

City Council

REGULAR MEETING AGENDA

May 5, 2020 – 6:30 pm

This meeting will be held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. The public may monitor this meeting by watching on Comcast cable channel 16, by streaming on CCXmedia.org, or by calling 1-415-655-0001 and entering the meeting code 804 612 392. The public may participate in this meeting during public comment sections, including the public forum beginning at 6:20 pm, by calling 763-230-7454. Additional information about monitoring electronic meetings is available on the [City website](#). For technical assistance, please contact the City at 763-593-8007 or webexsupport@goldenvalleymn.gov. If you incur costs to call into the meeting, you may submit the costs to the City for reimbursement consideration.

1. Call to Order

- A. Pledge of Allegiance
- B. Roll Call
- C. Proclamation for Arbor Day and Arbor Month

Pages

3-4

2. Additions and Corrections to Agenda

3. Consent Agenda

Approval of Consent Agenda - All items listed under this heading are considered to be routine by the City Council and will be enacted by one motion. There will be no discussion of these items unless a Council Member so requests in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda.

- A. Approval of Minutes:
 - 1. City Council Meeting – April 21, 2020 5-8
- B. Approval of City Check Register 9
- C. Minutes of Boards and Commissions:
 - 1. Planning Commission – March 9 and April 4, 2020 10-18
 - 2. Bassett Creek Watershed Management Commission – March 19, 2020 19-22
- D. Approval of Bids, Quotes and Contracts:
 - 1. Authorize Contract for Mill and Overlay Water Repairs 23-54
- E. Acceptance of Grants and Donations:
 - 1. Acceptance of Donation of Girl Scout Cookies Res. 20-28 55-56
- F. Accept Open Space and Recreation Commission 2019 Annual Report and Approve the 2020 Work Plan 57-65
- G. Accept Human Rights Commission 2019 Annual Report and Approve 2020 the Work Plan 66-79
- H. Approve Human Services Commission 2020 Emergency Allocation Requests 80
- I. Authorize Submittal for Navistar Maxxforce Engine Class Action Settlement 81-82



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3. Consent Agenda - continued

- J. Acceptance of Board and Commission Resignations
 - 1. Resignation from Environmental Commission 83
 - 2. Resignation from Human Services Commission 84
- K. Board/Commission Appointments 85
- L. Approve Equipment Checkout Policy Res. 20-29 86-90
- M. Approve Payment Card Industry Compliance Policy Res. 20-30 91-103

4. Public Hearing

- A. Public Hearing – Preliminary Plat Approval for Minor Subdivision – 1421 Rhode Island Avenue North 104-122

5. Old Business

6. New Business

All Ordinances listed under this heading are eligible for public input.

- A. COVID-19 Pandemic Emergency Administrative Actions 123-165
- B. Review of Council Calendar
- C. Mayor and Council Communications
 - 1. Other Committee/Meeting updates

7. Adjournment



EXECUTIVE SUMMARY

Public Works

763-593-8030 / 763-593-3988 (fax)

Golden Valley City Council Meeting
May 5, 2020

Agenda Item

1. C. Proclamation for Arbor Day and Arbor Month

Prepared By

Al Lundstrom, Park Maintenance Supervisor

Tim Teynor, Assistant City Forester

Summary

The City of Golden Valley was recently awarded the 2019 Tree City USA Award. It is the 33rd consecutive year Golden Valley has received this national recognition. Tree City USA recognizes communities that have proven their commitment to an effective, ongoing community forestry program. Tree City USA is sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service.

To become a Tree City USA, a community must meet four standards:

1. Operate a forestry division
2. Have a tree ordinance
3. Manage a comprehensive community forestry program
4. Observe Arbor Day

This year's Arbor Day activities will consist of a tree planting at Brookview Park in Golden Valley on May 6, 2020 by city staff. The activity will be videotaped and provided on social media and the City's website.

Financial Or Budget Considerations

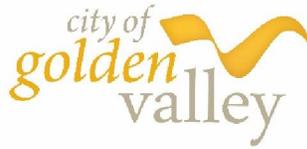
Not Applicable

Recommended Action

Motion to adopt a Proclamation for Arbor Day - May 6, 2020 and Arbor Month - May 2020 in the City of Golden Valley.

Supporting Documents

- Proclamation for Arbor Day - May 6, 2020 and Arbor Month - May 2020 (1 page)



CITY OF GOLDEN VALLEY

PROCLAMATION FOR RECOGNITION ARBOR DAY AND ARBOR MONTH - MAY 2020

WHEREAS, Golden Valley's urban forest treasures were a significant attraction to early settlers because of their usefulness and the beautiful environment they provided; and

WHEREAS, trees are an increasingly vital resource in Golden Valley today, enriching our lives by purifying air and water, helping conserve soil and energy, serving as recreational settings, providing habitat for wildlife of all kinds, and making our community more livable; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of warmth and security; and

WHEREAS, Golden Valley has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its urban forestry efforts.

NOW, THEREFORE, I, Shepard Harris, Mayor of the City of Golden Valley, have proclaimed May 6, 2020, as Arbor Day and May as Arbor Month in the City of Golden Valley, and urge all citizens to support efforts to protect our trees and woodlands and to support our City's urban forestry program.

BE IT FURTHER RESOLVED, the Golden Valley City Council urges all citizens to become more aware of the importance of trees to their well-being, and to plant, nurture, protect, and wisely use Golden Valley's great treasure of trees.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the City of Golden Valley to be affixed this 5th day of May, 2020.

Shepard M. Harris, Mayor

City Council

REGULAR MEETING MINUTES

April 21, 2020 – Immediately
following HRA meeting

In light of the recently declared COVID-19 health pandemic, the Mayor of the City of Golden Valley declared a local emergency under Minnesota Statute, section 12.37. In accordance with that declaration, beginning on March 16, 2020, all meetings of the City Council held during the emergency were conducted by telephone or other electronic means.

The City used WebEx to conduct this meeting electronically. Members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, and by dialing in to the public call-in line. The public was able to participate in this meeting during public comment sections, including the public forum, by dialing in to the public call-in line.

1. Call to Order

Mayor Harris called the meeting to order at 7:04 pm.

1A. Pledge of Allegiance

1B. Roll Call

Present: Mayor Shep Harris, Council Members Larry Fonnest, Maurice Harris, Gillian Rosenquist and Kimberly Sanberg

Staff present: City Manager Cruikshank, City Attorney Cisneros and City Clerk Luedke

1C. Proclamation Declaring April as Parkinson's Awareness Month

Mayor Harris read a proclamation recognizing April 2020 as Parkinson's Awareness Month. Mr. Chris Patrick, of the local Parkinson's Foundation, thanked Council for the proclamation, provided information on Parkinson's disease and answered questions from Council.

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to adopt the Proclamation declaring April as Parkinson's Awareness Month. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

2. Additions and Corrections to Agenda

MOTION made by Council Member Rosenquist, seconded by Council Member Harris to approve the agenda of April 21, 2020, as submitted. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3. Approval of Consent Agenda

MOTION made by Council Member Rosenquist, seconded by Council Member Sanberg to approve the consent agenda of April 21, 2020, as revised: removal of 3G-Approve Board and Commission Appointments and Reappointments, 3H-Amend the Human Services Commission Bylaws and 3I-Approve changes to the Attendance Policy in all Board and Commission Bylaws. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3A. Approval of Minutes:

- 3A1. Council/Manager Meeting – February 11, 2020
- 3A2. City Council Meeting – April 7, 2020

3B. Approve City Check Register and authorize the payments of the bills as submitted.

3C. Minutes of the Boards and Commissions:

- 3C1. Rising TIDES Task Force – February 11 and March 10, 2020

3D. Acceptance of Grants and Donation:

- 3D1. Adopt **Resolution 20-24**, accepting a donation of a plaque for a Brookview Golf Memorial bench.
- 3D2. Adopt **Resolution 20-25**, accepting a donation of 78 bottles of Splash bleach cleaner.

3E. Adopt **Resolution 25-26**, assigning 2019 General Fund Balance for the COVID-19 Expenditures.

3F. Adopt **Resolution 20-27**, approving Intent for a HRA Levy for a Housing Program.

~~**3G.** Approve Board and Commission Appointments and Reappointments~~

~~**3H.** Amend the Human Services Commission Bylaws as proposed.~~

~~**3I.** Approve the proposed changes to attendance policy in all Board and Commission Bylaws.~~

3. Items Removed From the Consent Agenda:

3G. Board and Commission Appointments and Reappointments

Council Member Rosenquist said the City received many great applications this year. City Manager Cruikshank provided information on current vacancies and applicants interested in being appointed.

MOTION made by Council Member Rosenquist, seconded by Council Member Sanberg to approve the following Board and Commission appointments and reappointments. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

Appointment and reappointments:

Human Rights Commission

Teresa Martin	3 years - expires 5/1/22
Destiny Nathan - youth	1 year - expires 5/1/21

Open Space and Recreation Commission

Susan Phelps	3 years - expires 5/1/23
Jim Stremel	3 years - expires 5/1/23
Shannon Hansen	3 years - expires 5/1/23

Planning Commission

Ryan Sadeghi	3 years - expires 5/1/23
Chuck Segelbaum	3 years - expires 5/1/23

Human Services Commission

Katie Hart	3 years - expires 5/1/23
Hilmer Erickson	3 years - expires 5/1/23
Toots Vodovoz	3 years - expires 5/1/23

Civil Service Commission

Andrew Wold	3 years - expires 5/1/23
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3G. Board and Commission Appointments and Reappointments – continued

Board of Zoning Appeals

Nancy Nelson	1 year - expires 5/1/21
Richard Orenstein	1 year - expires 5/1/21
Chris Carlson	1 year - expires 5/1/21
Sophia Ginis	1 year - expires 5/1/21
Kade Arm- Regenold - youth	1 year - expires 5/1/21

Environmental Commission

Bill Delaney	3 years - expires 5/1/23
Dawn Speltz	3 years - expires 5/1/23
Kelly Kuebelbeck	3 years - expires 5/1/23
Della Daml - youth	1 year - expires 5/1/21

3H. Approve Amendment to Human Services Commission Bylaws

Council Member Fonnest said the amendment would allow the Human Services Commission (HSC) to request emergency allocations to support community members impacted by the COVID-19 pandemic. He thanked the HSC and the Golden Valley Community Foundation (GVCF) for raising funds for this effort. He asked if Council would like to have an in depth discussion regarding the HSC and GVCF in June or July. The Council’s consensus was to move forward with a discussion. City Manager Cruikshank said the item would be added to an upcoming Council/Manager meeting.

MOTION made by Council Member Fonnest, seconded by Council Member Rosenquist to amend the Human Services Commission Bylaws as proposed. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

3I. Amendment to Board and Commission Attendance Policy in Bylaws

Council Member Fonnest asked if Council would like to add a sentence to the bylaws requiring Board and Commission members to attend the Annual Joint Council and Boards and Commission meeting. There was Council discussion regarding adding additional language to the bylaws.

City Attorney Cisneros stated a clause could be added to the first sentence to read “Members are expected to attend all meetings including the annual Boards and Commissions Joint Meeting”.

MOTION made by Council Member Fonnest, seconded by Council Member Sanberg to approve the proposed changes to attendance policy in all Board and Commission Bylaws as amended. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

4. Public Hearing

5. Old Business

6. New Business

6A. COVID-19 Pandemic Emergency Administrative Actions

City Manager Cruikshank presented the staff report and answered questions from Council.

6A. COVID-19 Pandemic Emergency Administrative Actions - continued

MOTION made by Council Member Rosenquist, seconded by Council Member Harris to ratify Emergency Administrative Actions 20-21 through 20-30 and adopt all recommendations contained therein. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

6B. Review of Council Calendar

Some Council Members may attend the virtual Golden Valley Business Council on April 23, 2020, at 9 am.

Some Council Members may attend the virtual Metro Cities' Annual meeting on April 30, 2020, at 4 pm.

The 2020 Step To It Challenge will run from May 1 through May 28, 2020.

The next City Council meeting will be held virtually on May 5, 2020, at 6:30 pm.

6C. Mayor and Council Communication

Council Member Rosenquist said the League of Minnesota Cities will be hosting Governor Walz on April 24, 2020, to address City staff and officials regarding COVID-19 issues. She thanked Park and Rec staff for their fun HomeRECEd activities.

Council Member Sanberg said the annual PRISM Taste of the Burbs will be held virtually on May 14, 2020, at 6:30 pm.

Mayor Harris said the City would be collecting masks and other personal protection gear at any of the Golden Valley Fire Stations on April 25, 2020. He thanked the River Valley Girl Scouts for donating girl scouts cookies to front line workers.

7. Adjourn

MOTION made by Council Member Fonnest, seconded by Council Member Sanberg to adjourn the meeting at 7:50 pm. Upon a vote being taken, the following voted in favor of: Larry Fonnest, Maurice Harris, Shep Harris, Gillian Rosenquist, and Kimberly Sanberg, the following voted against: none and the motion carried.

Shepard M. Harris, Mayor

ATTEST:

Kristine A. Luedke, City Clerk



EXECUTIVE SUMMARY

Administrative Services

763-593-8013 / 763-593-3969 (fax)

Golden Valley City Council Meeting
May 5, 2020

Agenda Item

3. B. Approval of City Check Register

Prepared By

Sue Virnig, Finance Director

Summary

Approval of the check register for various vendor claims against the City of Golden Valley.

Financial Or Budget Considerations

The check register has a general ledger code as to where the claim is charged. At the end of the register is a total amount paid by fund.

Recommended Action

Motion to authorize the payment of the bills as submitted.

Supporting Documents

Document is located on city website at the following location:

<http://weblink.ci.golden-valley.mn.us/WebLink/browse.aspx?id=717279&dbid=2&repo=GoldenValley>

The check register for approval:

- 05/01/20 Check Register

Planning Commission

March 9, 2020 – 7 pm
Council Chambers
Golden Valley City Hall
7800 Golden Valley Road

REGULAR MEETING MINUTES

1. Call to Order

The meeting was called to order at 7:03 by **Chair Blum**

Roll Call

Commissioners present: Ron Blum, Adam Brookins, Chuck Segelbaum, Lauren Pockl, Rich Baker, Ari Prohofsky
Commissioners absent: Andy Johnson, Ryan Sadeghi
Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner
Council Liaison present: Gillian Rosenquist

2. Approval of Agenda

Chair Blum, asked for a motion to approve the agenda.

MOTION made by **Commissioner Segelbaum**, seconded by **Commissioner Baker** to approve the agenda of March 9, 2020, as submitted and the motion carried unanimously.

3. Approval of Minutes

Chair Blum asked for a motion to approve the minutes from February 24, 2020.

MOTION made by **Commissioner Brookins**, seconded by **Commissioner Segelbaum** to approve the meeting minutes from February 10, 2020, as submitted. **Commissioner Pockl** and **Commissioner Baker** abstained due to not attending the February 10th meeting. The remaining commissioners voted and the motion carried.

4. Discussion – Narrow Lot Regulation

Jason Zimmerman, Planning Manager, began the presentation with a recap of the request to the Planning Commission from City Council. In order to accurately convey the Council's direction, Zimmerman introduced Councilmember Gillian Rosenquist to speak as the liaison.

Councilmember Gillian Rosenquist began her presentation by mentioning the Joint Board, Commission, and Council meeting where a high-level overview was given on how all three work together. The duties of each group were reviewed and specifically how the Commission uses their resident expertise to provide feedback on items as directed by Council. Related to this, Rosenquist reviewed the history of narrow lots and the unique situation in Golden Valley of tax parcel subdivision prior to a formal City Zoning code.

Council asked the Commission to address certain areas within the conversation around narrow lots. The Commission was asked to focus on lots 50 feet wide or less and investigate possible zoning



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modifications to the City Code for narrow lot development. They were asked to utilize resident feedback as well as that from outside experts. The Council wanted recommendations before the building season started in Spring of 2020.

Chair Blum thanked Councilmember Rosenquist for presenting and asked for clarification as he felt she was telling the Commission to not consider neighborhood character when reviewing height and massing but to then make sure those items fit in Golden Valley. **Blum** asked the Councilmember if the comprehensive plan and how legislation is formed are important factors in how the Commission comes to their decisions. **CM Rosenquist** agreed that those things are important factors in the commission's decision making, but reiterated that neighborhood character can mean different things to different people and stated that the Commission should wrestle less with neighborhood character and more with height, massing, and setbacks. **Blum** asked if the comprehensive plan is the guide for how the Commission is to respond to height, massing, and setbacks. **CM Rosenquist** responded that the comprehensive plan is the big picture and that the Council recognizes this is a narrow question within that big picture.

Commissioner Segelbaum asked if the Council wasn't satisfied with the current lot regulations and if that was the motivation for a deeper dive from the Commission. **CM Rosenquist** responded that the focus was 50 feet or less due to the number of non-conformities created by reviewing lots between 50-80 feet wide. Looking at the areas with lots that are 50 feet wide or less, they're legally plated and are eligible for construction, what would the Commission like those areas of construction to look like. If there's a situation where all the lots are built on, make it so the buildings fit into the comprehensive plan for the future.

Zimmerman reviewed the February 10th meeting, staff recommendations for narrow lot regulations, and Commissioner feedback to see the "big picture". Staff created a list of nine proposed changes, what the staff recommendation is, and how that impacts the bigger picture.

The items are in black and staff recommendations are in blue.

1. Side yard setbacks
 - Minimum side yard setback of 5 feet
2. Garage stall requirements
 - Allow one-car garages for lots 50 feet in width or less; limit garage width to 65% of façade
3. Slope of "tent" portion of building envelope
 - Set vertical : horizontal slope of "tent" portion of building envelope to 2:1
4. Side wall height at side setback line
 - Lower wall height at side setback line to 13 feet
5. Second story dormers
 - Allow second story dormers to extend outside building envelope
6. Side wall articulation
 - Prohibit side wall articulation from extending into side yard setback; no principal structures within 5 feet of property line
7. Secondary front yard setbacks

- Reduce secondary front yard setback to 15 feet for lots 65 feet in width or less; maintain 22 feet of building envelope width
8. Lot coverage
 - Eliminate lot coverage allowance of 40% for lots under 5,000 square feet
 9. Amount of impervious surfaces
 - No recommended changes

Commissioner Segelbaum asked about item 3 and why the ratio doesn't have a qualifier. **Zimmerman** stated the 2:1 ratio is the current regulation for lots 65 feet and wider, applying this ratio to narrow lots would align the standard practice. Segelbaum followed up by asking if any other item will impact lots over 65' or wider. **Zimmerman** stated most items are for lots 50' and under, some items state up to 65' wide lots and that's to eliminate the gap between 50'-65'. **Commissioner Baker** asked if dormers will be regulated to lots 50' wide or less and **Zimmerman** responded that's the focus as lots wider than that, tend to have the space for a full second story. **Commissioner Brookins** asked if #4 would target all lots and **Zimmerman** stated it's targeted for lots 50' wide and under.

The Commissioners proceeded to have a conversation around the items presented. The Commissioners asked about zoning code history, past conversations about changes, and number of lots impacted.

Commissioners Baker, Brookins, and Segelbaum stated that staff recommendations are reasonable.

Blum mentioned the concept of buildability and mentioned a brochure by the MN Department of Labor and Industry titled "Tiny Houses and the 2020 MN Residential Code". **Blum** said the document contemplates homes between 100-400 sq feet. He asked staff if that size house is less or more than what the Commission has been contemplating for the narrow lots. **Zimmerman** stated it's significantly less. **Blum** stated his point was to show that buildability could include a wide variety of housing styles and sizes and that Commissioners consider what they determine to be a buildable home

Baker stated his desire to see the pamphlet Blum referenced and reiterated the objectivity of the term buildability. **Zimmerman** reminded the group of the difference between aesthetic: paint color, siding, architectural style; and character: rhythm of housing-massing and height. The goal of the City is not to tell people what kind of home they can have but rather and height and scale so rules for building are maintained.

The discussion continued and revolved around setbacks, how setbacks relate to the height of the building envelope, changing the tent to be a 1:1 if it begins from the property line, and reviewing mockups of some of the suggestions.

Commissioner Pockl asked staff if the City of Golden Valley has minimum house size requirements. Staff responded that the code mainly revolves around a 22-foot wide requirement for homes. The City does not allow for tiny homes that exist on a trailer and then are wheeled on a property, mainly because of utility needs and footings. Directly addressing tiny homes hasn't been a priority for Golden Valley thus far.

5. Discussion – Public Input Process

Jason Zimmerman, Planning Manager, began the conversation by revisiting a document that has been on the Planning Commission website which illustrates the public comment process for a meeting. This particular document is similar to that which directs the same process at a City Council meeting. Zimmerman sent the document to Commission members with the suggestion that the list be placed on the podium and on the front table so everyone attending a meeting with public input knows what to expect. Upon receipt of this procedure, the Chair suggested there be a public conversation. During this introduction the Chair passed around a document to the Commission members.

Chair Blum stated he was handing out a model Planning Commission policy, and that it was his belief that the procedure guidelines shared by staff were premature. **Blum** stated that guidelines summarize a policy and believed that there wasn't a policy set by the City to enforce the listed guidelines. Blum listed specific items in the guidelines that he would like to see amended. **Commissioner Baker** first thanked the Chair for his insights and that he looks forward to the amending process. **Baker** added his uncertainty on if the Planning Commission is responsible for amending this process. **Baker shared** his concern with the Chair handing out the model document to the Commissioners, **due to the fact** that there wasn't a way to share the document with the public and the lack of attribution. **Baker** stated that he felt the Commission members should return the document to the Chair. **Blum** responded that he requested this item be added to a future meeting and felt the guideline process was being rushed. After some dialogue, the Chair asked what the intention of staff was with this topic. **Zimmerman** responded the intention of staff was to receive feedback on a process that has been public for some time, and if the current Commission wanted to make it the official process. Referencing the document provided by the Chair, **Zimmerman** noted the document appearing to be a rewrite of the Planning Commission bylaws. This would be outside the powers of the Commission, as the Council sets and approves bylaws for all boards and commissions. **Zimmerman noted that** the City Attorney advised staff that the Commission has the ability to create its own public process for taking input, just as the Council did for their meetings. **Commissioner Segelbaum** stated that he moved to approve the agenda as it was written in the beginning of the meeting and if the agenda was changing, the Commission needed to follow the correct order of procedure to do that. **Segelbaum** added that the guidelines are something the Commission has informally followed and it gives the public notice for process and how to follow. He added that it's the Chair's prerogative to modify as they see fit and he'd like to adopt the guidelines.

Baker, Segelbaum, and Commissioner Brookins agreed that the guidelines are in line with current practice and **Baker** suggested the Chair revise the guidelines and present a new draft to the Commission.

Brookins added that he is not comfortable not having a process to provide the public and made a **MOTION** to move forward with the public input process as laid out in the guidelines on the website.

After further discussion, the **Chair** stated that the motion failed due to lack of a second. **Blum** reiterated that he would like to know the origin of the guidelines and under what authority they were established. **Zimmerman** stated the Commission does have under its authority, the ability to set the public input process for the Commission. **Segelbaum** stated that a resolution may not occur this evening and he didn't second Brookins' motion because he wasn't certain a formal vote needed to occur in order to approve the guidelines that are already public. **Segelbaum** added that if the Chair

would like a vote to clarify consensus, he asked the Chair make that determination and hold a vote. **Baker** added that if the Chair has legal questions then he should consult with the City Attorney.

Maria Cisneros, City Attorney for the City of Golden Valley, stood before the Commission and stated the topic at hand was about “Rules of Procedure” which differ from the Bylaws. The Council has their own Rules of Procedure for how their meetings are run as does the Commission. The City has not historically adopted strict Rules of Procedure as other cities have. **Cisneros** hasn’t been able to review all the meeting minutes for past Planning Commission meetings but her belief is that the current guidelines are publicly posted because they were once determined by a previous Commission. **Cisneros** said it’s within the Commission’s ability to adopt the guidelines as they’re listed or they may edit as they see fit and adopt those. **Baker** echoed Cisneros’ recommendation and **Commissioner Pockl** agreed. The Commission made a few immediate edits on word choices.

Television portion of the meeting concluded at 9:11pm

6. Commissioner Training – Variances

7. Council Liaison Report

Councilmember Rosenquist provided an update to Commissioners on the State of the City event at New Bohemia. She provided an update on the Joint Board Commission and said that lack of attendance was noted, there will be an increased effort to promote attendance for the next meeting.

8. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals, and other meetings

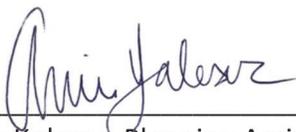
Councilmember Rosenquist updated Commissioners on a proclamation issued by the City Council opposing conversion therapy. The Council will also be encouraging representatives to support the bill introduced by the Senate to ban the practice of conversion therapy in the state of Minnesota. There was also a bill to introduce rapid transit on 55 and the Council Manager meeting will discuss affordable housing.

9. Other Business

Maria Cisneros, City Attorney, informed Commissioners that they will soon receive email addresses with the City of Golden Valley domain.

10. Adjournment

MOTION made by **Commissioner Pockl**, seconded by **Commissioner Baker** and the motion carried unanimously to adjourn the meeting at 9:57 PM.



Amie Kolesar, Planning Assistant


Adam Brookins, Secretary

Planning Commission

April 13, 2020 – 7 pm

REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Planning Commission meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line. The public was able to participate in this meeting during public comment sections, by dialing the public call-in line.

1. Call to Order

The meeting was called to order at 7:05 by **Commissioner Johnson**

Roll Call

Commissioners present: Adam Brookins, Andy Johnson, Chuck Segelbaum, Lauren Pockl, Rich Baker, Ron Blum, Ryan Sadeghi

Commissioners absent: Ari Prohofsky

Staff present: Jason Zimmerman – Planning Manager

Council Liaison present: Gillian Rosenquist

2. Approval of Agenda

Commissioner Johnson, asked for a motion to approve the agenda.

MOTION made by **Commissioner Segelbaum**, seconded by **Commissioner Brookins** to approve the agenda of April 13, 2020, as submitted. Staff called a roll call vote and the motion carried unanimously.

3. Approval of Minutes

Commissioner Johnson asked for a motion to approve the minutes from March 9, 2020.

MOTION made by **Commissioner Brookins**, seconded by **Commissioner Baker** to approve the meeting minutes from March 9, 2020, as submitted. Staff called a roll call vote and the motion carried unanimously.

4. Informal Public Hearing – Minor Subdivision

Applicant: Taylor Ward

Address: 1421 Rhode Island Ave N

Purpose: To subdivide an existing lot and create two new lots

Commissioner Johnson introduced the topic and staff gave a presentation.



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



Jason Zimmerman, Planning Manager, gave a brief summary of how the presentation will be given, as well as introduced the applicant as he was present in the Webex meeting.

Zimmerman explained the proposal was to subdivide an existing lot at 1421 to create two new lots; the existing house would remain and a new house would be added. Staff noted that the lot width of one lot is a few inches short of the minimum size requirement so a variance is required to subdivide. This particular variance didn't go to the BZA as they handle zoning variances, not subdivision variances.

The current lot is the result of a lot combination in 2008 where two 60-foot lots and one 40-foot lot were combined. A new home was constructed upon the demolition of the then existing home. There is a detached garage on the proposed second lot and that will remain when a secondary home is added. **Zimmerman** displayed the lot survey and the street view, he then went into details on minimum lot requirements for R-1 zoning.

- 10,000 (or 15,000) sq ft in area
- 80 ft of width at the front setback line (35 feet)
- 80 ft of width when 70 feet in to the lot

There is a provision that reviews the average size of lots in the area and within 250 feet of this lot, the average size is 11,708 sq ft. Being that the average size is under 18,000 sq ft, the minimum requirement remains at 10,000 sq ft.

Existing lot is 21,402 sq ft:

- Proposed Lot 1 (north lot)
 - 10,715 sq ft
 - 80.02 ft wide at 35' deep
 - 80.02 ft wide at 70' deep
- Proposed lot 2 (south lot):
 - 10,687 sq ft
 - 79.9 ft wide at 35' deep
 - 79.8 ft wide at 70' deep

Even though the southern lot is short by about 2.5 inches, the subdivision should be approved through a variance. The shortage in lot size is likely due to survey equipment inefficiencies when the lots were originally platted.

City code outlines the standards for granting variances as:

- Special circumstance that creates unusual hardship
- Necessary to preserve and enjoy substantial property rights
- Would not be detrimental to the general welfare or injurious to surrounding properties

Staff Findings are as follows:

1. Need is due to a special circumstance at the time of platting resulting in a slight deviation. Disallowing the subdivision because of this would create unusual hardship.
2. The absence of the variance would prevent the owner from a substantial property right.
3. Granting would not be injurious to the surrounding properties as the difference in width from the requirement would be negligible.

Zimmerman added that the variance is consistent with the 2040 Comp plan, is compatible with surrounding single-family homes, and would not have a negative impact on traffic conditions. With all these considerations, staff recommends approval of the variance.

Zimmerman added requirements that the applicant will need to adhere to in regards to inflow and infiltration, a tree survey, items that will require a Right-of-Way permit and stormwater permit, as well as the park dedication fee. There was a mailing sent to neighbors and staff received one response.

Commissioner Baker asked how the applicant knows the existing garage on the north lot will remain. **Zimmerman** responded that the applicant lives on the south lot and will build on the north. **Commissioner Segelbaum** followed up by asking if the existing garage meets city requirements; staff confirmed it does.

At this point, Chair Blum joined the meeting.

Chair Blum invited the applicant to make a comment on the item.

The applicant, Taylor Ward, mentioned the usefulness of what will be the “third” driveway when the property is subdivided and asked if it could remain. Staff responded that the engineering department stated regulations are for one curb cut per property. In addition to that, the existing paved area will be on a new property line and City requirements state that paved surfaces be 3 feet from the property line. Ward asked who replaces the curb in this situation and staff responded it’s part of the permit for the right-of-way process.

There were no other comments or questions for the applicant.

Chair Blum opened the informal public hearing at 7:24 pm.
The appropriate call in number was displayed on the live feed of the meeting.
The moderator confirmed there were no callers on the line.

Chair Blum closed the hearing at 7:29 pm with the willingness to reopen if a call came in to the meeting at a later time.
Staff suggested the commissioners address the variance initially and use that decision to guide their decision on the subdivision.

Baker stated that the variance request is reasonable and it meets requirements of a variance. **Segelbaum** echoed Baker's statement.

Commissioners and staff entered a discussion surrounding variances that are presented to them versus BZA.

MOTION to approve the variance made by **Baker**, seconded by **Brookins**.
Staff took a roll call vote and the motion passed.

Blum confirmed with the moderator that no calls came in for the public hearing.

MOTION to approve the minor subdivision request made by **Brookins**, seconded by **Johnson**
Staff took a roll call vote and the motion passed.

Television portion of the meeting concluded at 7:43 pm

5. Council Liaison Report

Councilmember Rosenquist thanked the Commissioners for being flexible as the City adapts to holding remote meetings due to the COVID-19 pandemic. She provided an update to Commissioners on the Council's approval of the Sweeney Lake Wood PUD Amendment, the decision to delay the 2020 Pavement Management Program, the City's hiring freeze, and the approval of other emergency actions.

6. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals, and other meetings

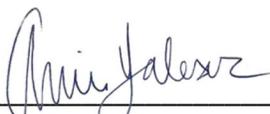
Jason Zimmerman, Planning Manager, let the Commissioners know that no Board of Zoning Appeals meeting would be held in April due to a lack of agenda items. He also updated them on three items on the agenda for the Housing and Redevelopment Authority meeting on April 21: consideration of a Housing Strategic Plan, a Fair Housing Policy, and authorization to proceed with the adoption of an HRA levy.

7. Other Business

None.

8. Adjournment

MOTION made by **Commissioner Baker**, seconded by **Commissioner Pockl** and the motion carried unanimously to adjourn the meeting at 7:57 PM.



Amie Kolesar, Planning Assistant



Adam Brookins, Secretary



Bassett Creek Watershed Management Commission

Minutes of Regular Meeting Thursday, March 19, 2020 8:30 a.m. Call-in Meeting

1. CALL TO ORDER and ROLL CALL

On Thursday, March 19, 2020 at 8:31 a.m. Chair Prom called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order. Due to the COVID-19 pandemic and in compliance with MN Statute 13D.021 and a declaration by Chair Prom that in-person meetings be suspended until further notice, the meeting was held via conference call.

Commissioners and city staff present on the call:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Vacant Position</i>	Mark Ray
Golden Valley	Stacy Harwell (Treasurer)	Jane McDonald Black	<i>Absent</i>
Medicine Lake	<i>Absent</i>	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch (Vice Chair)*	<i>Vacant Position</i>	<i>Absent</i>
Mnettonka	<i>Absent</i>	<i>Vacant Position</i>	Leslie Yetka
New Hope	<i>Absent</i>	Patrick Crough	<i>Absent</i>
Plymouth	James Prom	<i>Absent</i>	Ben Scharenbroich
Robbinsdale	<i>Vacant Position</i>	<i>Absent</i>	<i>Absent</i>
St. Louis Park	Jim de Lambert	<i>Absent</i>	<i>Absent</i>
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler and Jim Herbert, Barr Engineering		
Recorder	-		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Casey Dzieweczynski, Wellington Management*; Roshan Grieme, Wenck*; Roger Howley, Collage Architects*		

*Partial meeting attendance

2. PUBLIC FORUM ON NON-AGENDA ITEMS

No members of the public present on the call.

3. APPROVAL OF AGENDA

MOTION: Alternate Commissioner Crough moved to approve the agenda. Alternate Commissioner Holter seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minneapolis, Minnetonka, and Robbinsdale absent from the vote.

4. CONSENT AGENDA

MOTION: Alternate Commissioner Holter moved to approve the consent agenda. Commissioner de Lambert seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minneapolis, Minnetonka, and Robbinsdale absent from the vote.

The following items were approved as part of the amended consent agenda: February 20, 2020 commission meeting minutes, financial report, payment of invoices, Approval of Agreement with Hennepin County for 2020 River Watch Program, Approval of Resolution of Appreciation for Alternate Commissioner Monk, Approval of Reimbursement Request from Golden Valley for DeCola Ponds CIP Project, Approval of Leef South Redevelopment Project, Minneapolis.

The general and construction account balances reported in the March 2020 Financial Report are as follows:

Checking Account Balance	\$882,15491
<hr/>	
TOTAL GENERAL FUND BALANCE	\$882,154.91
<hr/>	
TOTAL CASH & INVESTMENTS ON-HAND (3/11/20)	\$3,098,422.51
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CIP Projects Levied – Budget Remaining	\$ (5,155,926,14)
<hr/>	
Closed Projects Remaining Balance	\$ (546,551.34)
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2012-2017 Anticipated Tax Levy Revenue	\$ 8,425.14
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2018 Anticipated Tax Levy Revenue	\$ 11,050.60
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Anticipated Closed Project Balance	\$ (527,075.60)
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5. BUSINESS

A. Set Public Hearing for Minor Plan Amendment

A. Administrator Jester noted that this item was tabled at the February meeting. She recommended that although the agenda for the public hearing is dependent on decisions that will be made at a future meeting regarding the 5-year CIP, the hearing should be held no later than the Commission’s May meeting (May 21st) in order to set a maximum levy for Hennepin County. She noted that in order to give member cities a 45-day notice, as required by the BCWMC Watershed Management Plan, the hearing should be set at this meeting. She reported that once the agenda for the hearing is set, an updated notice will be sent to cities and published in news outlets. She also noted that staff recommends that the plan amendment include updates to the wetland management policies in the plan. Please see the attached memo for further information.

MOTION: Commissioner Harwell moved to set a public hearing for May 21, 2020 and to approve the recommended revisions to the 2015 Watershed Management Plan's wetland policies. Commissioner de Lambert seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minneapolis, Minnetonka, and Robbinsdale absent from the vote

[Commissioner Welch, Minneapolis, joined the meeting.]

7. COMMUNICATIONS

A. Administrator's Report

- i. Update on CIP Projects – Sweeney Lake Water Quality Improvement Project's public open house will be facilitated online via Webex on April 8th. Construction on the DeCola Ponds Project is nearing completion. An open house was recently held for the Main Stem Lagoon Dredging Project in Minneapolis with only two residents attending. The feasibility study for the project will be presented at the April Commission meeting.
- ii. CAMP Volunteers Update – Several people volunteered to monitor Medicine Lake after a previous volunteer had to resign. One person was chosen but it was good to see how many people were interested in helping. A volunteer was also found for Cavanaugh Lake (Sunset Hill Pond) which will be added as a new lake to the monitoring program.
- iii. Volunteers Needed for Discover Plymouth Event and Westwood Hills Nature Center Grand Opening – The Discover Plymouth Event was cancelled and no word on the nature center grand opening scheduled for early June. The MAWD summer tour was also cancelled.

B. Chair No comments

C. Commissioners

- i. Commissioner Welch requested that if the next Commission meeting cannot be held in person, that a platform with video capability be used rather than just audio. Commissioner Harwell noted that if the meeting is held in person, we may have difficulty getting a quorum if people are still nervous about meeting in groups due to the coronavirus.

D. TAC Members No comments

E. Committees

Administrator Jester noted that the Education and Budget Committees will meet via Zoom or Webex in the coming weeks and that information would be sent to commissioners soon.

F. Legal Counsel Nothing to report.

G. Engineer

- i. Update on MTD work group - Commission Engineer Herbert provided an update on how the manufactured treatment devices are being considered and discussed through a new work group facilitated by the MPCA. He and Josh Phillips (Barr Engineering) are representing both BCWMC and Elm Creek WMC on the work group. The group is working with the national STEPP program. There are several issues to consider in verifying and certifying MTDs including longevity and maintenance. He noted that testing is time consuming and expensive and that funding is needed. Commissioner Welch requested a summary of the work group and progress via an email to commissioners.
- ii. Commission Engineer Chandler reported that the city of Minnetonka would like to hire Barr Engineering to update the city's Natural Resources Management Plan. She wanted to make sure there were no real or perceived conflicts of interest. It was noted that the BCWMC does not review these types of plans. Leslie Yetka, TAC member with Minnetonka, noted that the Natural Resources Management Plan deals mainly with uplands, parklands, and woodlands. Commission Legal Counsel Anderson reported that there was no apparent conflict of interest for the BCWMC because there was no review or approval role for the Commission.



EXECUTIVE SUMMARY

Public Works

763-593-8030 / 763-593-3988 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. D. 1. Authorize Contract for Mill and Overlay Water Repairs

Prepared By

Tim Kieffer, Public Works Director

Summary

The City contracts water distribution repairs in conjunction with mill and overlay projects annually. The area identified this year coincides with the CenterPoint Beltline Project on Winnetka Avenue. Staff proposes to take the opportunity of CenterPoint's project to replace eleven gate valves, three hydrants, and remove one hydrant no longer needed. Gate valves are essential in maintaining the City's water distribution system. Gate valves allow staff to isolate water distribution during emergency repairs limiting the number of properties affected. Properly working hydrants are critical for fire suppression.

Staff received the following quotes for repairs located within the 2020 CenterPoint Beltline Project:

<u>Contractor</u>	<u>Estimated Total Cost</u>
Dave Perkins Contracting, Inc.	\$ 97,150
Interstate Companies	\$139,750
Valley-Rich Co., Inc.	\$183,150

Financial Or Budget Considerations

The 2020 Water and Sanitary Sewer Capital Improvement Program (CIP) includes \$150,000 for mill and overlay water repairs (W&SS-051). The City will supply the gate valves, hydrants, and parts to minimize the overall cost of the project. The total cost of the project, including parts, is \$130,824.29

Recommended Action

Motion to authorize the Mayor and City Manager to execute the Mill and Overlay Water Repairs Agreement with Dave Perkins Contracting, Inc. in the form approved by the City Attorney to authorize the repair of water distribution components.

Supporting Documents

- Contract for Water Repairs (28 pages)
- Dave Perkins Contracting Quote (1 page)
- Interstate Companies Quote (1 page)
- Valley-Rich Quote (1 page)

CONTRACT FOR MILL AND OVERLAY WATER REPAIRS WITH DAVE PERKINS CONTRACTING, INC.

THIS AGREEMENT is made this 5th day of May 2020 (the “Effective Date”) by and between Dave Perkins Contracting, Inc., a water and sewer contractor located at 19745 Nowthen Boulevard, NW, Nowthen, MN 55303 (“Contractor”), and the City of Golden Valley, Minnesota, a Minnesota municipal corporation located at 7800 Golden Valley Road, Golden Valley, MN 55427 (the “City”):

RECITALS

- A. Contractor is engaged in the business of excavating to repair, replace, and relocate potable water distribution components.
- B. The City desires to hire Contractor to repair, replace, and relocate potable water distribution components.
- C. Contractor represents that it has the professional expertise and capabilities to provide the City with the requested work.
- D. The City desires to engage Contractor to provide the work described in this Agreement and Contractor is willing to provide such work on the terms and conditions in this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions expressed herein, the City and Contractor agree as follows:

AGREEMENT

1. **The Work.** Contractor shall perform the work more fully described in the attached **Exhibit A** (the “Work”). The Work includes all work and services required by this Agreement, whether completed or partially completed, and includes all labor, materials, equipment, and services provided or to be provided by Contractor to fulfill Contractor’s obligations. All Work shall be completed according to the specifications set forth in the attached **Exhibit B**. Contractor shall at all times keep the premises free from accumulation of waste materials and debris caused by Contractor’s operations.
2. **Time for Completion.** The Contractor shall proceed diligently and shall complete the Work to the satisfaction and approval of the City’s authorized agent according to the deadlines set forth in **Exhibit A** (the “Contract Time”). Contractor shall to notify the City in writing of any cause of delay of the Work within 24 hours after such cause of delay arises. If Contractor fails to complete the Work by the Contract Time, the City may immediately, or at any time thereafter, proceed to complete the Work at the Contractor’s expense. If Contractor gives written notice of a delay over which Contractor has no control, the City may, at its discretion, extend the Contract Time.
3. **Consideration.** In consideration of the performance of the Work, the City shall pay to Contractor the amount set forth herein **Exhibit D** (the “Contract Price”). The consideration shall be for both the Work performed by Contractor and the expenses incurred by Contractor in performing the Work. Contractor shall submit statements to the City containing a detailed list of project labor and hours, rates, titles, and amounts undertaken by Contractor during the relevant billing period. The City shall pay Contractor within thirty (30) days after receiving a statement from Contractor.

4. **Extra Work.** Unless approved by the City in writing, Contractor shall make no claim for extra work done or materials furnished, nor shall Contractor do any work or furnish any materials not covered by the plans and specifications of this Agreement. Any such work or materials furnished by Contractor without written City approval shall be at Contractor's own risk and expense. Contractor shall perform any altered plans ordered by the City; if such alteration reduces the cost of doing such work, the actual amount of such reduction shall be deducted from the contract price for the Work.

5. **Contract Documents.** The Contract Documents shall consist of this Agreement; all exhibits to this Agreement, which are incorporated herein by reference; any supplementary drawings, plans, and specifications; and other documents listed herein.

In the event of a conflict among the various provisions of the Contract Documents, the terms shall be interpreted in the following order of priority:

- a. Modifications to this Agreement
- b. This Agreement, including all exhibits
- c. Supplementary drawings, plans, specifications
- d. Other documents listed in this Agreement

Drawings shall control over Specifications, and detail in drawings shall control over large-scale drawings. All capitalized terms used and not otherwise defined in this Agreement, but defined elsewhere in the Contract Documents, shall have the meaning set forth in the Contract Documents.

6. **Expense Reimbursement.** Contractor shall not be compensated separately for necessary incidental expenses. All expenses of Contractor shall be built into Contractor's fixed compensation rate, unless reimbursement is provided for an expense that received the prior written approval of the City, which approval may be provided via electronic mail.

7. **Approvals.** Contractor shall secure the City's written approval before making any expenditures, purchases, or commitments on the City's behalf beyond those listed in the Work. The City's approval may be provided via electronic mail.

8. **Protection of Persons and Property.** Contractor shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the performance of the Work. Contractor shall take reasonable precautions for the safety of, and shall provide reasonable protection to prevent damage, injury, or loss to:

- a. Persons performing the Work and other persons who may be affected by the Work;
- b. The Work and materials and equipment to be incorporated therein; and
- c. Other property at the site or adjacent to the site, such as trees, shrubs, lawns, walks, pavement, roadways, structures and utilities.

Contractor shall promptly remedy damage and loss to property caused in whole or in part by Contractor or any of its subcontractors, agents, or anyone directly or indirectly employed by any of them.

9. **Acceptance of the Work.** All of the Contractor's work and labor shall be subject to the inspection and approval of the City. If any materials or labor are rejected by the City as defective or unsuitable, then

the materials shall be removed and replaced with other approved materials and the labor shall be done to the satisfaction and approval of the City at the Contractor's sole cost and expense. Contractor shall replace at Contractor's expense any loss or damage to the Work, however caused, which occurs during the construction thereof or prior to the final delivery to and acceptance of the Work by the City. Any payment made to Contractor, shall not be construed as operating to relieve Contractor from responsibility for the construction and delivery of Work. Acceptance of the completed Work shall be evidenced only by Final Payment (the "Final Payment") issued by the City, which shall state the date on which the City accepts the completed Work (the "Final Completion Date").

10. **Warranty.** Contractor represents and warrants that it has the requisite training, skills, and experience necessary to complete the Work, is appropriately licensed by all applicable agencies and governmental entities, and will complete the Work in a manner consistent with the level of care and skill ordinarily exercised by professionals currently providing similar work. Contractor further represents and warrants to the City that the materials and equipment furnished under this Agreement are of good quality and new, unless this Agreement requires or permits otherwise. Contractor further warrants that the Work will conform to the requirements of this Agreement and will be free from defects. Work, materials, or equipment not conforming to these requirements may be considered defective. Contractor shall promptly correct any defective Work. Costs of correcting such defective Work, including additional testing and inspections, the cost of uncovering and replacement, and compensation for any additional services and expenses made necessary thereby, shall be at Contractor's expense. Contractor's warranty shall exclude remedy for damage or defect caused by abuse, alterations to the Work not executed by Contractor or its subcontractors, agents, or anyone hired or employed by any of them, improper or insufficient maintenance, improper operation or normal wear and tear under normal usage.

11. **Guarantee.** Contractor guarantees and agrees to maintain the stability of the Work and materials furnished and installed under this contract for a period of one year after the Final Completion Date (the "Guarantee Period"). Contractor agrees to perform fully all other guarantees as set forth in the specifications. If any of the Work is found to be not in accordance with the requirements of the Contract during the Guarantee Period, Contractor shall correct it promptly after receipt of notice from the City to do so. The City shall give such notice promptly after discovery of the condition. If Contractor fails to correct nonconforming Work within a reasonable time after receipt of notice from the City, the City may correct the Work at Contractor's expense.

The Guarantee Period shall be extended with respect to portions of Work first performed after the Final Completion Date by the period of time between Final Payment and the actual completion of that portion of the Work. The one-year period for correction of Work shall not be extended by corrective Work performed by Contractor pursuant to this Section.

Nothing contained in this Section shall be construed to establish a period of limitation with respect to other obligations Contractor has under the Contract Documents. Establishment of the one-year period for correction of Work as described in this Section relates only to the specific obligation of Contractor to correct the Work, and has no relationship to the time within which the obligation to comply with the Contract Documents may be sought to be enforced, nor to the time within which proceedings may be commenced to establish Contractor's liability with respect to Contractor's obligations other than specifically to correct the Work.

12. **Termination.** This Agreement shall remain in force and effect commencing from the effective date and continuing until the completion of all of the parties' obligations hereunder, unless terminated

by the City or amended pursuant to the Agreement. Notwithstanding any other provision hereof to the contrary, this Agreement may be terminated as follows:

- a. The parties, by mutual written agreement, may terminate this Agreement at any time;
- b. Contractor may terminate this Agreement in the event of a breach of the Agreement by the City upon providing thirty (30) days' written notice to the City;
- c. The City may terminate this Agreement at any time at its option, for any reason or no reason at all; or
- d. The City may terminate this Agreement immediately upon Contractor's failure to have in force any insurance required by this Agreement.

In the event of a termination, the City shall pay Contractor for Work performed to the date of termination and for all costs or other expenses incurred prior to the date of termination.

13. **Amendments.** No amendments may be made to this Agreement except in a writing signed by both parties.

14. **Remedies.** In the event of a termination of this Agreement by the City because of a breach by Contractor, the City may complete the Work either by itself or by contract with other persons or entities, or any combination thereof. These remedies provided to the City for breach of this Agreement by Contractor shall not be exclusive. The City shall be entitled to exercise any one or more other legal or equitable remedies available because of Contractor's breach.

15. **Records/Inspection.** Pursuant to Minnesota Statutes § 16C.05, subd. 5, Contractor agrees that the books, records, documents, and accounting procedures and practices of Contractor, that are relevant to the contract or transaction, are subject to examination by the City and the state auditor or legislative auditor for a minimum of six years. Contractor shall maintain such records for a minimum of six years after final payment. The parties agree that this obligation will survive the completion or termination of this Agreement.

16. **Indemnification.** To the fullest extent permitted by law, Contractor, and Contractor's successors or assigns, agree to protect, defend, indemnify, save, and hold harmless the City, its officers, officials, agents, volunteers, and employees from any and all claims; lawsuits; causes of actions of any kind, nature, or character; damages; losses; and 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 Contractor'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 by Contractor, or arising out of Contractor's failure to obtain or maintain the insurance required by this Agreement. Nothing in this Agreement shall constitute a waiver or limitation of any immunity or limitation on liability to which the City is entitled. The parties agree that these indemnification obligations shall survive the completion or termination of this Agreement.

17. **Insurance.** Contractor shall maintain reasonable insurance coverage throughout this Agreement. Contractor agrees that before any work related to the approved project can be performed, Contractor shall maintain at a minimum:

- a. Worker's Compensation Insurance as required by Minnesota Statutes, section 176.181;

- b. Business Auto Liability covering vehicles owned by Contractor and non-owned vehicles used by Contractor, with policy limits not less than \$1,000,000.00 per accident, for bodily injury, death of any person, and property damage arising out of the ownership, maintenance, and use of such motor vehicles, along with any statutorily required automobile coverage;
- c. Commercial General Liability in an amount of not less than \$1,000,000.00 per occurrence, \$2,000,000 general aggregate, and \$2,000,000 for products-completed operations hazard, providing coverage for claims including:
 - i. Damages because of bodily injury, sickness or disease, including occupational sickness or disease, and death of any person;
 - ii. Personal and advertising injury;
 - iii. Damages because of physical damage to or destruction of property, including loss of use of such property;
 - iv. Bodily injury or property damage arising out of completed operations; and
 - v. Contractor's indemnity obligations under this Agreement.

To meet the Commercial General Liability and Business Auto Liability requirements, Contractor may use a combination of Excess and Umbrella coverage. Prior to commencement of the Work, Contractor shall provide the City with a current certificate of insurance including the following language: "The City of Golden Valley is named as an additional insured with respect to the commercial general liability, business automobile liability and umbrella or excess liability, as required by the contract. The umbrella or excess liability policy follows form on all underlying coverages." Such certificate of liability insurance shall list the City as an additional insured and contain a statement that such policies of insurance shall not be canceled or amended unless 30 days' written notice is provided to the City, or 10 days' written notice in the case of non-payment.

18. **Compliance with State Withholding Tax.** Before final payment is made for the Work on this project, Contractor must make a satisfactory showing that it has complied with the provisions of Minnesota Statutes, section 290.92 requiring the withholding of State Income Tax for wages paid employees on this project by providing to the City Engineer a Certificate of Compliance from the Commissioner of Taxation. Contractor is advised that before such Certificate can be issued, Contractor must first place on file with the Commissioner of Taxation an affidavit, in the form of an IC-134, that Contractor has complied with the provisions of Minnesota Statutes Section 290.92.

19. **Assignment.** Neither the City nor Contractor 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. Neither the City nor Contractor shall assign, 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 Contractor from employing such independent consultants, associates, and subcontractors, as it may deem appropriate to assist it in the performance of the Work required by this Agreement. Any instrument in violation of this provision is null and void.

20. **Independent Contractor.** Contractor is an independent contractor. Contractor's duties shall be performed with the understanding that Contractor has special expertise as to the Work which Contractor is to perform and is customarily engaged in the independent performance of the same or similar work for others. Contractor shall provide or contract for all required equipment and personnel. Contractor shall control the manner in which the Work is performed; however, the nature of the Work and the results to be achieved shall be specified by the City. The parties agree that this is not a joint venture and the parties are not co-partners. Contractor is not an employee or agent of the City and has no authority to make any binding commitments or obligations on behalf of the City except to the extent expressly provided in this Agreement. All Work provided by Contractor pursuant to this Agreement shall be provided by Contractor as an independent contractor and not as an employee of the City 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.

21. **Compliance with Laws.** Contractor shall exercise due professional care to comply with applicable federal, state and local laws, rules, ordinances and regulations in effect as of the Effective Date. Contractor's guests, invitees, members, officers, officials, agents, employees, volunteers, representatives, and subcontractors shall abide by the City's policies prohibiting sexual harassment and tobacco, drug, and alcohol use as defined on the City's Tobacco, Drug, and Alcohol Policy, as well as all other reasonable work rules, safety rules, or policies, and procedures regulating the conduct of persons on City property, at all times while performing duties pursuant to this Agreement. Contractor agrees and understands that a violation of any of these policies, procedures, or rules constitutes a breach of the Agreement and sufficient grounds for immediate termination of the Agreement by the City.

22. **Entire Agreement.** The Contract Documents shall constitute the entire agreement between the City and Contractor, and supersede any other written or oral agreements between the City and Contractor.

23. **Third Party Rights.** The parties to this Agreement do not intend to confer any rights under this Agreement on any third party.

24. **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.

25. **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 the Work pursuant to this Agreement shall become the property of the City, but reproductions of such records, information, materials and other work products in whole or in part may be retained by Contractor. Regardless of when such information was provided, Contractor agrees that it will not disclose for any purpose any information Contractor has obtained arising out of or related to this Agreement, except as authorized by the City or as required by law. These obligations survive the termination of this Agreement.

26. **Conflict of Interest.** Contractor shall use reasonable care to avoid conflicts of interest and appearances of impropriety in representation of the City. In the event of a conflict of interest, Contractor

shall advise the City and, either secure a waiver of the conflict, or advise the City that it will be unable to provide the requested Work.

27. **Agreement Not Exclusive.** The City retains the right to hire other professionals, contractors and service providers for this or other matters, in the City's sole discretion.

28. **Data Practices Act Compliance.** Any and all data provided to Contractor, received from Contractor, created, collected, received, stored, used, maintained, or disseminated by Contractor 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. Contractor agrees to notify the City within three business days if it receives a data request from a third party. This paragraph does not create a duty on the part of Contractor to provide access to public data to the public if the public data are available from the City, except as required by the terms of this Agreement. These obligations shall survive the termination or completion of this Agreement.

29. **No Discrimination.** Contractor agrees not to discriminate in providing the Work 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. Contractor agrees 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. Contractor agrees to hold harmless and indemnify the City from costs, including but not limited to damages, attorneys' fees and staff time, in any action or proceeding brought alleging a violation of these laws by Contractor or its guests, invitees, members, officers, officials, agents, employees, volunteers, representatives and subcontractors. Upon request, Contractor shall provide accommodation to allow individuals with disabilities to participate in all Work under this Agreement. Contractor agrees to utilize its own auxiliary aid or service in order to comply with ADA requirements for effective communication with individuals with disabilities.

30. **Authorized Agents.** The City's authorized agent for purposes of administration of this contract is Tim Kieffer, or designee. Contractor's authorized agent for purposes of administration of this contract is Rene Perkins, or designee who shall perform or supervise the performance of all Work.

31. **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:

CONTRACTOR
Dave Perkins Contracting, Inc.
19745 Nowthen Blvd. NW.
Nowthen, MN 55303
rperk66@gmail.com

THE CITY
City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427
tkieffer@goldenvalleymn.gov

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

32. **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.

33. **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.

34. **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.

35. **Signatory.** Each person executing this Agreement (“Signatory”) represents and warrants that they are duly authorized to sign on behalf of their respective organization. In the event Contractor did not authorize the Signatory to sign on its behalf, the Signatory agrees to assume responsibility for the duties and liability of Contractor, described in this Agreement, personally.

36. **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.

37. **Recitals.** The City and Contractor agree that the Recitals are true and correct and are fully incorporated into this Agreement.

IN WITNESS WHEREOF, the City and Contractor have caused this Independent Contractor Agreement to be executed by their duly authorized representatives in duplicate on the respective dates indicated below.

DAVE PERKINS CONTRACTING, INC.:

CITY OF GOLDEN VALLEY:

By: _____
Rene Perkins, President

By: _____
Shepard M. Harris, Mayor

By: _____
Timothy J. Cruikshank, City Manager

EXHIBIT A SCOPE OF WORK

1. **Work.** The Work shall include all labor and equipment necessary to repair, replace, or relocate watermain, valves, hydrants, or other potable water distribution components. The Work shall include, but not limited to, excavation; removal and disposal of old watermain, valve, and/or hydrant; installation of new watermain, valve, and/or hydrant; and backfill and compact the excavated trench. The City shall furnish new watermain, valve, hydrant, and/or bolts. Newly installed bolts shall be sprayed with an approved automobile undercoating agent after installation and wrap entire valve assembly in plastic. All bolts on the valve shall be replaced, including the bolts that connect the valve to the existing pipe material. All bolts and nuts used for this project shall be stainless steel or "Core Blue" as approved by the Engineer. Each excavation of watermain, valve, and/or hydrant may include supplemental work and restoration as follows:

A. Type A – Street Repair

Saw-cut, removal, and replacement of bituminous per City of Golden Valley Standard Details herein **Exhibit C**. Adjust gate valve box to within 1/4 inch below top of wear course grade or install hydrant at grade. Installation of 6 inches of Class 5, pre-existing thickness of Type SP 12.5 Non-Wearing Course (2,C), and 1.5 inches of Type SP 9.5 Wearing Course Mix (2,C). It is anticipated pavement thicknesses are 4.5 inches on local roads and 9 inches on Winnetka Avenue.

B. Type B – Street & Curb Repair

Saw-cut, removal, and replacement of bituminous and concrete curb and gutter per City of Golden Valley Standard Details herein **Exhibit C**. Adjust gate valve box to within 1/4 inch below top of wear course grade or install hydrant at grade. Installation of 6 inches of Class 5, pre-existing thickness of Type SP 12.5 Non-Wearing Course (2,C), and 1.5 inches of Type SP 9.5 Wearing Course Mix (2,C). It is anticipated pavement thicknesses are 4.5 inches on local roads and 9 inches on Winnetka Avenue. Installation of 4 inches of Class 5 below concrete areas. Sod repair behind removed concrete per specifications herein **Exhibit B**, Section 18.

C. Type C – Sidewalk/Concrete Repair

Saw-cut, removal, and replacement of concrete sidewalk and/or driveway, including truncated domes at existing pedestrian ramps, per City of Golden Valley Standard Details herein **Exhibit C**. Adjust gate valve box to within 1/4 inch below top of concrete grade or install hydrant at grade. Installation of 4 inches of Class 5 below concrete areas. Sod repair behind removed concrete per specifications herein **Exhibit B**, Section 18.

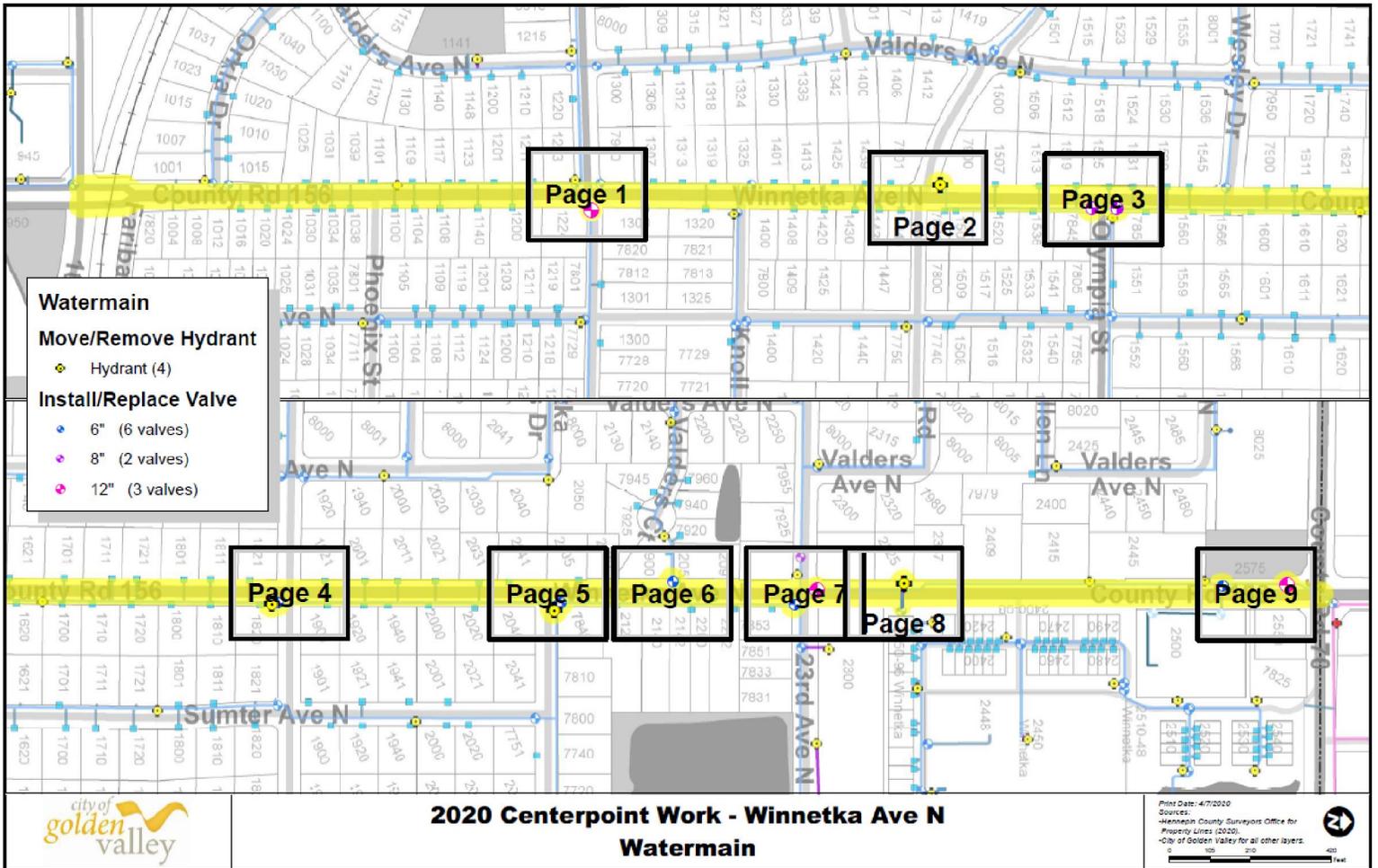
D. Type D – Concrete/Sod Repair

Saw cut, removal, and replacement of concrete curb and gutter per City of City of Golden Valley Standard Details herein **Exhibit C**. Adjust gate valve box to within 1/4 inch below sod grade or install hydrant at grade. Installation of 4 inches of Class 5 below concrete areas. Sod repair behind removed concrete per specifications herein **Exhibit B**, Section 18.

E. Type E – Sod Repair

Adjust gate valve box to within ¼ inch below sod grade or install hydrant at grade. Sod repair per specifications herein **Exhibit B**, Section 18.

2. **Contract Time.** Contractor shall complete the Work before June 27, 2020.
3. **Location.** The Location Maps herein **Exhibit A** identifies the location of each repair.



