this round due to the decreased mortality rate

we're seeing with Omicron and general pandemic fatigue.

Minneapolis and St. Paul have issued new mask mandates, but other suburban communities, including Bloomington and Edina, have decided to go with the voluntary option. We are not aware of any other metro area suburb that has implemented a local mandate.

### **RECOMMENDED ACTION:**

It's recommended that the City Council of Richfield approve the attached resolution urging residents, employees and guests in Richfield to take all reasonable protective actions, such as wearing appropriate face coverings, maintain social distancing in public spaces, staying home when sick and getting vaccinated, if possible, in order to reduce the spread and negative impacts of COVID-19 during this period of infection surge caused by the Omicron variant.

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

#### **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

#### **C. CRITICAL TIMING ISSUES:**

Since June 2021, the Centers for Disease Control (CDC) identified new variants of the COVID-19 virus which are present in the United States and medical experts determined that some of these variants are significantly more contagious than previously known variants.

The COVID-19 Omicron variant, which has been identified in Richfield, has been determined by the CDC to be a "variant of concern" and appears to be easily transmitted and substantially increasing the potential risk of infection.

Health statistics in Richfield show current infections with COVID-19 are the highest they have been during this pandemic. Cases exceeded 1,000 cases per 100,000 persons over the last seven days and is rising quickly.

#### **D. FINANCIAL IMPACT:**

There will likely be an increase in overtime costs due to the recent pandemic surge but the resolution should not have significant financial impacts.

#### **E. LEGAL CONSIDERATION:**

Attorney Tietjen has reviewed the resolution and will be available to answer any questions on all options.

### **ALTERNATIVE RECOMMENDATION(S):**

Implement a local mask mandate.

### **PRINCIPAL PARTIES EXPECTED AT MEETING:**

Dr. Nick Kelley, Public Health Administrator for Bloomington Public Health.

### **ATTACHMENTS:**

Description	Type
▣ RESOLUTION URGING RICHFIELD TO FOLLOW COVID-19 PUBLIC HEALTH GUIDANCE	Resolution Letter
▣ Presentation	Presentation

## **RESOLUTION NO.**

### **RESOLUTION URGING RICHFIELD TO FOLLOW COVID-19 PUBLIC HEALTH GUIDANCE**

**BE IT RESOLVED**, by the City Council of City of Richfield ("City"), Minnesota

**WHEREAS**, the City Council of the City of Richfield is the official governing body of the City; and

**WHEREAS**, the City Council is committed to ensuring the health and safety of all residents; and

**WHEREAS**, many individuals with COVID-19 are asymptomatic, yet risk transfer of coronavirus to others; and,

**WHEREAS**, since June 2021, the Centers for Disease Control and Prevention ("CDC) identified new variants of the COVID-19 virus which are present in the United States and medical experts determined that some of these variants are significantly more contagious than previously known variants; and

**WHEREAS**, the COVID-19 Omicron variant, which has been identified in Richfield, has been determined by the CDC to be a "variant of concern" and appears to be easily transmitted and substantially increasing the potential risk of infection; and

**WHEREAS**, health statistics in Richfield show current infections with COVID-19 are the highest they have been during this pandemic, with cases exceeding 1,000 cases per 100,000 persons over the last seven days and rising quickly; and

**WHEREAS**, the CDC and the Minnesota Department of Health ("public health professionals") recommend everyone five years and older be vaccinated and boosted against COVID-19 when eligible as the vaccines are our best tool to reduce the risk of severe disease; and

**WHEREAS**, the CDC recommends, regardless of vaccination status, that everyone over the age of two should wear a mask in public indoor settings in areas of substantial or high community transmission (more than 100 cases per 100,000 persons); and

**WHEREAS**, public health professionals recognize that COVID-19 virus is highly transmissible through the air and that high quality tight-fitting masks should be worn (such as an N95, KN95, KF94 or similar respirator) in public indoor settings. If those types of masks are not available, cloth masks with two or more layers of tightly woven fabric or double masking is encouraged; and

**WHEREAS**, public health professionals recommend multiple layers of mitigation to limit the spread of COVID-19 in the community, knowing that the more actions we take, the better protected we will be.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHFIELD, MINNESOTA**, based on the foregoing recitals and in furtherance of the intent of this Resolution, that the City Council strongly urges the City, its residents, and its businesses to:

1. Diligently follow COVID-19 Safety Guidance including:
  - a. Get vaccinated and boosted against COVID-19;
  - b. Wear a N95, KN95, KF94, respirator, or other high-quality, tight-fitting mask in public;
  - c. Get tested if you have had close contact with someone with COVID-19, or have any symptoms;
  - d. Stay home when you are sick or have any symptoms; and
  - e. Comply with Minnesota Department of Health isolation and quarantine guidance.
2. Encourage entities open to the public to require mask wearing of their patrons and staff and provide masks to those in need at no or low cost; and
3. Be cautious with activities to avoid illness and injury in the coming weeks, as healthcare access delays are being reported and these delays are expected to continue for the foreseeable future; and
4. Wear a face covering before boarding public transportation and wear the face covering until the user exits the vehicle; and
5. Ensure HVAC systems are providing the maximum ventilation and filtration possible in compliance with American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards; and
6. Wear a face covering when in common spaces such as hallways, corridors, lobbies, restrooms, mail rooms, elevators, trash and recycling rooms, fitness rooms, recreation rooms, laundry rooms and other space owned and used in common by the residents, employees and tenants of multi-family residential buildings and multi-tenant office buildings; and
7. Consider how they can limit activities to prevent exposure to COVID-19; and
8. Spend time outdoors enjoying our beautiful city.

**BE IT FURTHER RESOLVED** that Richfield Public Health staff is hereby authorized and directed to provide the City Council and staff with periodic reports on COVID-19 conditions in the City.



**BE IT FINALLY RESOLVED** that the City, its residents, and its businesses will get through this together and will be a stronger and more resilient City after this global health pandemic.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of January, 2022.

