



**WORK SESSION
RICHFIELD MUNICIPAL CENTER, BARTHOLOMEW ROOM
JULY 25, 2023
5:45 PM**

Call to order

1. Discuss status of two requests submitted by staff to Minnesota Management and Budget for potential inclusion in a 2024 bonding bill.
2. Discussion of an ordinance regulating cannabis use within public property and public places.

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 612-861-9739.



WORK SESSION STAFF REPORT NO. 25

WORK SESSION

7/25/2023

REPORT PREPARED BY: Matt Hardegger, Transportation Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director
7/19/2023

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
7/19/2023

ITEM FOR WORK SESSION:

Discuss status of two requests submitted by staff to Minnesota Management and Budget for potential inclusion in a 2024 bonding bill.

EXECUTIVE SUMMARY:

City staff submitted two requests to Minnesota Management and Budget (MMB) for potential inclusion in a 2024 bonding package. These two requests were the Nicollet Ave reconstruction project (project led by Hennepin County) and the 73rd St Pedestrian Bridge & Trail project over I-35W. Staff recommends only proceeding with funding for one project in this cycle and recommends that project be the Nicollet Ave reconstruction project.

Staff is recommending the City advancing the Nicollet Ave reconstruction project proposal for the following reasons:

- The Nicollet project is already programmed in Hennepin County's CIP and the City must determine a funding source prior to construction in 2026.
 - While a key local need, the 73rd St project does not have any committed funding at this point.
- The Nicollet project has a regional impact, an important qualification for the State funding.
 - The 73rd St. project is important locally, but may have less of a regional significance.
- Bonding requests require a 50% non-State match and it's staff understanding the County funding counts towards that match for the Nicollet project.
- The 73rd St. project is eligible for federal funding through Met Council's Regional Solicitation and will be submitted in the upcoming cycle (fall 2023).
 - The Nicollet project may be eligible for ped/bike improvement funding through the Met Council's Regional Solicitation process, but likely in a smaller sum than available through state bonding.
- The City's lobbyists have advised that it's not typical for small/medium sized cities like Richfield to submit multiple projects requests in the same bonding cycle.
- Submitting two proposals will stretch council and staff capacity to effectively advocate for state bonding funds.

DIRECTION NEEDED:

Staff is seeking direction on which proposals (if any) to proceed with for the potential 2024 bonding cycle.

BACKGROUND INFORMATION:

A. HISTORICAL CONTEXT

See executive summary.

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

Pursuit of bonding dollars for infrastructure projects is consistent with the following City Council Strategic Priorities and Desired Outcomes:

- 1b: Operational Excellence - Financial Capacity to Deliver Essential Services
- 3a: Sustainable Infrastructure - City Infrastructure Supports Service Needs
- 3b: Sustainable Infrastructure - Sustainable Infrastructure Financing

C. CRITICAL TIMING ISSUES:

A resolution of support from the City Council is required to be submitted to the legislature prior to October 13, 2023 in advance of the 2024 session.

D. FINANCIAL IMPACT:

- The bonding request for the Nicollet project was \$10 million, which would cover the City's needs for utility and road reconstruction, likely with minimal local match required.
- The bonding request for the 73rd St project was \$5.5 million, which would require a \$5.5 million match from the City.

E. LEGAL CONSIDERATION:

None at this time.

ALTERNATIVE(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None



WORK SESSION STAFF REPORT NO. 26

WORK SESSION

7/25/2023

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

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police
7/19/2023

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW:

ITEM FOR WORK SESSION:

Discussion of an ordinance regulating cannabis use within public property and public places.

EXECUTIVE SUMMARY:

The Minnesota Legislature recently approved amendments to Chapter 152 of MN Statutes related to Drugs, Controlled Substances which provides for the regulation of adult use cannabis. Specifically, the law authorizes the City to adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower and cannabis products in a public place.

DIRECTION NEEDED:

Discussion and guidance on whether to bring a draft ordinance that regulates cannabis use within public property and public places to a future city council meeting.

BACKGROUND INFORMATION:

A. HISTORICAL CONTEXT

The Adult Use Cannabis legislation permits an individual 21 or older to possess or transport up to two ounces of adult-use cannabis flower in a public place.

In addition, the language expressly states that an individual over 21 may use adult-use cannabis flower and adult-use cannabis products in the following locations:

1. A private residence and yard; and
2. On private property not generally accessible by the public, unless such use is explicitly prohibited by the owner of the property; and
3. On premises licensed to permit on-site consumption.

Of note, the language does not grant an individual a right to use cannabis on public property. As part of the legislation, Section 152.0263 (Cannabis possession Crimes) was added to Chapter 152 (Drugs, Controlled Substances). More specifically, Section 152.0263, Subd. 5, authorizes the City to adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived products in a public place. Public

place cannot include the three permissible locations described above. An ordinance can only apply to offenses committed after August 1.

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

The City of Richfield regulates tobacco and alcohol in public places with a misdemeanor charge. The adult use cannabis legislation only allows a petty misdemeanor.

C. CRITICAL TIMING ISSUES:

Possession, use, and home-growth of adult use cannabis becomes legal on August 1, 2023.

The adoption of an ordinance addressing the regulation of cannabis use within public property and public places does not require a formal public hearing, but does require ten days advance posting of the ordinance to be considered.

D. FINANCIAL IMPACT:

N/A

E. LEGAL CONSIDERATION:

ALTERNATIVE(S):

PRINCIPAL PARTIES EXPECTED AT MEETING: