



**REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
MARCH 14, 2023
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Pledge of Allegiance

Open forum

Call into the open forum by dialing 1-415-655-0001 Use webinar access code:2459 271 3397 and password: 1234.

Please refer to the Council Agenda & Minutes web page for additional ways to submit comments.

Approval of the Minutes of the (1) City Council Work Session of February 28, 2023; and (2) City Council Regular Meeting of February 28, 2023.

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 a first reading of an ordinance amendment to eliminate the minimum lot size requirement for a Planned Unit Development.

Staff Report No. 34
 - B. Consider the approval of a Centers for Disease Control and Prevention (CDC) Infrastructure Grant.

Staff Report No. 33

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

RESOLUTIONS

4. Consider awarding American Rescue Plan Act funding grants to non-profit organizations that are providing services and activities that aid in the recovery of Richfield community members negatively impacted by the COVID-19 pandemic.

Staff Report No. 35

CITY MANAGER'S REPORT

5. City Manager's Report

CLAIMS AND PAYROLLS

6. Claims and Payroll

COUNCIL DISCUSSION

7. Hats Off to Hometown Hits

8. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the Acting City Clerk at 612-861-9712.



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

City Council Work Session

February 28, 2023

CALL TO ORDER

Mayor Supple called the work session to order at 5:30 p.m. in the Bartholomew Room.

Council Members Present: Mary Supple, Mayor; Sharon Christensen; Ben Whalen: and Sean Hayford Oleary

Council Members Absent: Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Sack Thongvanh, Assistant City Manager; Jay Henthorne, Public Safety Director/Police Chief; Jennifer Anderson, Health Administrator; Chris Fierst, Liquor Operations Manager; Mary Tietjen, City Attorney; and Chris Swanson, Management Analyst

ITEM #1	BRIEF RECAP PRESENTATION AND STAFF POLICY RECOMMENDATIONS RELATED TO PROHIBITING FLAVORED TOBACCO PRODUCTS, CAPPING THE NUMBER OF TOBACCO LICENSES ISSUED BY THE CITY AND THE IMPACT OF REMOVING ALL TOBACCO PRODUCTS FROM MUNICIPAL LIQUOR STORES. AN UPDATE ON THE ADULT CANNABIS BILL IN THE LEGISLATURE WILL ALSO BE PROVIDED.
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Assistant City Manager Thongvanh introduced the topic and discussed the current sales level for flavored vs. non flavored tobacco in the municipal liquor stores. He spoke about how cigarette sales are more for convenience and not the main purpose of the liquor stores. He provided a summary of the current sales figures and talked about the impact removing tobacco products will have on sales for the liquor stores and the city finances, specifically the reduction in taxes from the sales. He discussed about how some of the funding goes to support recreation programs. He spoke about some of the recommendations from staff and is interested in doing a phased approach at the liquor stores so they can sell all the product by the time the ban is in place. City Manager Rodriguez said they are not going to see a big increase in sales going forward.

Council Member Whalen asked about the money going to the parks project. He asked if that was just a part of the total amount that went to the parks program. Assistant City Manager Thongvanh said that was correct. He noted the city uses this money for a number of programs and would need to be aware of the reduction in income if this is to proceed.

Council Member Hayford Oleary noted this is a higher sales volume then he expected. He still felt like there is an obligation to lead by example. He believed the city should move forward with phasing the products out.

Mayor Supple believed that, at a minimum, the city needs to mirror the standards set for other business, specifically around the standards for flavored tobacco.

Council Member Hayford Oleary agreed with reducing the number of licenses. He felt it would reduce tobacco sales in Richfield. Council Member Whalen agreed and said the cap does greatly limit the sales of tobacco.

Council Member Christensen agreed as well and stated she has heard flavored tobacco is targeted at young people and that should be a reduction goal. She stated she was also interested in the phased approach mentioned by staff.

Mayor Supple said there appeared to be consensus on the flavored tobacco.

Health Administrator Anderson provided a recap of the prior discussion, specifically about banning all tobacco sales in Richfield. She noted from the prior discussion, there seemed to be more support for setting a cap on the number of licenses for the community. She introduced the rest of the proposal. She talked about the proposed regulations for the tobacco cap and discussed the next steps in the process, including going from 25 licenses to 4.

Council Member Whalen asked if the Advisory Board of Health (ABH) had reviewed this proposal. Administrator Anderson said they had and were in support.

Administrator Anderson presented the proposed ordinance and outlined the specific work that would need to be done when drafting the ordinance. She talked about potential impacts and mentioned a possible implementation of a moratorium in the meantime. She talked about the decision process and the next steps along with other cities that have gone through this process.

Council Member Christensen asked about the inventory at the liquor stores. Manager Fierst believed the stores would be able to liquidate some of the stock if need be. Mayor Supple noted Bloomington allowed 6 months for inventory liquidation. Director Henthorne mentioned that some of the convenience stores have in excess of six figures of inventory in stock. He recommended at least 6 months to get rid of this stock.

Council Member Whalen supported the phase out option. He asked about the process in going from 25 to 4 licenses. He wanted to know how long this would take. He wondered what would happen if 5 to 10 years pass and there are still a large number of stores selling these products. Administrator Anderson said the policy could be revisited anytime. She also talked about some of the work currently being done at the state level and additional ordinance changes that could be put in place in the future.

Council Member Whalen asked if there had been any talk about if we would want to include something regarding compliance check failures in a certain period in which the license would be revoked. Administrator Anderson noted many cities have similar codes in place and that is an option.

Council Member Whalen asked about the opposition faced by other cities. Administrator Anderson said it was both small businesses and big tobacco and the city should plan to hear from both. Mayor Supple asked if the city has heard from customers. Administrator Anderson said it has been big tobacco lobbyists and retailers.

Council Member Hayford Oleary said he was happy about the balance within the ordinance. He stated he was interested in Council Member Whalen's idea about pulling licenses from retailers that fail compliance checks. He asked how staff came up with that 10,000 population cap. Administrator Anderson talked a bit more about that process and the strategy for how the city set that cap.

Council Member Hayford Oleary shared he thought the city should do a moratorium immediately but felt the city should wait to make the final tobacco sales determination until after the TCH question is resolved as he does not want to hit businesses twice.

Mayor Supple supported the phase out plan and felt that a complete prohibition may not be successful and setting the limit at 4 licenses is a good compromise. She noted she was in support of compliance checks penalty as well as in support of waiting until there is a final call on the cannabis work at the state level.

Council Member Whalen thought it would make sense to phase things out completely at the liquor stores. Council Member Hayford Oleary agreed.

Council Member Christensen asked about when licenses are renewed. Administrator Anderson said they are all renewed at the end of the year.

Mayor Supple said she didn't have strong feelings about restrictions on the sale of regular tobacco in municipal stores but would like to move forward with removing flavored tobacco products from the liquor stores.

Administrator Anderson discussed next steps and said she would work on pulling together the new ordinance.

Director Henthorne provided an introduction to adult use cannabis and what is currently being discussed at the legislature. Specifically, he has discussed what is in some of the current legislation in regards to THC edibles and adult use cannabis. He talked broadly on some of the work that would need to go into effect for enforcement of the new regulations. He said these are big items for emergency responders, zoning, and public health. He also talked about some of the time of sale standards they are proposing. He stated these amendments are encouraging and could provide more local control.

Administrator Anderson spoke about the public health aspects of the proposed legislation as there is not currently a public health professional on the advisory board and is one of the many policy proposals as the state works through this item. She spoke of some of the work Hennepin county is doing around this item and the impact it may have on the community.

Director Henthorne talked about when the legislation may be approved and it could be done this session but if it doesn't, the city's moratorium will expire.