Winnetka Watermain

Page 1

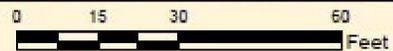


Winnetka Watermain

Page 2



by the City of Golden Valley, 4/7/2020



**Winnetka Watermain
Page 3**



**Winnetka Watermain
Page 4**



Winnetka Watermain

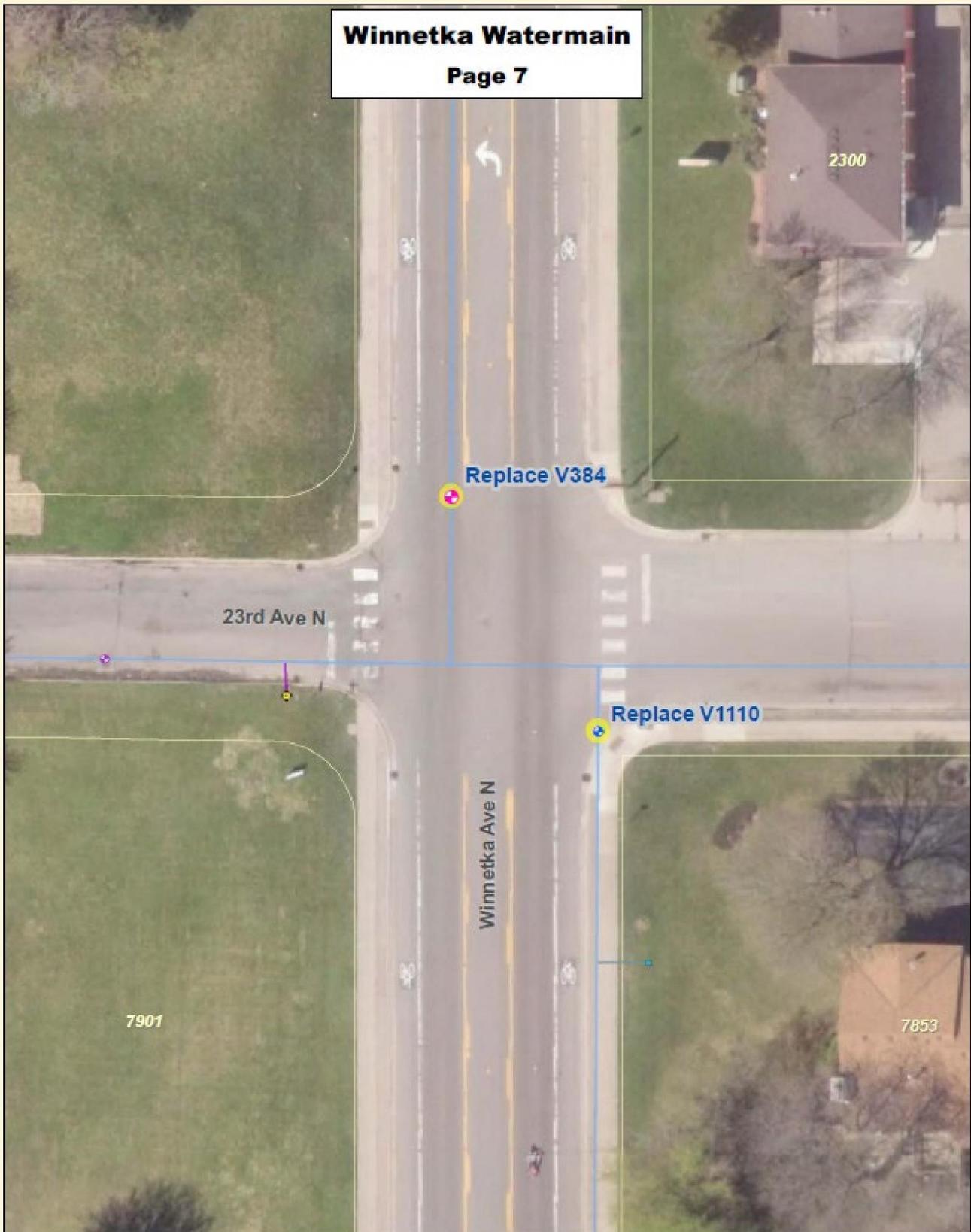
Page 5



Winnetka Watermain
Page 6



Winnetka Watermain
Page 7



Winnetka Watermain
Page 8



**Remove
H442 & Lateral**

**Remove
Service Lateral**

Winnetka Ave N



Winnetka Watermain
Page 9



2575

Winnetka Ave N

2550

Replace V1024

Replace V1667

EXHIBIT B
SPECIAL CONDITIONS

1. **Responsible Contractor Certification.** Contractor and subcontractor(s) shall be a “responsible contractor” as defined in Minnesota Statutes §16C.285, subdivision 3. Contractor or subcontractor(s) that do not meet the minimum criteria established in Minnesota Statutes §16C.285, subdivision 3, or who fails to verify compliance with the minimum requirements, will not be a “responsible contractor” and will be ineligible to perform the Work. Contractor and subcontractor(s) are that make a false statement verifying compliance with any of the minimum criteria shall result in the termination of this Agreement.
2. **Pre-Construction Meeting.** Prior to the beginning of construction operations, a pre-construction meeting shall be held, and shall be attended by the authorized representatives of the City and persons of the contracting company who will have direct responsibility for workmanship and/or materials used on the project. The conference will disclose all aspects for execution and schedule of the Work. Agreement on any and all questionable measurements, materials, methods or other matters shall be made at this conference. Contractor shall submit the following at the pre-construction meeting:

 - A. Critical path phasing plan and schedule, which details all controlling operations. This shall be submitted a minimum of three (3) days before the pre-construction meeting.
 - B. General project contact information including emergency contacts.
 - C. Traffic Control plan.
3. **Safety Precautions and Accident Prevention.** The Contractor shall observe and comply with all requirements to the safety of the workforce to be employed on the project. Contractor shall comply with all safety measures recommended and required by any governmental agency, including the Department of Labor and Industry, Division of Accident Prevention of the Industrial Commission of Minnesota, and with the requirements of the Workmen's Compensation Act and any amendments thereof. Attention is called to the other paragraphs of these Special Conditions covering safety precautions and accident prevention. The Contractor shall be responsible for all safety issues on this project. The Contractor shall comply with instructions from the City for implementing any additional requirements for safety concerns.
4. **Locating Utilities.** Contractor shall obtain field locations or other assistance as may be required to determine the existence and location of gas mains and other private utilities, as well as, public utilities of the City, County or State, which may be underground or overhead within street and highway rights-of-way or within easements and which may be interfered with by the Work prior to the Work. Existing underground, surface or overhead structures are not necessarily shown on the Plans; and those shown are only correct to the level of accuracy permitted by the locations both from field located and record drawings, established by the utility owners. The City does not assume any responsibility for the accuracy of the disclosed locations. Contractor shall be responsible for all verifying all utility location by contacting Gopher State One-Call (651.454.0002) prior to beginning the Work. Contractor shall also make such investigations as are necessary to determine the extent to which existing structures may interfere with the Work. Contractor shall not claim or be entitled to receive compensation for any damages sustained by reason of the inaccuracy of the omission of any of the information

given relative to the surface, overhead or underground structures or by reason of Contractor's failure to properly protect and maintain such structures.

5. **Utility Conflicts.** Contractor shall coordinate its efforts with private utility companies so the Work can be done in a timely manner. Contractor shall schedule or redirect its Work to ensure that utility company relocates, installations, and/or removals do not impede progress of the Work. Contractor waives claims for any and all costs or damages due to alleged delay, disruption, or acceleration; and releases the City from any such claims, to the extent the claim is due to the failure of any private utility with facilities affected by the Work to promptly relocate, remove, or adjust such facilities. It is anticipated that some facilities will be in conflict with the work on this project that Contractor will be expected to guard and protect these facilities. No claims for extra compensation to perform the Work are due to conflicts with in-place utilities shall be considered. Likewise, no claim for delays due to conflicts with in-place utilities shall be considered. (See **Exhibit A**, Section 3 with regard to utility company schedule)

6. **Mobilization (2021).** The lump sum for mobilization is to include all aspects of work and shall include mobilization to all of the areas identified in the Location Maps herein **Exhibit A**.

7. **DOT Compliance.** All of Contractor's drivers performing work for the City must be in compliance with DOT requirements related to holding a Commercial Driver's License (CDL). Contractor shall be responsible for ensuring its own compliance with all applicable DOT regulations and requirements, including but not limited to DOT regulations related to drug testing and the maintenance of drug testing records. Contractor shall indemnify and hold harmless the City for any fines incurred as a result of Contractor's failure to comply with DOT requirements as set forth above. It shall be Contractor's responsibility to comply and provide evidence to the City of DOT compliance upon request.

8. **Hours of Operation.** Work shall occur Monday through Saturday from 7:00 a.m. to 7:00 p.m., excluding holidays.

9. **Noise Elimination.** The Contractor shall eliminate noise to as great an extent as possible at all times. Air compressing plants shall be equipped with silencers, and the exhausts of all gasoline motors or other power equipment shall be provided with mufflers approved by the manufacturer.

10. **Care of Work.** All work under this contract shall be accomplished with reasonable care and minimal damage to affected properties. The Contractor shall provide quality cleanup after removal and repair of any damage done by the Contractor's equipment.

11. **Traffic Control and Maintenance (2563).** Contractor shall maintain traffic at all times while performing the Work in accordance with the current Minnesota Manual of Uniform Traffic Control Devices (MMUTCD) Field Manual and its supplements, or as deemed necessary by the Engineer, when the Work occurs on or adjacent to any street, alley or public place. Contractor shall provide, under the traffic control item, all construction signage and traffic control devices for the protection of persons, property and the Work. Contractor shall be responsible for maintaining traffic control devices during the Work. In the event that the City must install additional signs for traffic control for safety purposes, the cost for such measures shall be billed to Contractor or withheld from monies due. The Contractor shall be held responsible for all damaged from failure to protect the work zone.

When single lane traffic is necessary, flagmen must be provided to direct traffic. Contractor shall provide certifications of all flagmen that will be working on this project.

12. **Manual References.** The Specifications which apply to the Work shown in the Plans shall be as follows:

- A. Special Conditions herein **Exhibit A, B, and C.**
- B. Standard Utilities Specifications for Watermain and Service Line Installation, Sanitary Sewer and Storm Sewer Installation, and Trench Excavation and Backfill/Surface Restoration, Revised 2013, as prepared by the City Engineers Association of Minnesota (CEAM) and published by the League of Minnesota Cities, St. Paul, Minnesota, except as modified or supplemented in these Special Conditions. The Standard Utilities Specifications are available from the Minnesota Society of Professional Engineers by calling 651.292.8860, or from the CEAM website at <http://ceam.org/>.
- C. The most current edition of the Minnesota Manual on Uniform Traffic Control Devices and its supplements.
- D. Division I, 1507 (Utility Property and Service) and Division I, 1512 (Unacceptable and unauthorized work) of the Minnesota Department of Highways Standard Specification for Construction, 2018 Edition and its supplements, shall apply, except as modified or supplemented herein.
- E. Division II (Construction Details) and Division III (Materials) of the Minnesota Department of Highways Standard Specification for Construction, 2018 Edition and its supplements, shall apply, except as modified or supplemented herein.

13. **Tree and Landscape Preservation.** Contractor shall protect existing trees and shrubbery that may be impacted by the Work, including but not limited to, cutting, breaking, or shredding of roots; wounding or scraping of trunks and branches; smothering of root systems by stockpiling of construction materials or excavated materials within their drip lines; excess foot or vehicular traffic; or parking of vehicles within their drip lines. All branches that have been damaged by Contractor shall be properly trimmed in accordance with National Arboriculture Standards by the end of the workday. Contractor shall have on-site an approved wound dressing to be applied to freshly cut branch ends immediately (within 10 minutes) after damage to prevent Emerald Ash Borer disease. Contractor shall also notify the Engineer immediately of any damaged branches. When excavating near trees, Contractor shall cut cleanly back to the soil line, all exposed, shredded or torn roots greater than 1-½" in diameter, with proper pruning equipment. The cost to cut roots shall be incidental for which there shall be no direct compensation. When excavating or sloping within fifteen (15) feet of any tree, Contractor shall coordinate all such efforts with the Assistant City Forester. Standard excavation procedures may need to be modified for large trees that have their trunks closer than five (5) feet from the excavation or sloping limits. Contractor shall be required to provide protection to all exposed oak tree roots that are cut prior to July 1. Contractor shall have on-site an approved wound dressing to be applied to freshly cut root ends immediately (within 10 minutes) after excavation to prevent oak wilt infection. Wound dressing will not be permitted for any other situation other than oaks or ashes damaged by construction before July 1. Contractor shall coordinate all such work with the Assistant City Forester.

14. **Plant Mixed Bituminous (2360).** All bituminous mixtures shall be in conformance with MnDOT Specification 2360, except as modified or supplemented herein. Bituminous mixtures to be used for the Work shall be Super Pave mixtures as shown below.

- A. Wearing Course: Type SP 9.5 Wearing Course Mix (2,C). All aggregate in this mixture must be virgin, no recycled aggregate.

B. Non-wearing Course: Type SP 12.5 Non-Wearing Course (2,C)

15. **Bituminous Patching.**

- A. Removal - The contractor shall sawcut and remove the pavement areas required to accomplish the Work. The pavement material shall be disposed of outside the corporate limits of the City of Golden Valley. The contractor may only have 3 excavations open at a time, with hole defined as any location where the street surface has been removed and final wear course pavement has not been completed.
- B. Interim Pavement Restoration - Following backfill of a hole with suitable trench backfill material, contractor shall backfill (6-inch maximum lift thickness) and compact upper section of street with Class 5 aggregate base up to existing top of adjacent bituminous pavement grade. The upper section of the street is defined as the proposed depth of Class 5 aggregate base and bituminous pavement for each specific street. Just prior to pavement restoration operations, contractor shall remove Class 5 aggregate base required in order to pave proposed pavement section.
- C. Pavement Restoration - MnDOT 2357 Tack Coat shall be CSS-1 or CSS-1h and applied between the bituminous Non-wearing Course (2,C) layer and the 1.5 inches of Type SP 9.5 Wearing Course (2,C) layer. When placing multiple lifts of bituminous in the same day, the prior lift must be allowed to cool to a surface temperature of 180° Fahrenheit or less before applying the next lift. Contractor shall ensure the top surface is closed to the satisfaction of the Engineer. The use of coarse mixtures that do not close to the Engineer's satisfaction shall not be permitted. Compaction shall be obtained in accordance with MnDOT Specification 2360.3.D.2, Ordinary Compaction.

16. **Additional Pavement Thickness.** It is anticipated pavement thicknesses are 4.5 inches on local roads and 9 inches on Winnetka Avenue. No claims for extra compensation due to additional pavement thickness.

17. **Turf Establishment (2575).** Turf establishment shall be performed in accordance with the Provisions of MnDOT Specification 2575, except as modified herein. Four inches (4") of topsoil meeting the requirements of MnDOT Specification 3877 shall be included in the unit price. The Contractor shall take reasonable measures to ensure topsoil is placed to the thickness required. Topsoil provided shall be free of debris, rocks in excess of one half-inch diameter, large organic material or other materials that do not contribute to plant growth. Evidence of such deleterious materials shall be cause for rejection and replacement at Contractor expense. The unit price bid for sod, including 4" of topsoil, shall be included in the cost of the Work, which includes but is not limited to placing and maintaining the sod for 30 growing days, as per MnDOT Specification 2575.A.26 and to the City's satisfaction.

The Contractor shall also be required to examine the area behind the curb and remove all construction debris, including but not limited to, concrete and asphalt chunks, large stones, cement bags and cardboard fabric rolls. Contractor will not be permitted to use any type of equipment to place topsoil or sod on driveways. Sod placement on this project must be completed within two weeks of the placement of the base course of asphalt. Failure to complete the work in accordance with this requirement may result in the City withholding all monies due until the work is completed.

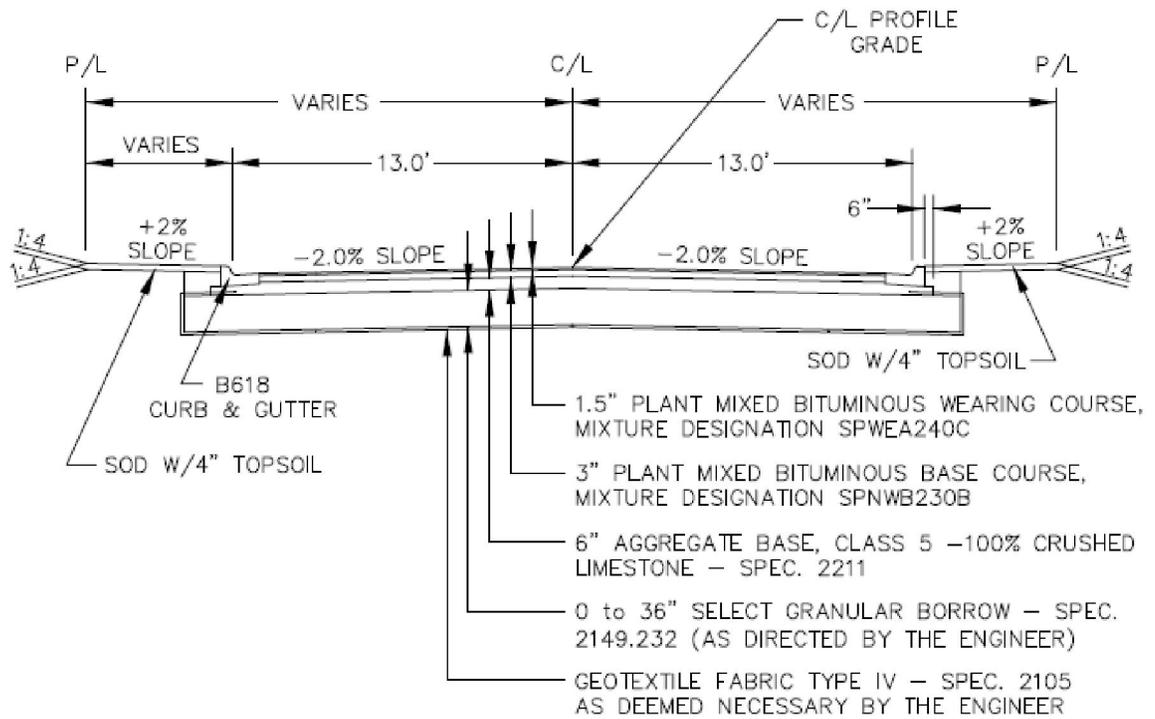
18. **Measurement and Payment.** Payment for all items for this project shall be by the unit price as stated herein **Exhibit C**. The estimated quantities on the Proposal form are for determination of the lowest cost for the Work. The City reserves the right to increase or decrease quantities shown on the Proposal to stay within the amount budgeted by the City. No claims for extra compensation due to increased or decreased quantities shall be considered. Contractor shall submit all final quantities to the City within one month after completion of the Work.

19. **Contract Extension.** Contractor shall perform fully, entirely, and in an acceptable manner, the Work contracted for within the time stated herein **Exhibit A**. Contractor shall, not less than ten (10) days prior to said date, make written request to the City for an extension of time for completion, setting forth fully in its request the reasons which Contractor believes justify the granting of the request. If the City finds that the Work has been delayed on account of unusual conditions beyond the control of Contractor, or the quantities of the Work done or to be done are in excess of the Contract quantities in sufficient amount to warrant additional time; the City may, in its sole discretion, grant an extension of time for the completion to such date as may seem reasonable and proper. In case such extension is not granted, the right to proceed with the Work may be considered as forfeited as of the Contract Time, including all agreed upon adjustments, and the City, without violating the Contract, may proceed immediately to take over the Work, materials and equipment and make final settlement of costs incurred, except that it shall not be necessary to give Contractor written ten (10) days' notice for such forfeiture.

20. **Sanitary Provisions.** Contractor shall observe and comply with all laws, rules, and regulations of the State and Local Health Authorities. In the event of a sewage release, Contractor shall immediately notify the State of Minnesota Duty Officer at the Department of Public Safety at 651.649.5451 and the City Engineer at 763.593.8030. The Duty Officer will instruct Contractor on any further notification procedures. Contractor shall also take immediate action to prevent sewage from entering any water body or storm sewer by directing any such sewage flow into the existing sanitary sewer system.

**EXHIBIT C
CITY OF GOLDEN VALLEY STANDARD DETAILS**

NOTE: THE ENGINEER SHALL MAKE FIELD DETERMINATIONS OF SUBGRADE SUITABILITY AND, IF NECESSARY, SHALL DIRECT THE CONTRACTOR TO VARY THE DEPTH OF COMMON EXCAVATION AND SELECT GRANULAR BORROW.

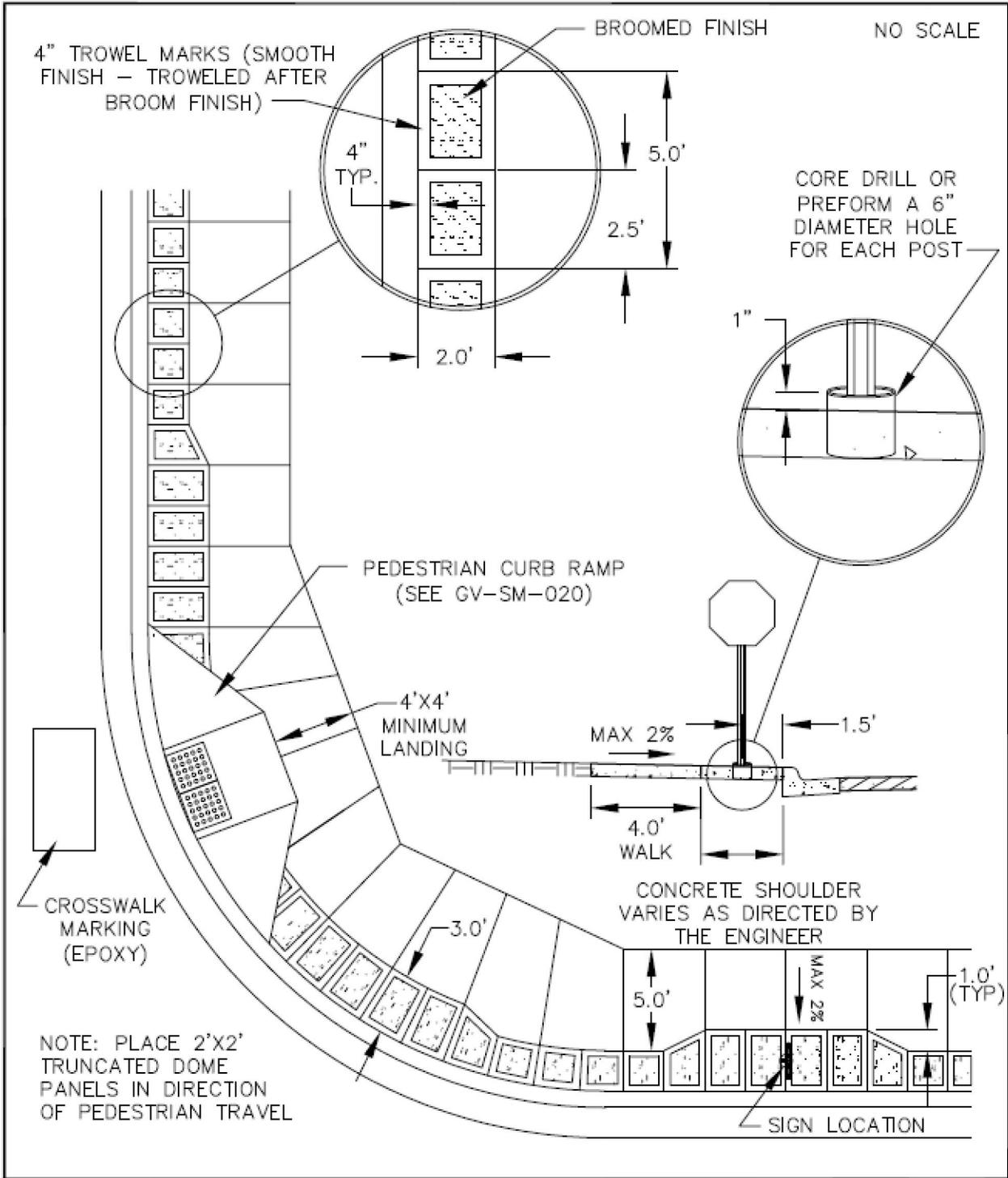


APPROVED JANUARY 1, 2018

CITY ENGINEER REG. 23110

**TYPICAL LOCAL
STREET SECTION**

Golden Valley
GV-STRT-250



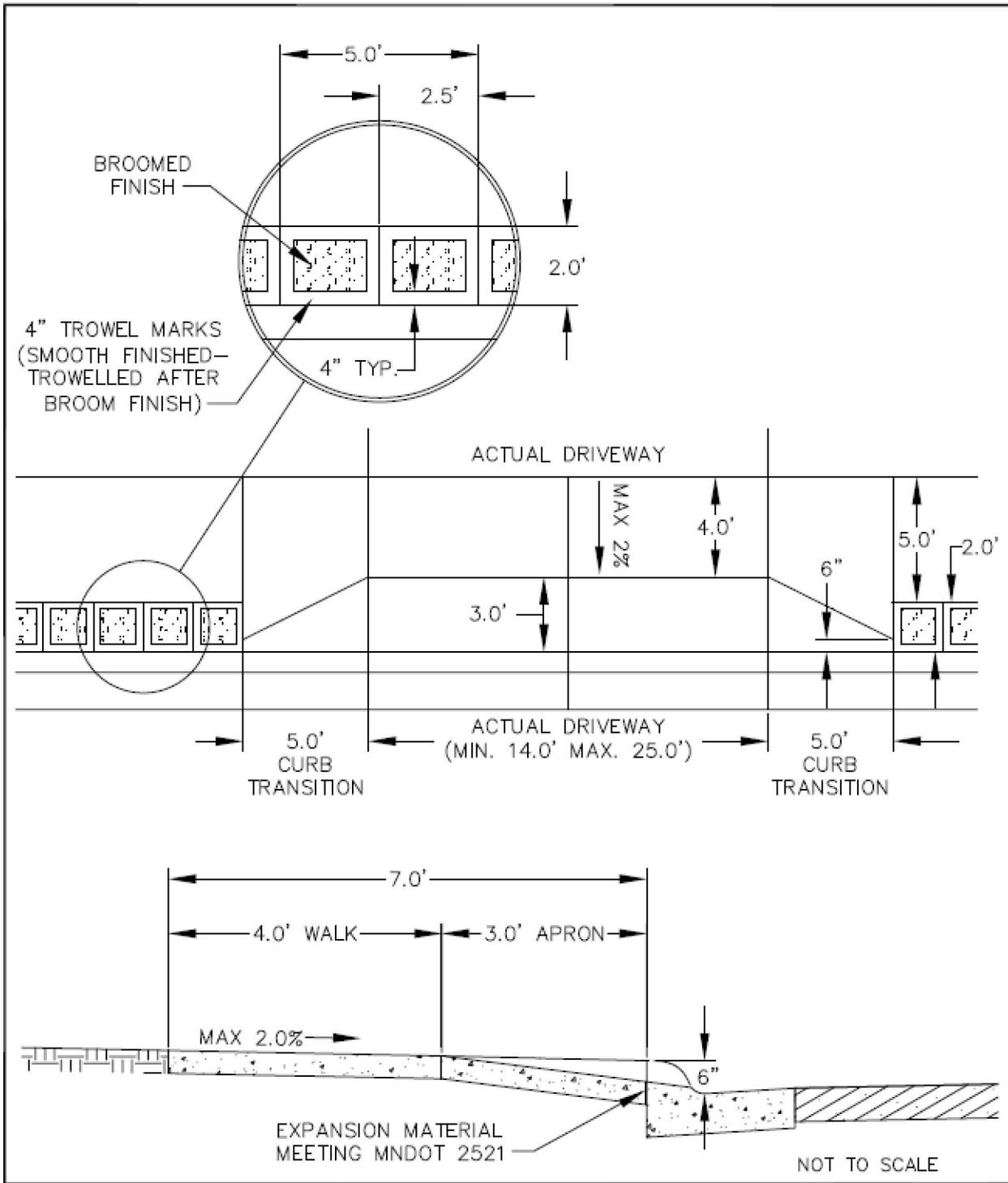
APPROVED JANUARY 1, 2018

[Signature]

CITY ENGINEER REG 23110

SIDEWALK WITH 2' CONCRETE SHOULDER

City of **Golden Valley**
GV-STRT-020



APPROVED JANUARY 1, 2018

[Signature]

CITY ENGINEER REG 23110

SIDEWALK WITH 2' CONCRETE SHOULDER (AT DRIVEWAY)

Golden Valley

GV-STRT-010

**EXHIBIT D
PROPOSAL**

Contractor certifies that an examination has been made of the scope and location of work and proposes to furnish all necessary machinery, equipment, tools, labor and other means for the Work and to furnish all materials specified in the manner and at the time prescribed in the Contract Documents. Contractor understands that the quantities shown herein are approximate only and are subject to increase or decrease. Contractor further understands all quantities, whether increased or decreased, shall be performed at the unit prices below. The cost of hauling to the dumpsite and the cost of dumping material at the site shall be included in the prices bid for the equipment.

Item Number	Description	Units	Total
2021.501	MOBILIZATION	LS	\$ <u>6,500.00</u>
2563.601	TRAFFIC CONTROL	LS	\$ <u>4,500.00</u>
2504.602	PAGE 1 – INSTALL NEW 12" VALVE	LS	\$ <u>8,100.00</u>
2504.602	PAGE 2 – REPLACE AND RELOCATE NEW HYDRANT	LS	\$ <u>8,100.00</u>
2504.602	PAGE 3 – REPLACE (2) 8" VALVES	LS	\$ <u>8,100.00</u>
2504.602	PAGE 4 – REPLACE (1) 6" VALVE AND RELOCATE NEW HYDRANT	LS	\$ <u>10,350.00</u>
2504.602	PAGE 5 – REPLACE (2) 6" VALVES AND RELOCATE NEW HYDRANT	LS	\$ <u>16,000.00</u>
2504.602	PAGE 6 – REPLACE (1) 6" VALVE	LS	\$ <u>4,500.00</u>
2504.602	PAGE 7 – REPLACE (1) 6" AND (1) 12" VALVE	LS	\$ <u>8,500.00</u>
2504.602	PAGE 8 – REMOVE EXISTING HYDRANT	LS	\$ <u>14,000.00</u>
2504.602	PAGE 9 – REPLACE (1) 6" AND (1) 12" VALVE	LS	\$ <u>8,500.00</u>
TOTAL COST TO PROVIDE SERVICES FOR WATER REPAIRS			\$ <u>97,150.00</u>



**dave
perkins
contracting
inc.**

19745 Nowthen Blvd. NW - Nowthen, MN 55303 * (763) 427-0109 * (763) 427-3806

City of Golden Valley

April 30, 2020

Ref: Winnetka

Plans Submitted To Us By: Matt Jefferson Date 4/7/2020

Sub: Hydrant & Valve Rehab

Remove & Replace Valves & Relocate Hydrant

City To Supply All Parts

Mobilization \$6,500.00

Warning Lights \$4,500.00

Page 1 – Cut In 12" Valve \$8,100.00

Page 2 – Relocate Hydrant \$8,100.00

Page 3 – Cut In 2 New 8" Valves \$8,100.00

Page 4 – Cut In 1 – 6" Valve/Relocate Hydrant \$10,350.00

Page 5 – R & R2 – 2-6" Valve/Relocate Hydrant \$16,000.00

Page 6 – R & R 1 – 6" Valve \$4,500.00

Page 7 – R & R 1 – 12" Valve, R & R 1 – 6" Valve \$8,500.00

Page 8 – Remove Sleeve through Both, Remove Serve To Right Away \$14,000.00
Leave Valve In Fill With Sand

Page 9 R & R 1 – 12" Valve, R & R 1 – 6" Valve \$8,500.00

TOTAL BID: \$97,150.00 (Job Bid As Per All Valves & Hydrant Done Together)

BY: Rene' Perkins (President)


Dave Perkins Contracting, Inc.

Grade & Backfill With Existing Material. No Soil Correction. No Haul Off. No Erosion Control. Staking By Others. No Sub Grade Stabilization. Dewatering Extra If Required. Permits Fees Paid By Owner. Add 1 % If Bond Required. Frost As Per Hourly Rate. Bid Good For 30 Days.

ACCEPTED BY: _____ DATE: _____

PRE-LIEN NOTICE

(a) ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THIS IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.

(b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT AND WHO GAVE YOU TIMELY NOTICE.



PROPOSAL

P.O. Box 1028
 Forest Lake, MN 55025-5028
 Phone: 651-765-0765
 Fax: 651-407-0609

Bill To	Service Location	Est.#:	Quote#:	Date:	Valid thru:	Sales Person:
City of Golden Valley Matt Jefferson 7800 Golden Valley Road Golden Valley, MN 55427	2020 CenterPoint Winnetka Attn: Matt Jefferson Winnetka Ave N Golden Valley, MN 00000-0000	0	16849	4/29/2020	6/28/2020	Jim Robertson

Service	Qty/Hrs	Price	Amount
---------	---------	-------	--------

Excavation for the replacement of 11 gate valves and 4 fire hydrants.

Interstate will provide the following:

All necessary traffic control and lane closure signage.

All equipment, labor and dump trucks necessary to facilitate the excavation and hauling of debris.

Labor for the replacement of all applicable valves and hydrants.

Trucking and labor necessary for the backfill and compaction of the work areas once the work has been completed.

The City of Golden Valley shall provide all necessary valves, hydrants, hardware, materials and areas to dump any spoils generated from the project.

Restoration to include all affected concrete, sidewalk, curb and gutter as well as asphalt road patching. Black dirt and seed when applicable in conjunction with curb or sidewalk repairs.

Project Total:	1.00	\$139,750.00	\$139,750.00
----------------	------	--------------	--------------

We appreciate your business.	Sub Total:	\$139,750.00
Jim Robertson	(7.5250 %) Sales Tax:	\$0.00
Jim@interstatepm.com	Total:	139,750.00

ACCEPTANCE OF PROPOSAL

Interstate Pavement Maintenance is authorized to complete this contract as specified. *Proposal does not include permits, bonds, erosion control, testing of any kind or any additional fees associated unless specified.* Payments will be made to Interstate within 30 days of invoice date. A 1.5% finance charge will be added to the remaining balance of any past due invoice. Additional fees may be charged if Interstate is prevented from completing this work in a timely manner. These fees would not apply for reasons related to Interstate work performance or naturally occurring causes.

Applicable sales taxes will be added unless a Certificate of Exemption (Form ST3) is on file. Payment by credit card will incur an additional 3.5% processing fee. Upon receipt of this signed proposal our Scheduling Department will contact you regarding this project.

Upon receipt of this signed proposal our Scheduling Department will contact you regarding this project.

Signature/Approval

Phone Number

Date

Date: 4/29/20
Bid: #20157 P



Project: 2020 Winnetka Ave Water Job
Location: Golden Valley, MN

Site Utilities

Valley-Rich Co., Inc. will provide labor and equipment needed to excavate, install/replace (11) valves, move/remove (4) hydrants, and remove (2) service laterals. Pricing includes trucking, traffic control, and restoration of the asphalt, sidewalk, curb, and grass with seed. All materials and a pit for dumping/fill is provided by the City of Golden Valley. All City and County permits are by the City of Golden Valley. **All irrigation, invisible fences, removal/replacement of electrical/street/telephone poles, and electrical box work is excluded. All tree removal/replacement is excluded. The two valves on page 9 are based on overnight hours. All other work based on regular time.**

Base Bid: \$183,150

Alternate #1 (Valve Across Knoll): Add \$5,450 to replace (1) gate valve across Knoll Street. Includes the restoration of the sidewalk (approximately 15' x 5') and asphalt between curb/sidewalk (approximately 3' x 15').

Alternate #2 (Hydrant between Wesley and Duluth St): Add \$6,750 to move (1) hydrant to other side of sidewalk. Includes the restoration of the sidewalk (approximately 12' x 5'), asphalt between curb/sidewalk (approximately 3' x 12'), curb (approximately 12'), and grass with seed.

Alternate #3 (Hydrant near Cemetery): Add \$9,700 to move (1) hydrant to other side of sidewalk. Includes the restoration of the sidewalk (approximately 15' x 5'), asphalt between curb/sidewalk (approximately 3' x 15'), curb (approximately 15'), and grass with seed. Based on doing work overnight. Does not include County Road restoration to centerline. Fence removal/replacement is excluded.

****All alternates based on doing in conjunction with the base bid.**

Note:

This proposal is good for 30 days from the bid date in order to lock in our material prices with our vendors. Maximum depth of trenches and structures is assumed to be 10 feet when information is not provided.

Respectfully,

Pete Nasvik

Exclusions:

Dewatering, jersey barriers, fence removal/replacement, soil correction and/or replacement, pipe support, removal of buried obstructions, jacking, frost charges, rock excavation, construction staking, restoration (other than listed above), compaction tests, hauling of excess soils, erosion control/inlet protection, hazardous material handling, irrigation, tree removal and/or replacement, grubbing, sheeting, shoring, bracing, and private utility locates.

147 Jonathan Blvd. N., Ste. 4
Office: (952) 448-3002

Chaska, Minnesota 55318
Fax: (952) 448-3362



EXECUTIVE SUMMARY

Administrative Services

763-593-8013 / 763-593-3969 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. E. 1. Acceptance of Donation of Girl Scout Cookies

Prepared By

Sue Virnig, Finance Director

Summary

On April 21, the River Valley Girl Scouts delivered 200 cases (12 boxes per case) to the essential employees of the police, fire and public works departments as part of the Cookies for a Cause program. City staff received 170 of the 200 cases and delivered 30 cases to the local food shelf PRISM.

The Cookies for a Cause program allows individuals or businesses to make an online cookie purchase and the Girl Scouts River Valleys deliver those cookies to the organizations on the front lines of the COVID-19 response teams. The program was created by Girl Scouts River Valleys, one of 111 Girl Scout councils that make up the national Girl Scout Movement.

As adopted In the Donation Gift Policy, a gift of real or personal property must be accepted by the City Council by resolution and be approved by two-thirds majority of the Council.

Financial Or Budget Considerations

None.

Recommended Action

Motion to adopt Resolution accepting a Donation of Girl Scout Cookies.

Supporting Documents

- Resolution Accepting a Donation of Girl Scout Cookies (1 page)

RESOLUTION NO. 20-28

RESOLUTION ACCEPTING A DONATION
OF GIRL SCOUT COOKIES

WHEREAS, the City Council adopted Resolution 04-20 on March 16, 2004, which established a policy for the receipt of gifts; and

WHEREAS, the Resolution states that a gift of real or personal property must be accepted by the City Council by resolution and be approved by a two-thirds majority of the Council. A cash donation must be acknowledged and accepted by motion with a simple majority; and

WHEREAS, the Girl Scout Cookies were donated for its essential police, fire and public works employees through Cookies for a Cause program.

NOW, THEREFORE, BE IT RESOLVED that the City Council accept the following donations on behalf of its citizens:

170 cases of Girl Scout Cookies

Adopted by the City Council of Golden Valley, Minnesota this 5th day of May, 2020.

Shepard M. Harris, Mayor

ATTEST:

Kristine A. Luedke, City Clerk



EXECUTIVE SUMMARY

Parks and Recreation

763-512-2345 / 763-512-2344 (fax)

Golden Valley City Council Meeting
May 5, 2020

Agenda Item

3. F. Accept Open Space and Recreation Commission (OSRC) 2019 Annual Report and Approve the 2020 Work Plan

Prepared By

Rick Birno, Parks & Recreation Director

Summary

At the April 14, 2020, Council/Manager meeting, OSRC Chair Bob Mattison and Parks & Recreation staff, presented the 2019 OSRC annual report and 2020 proposed work plan.

Financial Or Budget Considerations

Not applicable

Recommended Action

Motion to accept the Open Space and Recreation Commission 2019 annual report and approve the 2020 work plan.

Supporting Documents

- Open Space and Recreation Commission 2019 Annual Report and 2020 Work Plan (8 pages)



**OPEN SPACE & RECREATION
COMMISSION
2019 ANNUAL REPORT AND
2020 WORK PLAN**

2020 Open Space & Recreation Commission

Commissioners

Bob Mattison, Chair (2021)
Dawn Speltz, Vice-Chair, (2020)
Roger Bergman (2022)
John Cornelius (2022)
Bill Delaney (2020)
Max Hyberger (2021)
Kelly Kuebelbeck (2020)
Matthew Sanders (2022)
Linden Weiswerda (2021)
Della Daml, Student (2020)

Note: Terms run May 1-April 30

Council Liaison

Kimberly Sanberg

City Staff

Rick Birno, Parks & Recreation Director
Sheila Van Sloun, Administrative Assistant

Purpose, Mission, and Prescribed Duties

The Open Space and Recreation Commission provides advice and recommendations to the Council regarding recreational programs, parks, and open space in the community, including:

- the portion of the Comprehensive Plan relating to open space needs, parks and recreation programs, and trail systems
- policies and plans for parks, recreation programs, use of open space, and trail systems
- assessment of current programs regarding open space, parks and recreation, and trail systems
- assessment of future needs regarding parks and recreation, open space, and trail systems
- cooperative agreements, policies with other public and private agencies, youth sports organizations, groups or individuals relative to recreational programs and facilities
- budget and capital outlay needs for parks and recreation, Brookview Golf Course, and the park improvement fund

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2019 Overview

- Reviewed and recommended the 2020–2029 Parks, Brookview, and Golf Course Capital Improvement Plan.
- Supported and successfully received a Hennepin County Youth Sports grant for the update of seven ballfields at three parks in partnership with the Golden Valley Girls Softball Association. Provided insight and recommendations on proposed improvements.
- Worked with staff on the plans for an off-leash pet exercise area and community garden at Medley Park. Received and considered resident input, including holding a public forum; formulated and made recommendations to the City Council.
- Worked with staff, Three Rivers Park District, the Minneapolis Park Board, and other key entities on a solution to the Luce Line Regional Trail seasonal access issues of summer flooding and winter ski trails in Theodore Wirth Park. The primary goal is to provide year-round access through the park from the west for Golden Valley residents and other park trail users.
- Heard input from residents and park users regarding the bike lanes proposed by the Bike and Pedestrian Task Force. Commission members agreed with residents recommending not adding bike lanes to Sandburg Lane or Olympia.
- Monitored and provided input on the impact of the initial year of the Goose Management Plan for Brookview Golf Course and Park.
- Recommended safety improvements at Schaper and Isaacson Parks. Improvements include trail bollards, LED crosswalk light, and stainless-steel slide.
- Considered safety improvements along Winnetka Ave for pedestrian access to Brookview Park.
- Continued to support and provide guidance to staff for the growth of enterprise and revenue funds within the Parks and Recreation Department.
- Discussed possible policy changes to provide park dedication funding for more parkland and facilities in new high-density residential areas in Golden Valley.



Luce Line Trail



Brookview Park trails



Brookview's synthetic pub curling rinks opened in late 2019.

- Reviewed and provided insight/recommendation for new winter recreation amenities at Brookview to offer leagues, youth programs, and drop-in rentals during the winter season. Improvements included expanding disc golf baskets from 18 to 36 and adding four outdoor synthetic curling rinks.
- Reviewed and recommended partnership with Three Rivers Park District to test solar LED lighting on the winter recreation trail at Brookview Golf Course.
- Discussed new lighting technology options for park systems and recommended staff move forward with LED lighting at Wesley Park to replace all existing lighting.
- Worked with staff and JPA partners to provide guidance and support for the initial capital improvements scheduled in the south areas of Sochacki Park.
- Recommended updating the severe weather warning system on Brookview Golf Course.
- Provided guidance on the Brookview Golf Course 50th anniversary celebration.
- Supported the annual Run the Valley event.
- Participated in annual Joint City Council/Commission meeting.
- Participated on the City Hall Area Walk Audit.
- Recommended OSRC bylaw changes during the annual review.
- Participated in annual park tour.



- Represented Open Space & Recreation Commission on the Brookview/City Hall rotational public art selection committee.
- Continued to meet with youth athletic associations for program updates and discussions on present and future facility needs.
- Reviewed seasonal recreation programs, leagues, classes, and events.
- Reviewed golf course fees, leagues, lessons, and operation schedule.
- Participated in the neighborhood selection of a new play structure at Scheid Park.
- Supported staff on the proposed partnership with the Perpich Center for the Arts to display students work at Brookview.
- Supported the proposed partnership with GV Arts and SLP Friends of the Arts to offer the Artist Showcase at Brookview.
- Reviewed and approved park policy sign design changes to be updated at all park locations.
- Supported new Adopt-a-Recycling Bin program in neighborhood parks.
- Reviewed and provided insight on Brookview rental fees, room use, and operation guidelines.



Public art is displayed year-round at Brookview and City Hall.

2020 Proposed Work Plan

- Review, provide insight, and recommend 2021–2030 annual Park, Brookview, and Golf Course Capital Improvement Plan.
- Continue to explore possibilities for more parkland and facilities in high-density areas of the city.
- Continue to examine opportunities to enhance park dedication fee revenue and advise staff and the Council.
- Continue to support and provide guidance to staff for the growth of enterprise and revenue funds within the Parks and Recreation Department.
- Continue to evaluate and recommend changes, enhancements, and additions to community and neighborhood parks, and work with staff on designing the addition of sand volleyball courts in the park system in 2021.
- Continue the work of the Bicycle and Pedestrian Task Force, providing review and recommendations for proposed Bicycle & Pedestrian Plan improvements.
- Continue to provide guidance working with staff, MNDOT, and Three Rivers Park District on the Hwy 55 bridge replacement project for the addition of a trail connection from the Schaper Park intersection to Theodore Wirth Parkway.
- Work with staff to implement a sponsorship program for adopting dog bag stations in Golden Valley Parks.
- Continue to work with staff and the JPA in the development of Sochacki Park improvements and monitoring the potential impacts of the Blue Line extension project on Sochacki Park.
- Recommend support to continue the Artist Showcase at Brookview.
- Replace the high-intensity lighting at Wesley Park with energy-efficient LED fixtures. Areas include the tennis courts, skating areas, parking lots, internal park trails, and basketball court.
- Add new “Cooking in the Valley” classes in the Valley Room kitchen at Brookview.
- Replace the Lawn Bowling Green with artificial turf to meet use demands, expand the season, and offer new opportunities on the amenity.
- Support replacing the golf course driving range net system from a multi-panel design to a single net concept, and other possible improvements to the driving range.



Brookview Driving Range



*Brookview's annual Mini US Open
(Photo by Stan Waldhauser)*

- Continue to review recreation, golf, Three One Six, and Brookview fees, programs, events, leagues, and facility operations.
- Review and recommend park shelter building improvements at Wesley and Lions Parks, including ADA access improvement, flooring, bathroom update, doors/frames, windows, furnace replacement, etc.
- Review and approve Golden Valley recognized youth athletic associations providing youth athletics for the community. Continue to meet with youth athletic associations for program updates and discussion on future facility needs.
- Continue to participate in annual Joint City Council/Commission meeting, annual park system tour, and represent Open Space & Recreation Commission on the Brookview/City Hall rotational public art selection committee.
- Implement grant award project for the addition of scoreboards at Isaacson Park on Fields #2 and #3.
- Continue to support park signage replacements and additions.
- Work with staff to plan ballfield improvement project for 2021.
- Work with staff on the design of the scoreboard replacements for Schaper Park in 2021.
- Work with staff on potentially adding a general skating rink at Brookview.
- Review annual nuisance wildlife removal program.



EXECUTIVE SUMMARY

Human Resources

763-593-3989 / 763-593-8109 (fax)

Golden Valley City Council Meeting May 5, 2020

Agenda Item

3. G. Accept Human Rights Commission (HRC) 2019 Annual Report and Approve the 2020 Work Plan

Prepared By

Kirsten Santelices, Human Resources Director

Summary

At the March 10, 2020, Council/Manager meeting, HRC Chair Chris Mitchell presented the 2019 HRC annual report and 2020 proposed work plan.

Due to the COVID-19 pandemic the Commission is considering opportunities to host virtual events and other socially distant educational opportunities. Additionally, the Commission has indefinitely postponed the topic of equal rights amendment and 100th anniversary of women's suffrage. The work plan will be amended with this information.

Financial Or Budget Considerations

Not applicable

Recommended Action

Motion to accept the Human Rights Commission 2019 annual report and approve the 2020 work plan.

Supporting Documents

- Human Rights Commission 2019 Annual Report and 2020 Work Plan (13 pages)



**HUMAN RIGHTS COMMISSION
2019 ANNUAL REPORT AND
2020 WORK PLAN**

2019 Human Rights Members

2019 Human Rights Commissioners

Chair, Chris Mitchell (elected June 2018)

Vice-Chair, Carrie Yeager (elected June 2018)

Jonathan Burris

Teresa Martin

Gloria Peck

Maurice Harris

Leah Persky

Eve Clarkson, Student

Destiny Nathan, Student

City Staff

Kirsten Santelices, Human Resources Director

Maria Cisneros, City Attorney

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2019 Overview

The Golden Valley Human Rights Commission led several initiatives in 2019. Not only did the Commission focus on some of its annual events and programs, they explored opportunities to engage with community members through new programming, events, and activities.

Budget

For 2019, the City Council approved a budget of \$3,500.

The Commission expended \$2,466.85 (70%) of their budget for professional fees for speaker honorariums; cash prize for the 2019 MLK Literary contest winner; promotional stickers and bookmarks; hosting a booth at GV Pride festival; and tickets to sponsor two tables at the 2020 Martin Luther King, Jr. Holiday Breakfast.

Meetings

The HRC eleven regular meetings, one special meeting in January, and had an option to attend the joint Board/Commission/City Council meeting in January.

2019 Work Plan Accomplishments

Beyond setting a work plan of specific activities and events the Commission set specific goals for the year:

- Partner with other city human rights commissions and community service organizations on educational or outreach opportunities.
 - Explore opportunities to educate the community on voting rights.
- Update and enhance communication strategies (including providing resources through the City website).

The Commission successfully achieved all of these goals in 2019.

Quarter 1: Jan-Mar

29th Annual MLK Holiday Breakfast

The commission purchased one table (10 tickets) for the General Mills Foundation 29th Annual MLK Holiday Breakfast, and all 10 tickets were distributed.

Sweet Potato Comfort Pie

The Commission sponsored three speakers at the Annual Sweet Potato Comfort Pies event held at Brookview on January 20, 2019. Several Commissioners also volunteered at the event as well. The winner of the 2019 MLK Literary Contest presented her submission.

Hopkins High School Sophomore Wins HRC Literary Contest

POSTED 01-23-2019

The winner of the Golden Valley's second annual Martin Luther King Jr Literary Contest is Brynn Hirsch, a student at Hopkins High School.

Sponsored by the Golden Valley Human Rights Commission (HRC), the contest is meant to honor the birthday and legacy of Dr Martin Luther King, Jr.

Students in grade 6–12 in Hopkins, Robbinsdale Area, Perpich, and Breck Schools entered written or audio/video work answering questions on the theme "Taking A Stand."

Hirsch, an active participant in the Hopkins High School Theater Department and a volunteer at the Hopkins Library, took first place for her essay on political protests despite doubting herself and her piece.

"I had kind of convinced myself it wouldn't be me," she said. "But I was honestly so surprised and so happy and honored," she said.

When deciding to write the essay, Hirsch said it wasn't very hard to choose between the two prompts.

"I was more drawn to the second one, about participating in political protests because I already had some level of experience with it," Hirsch said. "I could draw from personal experience and the experiences of others I know, to try to convey how I feel when I speak up for change."

In addition to her prize, Hirsch also won tickets to the Jan 21 Minneapolis MLK Day Celebration and was invited to present her piece at the Jan 20 Martin Luther King celebration at Brookview.



Brynn Hirsch

Interview with Brynn Hirsch, winner of the MLK Literary Contest

HRC Promotional Materials

The Commission worked closely with the City's communications team to develop a new promotional item. Together they came up with a design and ordered equAllity stickers for Commissioners to distribute at events and programs.



Quarter 2: Apr-Jun

Golden Valley Pride Festival

The HRC participated in the Golden Valley Pride Festival held on June 9, 2019. At the booth, Commissioners distributed the newly-designed Golden Valley human rights EquALLity stickers, magnets, Human Rights Day quote bookmarks, and the HRC brochure.



Commissioners Mitchell (L) and Peck (R) conversing with a festival attendee.

Golden Valley Historical Society Museum Tour

The Human Rights Commission had the opportunity to host its June 25 meeting at the Golden Valley Historical Society Museum, starting first with a tour of the facility.



Commissioners on a guided tour of the Golden Valley Historical Society Museum

Special Recognition of Sylvia Kaplan

The Commission was approached by Council Member Joanie Clausen, who shared some history about the formation of the then Civil Rights Commission, which is now the Human Rights Commission, including details on its founders. Sylvia Kaplan, an original member of the Commission was invited to the June 25 HRC meeting where the Commission had the opportunity to learn about Sylvia's involvement in the advancement of human rights and her passion that continues today. The Commission presented Sylvia with a certificate of appreciation for her work!



Quarter 3: Jul-Sep

Week of Service

The Commission chose to promote a “week of service” donation collection for Prism during the week of September 11. Donation boxes were set up at City Hall, Brookview, and the Public Safety building for the week. It was promoted on social media and through CCX media.

Several Commissioners also volunteered to do park clean up at Sochacki Park on Saturday, September 7, 2019. Several Commissioners worked for four hours cleaning up and removing buckthorn from one of the City’s great parks.



Antisemitism, Xenophobia, and Hate: Local and Global Challenges Event

The Commission worked with World Without Genocide to host a program at Brookview on critical human rights issues and provide suggestions on how individuals and cities can respond. The program also reviewed current data on hate crimes, episodes of violence, and hate speech, with a focus on how to address multiple forms of hate.



Coexist

ANTISEMITISM, XENOPHOBIA, AND HATE: LOCAL AND GLOBAL CHALLENGES

*Prepared by Ellen J Kennedy, PhD,
World Without Genocide Executive Director*

The Antisemitism, Xenophobia, and Hate: Local and Global Challenges program is meant to inform and educate commissioners and the general public about critical human rights issues today and to suggest individual and city-wide responses.

The program will review recent data suggesting a rise in hate crimes, highlight recent episodes of violence, teach about conditions that influence hate-speech and violence, create steps to address multiple forms of hate, and much more.

World Without Genocide works to help people around the world prevent genocide by fighting racism and prejudice, advocate for the prosecution of perpetrators, and honor those whose lives have been altered by violence and injustice.

Wed, Sept 25, 7-9 pm

Brookview Golden Valley
316 Brookview Parkway S, Golden Valley, MN

Sponsored by: Golden Valley Human Rights Commission

Quarter 4: Oct-Dec

Why Treaties Matter Exhibit

The Commission hosted the Why Treaties Matter exhibit at Brookview during the month of October. The exhibit, presented by the Minnesotan Indian Affairs Council, Minnesota Humanities Center, and the Smithsonian's National Museum of the American Indian features stories and voices of Dakota and Ojibwe Nations. It emphasizes American Indian independence as an ongoing continental reality and highlights the innovative ways the Dakota and Ojibwe Nations self-govern, create community, build sustainable systems, and relate to one another.

the project

Why Treaties Matter began when the partnership of the Minnesota Indian Affairs Council, Minnesota Humanities Center, and the Smithsonian's National Museum of the American Indian was approved by tribes residing in Minnesota.

The exhibit was created through a community-based approach. Since its inception, the knowledge, insight, and perspective of tribal members have been the exhibit's foundation.

From this foundation emerged a vehicle for authentic Dakota and Ojibwe voices upon which these communities tell their own stories of sovereignty, adaptability, and sustainability.

It is a such a wonderful exhibit for non-Native Americans to be exposed to Native American's history, cultural values of the land, people and relationship. "Honor Earth, and why treaties matter in today's American society."
—Bon Xing, Chief Diversity Officer, Minnesota State University & Technical College

For many visitors, both American Indian and those from other backgrounds, **Why Treaties Matter** was their first entry point into beginning to learn about the history of treaties in Minnesota.
—Native American Community Development Institute, Minneapolis

I learned a lot about the Dakota and Ojibwe's past and how they were impacted by the settlers coming here, not just how the settlers were impacted by them. I also learned about Dakota and Ojibwe people's traditions and culture, and how they interpret the world.
—10th grade student, Eden Prairie High School, Eden Prairie

did you know?

What is a treaty?
Treaties are agreements between self-governing or co-governing nations. Native Nations existed long before the formation of the United States. European powers recognized the sovereignty status of Native Nations when they made treaties with us, as did the United States. Article 1, Section 8 of the U.S. Constitution.
Kevin Lacey, Box Four Band of Ojibwe Clans, Minnesota Indian Affairs Council Chairman

I don't understand why American Indians have rights different from anyone else. Do treaties grant "special rights"?
Treaties affirmed in court: have not given but reserved for native people the right to hunt, fish, and gather as they have for hundreds of years. These rights are often called usufructuary rights, which is just a legal term for the right to use something.
You can sell a piece of land, but retain the right to use the stock. You can have an easement put in place where two neighbors share the same driveway. This concept was written right into the treaties between native tribes and the U.S. government.
Dr. Anton Treuer, Professor of Ojibwe, Bemidji State University

What's the benefit of learning about these treaties?
The history of American Indian treaties is the history of all Americans and all Americans. Even now, states, Native Nations, and the federal government continue to negotiate on a government-to-government basis every day, making it reflect new realities. Building upon those made many years ago.
We cannot have a complete understanding of what it means to be American without knowing about these relationships, whether we are Native Americans or not.
Heath Guiter, Director, Smithsonian National Museum of the American Indian

How are treaties exercised now?
For Native Americans, treaties require the basis upon which their sovereignty rests. The right of their tribes to have their own governments is very much laid up in treaties that define their lands and their history of interactions with the U.S. government.
Dr. Anton Treuer, Professor of Ojibwe, Bemidji State University

Indians were already given reservations, and all this occurred a long time ago. Why are you still talking about this?
This is a misunderstanding. The Dakota (and Ojibwe) were not given anything. I always try to explain it like this: What do you do when you want to lease a room in a hotel? You make a reservation for it and it's reserved for you!
Well, the Dakota did that in the treaty-making process. They were able to reserve some portions of land for themselves, albeit probably not the best for their existence, but it was still reserved by the Dakota for that purpose.
It was never given. How could the U.S. government just something that they did not own to a people that was already going up in smoke? Reservations were given to Indian people. They were reserved by Indian people for themselves.

Self-Government in the Dakota and Ojibwe Nations

Why Treaties Matter

VISITOR'S GUIDE treatiesmatter.org

Why Treaties Matter Visitors Guide Brochure

For this event the HRC partnered with Hennepin County Library in Golden Valley to promote the exhibit and highlight the topic of Native American treaties.

Bill Hobbs Award

The Commission received two nominations. After discussion at the November meeting, the Commission selected both nominees as winners for the 2019 award. Ruth Paradise was nominated for her work to preserve and create affordable housing in the City. Ruth chairs the Golden Valley Affordable Housing Coalition and is a member of the Rising TIDES Task Force. Gloria was nominated for her frequent volunteer efforts with PRISM, her leadership with Spirit of Hope Church, and her work as an original organizer of the Golden Valley PRIDE festival. Gloria also served on the Human Rights Commission for just over six years where she led several committees on topics like sex trafficking, LGBTQIA+ rights, mental illness, voting rights, and more. Both Gloria and Ruth were presented the award at the Council meeting on December 17, 2019.



Winners of the Bill Hobbs Award, Ruth Paradise (L) and Gloria Peck (R)

Third Annual MLK Day Literary Contest

The HRC advertised a literary contest for students in grades 7-12 who live in Golden Valley or attend a school within the Golden valley school districts. Students were asked to submit written work (essay, song, or poetry) responding to one of two writing prompts under the theme of "Injustice Anywhere."

Unfortunately, the Commission did not receive any submissions for the contest this year.



HRC Community Outreach

DR MARTIN LUTHER KING JR

LITERARY CONTEST



"Injustice anywhere is a threat to justice everywhere ... Whatever affects one directly, affects all indirectly"
– Dr Martin Luther King Jr

In honor of the birthday and legacy of Dr Martin Luther King Jr, the Golden Valley Human Rights Commission presents the second annual Dr Martin Luther King Jr Literary Contest.

The contest is open to students in grades 7-12 who live in Golden Valley, attend a school in Golden Valley, or attend a Robbinsdale Area District or Hopkins District school.

Winners will be announced Jan 10, 2020. They will receive a \$50 cash prize and will be asked to present their piece at the Martin Luther King Jr Day celebration Sun, Jan 19, 2020, at Brookview Golden Valley (316 Brookview Pkwy). Winners will also receive tickets to the General Mills/Minneapolis MLK breakfast Mon, Jan 20, 2020.

2020 Theme
Building on Dr King's passion and leadership, students are asked to creatively respond to one of the following questions based on the theme "Injustice Anywhere":

- 1. How does our country's treatment of refugees, immigrants, and asylum seekers impact our various communities?**
- 2. How does the denial of voting rights or voter suppression efforts impact our various communities?**

Submissions
Written (essays, poetry, song, etc): Submit on standard 8-1/2"x11" paper, double spaced, not to exceed 900 words.
Audio and Video: Submit through YouTube or other multi-media platforms, accompanied by a transcribed version.

Submissions will be judged on inspiration, clarity, creativity, and content applicable to the theme. Entries must include:

- students name, address, phone/email, and grade level
- parent name, phone/email
- school name and teacher contact information

Deadline: Fri, Jan 3, 2020, 4 pm

<p>Email ksantelices@goldenvalleymn.gov</p>	<p>Mail/Drop-Off Kirsten Santelices, 7800 Golden Valley Rd, Golden Valley, MN 55427</p>
--	--

Sponsored by: Golden Valley Human Rights Commission

Literary Contest Flyer

Conversion Therapy Ban

In November the HRC brought the topic of conversion therapy ban to the City Council with a recommendation that the City Council consider researching this topic as part of their 2020 Goal Session. The City Council has listed this topic as an item to consider at its 2020 Goal Session on Wednesday, January 29, 2020.

2019 Sampling of Media Coverage

Week of Service

City of Golden Valley, MN - Local Government
August 2 · 🌐

The Golden Valley Human Rights Commission holds an annual Day of Service as a part of the National Day of Service and Remembrance on Sept 11. This year the Day of Service is being expanded to a Week of Service, Sept 9-13.
<https://www.goldenvalleymn.gov/.../human-rights-commission-t.../>



HRC Community Outreach

👍 You and 2 others

👍 Like 💬 Comment ➦ Share

City of Golden Valley, MN - Local Government
August 27 · 🌐

The Golden Valley Human Rights Commission's Week of Service is Sept 9-13, and residents are encouraged to take part.
<https://www.goldenvalleymn.gov/.../human-rights-commission-w.../>



👍 You and 3 others 1 Share

👍 Like 💬 Comment ➦ Share

Antisemitism, Xenophobia, and Hate: Local and Global Challenges

City of Golden Valley, MN - Local Government
September 17 · 🌐

Attend the Golden Valley Human Rights Commission's a community outreach program titled Antisemitism, Xenophobia, and Hate: Local and Global Challenges Wed, Sept 25, 7-9 pm, at Brookview.
<https://www.goldenvalleymn.gov/.../attend-the-hrcs-community.../>

GOLDENVALLEYMN.GOV ⓘ

City of Golden Valley, MN: Attend The HRC's Community Outreach Event Sept 25, 7 PM

The Golden Valley Human Rights Commission (HRC) is hosting a community outreach program titled Antisemitism, Xenophobia, and Hate:...

👍 You, Maria Cisneros and 1 other

👍 Like 💬 Comment ➦ Share

City of Golden Valley, MN - Local Government
September 23 · 🌐

Don't forget this Wed, Sept 25, the Golden Valley Human Rights Commission is hosting a community outreach event titled Antisemitism, Xenophobia, and Hate: Local and Global Challenges. Presenters will discuss critical human rights issues today and suggest individual and city-wide responses.
Learn more > <https://loom.ly/wf2VEk8>



👍 You and 5 others

👍 Like 💬 Comment ➦ Share

City of Golden Valley, MN - Local Government
August 13 · 🌐

The Golden Valley Human Rights Commission will host a community outreach program titled Antisemitism, Xenophobia, and Hate: Local and Global Challenges Wed, Sept 25, 7-9 pm at Brookview. The program will inform and educate the public on critical human rights issues provide suggestions for both individual and city-wide responses.
<https://www.goldenvalleymn.gov/.../golden-valley-human-right.../>



HRC Community Outreach

👍 You and 7 others 2 Shares

👍 Like 💬 Comment ➦ Share

Why Treaties Matter Exhibit (Oct 1-30)



City of Golden Valley, MN - Local Government
October 1 · 🌐

The Why Treaties Matter exhibit is now up at Brookview through the end of October.

Visit Brookview Golden Valley and learn about the new and innovative ways the Dakota and Ojibwe Nations self-govern, create community, build sustainable systems, and relate to one another.
goldenvalleymn.gov/b.../humanrights/hrc-community-outreach.php



👍❤️ 27

3 Comments 10 Shares

👍 Like

💬 Comment

🔗 Share



City of Golden Valley, MN - Local Government
October 23 · 🌐

Don't forget to stop by Brookview to learn about the Dakota and Ojibwe Nation's new and innovative ways to create community and more at the Why Treaties Matter exhibit, sponsored by the Golden Valley Human Rights Commission. The exhibit closes Oct 30.
<https://www.goldenvalleymn.gov/.../humanrights/hrc-community-...>



👍 Maria Cisneros and 19 others

3 Shares

👍 Like

💬 Comment

🔗 Share

Human Rights Day (Dec 10)



City of Golden Valley, MN - Local Government
December 10 at 9:58 AM · 🌐

Today is World Humans Rights Day and the United Nations (UN) is celebrating with the theme is Youth Standing Up for Human Rights. The UN wants to make it known that no one is too young to make a positive impact on the world.

Keeping this year's them in mind, the Golden Valley Human Rights Commission wants to remind Golden Valley students in grades 7-12 to enter the 2020 Dr Martin Luther Kind Jr Literary Contest. Deadline is Jan 3, 2020, 4 pm.

Learn more > goldenvalleymn.gov/boards/humanrights/mlk-day.php



United Nations Human Rights
December 9 at 10:44 AM · 🌐

👍 Like Page

Let's empower #young people to better know & claim their #rights, and to be heard.

No one is too young to change the world.

#StandUp4HumanRights #HumanRightsDay

👍❤️ You, Maria Cisneros and 3 others

1 Share

Bill Hobbs Award Promotion



City of Golden Valley, MN - Local Government
September 26 · 🌐

There are four days left to nominate a Golden Valley community member for the 2019 Bill Hobbs Human Rights Award. Click the link below to learn how to nominate someone.

<https://www.goldenvalleymn.gov/.../deadline-to-nominate-for-.../>

GOLDENVALLEYMN.GOV

City of Golden Valley, MN: Deadline To Nominate For Bill Hobbs Award Is Sept 30, 4:30 PM

The Golden Valley Human Rights Commission (HRC) is accepting nominations for the 2019 Bill Hobbs Human Rights Award. The award recognizes members in the Golden Valley community who work to build an...

1 Share

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💬 Comment

🔗 Share

Restrictive Covenants



City of Golden Valley, MN @GoldenValleyMN · Oct 15, 2019

The Golden Valley Human Rights Commission has started a new effort to provide Golden Valley residents with the tools and information needed to discharge racially restrictive covenants on their property deeds.
goldenvalleymn.gov/newsarchive/in...



👍

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👍 1

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2020 Proposed Work Plan

The Golden Valley Human Rights Commission (HRC) proposes the following work plan for 2020.

Goals for this year include:

- Partner with other city human rights commissions and community service organizations on education or outreach opportunities.
 - Explore opportunities to educate the community.
- Further update and enhance communications strategies
 - Explore opportunities for community partnerships regarding human rights resources.
- Partner with Environmental Commission on environmental initiatives and the impact of climate change on Human Rights (potentially as a day of service initiative)

Tentative Outline:

Q1: Jan-Mar

- Work Plan discussion (Jan)
- Co-Sponsor League of Women Voter's Race in Our Neighborhoods (Feb)
- Golden Valley Pride planning (Mar)
- Consider continuation of annual MLK Day Contest (Mar)
- Restrictive Covenant Education and Discharge Next Steps Planning (Mar)
- Equal Rights Amendment and 100th Anniversary of Women's Suffrage planning (Mar)

Q2: Apr-Jun

- Human Rights Day planning/Human Rights City discussion (Apr)
- Day of Service planning
- Equal Rights Amendment and 100th Anniversary of Women's Suffrage planning
- Research land acknowledgment
- Golden Valley Pride booth (Jun)

Q3: Jul-Sep

- Complete research and provide information to the City Council on land acknowledgments (Jul)
- Human Rights Day planning
- Bill Hobbs Award promotion
- Promote Equal Rights Amendment and 100th Anniversary of Women's Suffrage (Aug)
- Day of Service (on or around Sep 11)

Q4: Oct-Dec

- Sweet Potato Comfort Pie planning
- Human Rights Day planning
- December 10 – Human Rights Day promotion
 - Bill Hobbs Award (in conjunction with Human Rights Day)
 - Partner with Golden Valley Library
- Purchase table for 2021 MLK breakfast



EXECUTIVE SUMMARY

Parks and Recreation

763-512-2345 / 763-512-2344 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. H. Approve Human Services Commission 2020 Emergency Allocation Request

Prepared By

Brian Erickson, Recreation Supervisor

Summary

The Human Services Commission (HSC) met on April 28, to allocate emergency funding to agencies. The recommended emergency funding is as follows.

<u>Agency</u>	<u>Recommended allocation</u>
Crisis Nursery	\$ 3,000
Dinner at Your Door	\$ 5,500
PRISM	\$ 12,500
Senior Services HOME	\$ 4,500
Senior Services Outreach	\$ 3,000
Sojourner Project	\$ 5,000
The Bridge for Youth	\$ 3,000
TreeHouse	\$ 2,000
HUG	\$ 3,000
Resource West	\$ 3,000
<u>Community Mediation</u>	<u>\$ 2,000</u>
TOTAL	\$ 46,500

Financial Or Budget Considerations

After the additional allocations of \$46,500, the 2020 estimated fund balance is \$133,799. The required amount stated in the bylaws is \$134,754. The Minimum Fund Balance requirements of Article IV, paragraph (C) above are or will be met by the end of the calendar year, or the Council has approved an exception to those requirements. The Council may only approve an exception to the Minimum Fund Balance requirements for emergency allocations, and the Minimum Fund Balance must be restored no later than December 31 of the calendar year following the year in which the emergency allocation is made.

Recommended Action

Motion to approve the Emergency Funding request and approve notifying the eleven agencies of their emergency funding.



EXECUTIVE SUMMARY

Public Works

763-593-8030 / 763-593-3988 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. I. Authorize Submittal for Navistar Maxxforce Engine Class Action Settlement

Prepared By

Tim Kieffer, Public Works Director

Summary

A class action lawsuit was filed against Navistar, Inc. and Navistar International Corporation claiming the defendants sold or leased vehicles equipped with a defective EGR emissions system. The City has 2 dump trucks, units 793 and 795, equipped with Maxxforce engines and is entitled to submit a claim for reimbursement.

The City needs to submit their claim by May 11, 2020, in order to be considered for reimbursement. If the Court approves the Settlement, the City will be bound by the Court's orders and judgements and will release claims against the Defendants, even if the City does not file a claim.

Financial Or Budget Considerations

Staff utilized 2 options in determining the total amount to submit. The first was a cash option based on length of ownership, up to \$2,500. The other was to prove expenses incurred for repairs, up to \$15,000. Staff was able to prove the City sustained \$12,314.85 in repairs. The total claim being submitted totals \$14,814.85.

Recommended Action

Motion to authorize submittal for Navistar Maxxforce Engine Class Action Settlement by staff in the amount of \$14,814.85.

Supporting Documents

- Legal Notice (1 page)

NAVISTAR MAXXFORCE ENGINE SETTLEMENT

If you owned or leased a 2011-2014 model year vehicle equipped with a MaxxForce 11- or 13-liter engine, you could get a payment from a class action settlement.

Depending on your months of ownership or lease, you may be entitled to up to \$2,500 cash per class vehicle, up to a \$10,000 rebate for a new heavy-duty truck, or up to \$15,000 as reimbursement for certain proven costs.

Para ver este aviso en español, visite www.MaxxForce11and13.com

A proposed settlement has been reached in a lawsuit against Navistar, Inc. and Navistar International Corporation (the "Defendants"). The lawsuit claimed that Defendants sold or leased vehicles equipped with a defective EGR emissions system and that if Named Plaintiffs had known of the defect, they would not have purchased or leased their vehicles or would have paid less for them. Defendants deny these allegations. The Settlement resolves the case and provides benefits to Class Members who do not exclude themselves, including payments to Class Members who submit valid claims. This notice is only a summary. For more information, visit www.MaxxForce11and13.com or call 1-833-222-1176.

Who is included? You may be a Class Member if you owned or leased a 2011-2014 model year vehicle equipped with a MaxxForce 11- or 13-liter engine certified to meet EPA 2010 emissions standards without selective catalytic reduction technology, provided the vehicle was purchased or leased in any of the fifty States, the District of Columbia, Puerto Rico, or any other United States territory or possession.

What can I get? The proposed Settlement creates a common fund of \$135 million to pay approved claims from Class Members. For each Class Vehicle, you may elect only one option. The Cash Option provides a payment based on months of ownership/lease up to \$2,500 per Class Vehicle. The Rebate Option provides a rebate based on months of ownership/lease up to \$10,000 per Class Vehicle toward a new Navistar Class 8 heavy-duty truck (maximum of 10 rebates). The Individual Prove-Up Option will reimburse a Class Member for up to \$15,000 of proven Covered Costs. **You must submit a Claim Form by May 11, 2020, to qualify for a payment.** A Claim Form is attached to this Notice, but you may also file a claim online at www.MaxxForce11and13.com. If you have any questions about the Claim Form or how to file a claim, call 1-833-222-1176 or email info@MaxxForce11and13.com.

What are my options? You can file a claim by May 11, 2020, exclude yourself by October 10, 2019, or object to the Settlement by October 10, 2019. If you do not exclude yourself, and the Court approves the Settlement, you will be bound by the Court's orders and judgments and will release your claims against Defendants, even if you do not file a claim. For information on how to exclude yourself, object, or file a claim, visit www.MaxxForce11and13.com or call 1-833-222-1176. The Court will hold a Final Approval Hearing on November 13, 2019 to decide whether to approve the Settlement. You may attend this hearing, but you don't have to. The time and date of this hearing may change without further notice to the Class, so please check the website for updates.

What happens next? The Court, located in Chicago, IL, will hold a hearing on **November 13, 2019 at 10:00 a.m.** to decide whether to approve the Settlement, including how much to pay Co-Lead Class Counsel for their work in representing the Class (up to \$40 million to be paid out of the Cash Fund) and what Service Award, if any, should be given to the Named Plaintiffs. Named Plaintiffs will ask the Court to award \$25,000 for each of the Named Plaintiffs remaining in the lawsuit. You or your attorney may ask permission to speak at the hearing at your own cost. The date and time of this hearing may change without further notice to the Class. Please check www.MaxxForce11and13.com for updates.

Who represents me? The Court has appointed Jonathan D. Selbin of Lief Cabraser Heimann & Bernstein, LLP, Adam J. Levitt of DiCello Levitt Gutzler LLC, and William M. Audet of Audet & Partners LLP to represent you and other Class Members. Together, the lawyers are called Co-Lead Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense. Lief Cabraser Heimann & Bernstein may be contacted at 250 Hudson St, 8th Floor, New York, NY 10013 or (212) 355-9500. Contact information for the other Co-Lead Class Counsel is provided in the Long Form Notice and at www.MaxxForce11and13.com.

How do I get more information? For more information, including the Long Form Notice, Claim Form, Motions for Approval and Attorneys' Fees, and Settlement Agreement, call 1-833-222-1176 or visit www.MaxxForce11and13.com.

QUESTIONS? Call toll-free 1-833-222-1176 or visit www.MaxxForce11and13.com.



EXECUTIVE SUMMARY

City Administration

763-593-8006 / 763-593-8109 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. J. 1. Accept Resignation from Environmental Commission

Prepared By

Tomás Romano, Assistant to the City Manager's Office

Summary

Commissioner Susan Phelps has submitted her resignation from the Environmental Commission.

Financial Or Budget Considerations

Not applicable

Recommended Action

Motion to accept the resignation of Susan Phelps from the Environmental Commission.



EXECUTIVE SUMMARY

City Administration

763-593-8006 / 763-593-8109 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. J. 2. Accept Resignation from Human Services Commission

Prepared By

Tomás Romano, Assistant to the City Manager's Office

Summary

Commissioner Kelly House has submitted her resignation from the Human Services Commission.

Financial Or Budget Considerations

Not applicable

Recommended Action

Motion to accept the resignation of Kelly House from the Human Services Commission.



EXECUTIVE SUMMARY

City Administration

763-593-8006 / 763-593-8109 (fax)

Golden Valley City Council Meeting May 5, 2020

Agenda Item

3. K. Board/Commission Appointments

Prepared By

Tomás Romano, Assistant to the City Manager's Office

Summary

As Board and Commissions have vacancies, the City Council conducts interviews with individuals who have applied to serve on them. Listed below are individuals that are interested in serving on Golden Valley Boards/Commissions.

Financial Or Budget Considerations

Not applicable

Recommended Action

Motion to appoint the following Boards/Commission candidates:

Wendy Weirich | Environmental Commission | Term expires April 30, 2023

Caitlin Peick | Human Services Commission | Term expires April 30, 2022



EXECUTIVE SUMMARY

Administrative Services

763-593-8013 / 763-593-3969 (fax)

Golden Valley City Council Meeting
May 5, 2020

Agenda Item

3. L. Approve Equipment Checkout Policy

Prepared By

Adam Knauer, IT Supervisor
Sue Virnig, Finance Director

Summary

Employees may use City equipment at home for work purposes. The employee is required to abide by the City of Golden Valley Technology Policy at all times. This equipment checkout policy outlines purpose, eligibility, rules, connecting city equipment and procurement and reservation. All employees that wish to take any City owned equipment off City property must fill out the checkout form and get supervisor approval.

Financial Or Budget Considerations

None.

Recommended Action

Motion to adopt Resolution approving the Equipment Checkout Policy.

Supporting Documents

- Resolution approving the Equipment Checkout Policy (1 page)
- City of Golden Valley Equipment Checkout Policy (2 pages)
- City of Golden Valley Equipment Checkout Form (1 page)

RESOLUTION NO. 20-29

RESOLUTION APPROVING THE EQUIPMENT CHECKOUT POLICY

WHEREAS, the Employees of the City of Golden Valley may checkout equipment necessary for them to work from home or in the field; and

WHEREAS, the Equipment Checkout Policy outlines purpose, eligibility, rules, connecting city equipment, and procurement and reservation; and

WHEREAS, the checkout form will allow the city to track where equipment is located and the responsible party.

NOW, THEREFORE, BE IT RESOLVED that the City Council adopt the Equipment Checkout Policy.

Adopted by the City Council of Golden Valley, Minnesota this 5th day of May, 2020.

Shepard M. Harris, Mayor

ATTEST:

Kristine A. Luedke, City Clerk

City of Golden Valley Equipment Checkout Policy



Purpose

The purpose of this Equipment Checkout Policy is to ensure City technology and other equipment ("Equipment") remains in working order and is available to staff to perform work for the City off-site. This policy applies to all City staff. As used in this policy, Equipment means all articles and physical resources an employee uses to perform their job, including but not limited to computers, printers, cell phones, desks, tables, docking stations, telephones, chairs, desks, keyboards, monitors, mouse, scanners, headsets, and any other physical devices or property belonging to the City.

Eligibility

- Exempt City Employees may work off-site using City Equipment if they receive written permission from their department head and submit a City Equipment Checkout Form to the City's IT Department.
- Non-exempt employees may work off-site using City Equipment if they receive written permission from their department head and the City Manager and submit a City Equipment Checkout Form to the City's IT Department. Non-exempt City employees working off-site must, at all times, abide by the City's [Hours of Work and Time Tracking Policy](#).

Rules

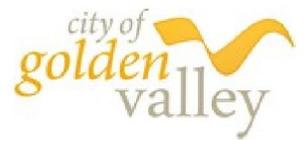
- City Equipment is for employee use only and may not be used by or loaned to anyone else.
- Employees must abide by the City of Golden Valley [Technology Use Policy](#) at all times.
- Employees are responsible for the care and proper use of Equipment. If Equipment is lost or damaged due to employee misuse or neglect, the employee will be financially responsible for the cost to replace or repair the lost or damaged Equipment. If Equipment is lost or damaged for any other reason, the user's department will be charged the cost to replace or repair the Equipment.
- Employees shall return all Equipment no later than the date indicated on the checkout form. If an employee leaves the City's employ, the employee shall immediately return all City Equipment. Employees who fail to return City Equipment shall pay the City the full replacement cost of the Equipment.
- Employees are responsible for the physical security of City Equipment. If Equipment is lost or stolen, employees must notify the IT Department immediately. All employees must take the following actions to ensure the physical security of City Equipment:
 - a. When not in use, electronic Equipment must be stored in a secure location.
 - b. Equipment may not be stored in vehicles. If it is necessary to leave Equipment in a vehicle for a short period of time, the Equipment must be locked in the trunk of the vehicle.
 - c. When using City Equipment in public areas, never leave the Equipment unattended.
 - d. If travelling with City Equipment, the Equipment may not be packed in checked luggage.

Connecting City Equipment

- Employees who plan to use City Equipment to work off-site must work with their supervisor and the IT Department to ensure they have the appropriate equipment and connection resources.
- Employees may not connect any non-city devices (using cables or wireless connection) to City Equipment without prior approval from the IT Department.
- Employees may not connect City Equipment to any internet or network connection that has not previously been approved by IT staff. All policies regarding City of Golden Valley technology, data, and records will remain in effect, which include retaining, safeguarding, and organizing data consistent with policy and law.

Procurement & Reservation

- Equipment is available on a first-come, first-served basis. Employees may reserve Equipment up to 60 days in advance. Advance notice is helpful to IT staff to ensure availability of specific or in-demand equipment.
- IT staff will automatically cancel Equipment reservations if the employee does not pick up the reserved Equipment within 2 hours of the scheduled pickup time.



City of Golden Valley Equipment Check Out Form

1. This form is required for staff who wish to take any City owned equipment off City property.
2. List the items you wish to checkout below:

Equipment Description	Serial No.	Date Borrowed	Return Date

I have read and agree to the following requirements and conditions:

- I understand that I am checking out the Equipment listed above for my use as an employee of the City of Golden Valley and I may not allow anyone else to use this Equipment or loan the Equipment to anyone else.
- I agree to abide by all of the requirements of the City of Golden Valley Equipment Checkout Policy and Technology Use Policy.
- I understand that I am responsible for the care and proper use of the Equipment. I agree to be financially responsible for the replacement cost of the equipment if the equipment is lost or damaged due to my misuse or neglect.
- I agree to return the equipment no later than the date indicated above. If I leave the City’s employ, I will immediately return the Equipment. If I fail to return the Equipment, I agree to pay the full replacement cost of the Equipment.

Employee Name (Print)

Date

Employee Signature

Home Phone

Approvals:	
Department Head (all employees)	Date
City Manager (non-exempt employees only)	Date

The following item(s) has (have) been returned and inspected for damages.

Item(s):

Damages Noted:

Received By:

IT Signature

Date



EXECUTIVE SUMMARY

Administrative Services

763-593-8013 / 763-593-3969 (fax)

Golden Valley City Council Meeting

May 5, 2020

Agenda Item

3. M. Approve Payment Card Industry (PCI) Compliance Policy

Prepared By

Sue Virnig, Finance Director

Adam Knauer, IT Supervisor

Summary

Procedures and acceptance of credit cards is outlined in this policy. Ongoing training is given to those employees that take credit cards as a form of payment.

Financial Or Budget Considerations

None.

Recommended Action

Motion to adopt Resolution approving the Payment Card Industry (PCI) Compliance Policy.

Supporting Documents

- Resolution approving the Payment Card Industry (PCI) Compliance Policy (1 page)
- Payment Card Industry (PCI) Compliancy Policy for Staff (11 pages)

RESOLUTION NO. 20-30

RESOLUTION APPROVING THE PAYMENT CARD INDUSTRY (PCI)
COMPLIANCE POLICY

WHEREAS, the Employees of the City of Golden Valley may accept credit cards as a form of payment, and

WHEREAS, the Employees of the City of Golden Valley shall abide by the requirements of the policy.

NOW, THEREFORE, BE IT RESOLVED that the City Council adopt the Payment Card Industry Compliance Policy.

Adopted by the City Council of Golden Valley, Minnesota this 5th day of May, 2020.

Shepard M. Harris, Mayor

ATTEST:

Kristine A. Luedke, City Clerk

City of Golden Valley PCI Compliance Policy for Staff

Section 1. Introduction

This PCI Compliance Policy for Staff (“Policy”) describes the City of Golden Valley’s credit card security requirements as required by the Payment Card Industry Data Security Standard (PCI DSS) Program. The city is committed to these security policies to protect information utilized by the city in attaining its business goals.

All employees that utilize systems that process credit card cardholder data are required to adhere to the policies described within this document.

Section 2. Confidential PCI Cardholder Data

The City of Golden Valley defines confidential card holder data as the following information:

- The card number printed on the front or back of the payment card.
- User authorization/payment PIN (Personal Identification Number).
- The full contents of any track data from the magnetic stripe (located on the back of a card, equivalent data contained on a chip on the card, or elsewhere).
- The card verification code or value (three-digit or four-digit number printed on the front or back of a payment card).

Section 3. Protecting Confidential Cardholder Data

Protecting card holder data is the responsibility of all staff. This data can only be used while performing charges on an authorized city PCI compliant hardware and software. This data may not be stored electronically or on paper under any circumstance.

Examples of a proper use:

- Swiping the credit card on a city approved and allocated scanner.
- Utilizing the PCI compliant websites:
 - <https://webtrac.goldenvalleymn.gov> (Parks & Rec)
 - [https://www.invoicecloud.com/portal/\(S\(f05gnmgj2aihjmjqwmtgmle\)\)/2/Site2.aspx?G=3456ddb6-c3c6-4817-adfb-31a61f509f89](https://www.invoicecloud.com/portal/(S(f05gnmgj2aihjmjqwmtgmle))/2/Site2.aspx?G=3456ddb6-c3c6-4817-adfb-31a61f509f89)(Utility Billing by Invoice Cloud)
 - <https://epermits.logis.org/home.aspx?city=gv> (ePermits)
 - <https://secure.east.prophetservices.com/BrookviewGCv3> (Golf ClubProphet)
- Utilizing the PCI regulated software and hardware at:
 - DMV
 - Brookview Golf Course
 - Parks & Recreation RecTrac
 - Public Works
 - City Hall
- Taking credit card information over the phone pursuant to section 6 of this Policy.

Examples of unapproved use:

- Entering card holder data into non-POS software such as: Email, instant messaging, Excel, and Word.
- Writing down card holder data.

If staff receives unsolicited paper copies of card holder data (faxes, registration forms, incoming mail, etc.), these documents must be processed and then destroyed immediately by placing them in the

locked shred box. If card holder data was sent in an email the email should not be forwarded, but rather permanently deleted. Paper copies of card holder data can also be shredded utilizing a cross-cut shredder.

Staff may not encourage or ask customers to send credit card information in an unapproved manner, and shall notify senders that they are putting their credit card information at risk if they do. At no time should these security policies and procedures be bypassed, subjecting the card holder data to compromise.

Section 4. PCI hardware (scanners/computers)

PCI hardware means scanners, computers and other hardware authorized by the City's IT Department to process credit card transactions. The City has dedicated PCI hardware in all locations that have been approved to take credit card charges. The following requirements apply to the PCI hardware located in the city facilities:

- PCI approved computers/scanners will be labeled by the city as such.
- Employees may only utilize PCI hardware that has been setup and configured for the express purpose of entering card holder data to perform charging transactions.
- Any changes to PCI hardware must be submitted to the IT Department where they will be reviewed for PCI compliance. No user changes are allowed to this equipment.
- Only authorized staff is allowed to utilize the PCI hardware. Employees must verify the identity of unknown individuals that need to access the PCI hardware and verify with IT before allowing access to the hardware.
- PCI hardware may only allowed to be used for the express purpose of charging transactions.
- Staff should perform a physical inspection of all PCI hardware at the beginning of their shift to see if any alterations have been made.
- PCI hardware must be monitored or maintained in a physically secure location which would be protected from access outside of business hours by unauthorized personnel. In no case should PCI hardware be taken offsite without express approval by the IT Coordinator or the Finance Director.

Section 5. Protected Media Policy

Media is defined, but not limited to: hard drives, flash drives, removable storage drives, CD's, DVD's backup tapes, paper, reports, and faxes. Protected media is media that contains sensitive, confidential or PCI cardholder data.

The proper storage of protected data is essential to preventing breaches. City staff shall handle media in a way that ensures that protected media is kept secure when not in use by storing it in a locked cabinet, locked room or safe.

If Employees store any type of cardholder data, and backups are being performed of this data, it must be done in a PCI compliant manner.

Once the protected electronic media is no longer needed, it must be turned in to IT Staff so that they can securely store, or sanitize it according to NIST Special Publication 800-88 on Guidelines for Media Sanitation.

The handling and usage of any protected media is limited to only those staff members that need access to media for legitimate business purposes. If any protected media needs to be moved from a secure area to an external location for any reason, the staff member moving the media must obtain management approval, and maintain an inventory and log where it is being moved to.

Section 6. Taking Credit Cards over the Phone:

Credit Card information may be obtained over the phone from customers and citizens only under specific circumstances as determined by the Finance Director. The Finance Director shall prepare a list of all such approved circumstances, which list shall be filed with the City Clerk. When taking credit cards over the phone, staff shall follow the following policies and procedures:

- Credit card numbers obtained over the phone shall be directly inputted into the Point of Sale (POS) terminal/software. Employees must walk over to the terminal with the telephone and enter the information as the customer speaks it.
- The employee may never speak the credit card information out loud. Employees will have the customer repeat any part of the number or information if necessary.
- Employees may never use speakerphone when taking credit card information over the phone.
- Employees may never write credit card information down on paper or input such information electronically into a system other than the POS software.

Section 7. Reporting

All employees who suspect suspicious behavior around the PCI hardware or suspect the PCI hardware have been modified or card holder data has been lost or compromised must immediately report this to the following staff:

- IT Department
- Finance Director

This will immediately begin an incident response procedure where appropriate action will be taken and is listed as an addendum. Staff should follow the Incident Response Guideline Template in the attached Addendum A.

Section 8. Failure to Comply with Policy

Failure to adhere to the policy and its practices can submit staff to disciplinary action, up to and including termination.

City Golden Valley Information Security Incident Response Plan Addendum

Purpose: This plan is to serve as guidance in the handling of a potential information security incident at the City. A formal incident response plan is an industry best practice and is required for PCI and CJIS compliance. Other incident responses for events such as fire, severe weather, and bomb threats are contained in the City's Emergency Management Plan.

Roles: The City Security Policy requires all personnel to report suspected breaches of City security. These potential security incidents must be immediately reported to the City IT Coordinator or your appropriate Manager for investigation.

Communication: Internal communication should be limited to appropriate staff during the incident to not compromise the investigation. Communication with outside entities regarding the incident must be approved by City Management, with the exception of 911 for immediate danger to lives.

Incident Response Procedure: City Incident Response adopts a high-level process similar to SANS guidelines and NIST 800-61: Prepare (already done), Identify (verify it is a security incident), Contain (remove device from the network & backup), Eradicate / Recover (remove malware or restore from system backup and prevent re-occurrence), and Lessons Learned (improve future responses or security). These processes are detailed in the template below.

City of Golden Valley PCI Compliance Policy for Staff Acknowledgement Form

Golden Valley PCI Compliancy Policy applies to all employees and other authorized persons who handle credit card information.

I acknowledge that I have received a copy of the Golden Valley PCI Compliancy Policy for Staff, and that it is my responsibility to read and comply with the policies contained in the document as well as any revisions made to it in the future.

EMPLOYEE/CONTRACTOR NAME (Printed): _____

EMPLOYEE/CONTRACTOR SIGNATURE: _____

DATE ACKNOWLEDGED: _____

ADDENDUM A: Incident Response Guideline Template

Start Date: _____

Description of Incident: _____

Step 1: Identify

Overview: This process must be followed in the event that staff suspects a security incident has occurred and is used to notify and identify the type of incident that occurred.

#	Step	Handler	Date	Time	Actions Taken
1	If there is immediate danger to lives, dial 911 and then notify the City IT Coordinator, or your immediate Manager who will notify the IT Coordinator.				
2	The IT Coordinator will assign staff to assess the potential security incident* and determine if it is a security incident or if it is an unrelated event such as user error.				
3	If the report was not a security incident, no further work is needed, otherwise document the results of the investigation in a help desk ticket assigned to the IT Coordinator.				
4	The IT Coordinator will communicate with the appropriate City staff that an investigation is being conducted.				

* Note that some security devices produce a large number of suspicious event alerts, in which case it may be prudent for the incident handler to recommend the device be further tuned instead and only proceed if there is a reasonable likelihood of an incident.

Step 2: Contain

Overview: Remove device from network, communicate outside, and backup

#	Step	Handler	Date	Time	Actions Taken
1	The IT Coordinator will assign the appropriate staff to perform containment of the security event				
2	The assigned staff will disconnect the compromised device/s from the City network.				
3	If Credit Card (PCI) data was likely compromised, the system affected <u>must not be powered down</u> per PCI Payment Brand procedures (referenced in appendix).				
4	Research how the incident occurred and perform the following steps to further contain it:				
.A	Make appropriate firewall/access list changes to restrict the ability for the threat to further compromise the systems.				
.B	Any passwords that were potentially compromised should be changed as appropriate.				
5	Outside notification should be reviewed by Management consulting with HR and Legal, as listed below and detailed in the Appendix.				
.A	If Credit Card (PCI) data was likely compromised, no further action should be taken on the system until the Credit Card brands listed in the appendix and the US Secret Service have been notified <u>by Management</u> , and we have been given further instructions from the Credit Card brands (e.g. Visa, MC) listed in the appendix.				
.B	If BCA data was likely compromised, <u>Management</u> should contact the City Police LASO to notify the BCA and wait for instruction.				
.C	If citizen data is compromised, <u>Management</u> should be alerted to				

	handle communication with the citizens as appropriate.				
.D	If LOGIS security was breached, <u>Management</u> should notify LOGIS.				
6	Back up the data for evidence by swapping out a mirrored drive or running a backup on the device if this incident is likely to result in a court case or if additional research is needed. If the incident is malware on a workstation not exposing Restricted data, a backup does not need to be done.				
.A	Start a "chain of evidence" form detailing how the evidence was stored, who had access, how used, and when.				
.B	Keep the evidence locked and only work with copies of the evidence.				
7	If a Mobile Device is involved, and is managed by a Mobile Device Management (MDM) solution, the device shall be locked or wiped in order to protect the protected data that may be store on that device. This shall be done rapidly given the higher risk mobile devices may pose.				

Step 3: Eradicate / Recover

Overview: Clean the system or rebuild/restore from a clean backup, prevent reoccurrence

#	Step	Handler	Date	Time	Actions Taken
1	Determine the root cause of incident.				
2	Clean the system or rebuild/restore from backup as appropriate.				
3	Apply fixes for root cause to prevent re-occurrence.				
4	Evaluate applying fix to prevent similar occurrences elsewhere if appropriate.				
5	Monitor City for similar events.				
6	For a major incident (e.g. web defacement, etc), Management must approve whether the				

	systems go back on line. This will be determined if Management is satisfied that the root cause is determined and resolved.				
7	Review and monitor systems for reoccurrence.				

Step 4: Lessons Learned

Overview: Formally document incident and make future recommendations

#	Step	Handler	Date	Time	Actions Taken
1	For incidents involving restricted data (PCI, CJIS, HIPAA, HF2121), complete the reporting required by the outside entities, to be sent <u>by Management after consulting HR/Legal.</u>				
2	For a major incident (e.g. web defacement, etc) a formal document of the incident should be written up and put in the file share which includes the following: <ul style="list-style-type: none"> o One to three paragraph summary with screen shot if applicable o Short background information on system / environment o Incident timeline, how discovered, steps taken by who (this template) o Future recommendations: Typically involves possible changes to improve incident handling process or harden the environment 				
2	For a non-major incident put this form in the City Incident Response file share, labeled with the date and description.				
3	For all malware incidents (minor and major), file CJIS Security Incident Response Form with the BCA.				
4	Review future recommendations with Management to implement if appropriate.				

Appendix A: Security Incident Notification Requirements

PCI (Credit Card):

Note: LOGIS is a “level two service provider”

Note: If required, the U.S. Secret Service Field Office in Minneapolis contact number is (612)348-1800

VISA: <http://usa.visa.com/merchants/protect-your-business/cisp/if-compromised.jsp>

Highlights of process: remove the network cable, do not turn the device off, document actions taken. LOGIS is responsible for notifying VISA and the U.S. Secret Service. Visa Fraud Investigations and Incident Management group: (650)432-2978.

MasterCard: http://www.mastercard.com/us/merchant/pdf/SPME-Entire_Manual_public.pdf

Highlights of process: preserve forensic evidence, remove device from network, document actions taken, do not reboot system. LOGIS (MasterCard “Agent”) is responsible for notifying MasterCard. MasterCard merchant contact: (800)622-7747.

Discover Card: <http://www.discovernetwork.com/fraudsecurity/databreach.html>

Highlights of process: removed device from network, document actions taken, preserve evidence. LOGIS is responsible for notifying Discover Network and the U.S. Secret Service. Discover merchant contact: (800)347-3083.

American Express: https://www209.americanexpress.com/merchant/services/en_US/data-security

Highlights of process: conduct a thorough forensic investigation. LOGIS is responsible for notifying American Express. American Express Enterprise Incident Response Program (EIRP) contact: (888)732-3750.

CJIS (Criminal Records / BCA data):

<http://www.fbi.gov/about-us/cjis/cjis-security-policy-resource-center/view> (section5)

Note: LOGIS is an “interface agency”

Highlights of the process: leave the system powered on, preserve evidence. LOGIS is responsible for contacting the Member’s Police Agency Information Security Officer and the BCA. The BCA 24-hour Operations Center number: 651-793-7000.

MN State Law HF 2121/325E.61&64 (Minnesota citizen Social Security, Financial Account, or State Drivers License/ID):

<https://www.revisor.mn.gov/bin/bldbill.php?bill=H2121.3&s>

<https://www.revisor.mn.gov/statutes/cite/325E.61>

Highlights of the process: notifying citizens and possibly credit report organizations, exemption from requirements if the information was encrypted.

HIPAA Omnibus Rule 2013

<https://www.hhs.gov/hipaa/for-professionals/security/index.html>

<https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/administrative/combined/hipaa-simplification-201303.pdf>

Appendix B: Incident Response Plan Requirements

PCI v3.2.1: Section 12.10.1

CJIS 5.7: Section 5.3

HIPAA Omnibus Rule 2013, 164.308(a)(6)

LOGIS Members Security Policy: Page 1



EXECUTIVE SUMMARY

Physical Development

763-593-8030 / 763-593-8109 (fax)

Golden Valley City Council Meeting May 5, 2020

Agenda Item

4. A. Public Hearing – Preliminary Plat Approval for Minor Subdivision– 1421 Rhode Island Avenue North

Prepared By

Jason Zimmerman, Planning Manager

Summary

Taylor Ward, along with Charles and Linda Ward, is proposing to subdivide the property located at 1421 Rhode Island Avenue North into two lots. There is one existing single-family home on this lot, which would remain, and one new lot is proposed to be created. In order to allow the subdivision to occur, a variance from the lot width requirement is needed.

The Planning Commission recommended approval of the variance (7-0) and the preliminary plat (7-0) at its meeting on April 13.

The 60 day deadline for action on this item was May 3. A 60 day extension was granted through July 2.

Background

In 2008, the subject property consisted of three lots that were combined for tax purposes. Two lots were 60 feet wide and the third was 40 feet wide (with the last 20 feet owned by the property directly to the north). An existing home on the property was being demolished and in order to legally construct a new home, the three platted lots needed to be formally combined. This was approved by the City Council late in the year and in 2009 a new home was constructed on the south portion of this lot, leaving sufficient room for a future second home to be constructed on the north portion.

Existing Conditions

There is an existing home on the lot and a detached garage on the north portion of the property. With the proposed subdivision, the home would remain and the detached garage would also remain and support a new home, which would continue to have access off of Rhode Island Ave N.

A survey conducted in January of 2020 shows that the lot width at the front setback line (35 feet into the lot) is only 159.92 feet and only 159.82 feet at a point 70 feet into the lot. While this dimension was intended to be 160 feet, it is approximately two inches shy of the width needed to divide the lot – likely due to the use of less accurate surveying equipment when the block was first platted. Regardless, the slight shortfall will require a subdivision variance be approved in order to move forward.

Required	Proposed Lot 1	Proposed Lot 2
Minimum lot size		
10,000 square feet	10,715 square feet	10,687 square feet
Minimum lot width at 35 feet deep		
80 feet	80.02 feet	79.9 feet
Minimum lot width at 70 feet deep		
80 feet	80.02 feet	79.8 feet

The sanitary sewer service to the existing home is compliant with the City’s Inflow and Infiltration requirements. The applicant must work with Engineering and Utility staff to determine which of the other two existing sanitary lines are best suited to serve the new home.

There is an existing driveway immediately north of the house at 1421 Rhode Island Ave N. This driveway straddles the proposed shared lot line between the two new lots. The second driveway does not meet City Code as it does not lead to a legally constructed garage. In addition, upon subdivision, the driveway will not meet the required three foot setback from the side lot lines. As a condition of subdivision, staff recommends that the driveway, curb cut, and apron be removed and replaced with barrier curb.

As required by the City Code, a tree inventory was performed in order to document all existing trees. This inventory has been reviewed by the City Forester and will be used to calculate any required tree replacement as part of the Tree and Landscape permit for the development.

Evaluation of Minor Subdivision

According to Section 109-121 of the City Code, the following are the regulations governing approval of minor subdivisions:

Factor/Finding
<p>1. A minor subdivision shall be denied if the proposed lots do not meet the minimum area and dimensional requirements for the Zoning District in which they are located, or if vehicular access is not provided from an abutting improved street.</p> <p>Standard met for Lot 1, which meets the requirements of the Single-Family Residential (R-1) Zoning District. Lot 2 does not have sufficient width and a variance is needed in order to grant approval (see Evaluation of Variance Request below). Both lots have access from an improved street.</p>
<p>2. A minor subdivision may be denied upon the City’s determination that a resulting new lot is encumbered by steep slopes or excessive wetness.</p> <p>Standard met. Neither lot is encumbered by steep slopes or excessive wetness.</p>
<p>3. A minor subdivision may be denied if sewer and water connections are not directly accessible by each proposed lot.</p>

Standard met. One lot is already served with sewer and water; connections are directly accessible for the development of the second lot.
4. Approval shall be conditioned on the granting of easements for necessary public purposes.
Standard conditionally met. Existing utility easements must be vacated and new utility easements must be dedicated as shown on the preliminary plat.
5. Approval may be conditioned on the requirements of outside public agencies with jurisdiction.
Not applicable.
6. Approval shall be conditioned on the resolution of any title issues raised by the City Attorney.
Standard conditionally met. The City Attorney will determine if such a title review is necessary prior to approval of the final plat.
7. Minor subdivisions of nonresidential parcels may be denied if new development will cause undo strain on adjacent roads or on public utilities or will adversely affect adjacent uses.
Not applicable.
8. Approval shall be conditioned on the payment of a park dedication fee, sewer and water access charge, and pending or levied deferred assessments.
Standard conditionally met. A park dedication fee of \$3,270 is required for this development and must be paid prior to the release of the final plat by the City.
9. The conditions spelled out shall provide the only basis for denial of a minor subdivision. Approval will be granted to any application that meets the established conditions.
Standard met.

Evaluation of Variance Request

The proposal requires a variance from the following section of City Code:

- **Section 109-121, Subd. (a)(2) Minimum Dimension Requirements**

The City's Subdivision Code requires a minimum lot width of 80 feet at the 35 foot setback line and at a point 70 feet from the front lot line. The applicant is requesting 0.2 feet off of the required 80 feet to a width of 79.8 feet on Lot 2.

The City, through its Planning Commission and City Council, may grant variances from the Subdivision chapter of the City Code if all of the following conditions outlined in Section 109-5 (a)(1) exist. In addition, the Council must consider the nature of the proposed use and of the existing use of land in the vicinity, the number of persons to reside in the proposed subdivision, and the probable effect of the proposed

subdivision upon traffic conditions in the vicinity. In granting a variance, the Council may prescribe conditions necessary to protect the public interest.

1. **There are special circumstances so that the strict application of the requirements would create unusual hardship and deprive the applicant of reasonable use of the land. Economic difficulty or inconvenience shall not constitute a hardship.** The need for a variance from the minimum lot width requirement appears to be due to a special circumstance in that while the original 1914 plat established lots that were shown to be exactly 60 feet wide, a slight deviation in the demarcation of the property corners – perhaps due to inexact surveying equipment – resulted in a small deficit. Disallowing the subdivision under these circumstances would create an unusual hardship.
2. **The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.** The absence of a variance from the lot width requirement would prevent the intended subdivision of the property, depriving the property owner of a substantial property right.
3. **The granting of the variance will not be detrimental to the public welfare or injurious to other property in the neighborhood.** The granting of the variance would not be injurious to other property in the neighborhood, as the difference between an 80 foot wide lot (the width required by City Code) and a 79.8 foot wide lot (the available width of Lot 2) would be indistinguishable and would have no impact on adjacent properties.

Staff believes the proposed use of land is consistent with the Low Density Residential guidance of the 2040 Comprehensive Plan and with the surrounding single-family residential properties. The addition of one household on this residential block would not impact the neighborhood and would not have a negative effect on traffic conditions in the vicinity.

Financial Or Budget Considerations

None

Recommended Action

Based on the findings above, motion to approve the Variance of 0.2 feet off of the required 80 feet to a width of 79.8 feet on Lot 2.

Based on the findings above, motion to approve the Preliminary Plat for 1421 Rhode Island Avenue North, subject to the following conditions:

1. The applicant shall remove the existing driveway, apron, and curb cut located directly north of the home at 1421 Rhode Island Ave N and replace it with a barrier curb.
2. The applicant shall vacate existing easements and dedicate new drainage and utility easements as shown on the preliminary plat.
3. The City Attorney shall determine if a title review is necessary prior to approval of the final plat.
4. A park dedication fee of \$3,270 shall be paid prior to the release of the final plat.

If the variance is not approved, the lot width requirement cannot be met and therefore staff recommends denial of the Preliminary Plat with a finding that the proposal does not meet the Minimum Dimension Requirements found in Section 109-121, Subd. (a)(2).

Supporting Documents

- Memo to the Planning Commission dated April 13, 2020 (6 pages)
- Minutes of the Planning Commission meeting dated April 13, 2020 (4 pages)
- Location Map (1 page)
- Certificate of Survey (1 page)
- Preliminary Plat (1 page)
- Letter from Neighbor dated April 3 (1 page)



MEMORANDUM

Planning Department

763-593-8095 / 763-593-8109 (fax)

Date: April 13, 2020

To: Golden Valley Planning Commission

From: Jason Zimmerman, Planning Manager

Subject: Informal Public Hearing on Preliminary Plan for Subdivision of 1421 Rhode Island Ave N

Property address: 1421 Rhode Island Ave N

Applicant: Taylor Ward

Zoning District: Single-Family (R-1) Residential

Current use: Single-family home

Adjacent uses: Single-family homes

Property owners: Taylor, Charles, & Linda Ward

Lot size: 21,402 sq. ft. (0.49 acres)

Future land use: Low Density Residential



2018 aerial photo (Hennepin County)

Summary of Request

Taylor Ward, along with Charles and Linda Ward, is proposing to subdivide the property located at 1421 Rhode Island Avenue North into two lots. There is one existing single-family home on this lot, which would remain, and one new lot is proposed to be created. In order to allow the subdivision to occur, a variance from the lot width requirement is needed.

Background

In 2008, the subject property consisted of three lots that were combined for tax purposes. Two lots were 60 feet wide and the third was 40 feet wide (with the last 20 feet owned by the property directly to the north). An existing home on the property was being demolished and in order to legally construct a new home, the three platted lots needed to be combined. This was approved by the City Council late in the year and in 2009 a new home was constructed on the south portion of this lot, leaving sufficient room for a future second home to be constructed on the north portion.

The property is guided for Low Density Residential use in the 2040 Comprehensive Plan and zoned Single-Family Residential (R-1). It sits in the middle of an established single-family neighborhood.

Existing Conditions

There is an existing home on the lot, which would remain, and a detached garage on the north portion of the property. With the proposed subdivision, the detached garage would also remain and support the new home, which would continue to have access off of Rhode Island Ave N.

A new survey conducted in January of 2020 shows that the lot width at the front setback line (35 feet into the lot) is only 159.92 feet and only 159.82 feet at a point 70 feet into the lot. While this dimension was intended to be 160 feet, it is approximately two inches shy of the width needed to divide the lot – likely due to the use of less accurate surveying equipment when the block was first platted. Regardless, the slight shortfall will require a subdivision variance be approved in order to move forward.

Engineering staff have reviewed the site and believe there are three sanitary service lines on the property. One is being utilized by the existing home. As part of this proposal, one of the two remaining lines would need to be verified as compliant with the City's Inflow and Infiltration standards. Staff also believes there are two existing water services to the property. The existing home utilizes the southern service and the northernmost service is available for a new home.

Staff Review

Changes to the minimum lot area requirement of the Subdivision chapter in the City Code made in 2015 require a calculation of the average lot size of all residential lots within 250 feet of the subject property in the Single-Family Residential (R-1) Zoning District. If the average is greater than 18,000 square feet, the new required minimum lot size increases to 15,000 square feet. If the average is less than 18,000 square feet, the required minimum lot size remains at 10,000 square feet.

For 1421 Rhode Island Ave N, the average size of the lots within 250 feet is approximately 11,708 square feet. Therefore, the required minimum lot size of each new lot remains at 10,000 square feet.

At 21,402 square feet, there is sufficient area to subdivide. The proposed Lot 1, to the north, would be 10,715 square feet. The proposed Lot 2, to the south, would be 10,687 square feet.

City Code requires that each non-corner lot have a minimum of 80 feet of width at the front setback line and maintain 80 feet of width for 70 feet of depth. Lot 1 would have 80.02 feet of width at the 35 foot setback line and 80.02 feet of width at a point 70 feet into the lot. Lot 2 would have 79.9 feet of width at the 35 foot setback line and 79.8 feet of width at a point 70 feet into the lot. As mentioned above, this width falls short of the requirements of the City Code and a variance is necessary for the subdivision to be approved (see Evaluation of Variance Request below).

The sanitary sewer service to the existing home is compliant with the City's Inflow and Infiltration requirements. The applicant must work with Engineering and Utility staff to determine which of the other two existing sanitary lines are best suited to serve the new home.

As required by the City Code, a tree inventory was performed in order to document all existing trees. This inventory has been reviewed by the City Forester and will be used to calculate any required tree replacement as part of the Tree and Landscape permit for the development.

The Engineering Division has reviewed the application and has the following comments:

Right-of-Way Management – There is an existing driveway immediately north of the house at 1421 Rhode Island Ave N. This second driveway straddles the proposed shared lot line between the two new lots. The driveway does not meet city code as it does not lead to a legally constructed garage. In addition, upon subdivision, the driveway will not meet the required 3-foot setback from the side lot line. As a condition of subdivision, staff recommends that the driveway, curb cut, and apron be removed and replaced with barrier curb in compliance with City standards as part of the Right-of-Way Management permit for the development.

Stormwater Management – The existing conditions survey shows that a portion of the stormwater runoff from the north lot flows toward the west and south. As a reminder, city code states that runoff from residential property shall be minimized to the maximum extent practicable. To ensure this, the City has a Stormwater Management permit that requires the submittal of a stormwater plan that meets City standards.

The Fire Department has reviewed the application and has no comments or concerns.

If approved, a park dedication fee of \$3,270 would also be required prior to release of the Final Plat.

Neighborhood Notification

A letter describing the proposal was sent to properties within 500 feet in late March. To date, staff has received no comments or questions.

Evaluation of Minor Subdivision

According to Section 109-121 of the City Code, the following are the regulations governing approval of minor subdivisions:

Factor/Finding
<p>1. A minor subdivision shall be denied if the proposed lots do not meet the minimum area and dimensional requirements for the Zoning District in which they are located, or if vehicular access is not provided from an abutting improved street.</p>
<p>Standard met for Lot 1, which meets the requirements of the Single-Family Residential (R-1) Zoning District. Lot 2 does not have sufficient width and a variance is needed in order to grant approval. Both lots have access from an improved street.</p>
<p>2. A minor subdivision may be denied upon the City’s determination that a resulting new lot is encumbered by steep slopes or excessive wetness.</p>
<p>Standard met. Neither lot is encumbered by steep slopes or excessive wetness.</p>
<p>3. A minor subdivision may be denied if sewer and water connections are not directly accessible by each proposed lot.</p>
<p>Standard met. One lot is already served with sewer and water; connections are directly accessible for the development of the second lot.</p>
<p>4. Approval shall be conditioned on the granting of easements for necessary public purposes.</p>
<p>Standard conditionally met. Existing utility easements must be vacated and new utility easements must be dedicated as shown on the preliminary plat.</p>
<p>5. Approval may be conditioned on the requirements of outside public agencies with jurisdiction.</p>
<p>Not applicable.</p>
<p>6. Approval shall be conditioned on the resolution of any title issues raised by the City Attorney.</p>
<p>Standard conditionally met. The City Attorney will determine if such a title review is necessary prior to approval of the final plat.</p>
<p>7. Minor subdivisions of nonresidential parcels may be denied if new development will cause undo strain on adjacent roads or on public utilities or will adversely affect adjacent uses.</p>
<p>Not applicable.</p>
<p>8. Approval shall be conditioned on the payment of a park dedication fee, sewer and water access charge, and pending or levied deferred assessments.</p>

Standard conditionally met. A park dedication fee of \$3,270 is required for this development and must be paid prior to the release of the final plat by the City.

9. The conditions spelled out shall provide the only basis for denial of a minor subdivision. Approval will be granted to any application that meets the established conditions.

Standard met.

Evaluation of Variance Request

The proposal requires a variance from the following section of City Code:

- **Section 109-121, Subd. (a)(2) Minimum Dimension Requirements**

The City's Subdivision Code requires a minimum lot width of 80 feet at the 35 foot setback line and at a point 70 feet from the front lot line. The applicant is requesting 0.2 feet off of the required 80 feet to a width of 79.8 feet on Lot 2.

The City, through its Planning Commission and City Council, may grant variances from the Subdivision chapter of the City Code if all of the following conditions outlined in Section 109-5 (a)(1) exist. In addition, the Council must consider the nature of the proposed use and of the existing use of land in the vicinity, the number of persons to reside in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. In granting a variance, the Council may prescribe conditions necessary to protect the public interest.

1. **There are special circumstances so that the strict application of the requirements would create unusual hardship and deprive the applicant of reasonable use of the land. Economic difficulty or inconvenience shall not constitute a hardship.** The need for a variance from the minimum lot width requirement appears to be due to a special circumstance in that while the original 1914 plat established lots that were shown to be exactly 60 feet wide, a slight deviation in the demarcation of the property corners – perhaps due to inexact surveying equipment – resulted in a small deficit. Disallowing the subdivision under these circumstances would create an unusual hardship.
2. **The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.** The absence of a variance from the lot width requirement would prevent the intended subdivision of the property, depriving the property owner of a substantial property right.
3. **The granting of the variance will not be detrimental to the public welfare or injurious to other property in the neighborhood.** The granting of the variance would not be injurious to other property in the neighborhood, as the difference between an 80 foot wide lot (the width required by City Code) and a 79.8 foot wide lot (the available width of Lot 2) would be indistinguishable and would have no impact on adjacent properties.

Staff believes the proposed use of land is consistent with the Low Density Residential guidance of the 2040 Comprehensive Plan and with the surrounding single-family residential properties. The addition of one household on this residential block would not impact the neighborhood and would not have a negative effect on traffic conditions in the vicinity.

Recommended Actions

Based on the findings above, staff recommends approval of a variance of 0.2 feet off of the required 80 feet to a width of 79.8 feet on Lot 2.

If the variance is approved, then based on the findings above staff recommends approval of the minor subdivision at 1421 Rhode Island Ave N subject to the following conditions:

1. The applicant shall remove the existing driveway, apron, and curb cut located directly north of the home at 1421 Rhode Island Ave N and replace it with a barrier curb.
2. The applicant shall vacate existing easements and dedicate new drainage and utility easements as shown on the preliminary plat.
3. The City Attorney shall determine if a title review is necessary prior to approval of the final plat.
4. A park dedication fee of \$3,270 shall be paid prior to the release of the final plat.

If the variance is not approved, the lot width requirement cannot be met and therefore staff recommends denial of the minor subdivision with a finding that the proposal does not meet the Minimum Dimension Requirements found in Section 109-121, Subd. (a)(2).

Attachments:

Location Map (1 page)

Certificate of Survey (1 page)

Preliminary Plat (1 page)

Email from Neighbor received April 3, 2020 (1 page)

Planning Commission

April 13, 2020 – 7 pm

REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Planning Commission meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line. The public was able to participate in this meeting during public comment sections, by dialing the public call-in line.

1. Call to Order

The meeting was called to order at 7:05 by **Commissioner Johnson**

Roll Call

Commissioners present: Adam Brookins, Andy Johnson, Chuck Segelbaum, Lauren Pockl, Rich Baker, Ron Blum, Ryan Sadeghi

Commissioners absent: Ari Prohofsky

Staff present: Jason Zimmerman – Planning Manager

Council Liaison present: Gillian Rosenquist

2. Approval of Agenda

Commissioner Johnson, asked for a motion to approve the agenda.

MOTION made by **Commissioner Segelbaum**, seconded by **Commissioner Brookins** to approve the agenda of April 13, 2020, as submitted. Staff called a roll call vote and the motion carried unanimously.

3. Approval of Minutes

Commissioner Johnson asked for a motion to approve the minutes from March 9, 2020.

MOTION made by **Commissioner Brookins**, seconded by **Commissioner Baker** to approve the meeting minutes from March 9, 2020, as submitted. Staff called a roll call vote and the motion carried unanimously.

4. Informal Public Hearing – Minor Subdivision

Applicant: Taylor Ward

Address: 1421 Rhode Island Ave N

Purpose: To subdivide an existing lot and create two new lots

Commissioner Johnson introduced the topic and staff gave a presentation.



This document is available in alternate formats upon a 72-hour request. Please call 763-593-8006 (TTY: 763-593-3968) to make a request. Examples of alternate formats may include large print, electronic, Braille, audiocassette, etc.



Jason Zimmerman, Planning Manager, gave a brief summary of how the presentation will be given, as well as introduced the applicant as he was present in the Webex meeting.

Zimmerman explained the proposal was to subdivide an existing lot at 1421 to create two new lots; the existing house would remain and a new house would be added. Staff noted that the lot width of one lot is a few inches short of the minimum size requirement so a variance is required to subdivide. This particular variance didn't go to the BZA as they handle zoning variances, not subdivision variances.

The current lot is the result of a lot combination in 2008 where two 60-foot lots and one 40-foot lot were combined. A new home was constructed upon the demolition of the then existing home. There is a detached garage on the proposed second lot and that will remain when a secondary home is added. **Zimmerman** displayed the lot survey and the street view, he then went into details on minimum lot requirements for R-1 zoning.

- 10,000 (or 15,000) sq ft in area
- 80 ft of width at the front setback line (35 feet)
- 80 ft of width when 70 feet in to the lot

There is a provision that reviews the average size of lots in the area and within 250 feet of this lot, the average size is 11,708 sq ft. Being that the average size is under 18,000 sq ft, the minimum requirement remains at 10,000 sq ft.

Existing lot is 21,402 sq ft:

- Proposed Lot 1 (north lot)
 - 10,715 sq ft
 - 80.02 ft wide at 35' deep
 - 80.02 ft wide at 70' deep
- Proposed lot 2 (south lot):
 - 10,687 sq ft
 - 79.9 ft wide at 35' deep
 - 79.8 ft wide at 70' deep

Even though the southern lot is short by about 2.5 inches, the subdivision should be approved through a variance. The shortage in lot size is likely due to survey equipment inefficiencies when the lots were originally platted.

City code outlines the standards for granting variances as:

- Special circumstance that creates unusual hardship
- Necessary to preserve and enjoy substantial property rights
- Would not be detrimental to the general welfare or injurious to surrounding properties

Staff Findings are as follows:

1. Need is due to a special circumstance at the time of platting resulting in a slight deviation. Disallowing the subdivision because of this would create unusual hardship.
2. The absence of the variance would prevent the owner from a substantial property right.
3. Granting would not be injurious to the surrounding properties as the difference in width from the requirement would be negligible.

Zimmerman added that the variance is consistent with the 2040 Comp plan, is compatible with surrounding single-family homes, and would not have a negative impact on traffic conditions. With all these considerations, staff recommends approval of the variance.

Zimmerman added requirements that the applicant will need to adhere to in regards to inflow and infiltration, a tree survey, items that will require a Right-of-Way permit and stormwater permit, as well as the park dedication fee. There was a mailing sent to neighbors and staff received one response.

Commissioner Baker asked how the applicant knows the existing garage on the north lot will remain. **Zimmerman** responded that the applicant lives on the south lot and will build on the north. **Commissioner Segelbaum** followed up by asking if the existing garage meets city requirements; staff confirmed it does.

At this point, Chair Blum joined the meeting.

Chair Blum invited the applicant to make a comment on the item.

The applicant, Taylor Ward, mentioned the usefulness of what will be the “third” driveway when the property is subdivided and asked if it could remain. Staff responded that the engineering department stated regulations are for one curb cut per property. In addition to that, the existing paved area will be on a new property line and City requirements state that paved surfaces be 3 feet from the property line. Ward asked who replaces the curb in this situation and staff responded it’s part of the permit for the right-of-way process.

There were no other comments or questions for the applicant.

Chair Blum opened the informal public hearing at 7:24 pm.
The appropriate call in number was displayed on the live feed of the meeting.
The moderator confirmed there were no callers on the line.

Chair Blum closed the hearing at 7:29 pm with the willingness to reopen if a call came in to the meeting at a later time.
Staff suggested the commissioners address the variance initially and use that decision to guide their decision on the subdivision.

Baker stated that the variance request is reasonable and it meets requirements of a variance. **Segelbaum** echoed Baker's statement.

Commissioners and staff entered a discussion surrounding variances that are presented to them versus BZA.

MOTION to approve the variance made by **Baker**, seconded by **Brookins**.
Staff took a roll call vote and the motion passed.

Blum confirmed with the moderator that no calls came in for the public hearing.

MOTION to approve the minor subdivision request made by **Brookins**, seconded by **Johnson**
Staff took a roll call vote and the motion passed.

Television portion of the meeting concluded at 7:43 pm

5. Council Liaison Report

Councilmember Rosenquist thanked the Commissioners for being flexible as the City adapts to holding remote meetings due to the COVID-19 pandemic. She provided an update to Commissioners on the Council's approval of the Sweeney Lake Wood PUD Amendment, the decision to delay the 2020 Pavement Management Program, the City's hiring freeze, and the approval of other emergency actions.

6. Reports on Meetings of the Housing and Redevelopment Authority, City Council, Board of Zoning Appeals, and other meetings

Jason Zimmerman, Planning Manager, let the Commissioners know that no Board of Zoning Appeals meeting would be held in April due to a lack of agenda items. He also updated them on three items on the agenda for the Housing and Redevelopment Authority meeting on April 21: consideration of a Housing Strategic Plan, a Fair Housing Policy, and authorization to proceed with the adoption of an HRA levy.

7. Other Business

None.

8. Adjournment

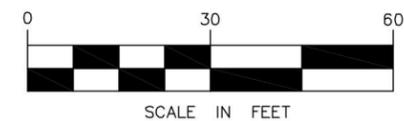
MOTION made by **Commissioner Baker**, seconded by **Commissioner Pockl** and the motion carried unanimously to adjourn the meeting at 7:57 PM.

Adam Brookins, Secretary

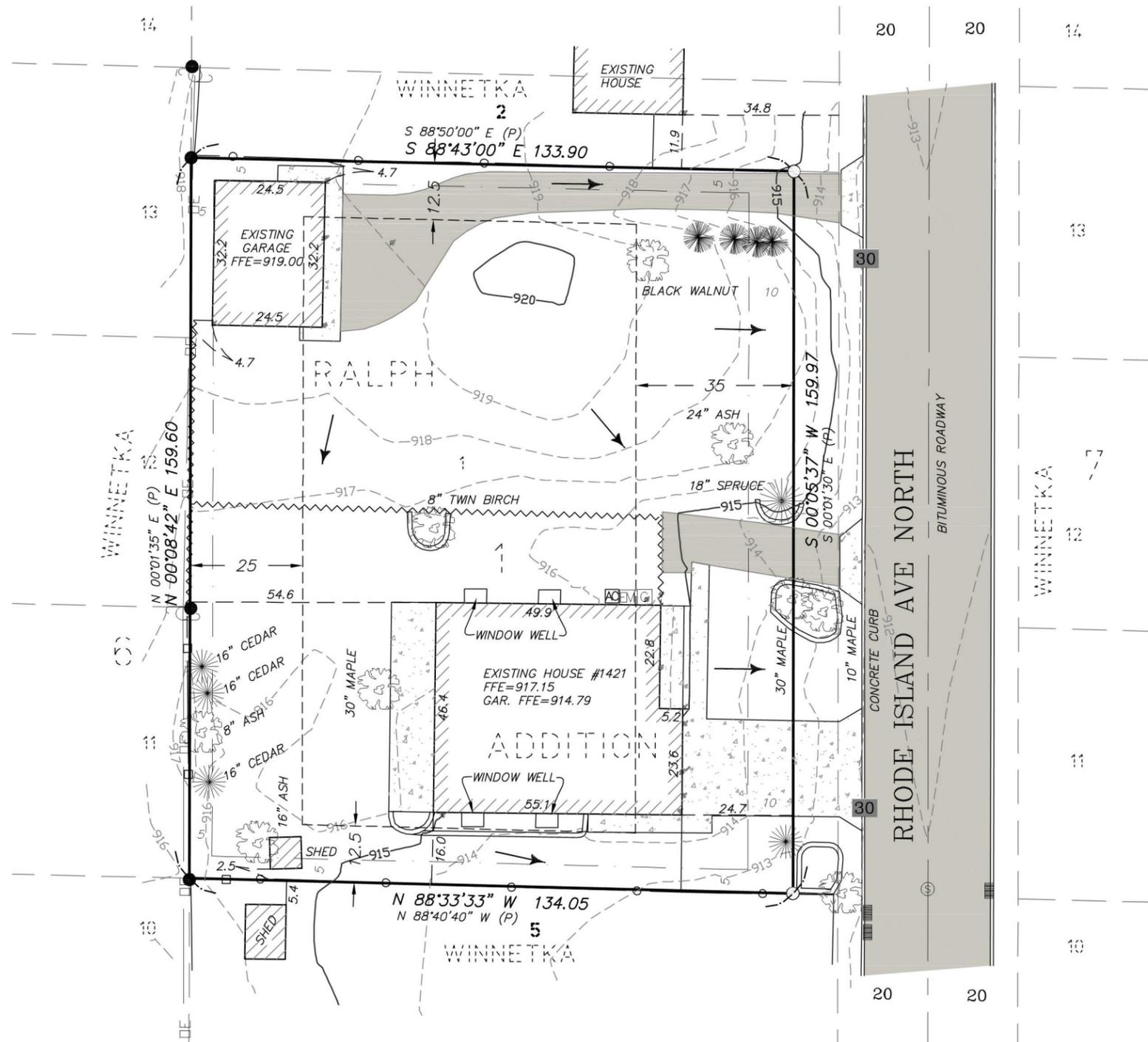
Amie Kolesar, Planning Assistant

CERTIFICATE OF SURVEY

-for-
TAYLOR WARD



Call 48 Hours before digging
GOPHER STATE ONE CALL
Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



LEGAL DESCRIPTION

Lot 1, Block 1, RALPH ADDITION, Hennepin County, Minnesota, according to the recorded plat thereof.

HARDCOVER

EXISTING BUILDING	3,274 SQ. FT.
EXISTING CONCRETE SURFACE	1,591 SQ. FT.
EXISTING BITUMINOUS SURFACE	1,635 SQ. FT.
TOTAL LOT AREA	21,402 SQ. FT.
EXISTING HARDCOVER	30.4 %

BUILDING SETBACKS

ZONING: R1 = SINGLE FAMILY DISTRICT
HOUSE: FRONT = 35 FT
SIDE = 12.5 FT
REAR = 25 FT
ACCESSORY: FRONT = 35 FT
SIDE/REAR = 5 FT

REFERENCE BENCHMARK

ELEVATION = 916.97 (NGVD 29) MNDOT DISK
"WINETKA RM1" NW QUADRANT OF NORTH
FRONTAGE ROAD AND SUMTER AVE SOUTH.

NOTES

1. THE BASIS OF THE BEARING SYSTEM IS ASSUMED.
2. NO SPECIFIC SOIL INVESTIGATION HAS BEEN COMPLETED
3. CONTRACTOR SHALL VERIFY PROPOSED ELEVATIONS.
4. NO TITLE INFORMATION WAS PROVIDED FOR THIS SURVEY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD.
5. EXISTING UTILITIES AND SERVICES SHOWN HEREON OWNER LOCATED EITHER PHYSICALLY ON THE GROUND DURING THE SURVEY OR FROM EXISTING RECORDS MADE AVAILABLE TO US OR BY RESIDENT TESTIMONY. OTHER UTILITIES AND SERVICES MAY BE PRESENT. VERIFICATION AND LOCATION OF UTILITIES AND SERVICES SHOULD BE OBTAIN FROM THE OWNERS OF RESPECTIVE UTILITIES BY CONTACTING GOPHER STATE ONE CALL AT (651) 454-0002 PRIOR TO ANY DESIGN, PLANNING OR EXCAVATION.

LEGEND

- DENOTES FOUND PROPERTY IRON
- DENOTES SET 1/2" X 18" REBAR WITH PLASTIC CAP "PLS 25105"
- DENOTES BOUNDARY LINE
- - - DENOTES LOT LINE
- - - DENOTES SETBACK LINE
- x999.99 DENOTES EXISTING SPOT ELEVATION
- DENOTES CONCRETE SURFACE
- - - 999 DENOTES EXISTING CONTOUR LINE
- FFE DENOTES FINISH FLOOR ELEVATION
- DENOTES BITUMINOUS SURFACE
- DENOTES DECIDUOUS TREE
- ★ DENOTES CONIFEROUS TREE
- DENOTES CHAINLINK FENCE
- DENOTES WOOD FENCE
- ~ DENOTES PVC FENCE
- DENOTES ELECTRIC POWER POLE
- (M) DENOTES MEASURED DISTANCE
- (P) DENOTES PLATTED DISTANCE
- DENOTES SANITARY MANHOLE
- EM DENOTES ELECTRIC METER
- AC DENOTES AIR CONDITIONER
- ← DENOTES DRAINAGE FLOW
- G DENOTES GAS METER
- DENOTES GAS METER
- OE— DENOTES OVERHEAD ELECTRIC

NO.	DATE	DESCRIPTION	BY

EDS ENGINEERING DESIGN & SURVEYING
6480 Wayzata Blvd. Minneapolis, MN 55426
OFFICE: (763) 545-2800 FAX: (763) 545-2801
EMAIL: info@edsmn.com WEBSITE: http://edsmn.com

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
Vlad Sivirer
VLADIMIR SIVIRER L.S. NO. 25105 DATED: 02/12/20

JOB NAME: TAYLOR WARD	FIELD WORK DATE: 1/28/2020	DRAWN BY: CG	PROJECT NO.: 20-005
LOCATION: 1421 RHODE ISLAND AVE. N. GOLDEN VALLEY, MN 55427	FIELD BOOK NO.: EDS-13	CHECKED BY: VS	SHEET NO. 1 OF 1

Friday, April 3, 2020

I will not participate in the GV Planning Commission's Informal Public Hearing April 13, 2020 with regard to my backyard neighbor's proposal, but happy to go on record with the following.

My only request for the subdivision of property and eventual construction is for everyone to follow city, state, county codes and processes, etc., and that there be no special considerations.

Quite a while ago and with the previous owner of the Rhode Island lot, and last time we neighbors signed off on proposals directly impacting our quality of life, turns out naively, we supported special requests and ended up with a huge garage on my backyard property line, which is visually suffocating and radiates noise that can be heard inside our homes, plus the building of a really big house.

My initial draft today was a really lengthy one, and not succinct and more about sour grapes than productive facts, and about the failures of the City and me and the neighbors allowing the previous owner to manipulate us all.

I support Taylor Ward to improve his quality of life, but ask all involved play by the rules.

Thank you.

Thomas J. Beagan, III

1440 Sumter Avenue North

Golden Valley, MN 55427



EXECUTIVE SUMMARY

City Administration

763-593-8006 / 763-593-8109 (fax)

Golden Valley City Council Meeting May 5, 2020

Agenda Item

6. A. COVID-19 Pandemic Emergency Administrative Actions

Prepared By

Tim Cruikshank, City Manager

Maria Cisneros, City Attorney

Summary

The City Manager and City Attorney recommend that the City Council ratify the attached eight Emergency Administrative Actions that staff has taken since April 21, 2020 in response to the COVID-19 pandemic. The new actions include:

- Emergency Administrative Action 20-31 Implementing Hiring Suspension Waiver Approval Process
- Emergency Administrative Action 20-32 Adopting Updated Temporary Employment Policies
- Emergency Administrative Action 20-33 Adopting Updated Temporary Worksite Safety Policies
- Emergency Administrative Action 20-34 Adopting City Facility Use Policies for the Public
- Emergency Administrative Action 20-35 Modifying the Critical Sector Determination Table pursuant to Executive Order 20-48
- Emergency Administrative Action 20-36 Extending Authorization for Parks & Recreation to Issue Refunds for Cancelled Events and Activities
- Emergency Administrative Action 20-37 Authorizing Opening of Three One Six Bar & Grill

The City Manager and City Attorney recommend the Council ratify these Emergency Administrative Actions and adopt all recommendations contained in the actions.

Financial or Budget Considerations

Not Applicable

Recommended Action

Motion to ratify Emergency Administrative Actions 20-31 through 20-37 and adopt all recommendations contained therein.

Supporting Documents

- Emergency Administrative Actions 20-31 through 20-37 (41 pages)

EMERGENCY ADMINISTRATIVE ACTION 20-31 IMPLEMENTING HIRING SUSPENSION WAIVER APPROVAL PROCESS

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, and in response to recent guidance and action by the state government allowing certain types of business to open, the City of Golden Valley hereby implements the following Hiring Suspension Waiver Approval Process:

Hiring Suspension Waiver Approval Process

- To hire an employee or recall an employee that has been temporarily laid off, hiring managers must first consult with Human Resources to determine if an employee is needed.
- If an employee is needed, the Department Head must email a completed Hiring Suspension Waiver Request to Kirsten Santelices in Human Resources. The Human Resources Director and City Manager will review the business case for the request, and either approve or deny the request in a timely fashion. Departments may only hire employees after the City Manager and Human Resources director have issued a pre-approval.

Hiring Suspension Waiver Criteria

- The request must comply with all requirements of any Minnesota Executive Orders and other applicable laws, rules, and polices in effect at the time of the request.
- Other criteria will include:
 - Whether the position is required to provide City services;
 - Whether employees from other departments can be reassigned;
 - Whether the position is required to meet minimum staffing levels (if applicable);
 - Whether the City has the ability to fund the position.
- If the employee is being recalled from a temporary layoff, the Temporary Employee Recall Policy shall apply.

This action modifies in part Emergency Executive Action 20-08. This action shall remain in effect indefinitely unless modified by subsequent City Manager or Council action.

A handwritten signature in black ink, appearing to read "Timothy J. Cruikshank", is written over a horizontal line.

Date: April 21, 2020

Timothy J. Cruikshank, City Manager



7800 Golden Valley Road
Golden Valley, MN 55427

**EMERGENCY ADMINISTRATIVE ACTION 20-32
UPDATING TEMPORARY EMPLOYMENT
POLICIES IN RESPONSE TO COVID-19**

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, the City of Golden Valley adopts the attached updated City of Golden Valley Temporary Employment Policies in Response to COVID-19, effective April 30, 2020, which include updates made on April 21, 2020 and April 30, 2020.

These Temporary Employment Policies shall remain in effect indefinitely unless modified by subsequent City Manager or Council action.

A handwritten signature in black ink, consisting of a series of vertical and diagonal strokes, positioned above a horizontal line.

Date: April 30, 2020

Timothy J. Cruikshank, City Manager

Temporary Employment Policies in Response to COVID-19 Pandemic



The City of Golden Valley values the health and safety of its employees and community members. In response to the COVID-19 pandemic, the City Manager enacts the following temporary employment policies:

Employee Travel Policy	2
Employee or Household Illness Policy	3
COVID-19 Exposure Policy.....	4
Flexible Work Arrangements Policy	5
Temporary Employee Recall Policy.....	8
PTO and Vacation Maximum Accrual	9
Supervisor Responsibilities	10

Temporary Employment Policies in Response to COVID-19 Pandemic



Employee Travel Policy

Effective 3/12/2020 – Revised 3/19/2020

- All employee business-related travel is prohibited, including local travel. Employees should contact their supervisor if they have questions about traveling for business purposes.
- Non-critical internal meetings shall be cancelled, or hosted virtually.
- Employees who are planning to travel for personal reasons, or have recently returned from a trip, should notify their supervisor immediately. Employees are encouraged to follow [CDC Guidelines and Recommendations](#).
 - Employees returning from vacation may be asked to self-quarantine for a period of up to 14 days without symptoms. Employees may continue to work remotely if they are able.
 - If at any time an employee develops symptoms, they should contact their supervisor as soon as practicable.

Temporary Employment Policies in Response to COVID-19 Pandemic



Employee or Household Illness Policy

Effective 3/13/2020 – Revised 3/19/2020

- Employees who appear to have respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or who become sick during the day will be sent home immediately.
- If an employee or a person in the employee's household or under the care of an employee is sick, the employee should stay home until the employee's household is symptom free for at least 24 hours. Employees must also be fever-free without the use of fever-reducing medicine for at least 24 hours before returning to work.
 - Symptoms may include: persistent cough, runny nose, or sore throat, fever (100.4° oral), shortness of breath, or vomiting or diarrhea within the last 24 hours as a result of illness or unidentified cause.
- If an employee needs to stay home sick, they should notify their supervisor as soon as practically possible.

Temporary Employment Policies in Response to COVID-19 Pandemic



COVID-19 Exposure Policy

Effective 3/13/2020 – Revised 3/15/2020 – Revised 3/19/2020

- If an employee or someone an employee has come in contact with tests positive for COVID-19, the employee should notify their supervisor or human resources immediately.
 - Per CDC guidelines, employees who have been exposed to someone with a confirmed or suspected case of COVID-19 should remain home for a minimum of 14 days without symptoms, or until such time that the suspected case of exposure is confirmed negative.
 - If at any time an employee develops symptoms they should contact their supervisor immediately.
- If the City learns of a possible exposure to COVID-19 at work, all affected employees will be notified.
 - The City will protect the privacy of employees, in accordance with the Americans with Disabilities Act.
- If an employee contracts COVID-19 as a result of their responsibilities in the workplace, Worker's Compensation benefits may apply. Please contact human resources.
- [Per CDC guidelines](#), if an employee tests positive for COVID-19, the employee may return to work only after the following have occurred:
 - Employee has had no fever (without the use of fever-reducing medicine) for at least 72 hours;
 - Employee's other symptoms have improved and
 - At least 7 days have passed since the first appearance of the employee's symptoms.

Temporary Employment Policies in Response to COVID-19 Pandemic



Flexible Work Arrangements Policy

Effective 3/15/2020 – Revised 4/3/2020 – Revised 4/10/2020 – Revised 04/17/2020

Revised 4/30/2020

All employees will continue to be paid at their normal rate of pay.

- Employees who are able to work remotely, should do so until further notice.
 - Employees who work remotely should continue to work their normal hours unless they have made other arrangements with their supervisor.
 - Employees who are unsure whether or not they can work remotely, should contact their supervisor.
 - Employees who need to make arrangements to work remotely should work with their supervisor to make the required preparations. If employees need to visit the office, the employee and supervisor should work together to arrange a specific time for the employee to come to the office. Staff should make every effort to minimize the number of people in the building.
 - All staff visiting City buildings shall follow the Temporary Decontamination Policy ([Temporary Worksite Safety Policies](#)).
 - Employees deemed critical who are able to work on-site shall follow the City's [Temporary Worksite Safety Policies](#) and department-specific policies related to worksite safety and use of personal protective equipment (PPE).
- Employees who cannot work remotely should be available to work during their regular hours, but should not report to work unless instructed to do so by their supervisor. All employees will continue to be paid at their normal rate of pay, unless otherwise noted below.
- Employees may be called in to work as situations change/evolve.
 - This means that all employees should be reachable and available to work during their regular work hours. If an employee has a pre-approved vacation the employee must use PTO/Vacation for that time, unless the vacation is cancelled. Employees should notify their supervisor if they intend to cancel their vacation.
 - Additionally, if an employee is unable work because they are sick or are caring for a family member who is sick, unrelated to COVID-19, the employee shall use PTO/sick leave until they are able to return to work. In this case, other leave benefits may apply, please contact human resources with questions. If the employee is unable to work based on a situation related to COVID-19, the employee should refer to the [COVID-19 Temporary Federal Leave Policies](#) and contact human resources.

Temporary Employment Policies in Response to COVID-19 Pandemic



- The City may provide additional or alternative non-ADA accommodations to support its employees as they work during the COVID-19 pandemic. Employees requesting such accommodations should refer to the [COVID-19 Non-ADA Accommodation Procedures & Request Form](#).
- All non-regular employees (including interns and Brookview staff) will be paid for all of the hours for which they have been scheduled.
- Beginning April 2, 2020 the following policy amendments shall take effect:
 - Except as noted below, non-regular employees who are no longer scheduled to work due to facility closures shall continue to be paid bi-weekly at their regular rate of pay. The number of hours for which the employee will be paid each pay period shall be based upon the average number of hours the employee worked over the previous six pay periods (from 12/23/2019-3/15/2020). Three One Six Restaurant employees shall be paid for the average number of hours worked over the same six pay periods, excluding the week of February 3 – February 9 (during which time the facility was closed for operational repairs).
 - For the purposes of this policy, non-regular employees include individuals in the following positions:
 - Server
 - Bartender
 - Cook
 - Dishwasher/Bar-Back
 - Restaurant and Banquet Staff Coordinator
 - Golf Staff Coordinator
 - Lead Pro-Shop Cashier/Pro-Shop Cashier
 - Guest Services Lead
 - Community Center Attendant
 - Indoor Playground Attendant
 - Sports Instructor
 - Assistant Senior Program Coordinator
 - Building and Grounds Maintenance Worker
 - Temporary employees whose positions have an established end date based on normal operating procedures shall end their employment on the normally scheduled date and shall not be entitled to pay after that date. These positions include: Warming House Attendants, Sports/Athletic Instructors, and Accounting Intern.
- Beginning April 17, 2020, 5 pm, the City has implemented temporary layoffs of employees in the positions listed above.

Temporary Employment Policies in Response to COVID-19 Pandemic



- Emergency Management/Public Safety personnel shall follow directives of their department leadership.

Temporary Employment Policies in Response to COVID-19 Pandemic



Temporary Employee Recall Policy

Effective 4/21/2020

As the City resumes normal business operations, the City may, recall employees who have been temporarily laid off. Departments wishing to recall laid off employees shall follow the requirements of the Hiring Suspension Waiver Approval Process, as modified from time to time. See Emergency Administrative Action 20-31.

The City shall determine which employees to recall according to the following factors:

- The needs of the City, including the needs to fulfill project requirements, deadlines, etc;
- The employee's transferable skills (if the role has changed);
- How the employee performed in their old role; and
- How long the employee has worked at the organization (tenure).

An official notice of recall shall be sent to each recalled employee by email. The employee must respond to the recall notice within three days following receipt of the notice or its attempted delivery, or it will be assumed that the employee is refusing the recall.

If an employee has been laid off for a period of three months or more, the employee may be required to complete pre-employment conditions prior to returning to work.

Temporary Employment Policies in Response to COVID-19 Pandemic



PTO and Vacation Maximum Accrual

Effective 4/8/2020

Under the City's existing leave policies employees accrue vacation hours or paid time-off (PTO) hours each pay period. The hours are accrued according to an accrual schedule, which is based on an employee's years of service. Each accrual schedule has a maximum number of accrual hours. The City's current vacation and PTO accrual schedules can be found [here](#). Under existing policies, an employee no longer accrues vacation or PTO hours once they have reached the maximum number of accrual hours within their schedule.

Temporary Policy and Conditions

Under this temporary policy, employees are eligible to accrue vacation and PTO hours beyond their existing maximum accrual, provided all of the following conditions are met:

- The employee is a full-time regular or part-time regular benefit earning employee;
- The employee is within 40 hours of, or has already exceeded, their existing maximum accrual balance at any time between April 8, 2020 and December 31, 2020;
- the employee has submitted a vacation or paid time-off request between April 8, 2020 and December 31, 2020, and
- the employee's Department Head or the City Manager denied the employee's vacation or paid-time off request to preserve continuity of City operations.

If an employee reaches the maximum vacation or PTO accrual within their schedule, but has not been denied the opportunity to use such leave, the employee shall stop accruing leave hours pursuant to the existing vacation and PTO policies.

Process

When an employee meets the conditions listed above the employee should email their department head and human resources with a request to extend their vacation or PTO maximum accrual. The request shall be reviewed and approved or denied by the City Manager.

Upon approval, employees shall continue to accrue vacation or PTO hours above their existing maximum accrual until December 31, 2020. All vacation hours and PTO hours accrued beyond the existing maximum accrual must be used by December 31, 2020. Employees shall follow normal vacation or PTO request policies and procedures.

Vacation or PTO hours accrued beyond the existing maximum accrual shall not carry over to the following calendar year, nor will the accrued hours be paid out to employees in the form of cash or any other type of compensation.

Additionally, all vacation hours and PTO hours that are accrued above the employee's existing maximum accrual will not be paid out to an employee upon separation from employment in the form of cash, or used in any manner other than what is stated in this policy.

Temporary Employment Policies in Response to COVID-19 Pandemic



Supervisor Responsibilities

Supervisors are responsible for the following responsibilities:

- Ongoing and regular communication with employees (both working and non-working) including messages from the Emergency Management Team and Department Head.
- Fill out and approve timecards.

Supervisors: please ensure you have the primary phone number and email for each of your employees, your direct supervisor, and your Department Head. Additionally, you should have the contact information for the following individuals:

- Tim Cruikshank, City Manager – (763-593-8003)
- Kirsten Santelices, Human Resources Director (all employee-related questions) – (763-593-3989)
- Ted Massicotte, Deputy Fire Chief (Interim Emergency Management Director) – (763-593-8080)
- Internal Only Public Safety Line – (763-593-8056)
- Wanita Williams, Accountant (payroll questions) – (763-593-8011)
- Sue Virnig, Finance Director (back-up payroll questions; expenses) – (763-593-8010)
- Cheryl Weiler, Communications Director (Crisis Communications Director) – (763-593-8004)



7800 Golden Valley Road
Golden Valley, MN 55427

**EMERGENCY ADMINISTRATIVE ACTION 20-33
UPDATING TEMPORARY WORKSITE SAFETY POLICIES**

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, the City of Golden Valley adopts the updated City of Golden Valley Temporary Worksite Safety Policies effective April 30, 2020, which include updates made on April 22, 2020 and April 30, 2020.

These Temporary Worksite Policies shall remain in effect indefinitely unless modified by subsequent City Manager or Council action.

A handwritten signature in black ink, appearing to read "Timothy J. Cruikshank", is written over a horizontal line.

Date: April 30, 2020

Timothy J. Cruikshank, City Manager

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Introduction and Purpose

The City of Golden Valley values the health and safety of its employees and community members. In response to the COVID-19 pandemic, the City Manager enacts these Temporary Worksite Safety Policies. These policies shall remain in place until repealed by action of the City Manager. Where there is a conflict between any Temporary Worksite Safety Policy and a department specific policy (approved by human resources), the department specific policy shall control. Employees must continue to follow the [City’s Temporary Employment Policies](#).

Current Temporary Worksite Safety Policies:

Temporary Decontamination Policy	2
Temporary Vehicle and Equipment Use Policy.....	4
Temporary Facial Covering (Masks) Policy	5
Temporary Field Inspections Policy	7
Temporary Public Works On-Site Work Policy	8
Temporary City Park and Open Space Monitoring Policy.....	9
Temporary Golf Course Maintenance Policy	11
Temporary Golf Course Operations Policy	12
Temporary Restaurant Operations Policy.....	14

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Decontamination Policy

Effective 04/17/2020

Introduction

During a health emergency, some City facilities may be closed. In these situations, staff shall, to the extent possible, work remotely. Periodically employees may need to enter closed City facilities to perform critical services. In addition to the requirements of this Decontamination Policy, the City shall follow the preventative measures and recommendations of the Center for Disease Controls (CDC) and OSHA. Employees may refer to the short [video guides](#) for the decontamination procedures below.

Purpose

The purpose of this Decontamination Policy is to provide employees with procedures to consistently and effectively maintain the cleanliness of City property and facilities, thereby minimizing the spread of germs.

All employees entering closed City facilities, operating City equipment, or handling City property during a closure shall follow this Decontamination Policy.

Supplies

The City will provide the necessary equipment and supplies needed to carry out this Decontamination Policy. The supplies inventory will be maintained by Public Safety Staff and employees should immediately notify the on-duty employee at the Public Safety front desk (763-593-8056) when inventory is low in any City facility. The following supplies will be located at or near the main entrances in each building:

- Spray bottles (3% bleach to water solution)
- Paper towels
- Hand Sanitizer
- Gloves

Cleaning and Disinfecting Procedures

Facilities

1. Employees shall obtain the necessary supplies upon entering the building.
2. Employees shall use the supplies to decontaminate/wipe down the following:
 - any door handles encountered on the way to their work areas,
 - the employee's personal workspace, and
 - common places including, door knobs, plumbing fixtures, counter tops, desks, computers, etc.
3. Employees may not handle equipment, office supplies, or other such materials belonging to another employee.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



4. Any shared electronics, including computer monitors, tablets, and the copier control screens must be cleaned with antibacterial or disinfecting wipes. Employees should not use bleach spray or other harsh chemicals on these items.
 - Keyboards, mice, and other plastic items should be cleaned by a Clorox wipe or by spraying bleach solution into a rag and wiping it down. Employees should ensure liquid solution does not drip into the electronics and allow ample time for drying before use.
5. Employees shall also wash their hands upon entry and exit from the building and after using the restroom.
 - Employees are also encouraged to wash their hands regularly while performing their tasks in the City facilities.
6. Employees shall follow the same procedures in reverse when exiting the building.

Vehicles and Equipment

1. Employees shall decontaminate/wipe down assigned vehicles and equipment before and after each use. This includes, but is not limited to door handles, steering wheels, levers, controls, buttons, and the dashboards.

Employees are encouraged to discuss any concerns and questions with their supervisor or Department Head.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Vehicle and Equipment Use Policy

Effective 04/17/2020

The purpose of this temporary policy is to reduce the risk of exposure to COVID-19 while employees complete critical services that require the use of City vehicles and equipment.

1. Only one employee is permitted to occupy a City vehicle at one time, and shall operate the vehicle or equipment that the employee is assigned, with the following exceptions:
 - a. Public Safety personnel
 - b. During a vehicle maintenance repair transport: one person shall occupy the driver's seat and one shall occupy the back seat
2. If an employee is required to operate machinery or equipment, the employee should make every effort to stay in the equipment or vehicle as much as possible.
3. Employees shall follow the City's [Temporary Decontamination Policy](#) for all vehicles and equipment.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Facial Covering (Masks) Policy

Effective 04/17/2020

Introduction and Purpose

To prevent the spread of COVID-19 the Centers for Disease Control and Prevention (CDC) regularly updates its guidance. COVID-19 can spread between people who are interacting in proximity—for example, speaking, coughing, or sneezing—even if those people are not exhibiting symptoms. As such, the CDC recommends wearing a cloth face covering in public settings, particularly where other social distancing measures are difficult to maintain. It is the CDC's position that a facial covering protects other people around the wearer, but does not protect the wearer. This policy allows employees to wear a cloth mask or similar face covering ("Mask") in the workplace during the COVID-19 health crisis until face coverings are no longer recommended by the CDC. Employees may refer to the short [video guide](#) for proper mask use.

Required Facial Covering

Employees shall wear a Mask while performing on-site job responsibilities where the employee is working in proximity to another individual and social distancing measures are difficult to maintain. This includes but is not limited to performing on-site field inspections, police patrol functions, fire response, public works utility inspections, public works road repairs, vehicle maintenance repair work, golf course maintenance duties, golf course operations, and City park and open space monitoring duties. The City shall provide a cloth face Mask to employees who are required to wear them under this policy. Employees should contact their supervisor to request a Mask prior to performing responsibilities at a jobsite.

Per CDC guidelines, employees who are not performing the functions of a healthcare worker or medical first responder shall not be issued surgical masks or N-95 respirators.

Laundering Masks

Masks shall be washed and dried daily following [CDC recommendations](#). Employees shall follow the instructions below and adhere to any additional department-specific instructions.

Golf Operations and Golf Maintenance

After each use, Golf Operations and Golf Maintenance employees shall place Masks in the washing machine at the golf driving range.

Physical Development

After each use, Engineering and Inspections employees shall place Masks in the Street department washing machine.

Public Works

After each use, Utilities Maintenance employees shall place Masks in the Utility Maintenance washing machine. Street, Park, and Vehicle Maintenance employees shall place Masks in the Street department washing machine.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Voluntary Facial Covering

Employees who are not required, but prefer to wear a cloth face Mask, may do so as long as the employee is still able to perform the essential functions of their job.

The City will prioritize distribution of Masks based on requirements of positions. Employees who voluntarily choose to wear a Mask may not receive a City-issued Mask.

Homemade Facial Covering

Employees other than healthcare workers or medical first responders may bring their own Masks. Employees who bring their own Masks are encouraged to consult and follow CDC Guidelines (Appendix A) and CDC Face Covering Do's and Don'ts (Appendix B). Employees may not use materials that violate the City's Respectful Workplace policy, including materials that contain offensive pictures or language. Additionally, employees who voluntarily use Masks are encouraged to consult and follow the [CDC guidelines on laundering masks](#) and clothing items.

Personal Protective Equipment (PPE)

Employees shall continue to follow all current department policies on the use of Masks and Personal Protective Equipment (PPE). This includes, but is not limited to Police, Fire, Public Works, and Golf Maintenance.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Field Inspections Policy

Effective 04/17/2020

The purpose of this Temporary Field Inspections Policy is to ensure the safety and health of City employees while they perform essential field inspections during the COVID-19 health pandemic. Employees identified to perform such responsibilities are listed on the City's Critical Services Determination Table. Under this policy, employees shall follow the procedures outlined below.

1. Employees shall take precautions by using PPE (including masks and gloves) and by following the City's [Temporary Decontamination Policy](#) and the [Temporary Facial Covering Policy](#).
2. To the greatest extent possible on-site field inspections shall be completed through the use of video, live-streamed video (e.g., FaceTime), or review of high-quality pictures submitted by the permit holder.
3. Field inspections shall be conducted only when, in the sole discretion of the City Engineer or Building Official, all of the following requirements are met:
 - Pictures, video, or other information are not adequate, practical, or available to adequately evaluate site conditions or determine code compliance;
 - The field inspection takes place outside, such as a new construction site, and the employee does not enter a building, construction trailer, or vehicle with another occupant;
 - The employee follows all social distancing requirements related to COVID-19 and recommended by the Centers for Disease Control and Prevention (as amended from time to time);
 - The job site or inspection location is unoccupied by others; and
 - The employee does not enter an occupied or inhabited home.
4. Employees shall follow the City's [Temporary Vehicle and Equipment Use Policy](#).

Additionally, any employee, upon arrival at a job site, may elect not to complete an inspection if they determine the conditions are unsafe, unsanitary, or social distancing protocols have not been or cannot be followed. If an employee determines that an inspection will not take place, the employee shall immediately notify their supervisor and department head.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Public Works On-Site Work Policy

Effective 04/17/2020

The purpose of this Public Works Work-Site Policy is to ensure the safety and health of City employees while they deliver critical services during the COVID-19 health pandemic. Employees identified to perform such responsibilities are listed on the City's Critical Services Determination Table. Under this policy, employees shall follow the procedures outlined below.

1. To the extent possible, only one employee shall perform the required tasks to deliver critical services and perform daily rounds.
2. When two or more employees are required to deliver critical services, the department supervisors may stagger the start and end times of each employee. Additionally, employees shall:
 - Perform only assigned tasks, using only assigned equipment;
 - Follow the City's [Temporary Decontamination Policy](#) and [Temporary Facial Coverings \(Masks\) Policy](#);
 - Follow the City's [Temporary Vehicle and Equipment Use Policy](#);
 - To the extent possible, remain in their assigned vehicle or equipment;
 - Alternate break times and take breaks individually in separate locations; and
 - Report daily time and resources to their division Crew Lead to track in Cartegraph.
 - Maintenance employees who have been assigned an iPad or tablet may use such device to report time and resources.
3. Employees shall follow all social distancing requirements related to COVID-19 and recommended by the Centers for Disease Control and Prevention (as amended from time to time).
4. Staff shall complete their individual timesheets remotely.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary City Park and Open Space Monitoring Policy

Effective 04/17/2020

The purpose of this policy is to ensure the health and safety of City employees as they perform critical services and monitor the City's parks and open spaces for public compliance with Executive Order 20-20. Employees identified to perform such responsibilities are listed on the City's Critical Services Determination Table. The City shall schedule employees on a staggered and rotating basis to monitor the City parks and open spaces. Using City vehicles employees will monitor and encourage members of the public to adhere to Emergency Executive Order 20-33 and social distancing recommendations. Employees shall follow the procedures outlined below.

1. Employees shall follow the City's [Temporary Decontamination Policy](#) and [Temporary Facial Coverings \(Masks\) Policy](#).
2. Employees shall follow the City's [Temporary Vehicles and Equipment Use Policy](#).
 - In the event that the employees' assigned vehicle is inoperable, the employee should notify their supervisor and pick out a new vehicle (adhering to decontamination procedures).
3. Public Safety (763-593-8079) shall be notified of the Park Monitoring staff on duty.
4. Employees shall perform rounds on throughout the City, monitoring City parks and open spaces for the following occurrences:
 - Individuals using playground equipment; or
 - Groups of 10 or more individuals engaging in activity that is inconsistent with social distancing practices.
5. Employees shall follow all social distancing requirements related to COVID-19 and recommended by the Centers for Disease Control and Prevention (as amended from time to time).
6. If an employee encounters any person(s) engaging in the activities listed above, the employee shall:
 - Maintain a distance of a minimum of six feet from any other person;
 - Communicate the following in a courteous and respectful manner:
 - Inform the individual(s) of Emergency Executive Order 20-33, including the guidance on social distancing;
 - Thank everyone for helping to keep the City safe and healthy; and
 - Point individuals to the City Website for City COVID-19 updates.
7. Under no circumstances should an employee initiate or respond to any conflict with any person(s).
 - If any employee feels uncomfortable, or encounters individuals who are hostile, the employee should remain calm, immediately remove themselves from the situation, and if necessary, employees may contact the Golden Valley Police department (763-593-8079).

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



8. Employees shall keep a log of any contact with members of the public and turn the log in to Public Safety at the conclusion of their shift.
9. Employees shall not allow anyone to access to City vehicles or offer a ride.
10. Upon completion of their shift, the employee shall follow closing procedures.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Golf Course Maintenance Policy

Effective 04/17/2020

The purpose of this policy is to ensure the health and safety of City employees performing essential functions for Golf Course Maintenance. Employees identified to perform such responsibilities are listed on the City's Critical Services Determination Table. Employees shall follow the procedures outlined below.

1. To the extent possible, only one employee shall perform the required tasks to deliver critical services and perform maintenance duties.
2. When two or more employees are required to deliver critical services, the department supervisors may stagger the start and end times of each employee. Additionally, employees shall:
 - Perform only assigned tasks, using only assigned equipment;
 - Follow the City's [Temporary Decontamination Policy](#) and [Temporary Facial Coverings \(Masks\) Policy](#);
 - Follow the City's [Temporary Vehicle and Equipment Use Policy](#);
 - To the extent possible, remain in their assigned vehicle or equipment; and
 - Alternate break times and take breaks individually in separate locations.
3. Employees shall follow all social distancing requirements related to COVID-19 and recommended by the Centers for Disease Control and Prevention (as amended from time to time).