Maria Regan Gonzalez, Mayor

ATTEST

Kari Sinning, City Clerk

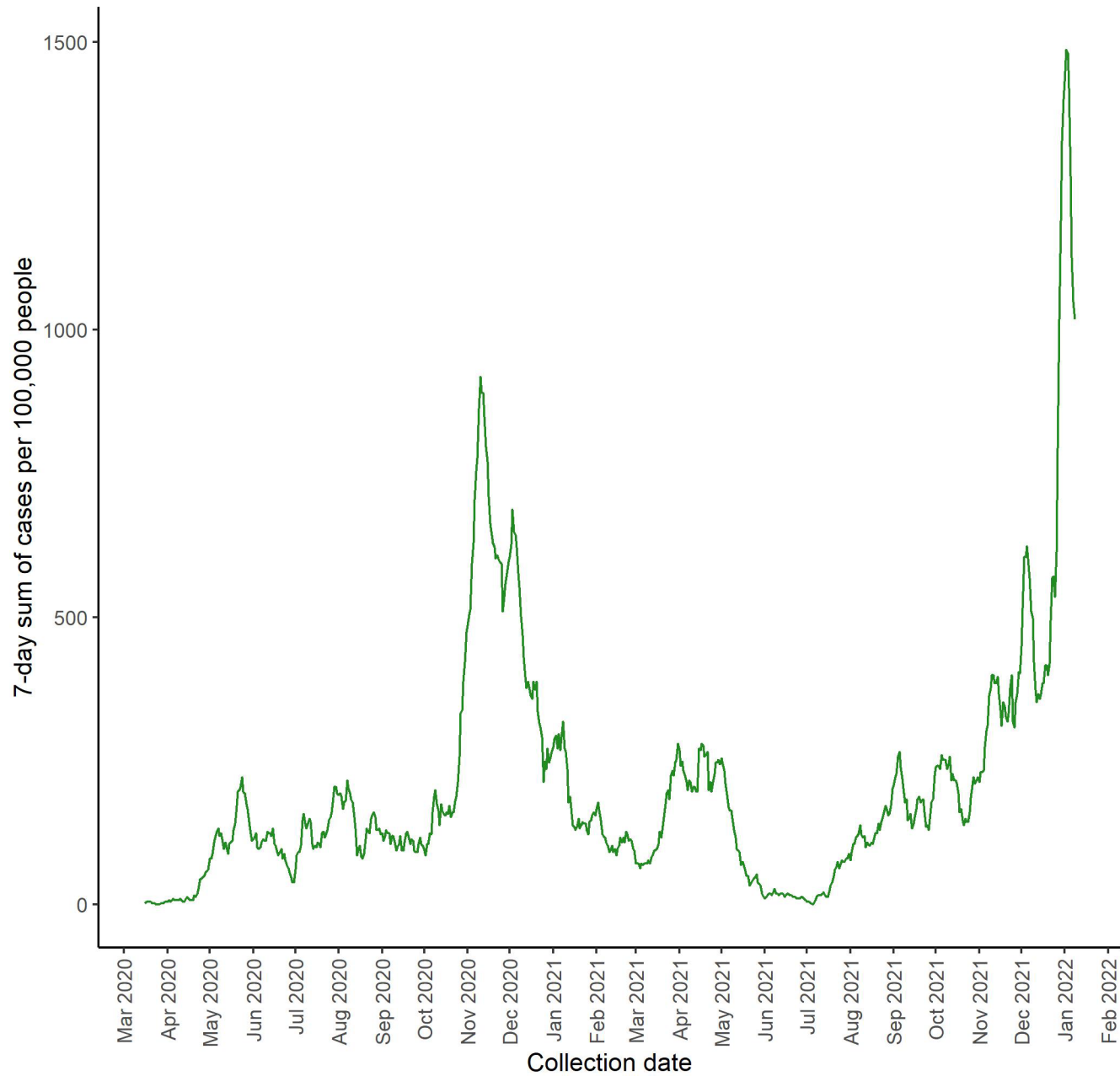
# COVID-19 Update

January 11, 2022

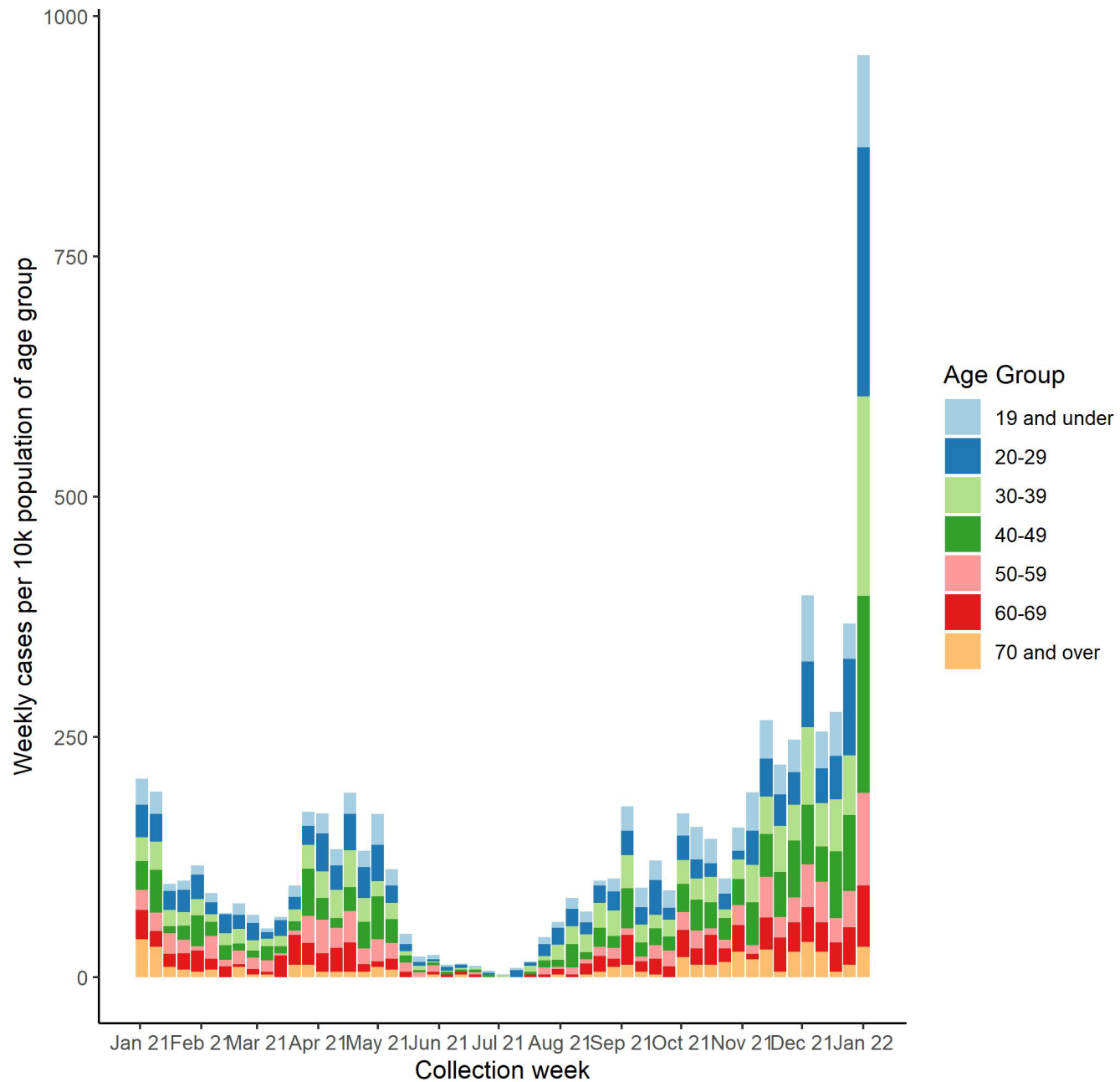
**CITY OF BLOOMINGTON PUBLIC HEALTH DIVISION**  
*SERVING BLOOMINGTON, EDINA AND RICHFIELD*



7 day sum of cases per 100k population, Richfield



Richfield 7 day case sum per 10k population in age group





Richfield case hospitalizations by month