Council Member Hayford Oleary asked about the items the city has in code now. Specifically if the language currently in the zoning code would go into effect if the moratorium were to expire. Director Henthorne said it would. Council Member Hayford Oleary asked if this would apply to all products. Director Henthorne said the way the bill is currently written, it would apply to everything.

Council Member Hayford Oleary asked about why the state's response time is such a big deal. Director Henthorne stated they want to be able to respond quickly to ensure the problem does not become bigger. Director Henthorne spoke about an experience they had with the Minnesota Department of Agriculture and how slow response created a public health matter.

Council Member Hayford Oleary asked if there was anything about identifying impaired drivers. Director Henthorne talked about some of the work being done on this matter. Council Member Christensen asked about a cap on the number businesses that sell cannabis or THC products. Director Henthorne said the bill, as currently written, doesn't allow a cap. City Manager Rodriguez stated she wanted to get a consensus if council would support putting a cap in place and seeing if the city could get more revenue for the enforcement work. Council Members Hayford Oleary and Christensen both expressed support.

Council Member Whalen applauded the work being done at the legislature. He noted most of the updated language seemed to be in the house bills. Director Henthorne said work is being done in both the house and the senate.

Council Member Whalen asked if there was conversation about products being taxed and if that would go towards helping cities. Director Henthorne said this would go to the state and discussions were being had with the legislatures. Council Member Whalen also said he was interested in talking about expungement and wanted to know if the bill included talk of expungement. Director Henthorne said the bill does talk about expungement. Administrator Anderson said that is part of the process but will take some time.

Council Member Whalen asked if we could offer staff (prosecutor) to help move anything along. City manager said she will reach out to the league and see if they have anyone working on this.

Mayor Supple asked what the \$200 registration fee included in the current legislation would cover. Director Henthorne said the \$200 is an "offering" to the cities that register the adult use cannabis businesses and staff is working to determine the actual cost for this work.

Mayor Supple also asked there are parts of the regulation that would require it to be behind some barrier so as to not be accessible to kids. Administrator Anderson said they would need to be behind the counter.

Manager Fierst asked about THC seltzer and if that would be something sold in city liquor stores. Director Henthorne said there has been talk in the work group about allowing sales in the municipal liquor store. He noted that, at this time, THC would not be allowed to be sold in liquor stores. Council Member Whalen asked if it would have to say its allowed to be allowed. Director Henthorne believed that is the case. Administrator Anderson talked about State Statue 340 and the statute is explicit about what it allowed in municipal liquor stores. She talked about what would need to updated for cities to sell THC products.

City Manager Rodriguez gave a summary of the conversation and the next steps.

Director Henthorne asked City Attorney Tietjen if the city should want to look at doing a moratorium so the tobacco licenses don't jump. City Attorney Tietjen said that may be a prudent move to make.

ADJOURNMENT

Mayor Supple adjourned the work session at 6:44 pm

Date Approved: March 14, 2023

Mary Supple
Mayor

Chris Swanson
Management Analyst

Katie Rodriguez
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting

February 28, 2023

CALL TO ORDER

The meeting was called to order by Mayor Supple at 7:00 p.m. in the Council Chambers.

Council Members Present: Mary Supple, Mayor; Sharon Christensen; Simon Trautmann; Sean Hayford Oleary; and Ben Whalen

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Kristin Asher, Public Works Director; Joe Powers, City Engineer; Matt Hardegger, Transportation Engineer; Julie Urban, Assistant Community Development Director; and Chris Swanson, Management Analyst

Others Present: Lance Bernard, Transportation Consultant

PLEDGE OF ALLEGIANCE

Mayor Supple led the Pledge of Allegiance.

OPEN FORUM

Mayor Supple reviewed the options to participate:

- Participate live by calling 1-415-655-0001 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting kwynn@richfieldmn.gov

There were no participants.

APPROVAL OF MINUTES

M/Trautmann, S/Whalen to approve the minutes of the: (1) City Council Work Session of February 14, 2023; (2) City Council Regular Meeting of February 14, 2023; (3) City Council and Director Retreat of February 15, 2023.

Motion carried: 5-0

ITEM #1

APPROVAL OF THE AGENDA

M/Hayford Oleary, S/Trautmann to approve the agenda.

Motion carried: 5-0

ITEM #2	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar.

- A. Consider the adoption of a resolution supporting the repeal of the exclusion of Hennepin and Ramsey counties from receiving Motor Vehicle Lease Sales Tax (MVLST) funds. (Staff Report 29).

**RESOLUTION NO. 12073
RESOLUTION OF SUPPORT FOR THE REPEAL OF THE EXCLUSION OF HENNEPIN
AND RAMSEY COUNTIES FROM RECEIVING MOTOR VEHICLE LEASE SALES (MVLST) FUNDS**

M/Whalen, S/Trautmann to approve the consent calendar.

Motion carried: 5-0

ITEM #3	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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None.

ITEM #4	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION SPECIFYING THE USE OF FUNDS FROM THE URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION FOR 2023 AND AUTHORIZING EXECUTION OF A SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY AND ANY REQUIRED THIRD-PARTY AGREEMENTS (STAFF REPORT 30)
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Council Member Hayford Oleary presented Staff Report 30 and opened the public hearing.

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

M/Hayford Oleary, S/Trautmann to adopt the Resolution approving proposed Use of 2023 Urban Hennepin County Community Development Block Grant Program Funds and Authorizing Execution of Subrecipient Agreement with Hennepin County and any Required Third Party Agreements (Staff Report 30).

**RESOLUTION NO. 12077
RESOLUTION APPROVING PROPOSED USE OF 2023 URBAN HENNEPIN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND AUTHORIZING EXECUTION OF SUBRECIPIENT
AGREEMENT WITH HENNEPIN COUNTY AND ANY REQUIRED THIRD PARTY AGREEMENTS**

Council Member Trautmann stated this was a powerful tool for affordable housing and he supported this Resolution.

Council Member Whalen asked if there was more demand for this than could currently be filled.

Assistant Director Urban responded there was a long waiting list for the deferred loan program. With respect to the downpayment program it has remained strong, but it a challenge right now for people to make this work.

Mayor Supple expressed appreciation for both programs and was glad they were able to be continued.

Motion carried: 5-0

ITEM #5	<p>CONSIDER THE ADOPTION OF RESOLUTIONS FOR FUNDING APPLICATIONS TO THE MNDOT CORRIDORS OF COMMERCE PROGRAMS FOR THE FOLLOWING PROJECT:</p> <ol style="list-style-type: none">1) THE CITY OF RICHFIELD'S APPLICATION FOR A PROPOSED PROJECT ON TRUNK HIGHWAY 62 BETWEEN PORTLAND AVENUE AND TRUNK HIGHWAY 77, INCLUDING RECONFIGURATION OF THE TRUNK HIGHWAY 62/TRUNK HIGHWAY 77 INTERCHANGE.2) THE CITY OF BLOOMINGTON'S APPLICATION FOR A PROPOSED PROJECT AT THE 82ND STREET/I-35W INTERCHANGE AND RECONSTRUCTION OF THE RAILROAD BRIDGE OVER I-494 AT PLEASANT AVENUE.3) THE I-494 CORRIDOR COMMISSION'S APPLICATION FOR A PROPOSED PROJECT TO ADD E-Z PASS LANES ON I-494 FROM I-35 TO TRUNK HIGHWAY 77 AND RECONSTRUCTION OF THE RAILROAD BRIDGE OVER I-494 AT PLEASANT AVENUE. <p>(STAFF REPORT 31)</p>
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Council Member Trautmann presented Staff Report 31.

City Engineer Powers presented the Richfield Corridors of Commerce Application for Highway 62 and Highway 77.