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Golf Course Operations Policy

Effective 04/17/2020 – Revised 04/22/2020

The purpose of this policy is ensure the health and safety of the City employees performing essential functions operating the City's golf course allowable under Emergency Executive Order 20-38. Employees identified to perform such responsibilities are listed on the City's Critical Services Determination Table. Employees shall follow the procedures outlined below.

1. Employees shall follow the [City's Temporary Decontamination Policy](#) and [Temporary Facial Coverings \(Masks\) Policy](#).
 - Employees shall contact their supervisor for procedures of laundering masks.
2. Upon entry to the building employees shall initiate regular operations opening procedures.
3. Employees shall follow the [City's Temporary Vehicles and Equipment Use Policy](#).
 - In the event that the employees' assigned vehicle is inoperable, the employee should notify their supervisor and pick out a new cart (adhering to decontamination procedures).
4. Employees shall perform responsibilities in the following areas:
 - Driving range;
 - Golf shop;
 - Golf course monitoring; and
 - Facilities cleaning
5. Upon completion of their shift, the employee shall follow regular operations closing procedures.

Driving Range & Equipment Responsibilities

Employees shall staff the driving range to monitor for proper usage. Employees shall also wear appropriate protective equipment to collect golf balls and sanitize the balls, ball basket, and the driving range tee-box after each use. Employees should refer to the Decontamination Policy for cleaning procedures.

Employees responsible for driving range duties shall also be responsible for the rental, storage, and decontamination of all rented equipment. The following equipment is available for rent:

- Powered golf carts
- Push carts

Staff shall take the following steps when renting equipment:

- Employees may only accept payment for equipment rental by credit card payments over the phone. Staff shall not accept any in-person credit card or cash payments.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



- All equipment shall be decontaminated before and after each patron use following the City's [Temporary Decontamination Policy](#).
- Before assigning equipment to a patron, staff shall inform the patron that golfers not from the same household may not share equipment, including golf carts.
- Rented equipment shall be collected at the designated drop off zone, which shall be marked with barricades and signage.

Golf Shop Responsibilities

Employees shall staff the desk at the pro shop to receive incoming calls and process reservations. Employees will take credit card payments over the phone. No in-person reservations may be accepted, nor shall staff accept any cash payments.

Golf Course Monitoring Duties

Employees shall be scheduled to operate a golf cart and perform golf course monitoring duties. During these monitoring duties, employees shall continually inspect for the following:

- Proper signage displays and replace any that may be damaged;
- Proper placement of flag sticks;
- Social distancing measures, including black "x's" are preserved; and
- Golfers are starting at the appropriate tee-times.

Additionally, employees shall ensure that individuals are following golf course etiquette and established "golfing during COVID-19" requirements. If an employee encounters an individual or group of individuals using the golf course improperly, the employee shall:

- maintain a distance of a minimum of six feet from any other person; and
- remind individual(s) of the expectations

If any person(s) does not cooperate or respond, the employee shall contact a supervisor and if necessary, contact the Golden Valley Police department (763-593-8079).

Disinfecting Facilities

The employees scheduled to work will be responsible for ensuring that the City public-facing restroom facilities, including portable toilets, are appropriately supplied with handwashing supplies and cleaned regularly.

Employees shall follow the [CDC's Recommendations on Disinfecting Facilities](#). Employees will also ensure that proper signage is displayed and replace signs any that may be damaged.

The Parks & Recreation Director shall arrange for all facilities to be cleaned and disinfected according to the procedures and requirements detailed in the City's Continuity of Operations Plan, CDC Recommendations on Disinfecting Facilities, and any other requirements of the Federal Government or State of Minnesota.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Temporary Restaurant Operations Policy

Effective 04/30/2020

The purpose of this policy is ensure the health and safety of the City employees performing essential functions operating the City's restaurant as allowable under Emergency Executive Order 20-04. Employees identified to perform such responsibilities are listed on the City's Critical Services Determination Table. Employees shall follow the procedures outlined below.

1. Employees shall follow the [City's Temporary Decontamination Policy](#) and [Temporary Facial Coverings \(Masks\) Policy](#).
 - Employees shall contact their supervisor for procedures of laundering masks.
2. Upon entry to the building employees shall initiate regular operations opening procedures.
3. Employees shall follow the City's Temporary Vehicles and Equipment Use Policy.
4. Employees shall perform responsibilities in the following areas:
 - Kitchen Responsibilities;
 - Front of House Responsibilities; and
 - Facilities cleaning
5. Maintain social distancing of a minimum of six feet at all times practical.
 - If social distancing cannot be maintained, employees must follow the City's [Temporary Facial Coverings \(Masks\) Policy](#).
6. Upon completion of their shift, the employee shall follow regular operations closing procedures.

Kitchen Responsibilities

Employees shall prepare food listed on the limited menu set by the Restaurant and Catering Manager. Employees shall follow normal operating food safety and sanitization regulations. Additionally, all employees must:

- Wear gloves while preparing and packaging food,
- Package and deliver food in "food-safe, one-time use, to-go containers."
- Once prepared, food orders shall be placed on the warming shelf.

Front of House Responsibilities

Employees shall sit near the Three One Six service window to answer phone calls and take to-go food orders. Employees shall take the following steps to accept payments and deliver food orders to customers:

- Employees shall only use the Three One Six service window, and shall only open the window upon guest arrival and stay behind the Plexiglas barrier on the window.
- Employees shall take payment at the window using credit card only. No cash payments will be accepted.
- A credit-card machine shall be located on the outside counter.
- Staff shall not at any time touch a customer's credit card.
- Employees will use the designated "clean bin" to transport the customer's receipt and a pen through the window.
- The customer shall place the signed receipt and used pen in the designated "dirty bin."
- Employees will collect the dirty bin to decontaminate the used pens and file the

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



receipts.

- Employees shall pick up the prepared orders that have been placed on the warming shelf.
- Employee should wear gloves when handling and delivering products to customers.
- Employees may only sell alcoholic beverages to guests if all of the following rules are followed:
 - Only the purchase of wine, beer, cider, or seltzer is authorized; and
 - All alcohol must be unopened; and
 - Alcohol may only be purchased with the purchase of a to-go food item; and
 - Only six cans of beer, cider, or seltzer or one bottle of wine is permitted per guest; and
 - Purchaser has provided valid identification and has legal ability to purchase alcohol.
- Employees must instruct the customer to remove their identification from any case, and show the employee both sides of the ID.
 - The employee should not touch the customer's identification unless the identification is faded, or severely damaged.
 - If an ID requires further inspection, the employee should use gloves to accept the ID, and use sanitizer immediately upon returning the customer's ID.
- Employees should verbally inform guests that all food and beverage orders must be taken off premises.

Facilities and Equipment Cleaning

At the conclusion of each shift the employee is responsible for decontamination and sterilization of proper equipment and the Three One Six Bar + Grill facility.

Kitchen Cleaning

- All cooking equipment, utensils, and containers;
- All cooking and preparation counters;
- Prep station cutting boards, cupboard doors and handles;
- Walk-in cooler doors and handles;
- All sinks, faucets, knobs, and basins.

Front of House Cleaning

- All high-touch materials, including workstations, including desks, counter spaces, POS, phones;
- Cooler doors and handles;
- Indoor and outdoor door handles;
- Outdoor counter, Plexiglas, shelf, and window (on service window area);
- Pens, paper, any other materials used frequently.

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Appendix A: CDC Guidelines Use of Cloth Face Coverings to Help Slow the Spread of COVID-19

Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Use of Cloth Face Coverings to Help Slow the Spread of COVID-19

How to Wear Cloth Face Coverings

Cloth face coverings should—

- fit snugly but comfortably against the side of the face
- be secured with ties or ear loops
- include multiple layers of fabric
- allow for breathing without restriction
- be able to be laundered and machine dried without damage or change to shape

CDC on Homemade Cloth Face Coverings

CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), **especially** in areas of significant community-based transmission.

CDC also advises the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others. Cloth face coverings fashioned from household items or made at home from common materials at low cost can be used as an additional, voluntary public health measure.

Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cloth face covering without assistance.

The cloth face coverings recommended are not surgical masks or N-95 respirators. Those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders, as recommended by current CDC guidance.

Should cloth face coverings be washed or otherwise cleaned regularly? How regularly?

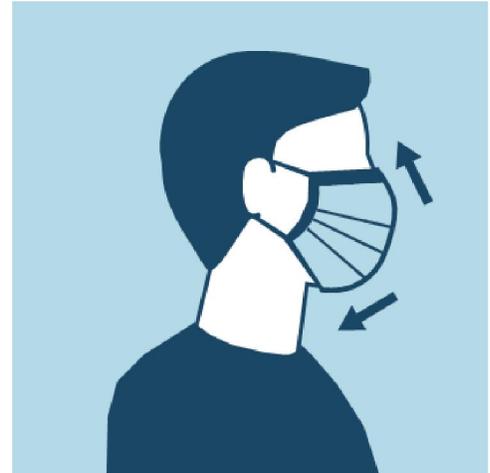
Yes. They should be routinely washed depending on the frequency of use.

How does one safely sterilize/clean a cloth face covering?

A washing machine should suffice in properly washing a cloth face covering.

How does one safely remove a used cloth face covering?

Individuals should be careful not to touch their eyes, nose, and mouth when removing their cloth face covering and wash hands immediately after removing.



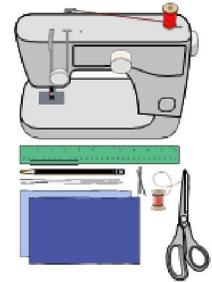
Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Sewn Cloth Face Covering

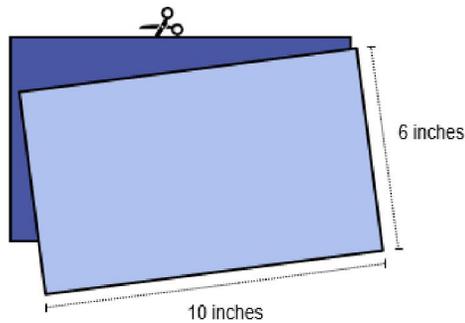
Materials

- Two 10"x6" rectangles of cotton fabric
- Two 6" pieces of elastic (or rubber bands, string, cloth strips, or hairties)
- Needle and thread (or bobby pin)
- Scissors
- Sewing machine

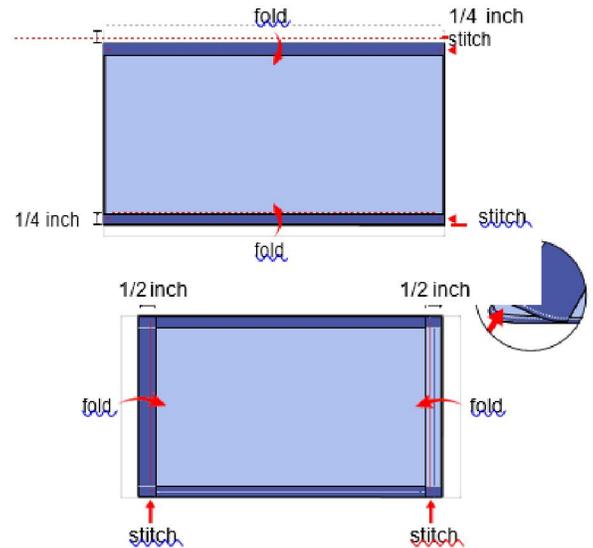


Tutorial

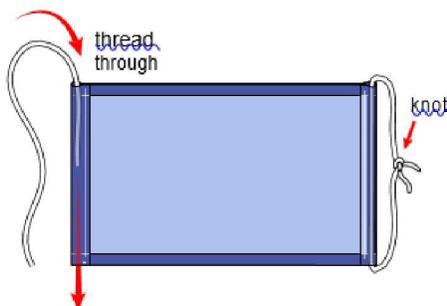
1. Cut out two 10-by-6-inch rectangles of cotton fabric. Use tightly woven cotton, such as quilting fabric or cotton sheets. T-shirt fabric will work in a pinch. Stack the two rectangles; you will sew the cloth face covering as if it was a single piece of fabric.



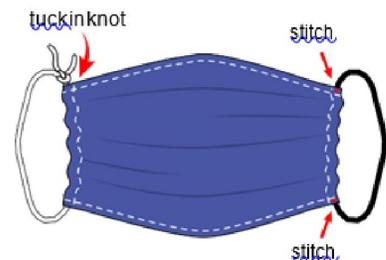
2. Fold over the long sides 1/4 inch and hem. Then fold the double layer of fabric over 1/2 inch along the short sides



3. Run a 6-inch length of 1/8-inch wide elastic through the wider hem on each side of the cloth face covering. These will be the ear loops. Use a large needle or a bobby pin to thread it through. Tie the ends tight. Don't have elastic? Use hair ties or elastic head bands. If you only have string, you can make the ties longer and tie the cloth face covering behind your head.



4. Gently pull on the elastic so that the knots are tucked inside the hem. Gather the sides of the cloth face covering on the elastic and adjust so the cloth face covering fits your face. Then securely stitch the elastic in place to keep it from slipping.



Temporary Worksite Safety Policies in Response to COVID-19 Pandemic

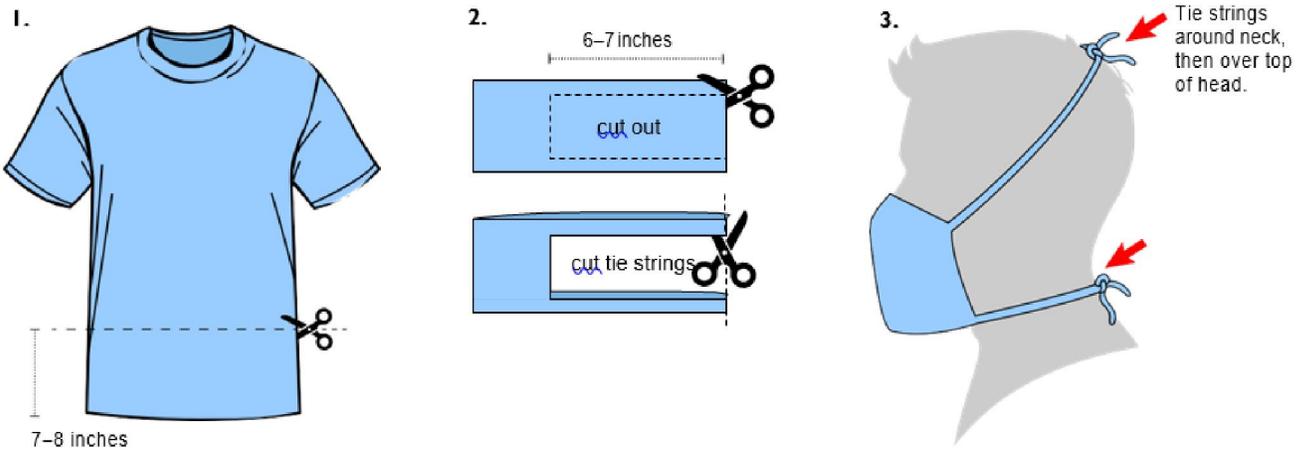


Quick Cut T-shirt Cloth Face Covering (no sew method)

Materials

- T-shirt
- Scissors

Tutorial

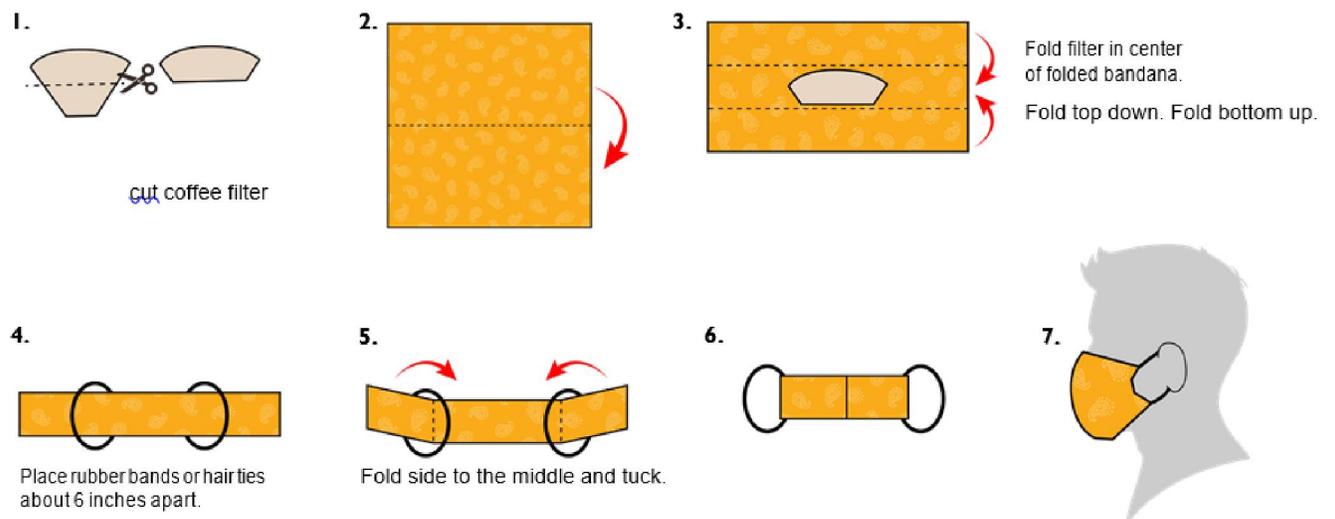


Bandana Cloth Face Covering (no sew method)

Materials

- Bandana (or square cotton cloth approximately 20"x20")
- Coffee filter
- Rubber bands (or hair ties)
- Scissors (if you are cutting your own cloth)

Tutorial



Temporary Worksite Safety Policies in Response to COVID-19 Pandemic



Appendix B: Face Covering Do's and Don'ts

Face Covering Do's and Don'ts:

DO:



- ✓ Make sure you can breathe through it
- ✓ Wear it whenever going out in public
- ✓ Make sure it covers your nose and mouth
- ✓ Wash after using

DON'T:

- ✗ Use if under two years old
- ✗ Use surgical masks or other PPE intended for healthcare workers



[cdc.gov/coronavirus](https://www.cdc.gov/coronavirus)



7800 Golden Valley Road
Golden Valley, MN 55427

**EMERGENCY ADMINISTRATIVE ACTION 20-34
UPDATING CITY FACILITY USE POLICIES FOR THE PUBLIC**

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, the City of Golden Valley adopts the updated City of Golden Valley City Facilities Use Policies for the Public effective April 30, 2020, which include updates made on April 22, 2020 and April 30, 2020.

These City Facilities Use Policies shall remain in effect indefinitely unless modified by subsequent City Manager or Council action.

A handwritten signature in black ink, appearing to read "Timothy J. Cruikshank", is written over a horizontal line.

Date: April 30, 2020

Timothy J. Cruikshank, City Manager

Facilities Use Policies for the Public

Brookview

The City of Golden Valley has established these guidelines and safety measures based on CDC recommendations to ensure the health and safety of the public when visiting City of Golden Valley facilities.

Practice good social distancing and take these other steps to prevent COVID-19:

- Do not visit City facilities if you are sick or have symptoms (i.e., fever, cough, or shortness of breath) of COVID-19.
- Do not visit City facilities if you are sick with COVID-19, were recently exposed (within 14 days) to someone with COVID-19, or just don't feel well.
- Stay at least six feet from others at all times. Avoid physical contact with others, including greetings like hugs and shaking hands.
- Avoid touching your face with your hands and unnecessary contact with frequently touched surfaces.
- Do not go into a crowded area.
- Follow all posted instructions, signs, and social distancing floor markers.
- Cloth face masks can be considered an additional measure to reduce risk in public but are NOT a replacement for social distancing. The MDH website has guidelines for when to wear a mask.
- Do not gather with others outside of your household.
- Wash hands often with soap and water for at least 20 seconds, especially after going to the bathroom, before eating, and after blowing your nose, coughing, or sneezing.
- Bring hand sanitizer with at least 60% alcohol to use if soap and water are not available.
- Organized activities and leagues are not allowed.
- No more than 3 people are allowed in the bathroom at one time.

Brookview Property Rules

- No outside beverages are allowed on the premises.
- Portable bathrooms are available on the course, each unit has a hand sanitizer.
- Indoor restrooms are open at Brookview.
 - Up to three customers are allowed in the bathroom at one time.
 - If the bathroom is full, wait in line, at least six feet away from others, outside of the bathroom.
 - Guests are encouraged to use a paper towel when touching door handles, toilet handles and sinks.
- The Golf Shop, lawn bowling green, the Three One Six Bar + Grill indoor and outdoor seating, and Brookview Facility (with the exception of the restrooms) are closed.
- Loitering on the patio or in the parking lot is not allowed. Individuals must leave the premises immediately following their recreational activity.
- Customers must follow all instructions from City staff.

- Customers should not leave anything behind or share their personal belongings with others.

Golf Rules

- All fees must be paid by telephone or online. No cash will be accepted
- Golfers using the driving range must be spaced at least 6 feet apart.
- Golfers not from the same household may not share equipment, including balls, clubs, bags, push and powered golf carts, etc.
- Push and powered golf carts are available for rental at the Brookview Driving Range building.
 - Golf carts may only be rented using credit card and each cart shall be assigned to a golfer by a Brookview Golf staff member.
 - Golfers not from the same household may not share a golf cart.
- Staff will clean and disinfect golf carts before and after each use according to CDC guidelines.
- No other rental equipment is available.
- All equipment shall be returned at the designated drop off zone on the Brookview Patio.
- Black "X's" have been placed at the first tee box and on the patio to remind customers to follow 6 foot social distancing rules. Each tee throughout the golf course has a social distancing reminder sign. Guests must following all social distancing instructions throughout the course.

If golfers have questions or concerns, they are encouraged to call 763-512-2300.

Three One Six Rules

- Individuals may purchase "to-go" orders from the Three One Six by calling 763-512-2320.
- All purchases must be made over the telephone. Payments may be made by credit card at the service window. No cash will be accepted.
- Orders must be picked up through the Three One Six service window.
- Guests waiting to pick up orders must be spaced at least 6 feet apart and adhere to the black "x's" that are present on the patio.
- Purchase of canned beer and wine can be made only with the purchase of food.
 - Customers may purchase a maximum of six cans of beer, cider, or seltzer, or one bottle of wine per person and only with the purchase of a to-go food order.
- Customers must show valid ID and be 21 years of age or older for purchase of alcoholic beverages.

If customers have questions or concerns they are encouraged to call 763-512-2320.



7800 Golden Valley Road
Golden Valley, MN 55427

EMERGENCY ADMINISTRATIVE ACTION 20-35 MODIFYING CRITICAL SECTOR DETERMINATION TABLE

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, the City of Golden Valley designates the employees on the attached Critical Sector Determination Table as critical sector employees, as defined by Minnesota Emergency Executive Order 20-33. This is an update to the table approved on by the City Manager on March 27, 2020 pursuant to modifications to the Critical Sector list contained in Minnesota Executive Action 20-48 (April 30, 2020).

These designations shall remain in effect until Executive Order 20-48 expires, unless repealed or modified by subsequent City Manager or Council action.

A handwritten signature in black ink, consisting of several vertical strokes and a horizontal line at the bottom, positioned above a horizontal line.

Date: April 30, 2020

Timothy J. Cruikshank, City Manager

CRITICAL SECTOR DETERMINATION TABLE
UPDATES TO EMPLOYEE STATUS PURSUANT TO MINN. EXEC. ORDER 20-20, 20-33, 20-38, & 20-48

Pursuant to Governor Walz’s Executive Order 20-20 (March 25, 2020), as amended and clarified from time to time, only employees performing Critical Sector work may leave home to perform this work. The following additional limitations also apply:

- **All Critical Sector workers who can work from home must do so.**
- **Allowed activities and work performed in the above Critical Sectors should, to the maximum extent possible, be conducted in a manner that adheres to Minnesota Occupational Safety and Health Standards and the Minnesota Department of Health and CDC Guidelines related to COVID-19, including social distancing and hygiene.**
- People at risk of severe illness from COVID-19 are strongly urged to stay home, even when the executive order would allow them to leave their home or residence.
- Critical Sector exemptions apply only to travel to and from an individual’s home or residence and place of work and an individual’s performance of work duties that cannot be done at their homes or residence. Travel may include transportation to and from child care or school settings as necessary to ensure the safe care of children.

Under the Order, Critical Sector employees are workers performing all other governmental functions which are necessary to ensure the health, safety, and welfare of the public, to preserve the essential elements of the financial system of government, and to continue priority services as determined by a political subdivision of the State. All political subdivisions of the State will determine the minimum personnel necessary to maintain these governmental operations. Additionally, the Order provides specific guidance on a number of roles at the City. After reviewing the order, the City of Golden Valley has determined that its Critical Sector workers are:

	Critical Sector Employees These employees may travel to work only if necessary. All Critical Sector employees who can work from home must do so.	Not Critical Service Employees These employees should work from home, if possible, but may not travel to work	
City Manager	<ul style="list-style-type: none"> ▪ City Manager ▪ City Council Members ▪ City Clerk 		Exec. Order 20-20 § 6(i)(iii); Exec. Order 20-20 § 6(i)(i).
Administrative Services	<ul style="list-style-type: none"> ▪ Accountant ▪ Accounting Coordinator ▪ Accounting Technician ▪ Finance Director ▪ Information Technology Specialist ▪ Information Technology Supervisor ▪ Information Technology Tech ▪ Utility Billing Specialist ▪ Deputy Registrar Supervisor 	<ul style="list-style-type: none"> ▪ Accounting Intern ▪ Motor Vehicle License Clerk ▪ Assessments/AP Tech 	Exec. Order 20-20 § 6(h); Exec. Order 20-20 § 6(l); Essential Critical Infrastructure Workforce Advisory ; clarification letter from DVS (April 3, 2020).
Communications	<ul style="list-style-type: none"> ▪ Communications Director ▪ Communications Specialist ▪ Web Graphic Designer 		Exec. Order 20-20 § 6(h).
Human Resources	<ul style="list-style-type: none"> ▪ Human Resources Director ▪ Assistant to City Manager’s Office 		Exec. Order 20-20 § 6(i)(iii).
Police	<ul style="list-style-type: none"> ▪ Police Chief ▪ Commander ▪ Police Operations Supervisor ▪ Sergeant ▪ Investigator ▪ Patrol Officer/School Resource Officer ▪ Lead Community Service Officer ▪ Community Service Officer 	<ul style="list-style-type: none"> ▪ Administrative Assistant ▪ Support Services Coordinator 	Exec. Order 20-20 § 6(b)); Exec. Order 20-20 § 6(ee)).
Fire	<ul style="list-style-type: none"> ▪ Fire Chief ▪ Deputy Fire Chief ▪ Assistant Fire Chief ▪ Paid On-Call Firefighters ▪ Paid On-Call Fire Officers ▪ Fire Property Maintenance Specialist 	<ul style="list-style-type: none"> ▪ Administrative Assistant 	Exec. Order 20-20 § 6(b); Exec. Order 20-20 § 6(iv).

Legal	<ul style="list-style-type: none"> ▪ City Attorney 		Exec. Order 20-20 § 6(cc).
Parks & Recreation	<ul style="list-style-type: none"> ▪ Director of Parks and Recreation ▪ Facilities and Recreation Supervisor ▪ Golf Operations Manager ▪ Park and Recreation Administrative Assistant ▪ Golf Maintenance Supervisor ▪ Greens and Turf Specialist ▪ Turf Equipment Tech ▪ Turf Maintenance Assistant ▪ Assistant Golf Operations Manager ▪ Golf Operations Coordinator ▪ Restaurant and Catering Manager ▪ Head Chef/Kitchen Supervisor ▪ Lead Cook ▪ Restaurant and Banquet Staff Coordinator ▪ Custodial Maintenance Specialist ▪ Golf Staff Coordinator ▪ Lead Pro Shop Cashier ▪ Driving Range Attendant ▪ Par 3 Attendant ▪ Golf Shop Attendant 	<ul style="list-style-type: none"> ▪ Assistant Senior Program Coordinator ▪ Bartender ▪ Community Center Attendant ▪ Golf Office Assistant ▪ Guest Services Lead ▪ Guest Services Specialist ▪ Indoor Playground Attendant ▪ Recreation Coordinator ▪ Recreation Supervisor ▪ Sports Instructor ▪ Dishwasher/Bar-back ▪ Cook ▪ Server (if used for take-out, drive up, or delivery services) 	<p>Exec. Order 20-20 § 6(c); Exec. Order 20-20 § 6(l); Exec. Order 20-33 § 6(b); Exec. Order 20-38 § 3(kk) – applies to Brookview Golf Course</p> <p>The following places of public accommodation remain closed to the public pursuant to Exec. Orders 20-20 and 20-04:</p> <ul style="list-style-type: none"> • Three One Six (but the Three One Six may offer food and beverage using deliver service, window service, walk-up service, drive-through service, or drive-up service using social distancing measures outlined in Exec. Order 20-04. Employees highlighted in blue are considered essential to operate the Three One Six under these guidelines). • Brookview • Davis Community Center
Physical Development	<ul style="list-style-type: none"> ▪ Physical Development Director ▪ City Engineer ▪ Assistant City Engineer ▪ Planning Manager ▪ Planner ▪ Environmental Resources Supervisor ▪ Environmental Specialist ▪ GIS Specialist ▪ Engineering Technician II ▪ Engineering Technician III ▪ Building Official ▪ Building Inspector 	<ul style="list-style-type: none"> ▪ Engineering Assistant ▪ Inspections Admin Specialist ▪ Inspections and Development Assistant ▪ Planning Assistant ▪ Physical Development Assistant 	Exec. Order 20-20 § 6(i)(iv); Exec. Order 20-20 § 6(x).
Public Works	<ul style="list-style-type: none"> ▪ Public Works Director ▪ Street Maintenance/Vehicle Maintenance Supervisor ▪ Utility Supervisor ▪ Crew Leader Streets ▪ Crew Leader Utility ▪ Crew Leader Parks ▪ Meter Specialist ▪ Utilities Specialist ▪ Public Works Maint Park ▪ Public Works Inspector ▪ PW Lead-Vehicle Maintenance ▪ Public Works Maintenance-Street ▪ Public Works Maint-Utilities ▪ Public Works Maint-Vehicle ▪ Assistant Forester 	<ul style="list-style-type: none"> ▪ Administrative Assistant 	Exec. Order 20-20 § 6(e); Exec. Order 20-20 § 6(f); Exec. Order 20-20 § 6(x)); Exec. Order 20-23.

**EMERGENCY ADMINISTRATIVE ACTION 20-36
EXTENDING AUTHORIZATION FOR
PARKS & RECREATION TO ISSUE REFUNDS FOR
CANCELLED EVENTS AND ACTIVITIES**

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, the City of Golden Valley hereby:

- Postpones all in-person Parks and Recreation activities, programs, classes, and events;
- Cancels all facility rentals through May 17, 2020; and
- Closes all Parks and Recreation and Golf retail operations, including the Backyard, the Golf Shop, and the dining room services at Three-One-Six through May 17, 2020.

Further, the City will issue full refunds for the following services:

- All Parks and Recreation activities, programs, classes and events that have been cancelled or postponed by the City; and
- All private events at City facilities through May 17, 2020.

This action will continue indefinitely until repealed or modified by subsequent City Manager or Council action.



Date: April 30, 2020

Timothy J. Cruikshank, City Manager



7800 Golden Valley Road
Golden Valley, MN 55427

**EMERGENCY ADMINISTRATIVE ACTION 20-37
AUTHORIZING OPENING OF THREE ONE SIX BAR & GRILL**

Pursuant to Mayoral Proclamation and Council Resolution, effective March 17, 2020, the City of Golden Valley hereby authorizes the opening of Three One Six Bar & Grill as of 10:00 am on Saturday, May 2, 2020 for carry out, to-go service only.

This action shall continue until repealed or modified by subsequent City Manager or Council action.

A handwritten signature in black ink, appearing to read "Timothy J. Cruikshank", is written over a horizontal line.

Date: May 1, 2020

Timothy J. Cruikshank, City Manager