Council Member Whalen asked if they had Minneapolis' support for this proposal.

City Engineer Powers responded Minneapolis has shown interest in the project and at the staff level they want to support it, but currently they were not in support of the application.

Council Member Trautmann asked if Minneapolis had a concern with this project or expansion as a whole.

City Engineer Powers believed Minneapolis did not have equity concerns with this project but rather the city would oppose highway expansion in recognition of the historical equity wrongdoings and have taken a strong stance regarding this.

Amy Marohn, City of Bloomington Traffic Engineer, presented Bloomington's request for a Resolution of support for their proposed project.

Council Member Hayford Oleary asked if the new bridge was funded, would it improve transit operations for multi-modal traffic.

Ms. Marohn responded that the preliminary layout did address the pedestrian and bicycle issues, but nothing had been finalized yet.

Council Member Whalen asked with the E-Z Pass lanes were their projections as to what traffic would be like on 77th or American Boulevard.

Ms. Marohn responded there was a traffic volume projection map, but she believed there would not be a significant reduction on American Boulevard, but there would be a reduction on 84th Street.

Melissa Madison, Executive Director I-494 Corridor Commission, presented the I-494 Corridor Commission proposal.

Rebecca Schack, Chair I-494 Corridor Commission and Minnetonka Council Member, provided the historical reason the I-494 Corridor Commission as well as the city of Minnetonka's supported the project.

Council Member Whalen asked if there was any quantified data regarding the transit benefit of how many people are currently using I-494 and who would have the E-Z Pass lane or other non-Metro transit versions that would plan to use it.

Ms. Madison responded they did not have data on this. She noted transit easing and an E-Z Pass Lane would allow for 8,000 people to move through the corridor on an hourly basis versus 2,000 people.

Council Member Hayford Oleary acknowledged it was difficult to get people to change the way they get around and he was surprised that 95 percent of people drive alone. He noted there were not other good options on I-494 but believed driving must be attractive to people also. He asked what could be done about this.

Ms. Madison believed if other alternatives were provided to try to reduce the unattractive elements of using an alternative mode more people might use the alternative transportation. She noted they were working on ways to promote alternative transportation also.

Council Member Hayford Oleary noted the world changed a lot over Covid with respect to transportation and there was less of a problem than there was in 2017. He asked why the 2017 plan should still be the guide.

Ms. Madison responded she believed they were in a fluid situation, and they had not settled on what post-pandemic commuting and travel would be in the future. She noted they did survey employers on a quarterly basis regarding telework and mode split of employees. She indicated they also survey commuters quarterly. She stated the employers wanted the employees to come back to the office, but it was the employees that did not all want to return without flexibility and a hybrid situation.

Council Member Hayford Oleary asked what percentage of employers still did telework.

Ms. Madison responded it was a high percentage, but she did not have specific numbers.

Council Member Trautmann thanked the Commission and representatives for attending tonight's meeting and helping Richfield advocate for the priorities.

Ms. Madison stated transportation was a system and not a segment and that was what they wanted the Council to think about when they considered their letter of support.

Council Member Whalen asked since the benefits were from E-Z Pass lanes, has there been any talk of reconsideration on the ban on converting an existing lane to E-Z Pass and if not, why not.

Ms. Madison responded this has not formally come up, but their lobbyists have asked them to be prepared to answer questions like that to give a position. She indicated she was not aware they were formally visiting it.

Ms. Schack stated they work closely with the Legislative committees, and they had not heard directly that was something they were looking for feedback on. She believed MnDOT has done some internal studying of this though.

City Manager Rodriguez stated there was no ban at the State level to take a general-purpose lane to be used as an E-Z Pass lane. She noted she had reached out to Met Council to discuss this specifically and they indicated for this corridor it would not be technically or politically practical.

Council Member Whalen stated part of his skepticism was the projections are from pre-pandemic data. He indicated he was happy with parts of project one and comparing to no build was no longer relevant comparing just project one to the full vision. He acknowledged there were benefits to the E-Z Pass lanes but in terms of congestion they were not going to get to a place where traffic was going through consistently. He asked if there was an explanation as to how much better the full vision addressed the congestion.

Ms. Schack did not believe that information existed, but she indicated his point was well taken. She noted as congestion continued to build in the general lanes, they would need to come up with ways to incentivize people to use public transit or carpooling.

Council Member Whalen noted this was a lot of money for traffic during the construction and 20 years out would be worse than it is now. He did not see building more lanes as addressing congestion. He believed the transit option was good, but he was unclear as to what that looked like.

Council Member Hayford Oleary stated he was in support of the E-Z Pass, but he was not sold on another lane. He asked for future projects this be broken down more.

M/Trautmann, S/Supple to adopt the Resolution of Support for the Trunk Highway 62/Trunk Highway 77 Interchange Improvements Corridors of Commerce Project Submittal (Staff Report 31).

**RESOLUTION NO. 12075
RESOLUTION OF SUPPORT FOR THE TRUNK HIGHWAY 62/TRUNK HIGHWAY 77 INTERCHANGE
IMPROVMENTS CORRIDORS OF COMMERCE PROJECT SUBMITTAL**

Council Member Hayford Oleary believed the expansion of freeways was harmful especially for cities like Richfield where they are ringed by freeways. However, in this case he believed this project brought a lot of benefit to Richfield and most of that would not be possible without the expansion. He stated he supported this Resolution and hoped if it did not go through that next time they could have better dialogue with the City of Minneapolis.

Council Member Whalen stated he appreciated the projects that focused on problem intersections and pedestrian improvements, and he believed this project warranted special consideration. He stated he was in support of this Resolution.

Mayor Supple stated she supported this Resolution as she believed it helped deal with the cut through traffic. She believed this would help the local safety and traffic movement.

Council Member Trautman noted one of the secondary benefits would that it would help with congestion, and he also supported the Resolution.

Motion carried: 5-0

M/Trautmann, S/Supple to adopt Resolution of Support for the City of Bloomington's 82nd Street Interchange Improvement Corridors of Commerce Project Submittal (Staff Report 31).

**RESOLUTION NO. 12076
RESOLUTION OF SUPPORT FOR THE CITY OF BLOOMINGTON'S 82ND STREET INTERCHANGE
IMPROVEMENT CORRIDORS OF COMMERCE PROJECT SUBMITTAL**

Council Member Hayford Oleary agreed they cannot build their way out of congestion with additional lanes. He indicated it was alarming to see that 95 percent of people drove alone. He believed the I-494 project did not help with congestion and it was a stand-alone highway expansion project that did not offer much to Richfield except for bringing more vehicles through the city. He believed this would harm Richfield and would increase the amount of traffic through Richfield. He stated on an individual basis he would not support either project.

Council Member Trautmann appreciated Council Member Hayford Oleary and Council Member Whalen's insight and agreed they cannot build their way out of traffic congestion. However, he stated he was going to support both Resolution 2 and 3. He noted what they were trying to do was to not fix a problem that was endemic in the structure and the consequences of economic growth which they were generally glad for.

Council Member Whalen stated he would support this Resolution. He indicated he was excited for the 82nd interchange for safety and intermodal reasons. He believed it was worth replacing the railroad bridge as it was old and did not look nice, but he had concern with the third project and building a wide railroad bridge might not be the best use of money.

Mayor Supple believed 82nd Street would help with the local traffic, and she supported Bloomington with that. With respect to the railroad bridge, she believed this needed to be replaced and she would be supporting the Resolution.

Motion carried: 5-0

M/Trautmann, S/Supple to adopt Resolution of Support for the I-494 Corridor Commission E-Z Pass Lane Corridors of Commerce Project Submittal (Staff Report 31).

**RESOLUTION NO. 12074
RESOLUTION OF SUPPORT FOR THE I-494 CORRIDOR COMMISSION E-ZPASS LANE CORRIDORS OF
COMMERCE PROJECT SUBMITTAL**

Council Member Whalen hoped they would have a more serious conversation regarding transit before moving ahead with something like this. He stated they have not seen the full data on this project including the greenhouse gas emissions. He agreed if the result would be more people using public transit or carpooling that would improve greenhouse gas emissions, but to him this felt that they were claiming this without having any data. He indicated the cost of this compared to the available funding, if all three of these are approved, they are actually putting them in direct competition with each other. He stated he would not be in support of this Resolution.

Council Member Hayford Oleary stated they also had to look at the value received relative to the money was worth looking at. He did not think this was the best use of public money. He believed this would increase traffic and greenhouse gas emissions. He expressed concern they were basing their decision on a 2017 study, and he did not believe the study was relevant today.

Mayor Supple believed this was originally proposed in 2017 but there was a lot of discussions about equity, etc. She noted they did not give their approval until 2021 so it was much more recent and there had been change it as it went along. She supported this entire package.

Council Member Trautmann stated there was a value in maintaining infrastructure, so it does not become poor and decrepit. He agreed they needed better data, but right now they did not have that data.

Council Member Whalen stated his vote would probably not stop this from happening and he believed there were ways to move forward with this project that would address his concerns and he would like to continue to look at incorporating enough trees being planted once they received the full greenhouse gas emissions information. He hoped the concerns they are raising would be heard and they would work together on some collaborative solutions.

Motion carried: 3-2 (Whalen and Hayford Oleary)

ITEM #6	CONSIDER THE APPROVAL OF AGREEMENTS WITH NON-PROFIT ORGANIZATIONS TO PROVIDE SOCIAL SERVICES TO THE CITY OF RICHFIELD AND AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THOSE AGENCIES. (STAFF REPORT NO. 32)
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Council Member Whalen presented Staff Report 32.

M/Whalen, S/Hayford Oleary to approve the Agreements with Non-Profit Organizations to Provide Social Services to the City of Richfield and authorize the City Manager to Execute Agreements with those Agencies (Staff Report No. 32).

Mayor Supple thanked all the agencies for everything they did for the community.

Motion carried: 5-0

ITEM #7	CITY MANAGER REPORT
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City Manager Rodriguez stated she had no report.

ITEM #7	CLAIMS AND PAYROLL
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M/Whalen, S/Hayford Oleary that the following claims and payrolls be approved:

<u>U.S. BANK</u>	<u>02/28/2023</u>
A/P Checks: 312847 - 313075	\$1,759,082.25
Payroll: 176604 - 176971	<u>\$746,799.36</u>
TOTAL	\$2,505,881.61

Motion carried: 5-0

ITEM #9	HATS OFF TO HOMETOWN HITS
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Council Member Christensen expressed gratitude to her friends and neighbors who had supported her through her recent health issue.

Council Member Whalen shared his wife and he attended a Richfield White Caps game and had a good time. He encouraged residents to check them out.

Council Member Hayford Oleary thanked staff for the excellent plowing and the communication during the last snowstorm. He stated Mayor Supple and he attended a League of Minnesota Cities event conference and it was nice to collaborate with people from other communities.

Mayor Supple thanked the plow crews, first responders, and neighbors who helped neighbors during the recent snowstorm. She noted last week was supposed to be the winter walk to school event, but it was cancelled due to the snowstorm. She stated that event would be tomorrow, and she thanked the people involved in setting up this event. She announced they have a few open Commission spots still left that can be applied for through March 17.

ITEM #10	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:58 p.m.

Date Approved: March 14, 2023

<div>Kelly Wynn Administrative Assistant</div>	<div>Mary Supple Mayor</div>
<div></div>	<div>Katie Rodriguez City Manager</div>



STAFF REPORT NO. 34
CITY COUNCIL MEETING
3/14/2023

REPORT PREPARED BY: Nellie Jerome, Planner I

DEPARTMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
3/7/2023

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
3/8/2023

ITEM FOR COUNCIL CONSIDERATION:

Consider a first reading of an ordinance amendment to eliminate the minimum lot size requirement for a Planned Unit Development.

EXECUTIVE SUMMARY:

The purpose of a Planned Unit Development (PUD), according to the Richfield Zoning Code, is to "provide an opportunity for innovative and creative development" that will "complement existing neighborhood character." In exchange for flexibility with traditional zoning rules that would otherwise require variance approvals, a proposed PUD development is required to bring something unique, special, or beneficial to the community. Property owners may apply to receive a PUD zoning designation if the development is "well designed and can be successfully integrated into the neighborhood."

The current Richfield Zoning Code requires a property to be at least one acre in size in order to receive a PUD zoning designation. Most neighboring metro cities, that staff reviewed, do not have this size minimum. Although PUDs were originally intended for large, integrated developments (such as master planned communities), the process need not be limited to such projects. Richfield is considered a fully built-out City, and only about 1.5% of our 10,586 parcels in the City would meet this requirement. Staff finds no reason to exclude smaller sized parcels from applying for PUD approval. The responsibility is on the applicant to show how the quality of the development is a reasonable trade-off for the requested Zoning Code flexibility. The proposed ordinance does not change the approval process for a PUD; the process for the approval of any PUDs includes a public hearing.

RECOMMENDED ACTION:

By motion: Approve a first reading of an ordinance amendment to eliminate the minimum lot size requirement for a Planned Unit Development.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The one acre minimum lot size provision appears to have been adopted in the early 1980s. The current PUD ordinance was amended in 2014 to allow the inclusion of adjacent right-of-way in the size area calculation, at the discretion of the Director.

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

The PUD regulations can be found in subsection 542 of the Richfield Zoning Code.

C. **CRITICAL TIMING ISSUES:**

None.

D. **FINANCIAL IMPACT:**

None.

E. **LEGAL CONSIDERATION:**

- Notice of the public hearing at the Planning Commission meeting was published in the Sun Current newspaper on February 16, 2023. No mailed notice is required.
- The Planning Commission recommended approval of the attached ordinance at its February 27 meeting.
- A Second Reading and Summary Publication of the ordinance has been tentatively scheduled for March 28, 2023.

ALTERNATIVE RECOMMENDATION(S):

- Approve the first reading of the attached ordinance amendment with additional and/or modified stipulations.
- Deny the first reading of the attached ordinance amendment with a finding that the proposal does not meet City requirements.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description		Type
□	Draft Ordinance	Ordinance

BILL NO. _____

**AN ORDINANCE AMENDING THE RICHFIELD ZONING CODE REGULATIONS
TO ELIMINATE THE MINIMUM LOT SIZE REQUIREMENT
FOR A PLANNED UNIT DEVELOPMENT.**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1 Subsection 542.03 of the Richfield Zoning Code related to the scope of Planned Unit Developments (PUD's) is amended to read as follows:

Subdivision 1. [Table of PUD Districts.] Planned District regulations are applied in conjunction with a Guiding District, as described in the following table. The Planned District provisions may modify any portion of the regulations of the Guiding District or other regulations of the code. The provisions may apply additional requirements or allow exceptions to general regulations:

PUD District	Abbreviation	Guiding Districts
Planned Residential	PR	R and R-1
Planned Two Family Residential	PMR-1	MR-1
Planned Multifamily Residential	PMR	MR-2 and MR-3
Planned Service Office	PSO	PSO
Planned Neighborhood Commercial	PC-1	C-1
Planned General Commercial	PC-2	C-2
Planned Mixed Use	PMU	MU-N, MU-C, and MU-R
Planned Industrial	PI	I

Subd. 2. ~~Minimum area. A PUD district shall contain not less than one (1) acre (43,560 square feet) in lot area. With respect to planned unit developments only, lot area may include (at the discretion of the Director), areas of the right-of-way that are improved and integral to the design of the project.~~

Subd. 3. PMR-1 density limitation. In the PMR-1 District, the density of two-family dwellings shall not exceed ten (10) dwelling units per acre.

Subd. 4. Mixed or multiple land uses. Both residential and nonresidential land uses may be included in a single PUD District provided that:

- a) The uses are those that are authorized in one (1) of the eight (8) types of PUD Districts;
- b) The land use that is not normally allowed in the Guiding District shall not occupy more than 25 percent of the gross floor area in the PUD; and

- c) Notwithstanding the foregoing, an adult establishment as defined and regulated in Section 1196 of the City Code is not permitted in any PUD District other than a PC-2, PMU, or PMI District

Section 2 This ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 28th day of March, 2023.

Mary B. Supple, Mayor

ATTEST:

Chris Swanson, Acting City Clerk



STAFF REPORT NO. 33
CITY COUNCIL MEETING
3/14/2023

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police
3/6/2023

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
3/7/2023

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of a Centers for Disease Control and Prevention (CDC) Infrastructure Grant.

EXECUTIVE SUMMARY:

Minnesota was awarded \$42.9 million dollars for the Strengthening the U.S. Public Health Infrastructure, Workforce, and Data Systems grant. Community Health Boards will receive 40% of the funds. This is \$16.4 million to community health boards for use over a five-year period. The City of Richfield's grant award is \$152,324. The grant expires 11/30/2027.

The purpose of the funding is to recruit, retain, and train a skilled and diverse public health workforce, address longstanding public health infrastructure needs, and increase the size of the public health workforce.

Staff will begin planning grant activities once the grant is approved.

RECOMMENDED ACTION:

By motion: Approve the CDC Infrastructure Grant.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The CDC Infrastructure Grant is new funding to address a myriad of infrastructure needs across public health. While the Minnesota Department of Health has been partnering with local public health departments over the last two or three years to work on strengthening Minnesota's public health system, including workforce issues, the Covid-19 pandemic brought to light areas for improvement and innovation. The CDC Infrastructure grant is necessary funding to begin the work of shoring up the workforce.

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

In 1977, the State of Minnesota enacted the Community Health Services Act, which transferred the responsibility for the administration of public health programs to local jurisdictions. The State also provided funds for the program and encouraged local jurisdictions to increase the efficiency of their programs by grouping together whenever it made sense to do so. Richfield entered into a contractual

agreement with Bloomington at that time and the program has been administered under a contract with them since then. The Act was revised in 2003 and is now referred to as the Local Public Health Act.

C. **CRITICAL TIMING ISSUES:**

None

D. **FINANCIAL IMPACT:**

The City of Richfield's grant award is \$152,324 to be used over five years. The grant expires 11/30/2027.

E. **LEGAL CONSIDERATION:**

None

ALTERNATIVE RECOMMENDATION(S):

The City Council could decide not to approve the grant.

PRINCIPAL PARTIES EXPECTED AT MEETING:

ATTACHMENTS:

Description	Type
☐ CDC Infrastructure Grant	Cover Memo

Minnesota Department of Health

Grant Project Agreement Cover Sheet

You have received a grant project agreement from the Minnesota Department of Health (MDH). Information about the grant project agreement, including funding details, are included below. Contact your MDH Grant Manager if you have questions about this Cover Sheet.

ATTACHMENT: Grant Project Agreement

CONTACT FOR MDH: Alicia Waters, 651-201-4512, Alicia.Waters@state.mn.us

Grantee SWIFT Information	Grant Project Agreement Information	Program & Funding Information
Name of MDH Grantee: City of Richfield Community Health Board	Grant Project Agreement Number: 225544	MDH Program Name: CDC Federal Infrastructure Grant
Grantee SWIFT Vendor Number: 0000197711 SWIFT Vendor Location Code: 001	Effective Date: 3/1/2023, OR the date all signatures are collected and the agreement is fully executed, whichever is later. Expiration Date: 11/30/2027	Total State Grant Funds: \$0.00 Total Federal Grant Funds: \$152,324.00 Total Grant Funds (all funds): \$152,324.00

Notice to Grantee about Federal Funds

You have received a sub-award of federal financial assistance from MDH. Information about the sub-award is being shared with you per [2 CFR § 200.332](#). Please keep a copy of this cover sheet with the grant project agreement.

Grantee Unique Entity Identifier (UEI) Name and Number	UEI Name: Richfield, City of UEI Number: F6K4YGAKNQJ1
Grantee's Approved Indirect Cost Rate for the Grant	0%
Is this award for Research and Development?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Project Description	This funding will support efforts to recruit, retain, and train a skilled and diverse public health workforce, address longstanding public health infrastructure needs, and increase the size of the public health workforce.
Name of Federal Awarding Agency	Department of Health and Human Services Centers for Disease Control and Prevention (CDC)
Assistance Listing Name and Number (formerly <i>Catalog of Federal Domestic Assistance</i> , "CFDA")	Assistance Listing Name: CDC's Collaboration with Academia to Strengthen Public Health Assistance Listing Number: 93.967
Federal Award Identification Number (FAIN)/ Grantor's Pass-through Number	NE11OE000048
Federal Award Date (Date MDH received federal grant)	11/29/2022
Total Amount of Federal Award Received by MDH	\$42,873,748.00
Amount of funding from this federal award MDH is issuing to Grantee:	\$152,324.00

Minnesota Department of Health

Grant Project Agreement

This Grant Project Agreement, and amendments and supplements, is between the State of Minnesota, acting through its Commissioner of Health (“MDH”) and City of Richfield Community Health Board, an independent organization, not an employee of the State of Minnesota, address 6700 Portland Avenue So., Richfield, MN 55423, (“Grantee”).

Recitals

1. MDH is empowered to enter into this grant project agreement under Minn. Stat. §§ [144.05](#) and [144.0742](#) and 317(K)(2) of PHSA 42USC 24B(K)(2) for preventive health services;
2. MDH and Grantee have entered into Master Grant Contract number 12-700-00080 (“Master Grant Contract”) effective January 1, 2020 or subsequent Master Grant Contracts and amendments and supplements thereto;
3. Grantee represents that it is duly qualified and willing to perform the activities described in accordance with the terms of this grant project agreement. Pursuant to [Minn. Stat. § 16B.98](#), subd 1, Grantee agrees to minimize administrative costs as a condition of this grant project agreement.

Grant Project Agreement

NOW, THEREFORE, it is agreed:

1. Incorporation of Master Grant Contract

All terms and conditions of the Master Grant Contract are hereby incorporated by reference into this grant project agreement.

2. Term of Agreement

2.1. *Effective date*

March 1, 2023, or the date MDH obtains all required signatures under [Minn. Stat. § 16B.98](#), subd. 5(a), whichever is later. Per [Minn. Stat. § 16B.98](#), subd. 7, no payments will be made to the Grantee until this grant project agreement is fully executed. Grantee must not begin work until this grant project agreement is fully executed and MDH’s Authorized Representative has notified Grantee that work may commence.

2.2. *Expiration date*

November 30, 2027, or until all obligations have been fulfilled to the satisfaction of MDH, whichever occurs first, except for the requirements specified in this grant project agreement with completion dates which extend beyond the termination date specified in this sentence.

3. Activities

3.1. *MDH’s Activities*

MDH activities, in accordance with the Minnesota Department of Administration's Office of Grants Management's policies and federal regulations, may include but are not limited to financial reconciliations, site visits, programmatic monitoring of activities performed, and grant activity evaluation.

3.2. *Grantee's Activities*

Grantee, who is not a state employee, shall conduct the activities specified in Exhibit A, which is attached and incorporated into this grant agreement.

4. **Award and Payment**

MDH will award funds to Grantee for all activities performed in accordance with this grant project agreement.

4.1. *Grant Award*

Reimbursement will be in accordance with the grantee activities addressed in Exhibit A, which is attached and incorporated into this grant agreement.

4.2. *Budget Modifications*

Grantee may modify any line item in the most recently agreed-upon budget by up to 10 percent without prior written approval from MDH. Grantee must notify MDH of any modifications up to 10 percent in writing no later than the next invoice. Grantee must obtain prior written approval from MDH for line-item modifications greater than 10 percent. Grantee's failure to obtain MDH's prior approval may result in denial of modification request, loss of funds, or both. The total obligation of MDH for all compensation and reimbursements to Grantee shall not exceed the total obligation listed under "Total Obligation."

4.3. *Total Obligation*

The total obligation of MDH for all compensation and reimbursements to Grantee under this grant project agreement will not exceed \$152,324.00.

4.4. *Terms of Payment*

4.4.1. *Invoices*

MDH will promptly pay Grantee after Grantee presents an itemized invoice for the activities actually performed and MDH's Authorized Representative accepts the invoiced activities. Invoices must be submitted at least quarterly or according to a schedule agreed upon by the Parties. The final invoice is due 30 calendar days after the expiration date of the grant agreement.

4.4.2. *Federal Funds*

Payments under this grant project agreement will be made from federal funds obtained by MDH through Strengthening Minnesota's Public Health Infrastructure, Workforce, and Data Systems, Assistance Listing (formerly known as CFDA) number 93.967 of the Public Health Service Act of 1944, including public law and all amendments. The Notice of Grant Award (NGA) number is 1NE11OE000048-01-00. Grantee is responsible for compliance with all federal requirements imposed on these funds and accepts full financial responsibility for any requirements imposed by the Grantee's failure to comply with federal requirements.

5. **Conditions of Payment**

All activities performed by Grantee pursuant to this grant agreement must be performed in accordance with the terms of this grant agreement, as determined in the sole discretion of MDH's Authorized Representative. Furthermore, all activities performed by Grantee must be in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. MDH will not pay Grantee for work that MDH determines is noncompliant with the terms and

conditions of this grant agreement or performed in violation of federal, state, or local law, ordinance, rule, or regulation.

6. Ownership of Equipment and Supplies

6.1. **Equipment.** "Equipment" is defined as tangible personal property having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds \$5,000. MDH shall have the right to require transfer of all Equipment purchased with grant funds (including title) to MDH or to an eligible non-State party named by MDH. MDH may require the transfer of Equipment if the grant program is transferred to another grantee. At the end of this grant agreement, grantee must contact MDH's Authorized Representative for further instruction regarding the disposition of Equipment.

6.2. **Supplies.** "Supplies" is defined as all tangible personal property other than those described in the definition of Equipment. Grantee must notify MDH's Authorized Representative regarding any remaining Supplies with an aggregate market value of \$5,000 or more for further instruction regarding the disposition of those Supplies. For the purpose of this section, Supplies includes but is not limited to computers and incentives.

7. Authorized Representatives

7.1. MDH's Authorized Representative

MDH's Authorized Representative for purposes of administering this grant project agreement is Alicia Waters, Grant Manager, P.O. Box 64975 St. Paul, MN 55164-0975, 651-201-4512, Alicia.Waters@state.mn.us, or their successor, and has the responsibility to monitor Grantee's performance and the final authority to accept the activities performed under this grant project agreement. If the activities performed are satisfactory, MDH's Authorized Representative will certify acceptance on each invoice submitted for payment.

7.2. Grantee's Authorized Representative

Grantee's Authorized Representative is Jennifer Anderson, CHS Administrator, 6700 Portland Avenue So., Richfield, MN 55423, 612-861-9881, jenniferanderson@richfieldmn.gov, or their successor. Grantee's Authorized Representative has full authority to represent Grantee in fulfillment of the terms, conditions, and requirements of this agreement. If Grantee selects a new Authorized Representative at any time during this grant project agreement, Grantee must immediately notify MDH's Authorized Representative.

8. Termination

8.1. Termination by the MDH or Grantee

MDH or Grantee may cancel this grant project agreement at any time, with or without cause, upon 30 days written notice (e.g., by mail, email, or both) to the other party.

8.2. Termination for Cause

If Grantee fails to comply with the provisions of this grant project agreement, MDH may terminate this grant project agreement without prejudice to the right of MDH to recover any money previously paid. The termination shall be effective five business days after written notice (e.g., mail, email or both) of termination to Grantee.

8.3. Termination for Insufficient Funding

MDH may immediately terminate this grant project agreement if it does not obtain funding from the Minnesota Legislature or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the work scope covered in this grant project

agreement. Termination must be by written notice to Grantee; e.g., mail, email, or both. MDH is not obligated to pay for any work performed after notice and effective date of the termination. However, Grantee will be entitled to payment, determined on a pro rata basis, for activities satisfactorily performed to the extent that funds are available. MDH will not be assessed any penalty if this grant project agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. MDH must provide the Grantee notice of the lack of funding within a reasonable time of MDH receiving notice of the same.

9. Publicity

Any publicity given to the program, publications, or activities performed resulting from this grant agreement, including but not limited to, notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for Grantee or its employees individually or jointly with others, or any subgrantees, must identify MDH as the sponsoring agency. If publicity is not specifically authorized under this grant agreement, Grantee must obtain prior written approval from MDH's Authorized Representative. As federal funding is being used for this grant project agreement, the federal program must also be recognized.

10. Clerical Error

Notwithstanding Clause "Assignment, Amendments, Waiver, and Grant Agreement Complete" of this grant agreement, MDH reserves the right to unilaterally fix clerical errors, defined as misspellings, minor grammatical or typographical mistakes or omissions, that do not have a substantive impact on the terms of the Grant Agreement without executing an amendment. MDH must inform Grantee of clerical errors that have been fixed pursuant to this paragraph within a reasonable period of time.

11. Telecommunications Certification

By signing this agreement, Grantee certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, [Pub. L. 115-232](#) (Aug. 13, 2018), and [2 CFR § 200.216](#), Grantee will not use any funding covered by this grant agreement to procure or obtain, or to extend, renew, or enter into any contract to procure or obtain, any equipment, system, or service that uses "covered telecommunications equipment or services" (as that term is defined in Section 889 of the Act) as a substantial or essential component of any system or as critical technology as part of any system. Grantee will include this certification as a flow down clause in any contract related to this grant agreement.

12. Voter Registration Services Requirement

If this grant agreement will disburse any state funds (as indicated on the Award Cover Sheet); AND Grantee is a local unit of government, city, county, township, or non-profit organization, then Grantee is required to comply with [Minn. Stat. § 201.162](#) by providing voter registration services for its employees and for the public served by the grantee.

APPROVED:

1. State Encumbrance Verification

Individual certifies that funds have been encumbered as required by Minn. Stat. §§ [16A.15](#) and [16C.05](#).

Signature: Sarah Martin Digitally signed by Sarah Martin
 Date: 2023.03.02 11:46:04 -06'00'

SWIFT Contract & Initial PO: 225544_3000101266

2. Grantee

Grantee certifies that the appropriate persons(s) have executed the grant agreement on behalf of Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

Signature: _____	Signature: _____
Title: <u>CHS Administrator</u>	Title: _____
Date: _____	Date: _____
Signature: _____	Signature: _____
Title: _____	Title: _____
Date: _____	Date: _____

1. Minnesota Department of Health

Grant agreement approval and certification that State funds have been encumbered as required by Minn. Stat. §§ [16A.15](#) and [16C.05](#).

Signature: _____
 (with delegated authority)

Title: _____

Date: _____

Distribution:

All parties on the DocuSign envelope will receive a copy of the fully executed grant agreement.

Exhibit A – Grantee's Activities/Scope of Work

The purpose of this funding is to recruit, retain, and train a skilled and diverse public health workforce, address longstanding public health infrastructure needs, and increase the size of the public health workforce. More details and examples of activities supported by these duties can be found in the *CDC Federal Infrastructure Grant Guide for CHBs* found on the MDH website.

The programmatic duties must be completed and awarded funds expended by November 30, 2027 unless Grantee is notified in writing by MDH's Authorized Representative, or their designee, that the budget period is being extended.

1. Grantee shall complete, and update as necessary, proposed activities in REDCap, which will be used by MDH to ensure compliance with CDC guidelines and make connections with other grantees. Any changes made to the original proposal must be made in REDCap and reviewed by MDH.
2. Grantee shall undertake any or all the activities in the following areas:
 - **Support and sustain the public health workforce.** This could include, but is not limited to, strengthening workplace well-being programs and expanding engagement with the workforce to address their mental, emotional, and physical well-being.
 - **Retain public health staff.** This could include, but is not limited to, strengthening retention incentives, creating promotional opportunities, and transition staff to other hiring mechanisms.
 - **Train new and existing public health staff.** This could include, but is not limited to, improving the quality and scope of training and professional development opportunities for all staff.
 - **Strengthen workforce planning, systems, processes, and policies.** This could include but is not limited to, maintaining and upgrading human resource systems, identifying ways to better collect and use workforce data, and identifying policies that could facilitate more efficient and effective workforce development and management.
 - **Recruit and hire new public health staff.** This could include, but is not limited to, expanding recruitment efforts, creating new positions, improving hiring incentives, and creating new hiring mechanisms.
3. Grantee shall complete a proposed budget in REDCap by the date provided to them by MDH. Any revisions made to the original budget must be made in REDCap.
4. Grantee shall provide requested financial and programmatic reporting information by the dates provided to them by MDH to meet MDH and CDC reporting and monitoring requirements.

Certificate Of Completion

Envelope Id: 0DBA11348EC9413D950BC9F64A641373

Status: Sent

Subject: Complete with DocuSign: Richfield Grant Agreement | CHD | 225544 | REQ 7816

Source Envelope:

Document Pages: 8

Signatures: 0

Envelope Originator:

Certificate Pages: 2

Initials: 0

Alicia Waters

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625 Robert St. N

Enveloped Stamping: Enabled

PO Box 64975

Time Zone: (UTC-06:00) Central Time (US & Canada)

St. Paul, MN 55164

alicia.waters@state.mn.us

IP Address: 156.98.136.27

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Holder: Alicia Waters

Location: DocuSign

3/3/2023 3:03:17 PM

alicia.waters@state.mn.us

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: Department of Health

Location: DocuSign

Signer Events**Signature****Timestamp**

Jennifer Anderson

Sent: 3/3/2023 3:05:37 PM

jenniferanderson@richfieldmn.gov

Viewed: 3/6/2023 7:30:28 AM

CHS Administrator

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

MDH FiM with Delegated Authority to Execute
Grants/ContractsSigning Group: MDH FiM with Delegated Authority to
Execute Grants/ContractsSecurity Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

MDH FiM Encumbrance Office

Health.FM-Grants-Contracts@state.mn.us

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

Witness Events**Signature****Timestamp**

Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/3/2023 3:05:37 PM
Payment Events	Status	Timestamps



STAFF REPORT NO. 35
CITY COUNCIL MEETING
3/14/2023

REPORT PREPARED BY: Julie Urban, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
3/7/2023

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
3/7/2023

ITEM FOR COUNCIL CONSIDERATION:

Consider awarding American Rescue Plan Act funding grants to non-profit organizations that are providing services and activities that aid in the recovery of Richfield community members negatively impacted by the COVID-19 pandemic.

EXECUTIVE SUMMARY:

The COVID-19 pandemic has had a disproportionately negative impact on many Richfield residents, especially households with low incomes and those residents who are Black, Indigenous and People of Color (BIPOC). In 2022, the City designated \$300,000 in American Rescue Plan Act (ARPA) funds toward social services that would help to mitigate some of these negative impacts.

On December 15, 2022, the City issued a Request for Proposals (RFP) for \$150,000 of ARPA social services funds, seeking proposals from non-profit organizations that provide services and activities that help mitigate the negative impacts caused by the pandemic on economically disadvantaged Richfield community members. Several priorities were identified for the funds, including: promoting housing security and stability, promoting healthy childhood environments, promoting healthy and safe living environments, promoting economic stability, improving healthy food access, building strong communities, and reducing racial disparities.

Proposals were due on February 2, 2023, and seven non-profit organizations submitted proposals requesting \$183,135 in funding. On March 1, a committee consisting of two Community Development staff members, one Public Safety staff member, and two members of the public, reviewed the proposals and are recommending that \$160,000 be awarded to the following organizations:

<u>Organization</u>	<u>Proposed Funding Amount</u>	<u>Proposed Service/Activity</u>
Cornerstone Advocacy Services	\$35,000	Services to victims of domestic violence
Conflict Resolution Center	\$30,000	Conflict resolution training, restorative circles, resource navigation, and mediation services for apartment residents
		Child-care training/capacity building for Latino/Latina

MIRA	\$15,300	and immigrant communities
People with Capes	\$12,000	ParentShare environmental education and community-building activity for current and past participants of the Kids@Home Program
Tapestry	\$20,000	English/Spanish classes, community meals, bi-lingual community care, and bi-lingual music lessons for Latine, immigrant, and economically-disadvantaged households
TRAIL	\$7,700	Transportation and recreational and social activities for people with disabilities
VEAP	\$40,000*	Housing advocacy, financial assistance, case management, and resource navigation for economically-disadvantaged households

*More rental assistance funds from the State of Minnesota were available in 2022 than was anticipated, and \$41,854.56 of the 2022 contract awarded to VEAP in 2022 remains to be spent. The 2023 ARPA social service contract will include these remaining funds as well as the proposed \$40,000 award for a total contract award of \$81,854.56.

RECOMMENDED ACTION:

By motion: Approve a resolution awarding \$160,000 in American Rescue Plan Act funding to seven different non-profit organizations aiding community members negatively impacted by the COVID-19 pandemic, and authorizing the Mayor and City Manager to execute service contract amendments with the organizations.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The City was allocated \$3.972 million in Coronavirus Local Fiscal Recovery Funds under ARPA in 2021 to assist the City in the recovery from the COVID-19 pandemic. In 2022, the City utilized \$1.296 million in ARPA funds for a variety of immediate needs, including an award of \$100,000 to VEAP to provide emergency rent assistance and \$20,000 to Cornerstone Advocacy Services for domestic violence-related services.
- On September 13, 2022, the City Council adopted a plan for spending \$2.6 million of remaining ARPA funds on a variety of activities, including \$300,000 in funds to social services agencies for direct service to community members.
- The COVID-19 pandemic has had a negative economic impact on members of our community, especially those with lower incomes and those who are BIPOC.
- An RFP was issued on December 15, 2022, with a deadline of February 2, 2023. Seven proposals were submitted requesting a total of \$183,135.

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

- The final ARPA rules provide flexibility to the City in determining how to spend the funds, and the Council determined that it was important to provide some direct support to the community and to those community members disproportionately impacted by the pandemic.
- The proposed grants are for services consistent with the City's strategic plan initiatives, advancing Community Development and Equity and Inclusion.

C. CRITICAL TIMING ISSUES:

- ARPA funds must be obligated by December 31, 2024 and spent by December 31, 2026. Contracts for these awards will require an expenditure by March 31, 2024.
- The remaining \$140,000 in social service funds will be awarded through a second RFP process in March of 2024.

D. FINANCIAL IMPACT:

- Staff is recommending that \$160,000 of the \$300,000 in social services funding be awarded to seven organizations.
- Grant recipients may spend up to 10 percent of the grant on administrative expenses.

E. LEGAL CONSIDERATION:

- The proposed uses are consistent with guidelines for federal ARPA funds.
- The City Attorney will prepare contracts for the grant awards.

ALTERNATIVE RECOMMENDATION(S):

Decide not to allocate ARPA funds to these organizations at this time.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Representatives from the organizations may be in attendance.

ATTACHMENTS:

Description		Type
□	Resolution	Resolution Letter
□	Request for Proposals	Backup Material

RESOLUTION NO. _____

**RESOLUTION APPROVING AN ALLOCATION OF AMERICAN RESCUE PLAN ACT
FUNDING TO NON-PROFIT ORGANIZATIONS**

WHEREAS, Congress adopted the American Rescue Plan Act in March 2021 (“ARPA”), which included \$65 billion in recovery funds for cities across the country; and

WHEREAS, on June 28, 2022, the City of Richfield received its final allocation of ARPA funds in the amount of \$1,986,423.23, bringing the total amount of ARPA funds received by the City to \$3,972,846.46; and

WHEREAS, on March 22, 2022, the City Council awarded \$120,000 in ARPA funds to VEAP and Cornerstone Advocacy Services for immediate pandemic relief social service needs; and

WHEREAS, on September 13, 2022, the City Council approved various project proposals for ARPA funds and designated an additional \$300,000 to social services; and

WHEREAS, on December 15, 2022, the City issued a Request for Proposals (RFP) seeking proposals from non-profit organizations to provide social services and activities to community members negatively impacted by the COVID-19 pandemic; and

WHEREAS, the City received proposals from seven organizations, including Cornerstone Advocacy Services, Conflict Resolution Center, MIRA, People with Capes, Tapestry, TRAIL, and VEAP (“Organizations”); and

WHEREAS, all seven Organizations are proposing to provide services and activities consistent with the priorities of the City’s RFP and to serve households disproportionately impacted by the COVID-19 pandemic; and

WHEREAS, VEAP received an ARPA award of \$100,000 in 2022 but did not spend \$41,854.56 of the award in 2022 and has asked that those unspent funds be added to its 2023 award; and

WHEREAS, a review committee (“Committee”) comprised of city staff and residents reviewed the proposals and made funding recommendations in the amount of \$160,000, plus the \$41,854.56 of unspent 2022 funds for a total of \$201,854.56 to the Organizations as follows:

Cornerstone Advocacy Services	\$35,000
Conflict Resolution Center	\$30,000
MIRA	\$15,300
People with Capes	\$12,000
Tapestry	\$20,000

TRAIL	\$7,700
VEAP	\$81,854.56
TOTAL	\$ 201,854.56

; and

WHEREAS, there has been presented before the City Council a request to provide grants to the seven non-profit Organizations to provide services and activities to Richfield residents negatively impacted by the COVID-19 pandemic and to authorize the Mayor and City Manager to prepare contracts with the seven Organizations for the amount of funding recommended by the Committee; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The City Council agrees to allocate \$201,854.56 in ARPA funds to the Organizations.
2. The Mayor and the City Manager are hereby authorized to execute contracts with the Organizations, providing the funds as recommended by the Committee and identified in this resolution.
3. This resolution shall be in full force and effect as of the date hereof.

Adopted by the City Council of the City of Richfield, Minnesota this 14th day of March, 2023.

Mary B. Supple, Mayor

ATTEST:

Chris Swanson, Acting City Clerk

American Rescue Plan Act Social Services Program



Purpose

The American Rescue Plan Act (ARPA) Social Services Program seeks to aid in the recovery of community members negatively impacted by the COVID-19 pandemic. These negative impacts include, but are not limited to, reduced income, lost employment, housing instability, food insecurity, social isolation, poor mental health, learning loss, and accumulated debt.

The City of Richfield has allocated \$300,000 in federal ARPA funds to the ARPA Social Services Program to fund services and activities that help economically disadvantaged Richfield community members and mitigate the negative impacts on these communities. The Program is seeking to provide funding to non-profit organizations to facilitate programs, projects, and/or activities that will help accomplish this purpose.

Process

Grant funds will be distributed to non-profit organizations on a competitive basis through two rounds of funding. In the first round, up to \$150,000 will be available through a Request for Proposals (RFP) issued on December 15, 2022. Applications will be due at 4:00 pm on Thursday, February 2, 2023. Final awards will be awarded at the City Council meeting on March 14, 2023. A second round of funding is anticipated in 2024.

Priorities

The priorities of the program include:

- ◆ Promoting housing security and stability
- ◆ Promoting healthy childhood environments
- ◆ Promoting healthy and safe living environments
- ◆ Promoting economic stability
- ◆ Improving healthy food access
- ◆ Building strong communities
- ◆ Reducing racial disparities

Eligible Activities

Examples of eligible activities could include, but are not limited to, rent assistance, food assistance, programs/events to reduce social isolation, mental health services, programs to support children, programs to support parents and families, programs that facilitate economic stability.

Programs and activities should primarily serve households earning 50% or less of the Area Median Income, adjusted by household size.

Organizations may utilize up to 10% of the funds for grant administration activities.

Ineligible activities include capital expenditures, mortgage assistance, and ongoing operating costs not related to aiding in the recovery of community members impacted by the pandemic.

Program Details

- Minimum grant: \$5,000.
- Eligible applicants: non-profit organizations.
- Ineligible applicants: for-profit organizations; schools that received their own ARPA allocation.
- Applicants will be asked to describe the negative impacts experienced by the community to be served and how the program/activity will address those impacts. Numerical evidence will be appreciated but not required.
- Priority will be given to programs helping low income households who earn no more than 50% of the Hennepin County Area Median Income (AMI). Consideration may also be given to programs serving households earning up to 80% of the AMI if negative impacts can be demonstrated. Individual income documentation is not required if an organization can demonstrate its primary clientele fall under the income requirements.
- Grant recipients may request reimbursement on a quarterly basis (July 15, October 15, January 15, April 15).
- The following information must be collected and submitted with reimbursement requests: narrative description of Contracted Services performed; expense report detailing the Contracted Service performed, date, and amount being requested; number of participants served during the previous quarter, and demographic data on participants receiving direct services, including race, household size, housing income, age, and primary language spoken in the household.

Evaluation Criteria

Funding requests will be reviewed by a committee consisting of community members and city staff who will consider the following factors in evaluating grant applications:

1. Community to be served and demonstrated need for assistance.
2. Number of households to be served.
3. Provider experience and capacity.
4. Project readiness.
5. Cost of service.
6. Degree to which community priorities are met.
7. Degree to which negative impacts are addressed.
8. Ability of program to be successful if less grant funding is awarded than requested.

TIMELINE

Request for Proposals Issued:	December 15, 2022
Applications Due:	4:00 pm, February 2, 2023
Council Decision:	March 14, 2023
Spending Period:	April 1, 2023 – March 31, 2024

Questions:

Julie Urban, Assistant Community Development Director, 612-861-9777 or jurban@richfieldmn.gov
Lynnette Chambers, Multi-Family Housing Coordinator, 612-861-9773 or lichambers@richfieldmn.gov