REGULAR MEETING AGENDA

City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

Remote Attendance/Comment Options: Members of the public may attend this meeting by watching on cable channel 16, streaming on CCXmedia.org, streaming via Webex, or by calling 1-415-655-0001 and entering access code 2453 456 2024. Members of the public wishing to address the Council remotely have two options:

- Via web stream - Stream via Webex and use the ‘raise hand’ feature during public comment sections.
- Via phone - Call 1-415-655-0001 and enter meeting code 2453 456 2024. Press *3 to raise your hand during public comment sections.

1. Call to Order
   A. Pledge of Allegiance
   B. Roll Call
   C. Presentation to Adopt Resolution No. 22-009, Joining Cities and Counties Across Minnesota Declaring A Climate Emergency

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 City Council Minutes – Regular Meetings of 2021 - July 6 and 20, August 4 and 17, September 9 and 21, and October 5
   B. Approval of Check Register
   C. Licenses:
      1. Approve Gambling License Exemption and Waiver of Notice Requirement – Northwest Suburban Chapter of Pheasants Forever
      2. Approve Gambling License Exemption and Waiver of Notice Requirement – Good Shepherd School
      3. Approve Temporary On-Sale Liquor License – The Loppet Foundation
   D. Bids, Quotes, and Contracts:
      1. Award Bid and Approve Agreement for Irrigation System at Brookview Golf Course
2. Approve Purchase of Irrigation Equipment for Brookview Golf Course

E. Adopt Resolution No. 22-010 to Execute MnDOT Agreement for Local Road Improvement Program (LRIP) SAP 128-594-002 for Douglas Drive and Trunk Highway 55 Pedestrian Underpass and Mini Roundabout Project Design

F. Approve 2022 State Legislative Priorities

G. Approve Resolution No. 22-011 in Support of Local Option Sales Tax

H. Approve 2022 Council Appointments, Assignments and Reimbursements, Resolution No. 22-012

4. Public Hearing

5. Old Business
   A. 6300 Olson Memorial Highway (Golden Valley Business Center)
      1. Approve Ordinance No 724 – Amending the Zoning Map and Rezoning from Office to Light Industrial
      2. Approve of the Preliminary Plan for Subdivision

6. New Business
   All Ordinances listed under this heading are eligible for public input.
   A. COVID-19 Update From City Staff
   B. Review of Council Calendar
   C. Mayor and Council Communications
      1. Other Committee/Meeting updates

7. Adjournment
Agenda Item
1. C. Adopt Resolution No. 22-009 Joining Cities Across Minnesota Declaring a Climate Emergency

Prepared By
Eric Eckman, Environmental Resources Supervisor

Summary
On December 21, 2021, upon recommendation by the City’s Environmental Commission, the Golden Valley City Council adopted Resolution No. 21-100 Declaring a Climate Emergency Impacting the Environment, Economy, and Human Health. The resolution highlights many climate-related impacts, brings awareness to the issue, reaffirms the City’s priorities and commitments, and asks state and federal leaders for funding, resources, and support to develop and implement climate mitigation and adaptation efforts as the City cannot fund these efforts on its own.

In 2021, a non-partisan coalition of elected and appointed officials from cities of all sizes throughout Minnesota began meeting to discuss how to influence policy and regulations to help cities meet their climate and energy goals and accelerate the learning and spread of best practices and policy ideas. One of the ideas that gained momentum and support was for cities to come together to call for increased action on climate change by passing resolutions declaring climate emergencies.

In January 2022, at least fifteen cities from this emerging coalition are taking-action locally and calling on the state and federal government for immediate assistance to address climate change and the adverse impacts it has on cities’ economic well-being and quality of life. Like Golden Valley, the cities of Duluth and Minneapolis, and Crystal Bay Township have already declared climate emergencies, and more cities in Minnesota are expected to announce declarations in the months ahead. By acting together simultaneously, the coalition of cities is hoping to amplify its impact and increase visibility to help leverage state and federal funding and support.

With the adoption of Resolution #22-009, Golden Valley takes the important step of joining these other cities to collectively declare a climate emergency and work together to leverage state and federal leaders for assistance, while committing to carry out the actions outlined in Resolution #21-100.

Although the term “emergency” is used in the resolution, staff would like to make clear this is not like other emergency orders. A Climate Emergency declaration differs from other types of local, state, and federal emergency declarations, which are typically issued in response to acute disasters such as...
floods, tornadoes, or the COVID-19 pandemic, and typically unlock emergency relief funding. This would not apply when declaring a Climate Emergency. Rather, this resolution is a tool to increase awareness and send a clear message about the City’s priorities, commitments, and actions.

**Financial Or Budget Considerations**
None at this time. Staff will continue to evaluate and communicate the resources needed to implement the City’s environmental goals, initiatives, plans, programs, and projects.

**Recommended Action**
Motion to adopt Resolution No. 22-009 Joining Cities Across Minnesota Declaring a Climate Emergency Impacting the Environment, Economy, and Human Health

**Supporting Documents**
- Resolution No. 22-009 Joining Cities Across Minnesota Declaring a Climate Emergency Impacting the Environment, Economy, and Human Health (2 pages)
- Resolution No. 21-100 Declaring a Climate Emergency Impacting the Environment, Economy, and Human Health (5 pages)
RESOLUTION NO. 22-009
RESOLUTION JOINING CITIES ACROSS MINNESOTA
DECLARING A CLIMATE EMERGENCY IMPACTING THE ENVIRONMENT,
ECONOMY, AND HUMAN HEALTH

WHEREAS, on December 21, 2021, the Golden Valley City Council adopted Resolution No. 21-100 Declaring a Climate Emergency Impacting the Environment, Economy, and Human Health;

WHEREAS, 2,012 jurisdictions in 34 countries including Duluth, Minneapolis, and Crystal Bay Township in Minnesota, have already declared climate emergencies in order to focus attention on the need for rapid action to address climate change;

WHEREAS, in 2021 and 2022 a non-partisan coalition of elected and appointed officials from cities of all sizes throughout Minnesota has been meeting to discuss how to influence policy and regulations to help cities meet their climate and energy goals and accelerate the learning and spread of best practices and policy ideas;

WHEREAS, in January 2022 at least fifteen cities from this emerging coalition are taking-action locally and calling on the state and federal government for immediate assistance to address climate change and the adverse impacts it has on cities’ economic well-being and quality of life, with more cities expected to announce declarations in the months ahead;

WHEREAS, acting together with these communities now will magnify our impact and increase our visibility and leverage for state and federal funding and support;

NOW, THEREFORE, BE IT RESOLVED, that Golden Valley joins this growing coalition of cities across Minnesota declaring that a climate emergency threatens our city, region, state, nation, humanity and the natural world.

BE IT FURTHER RESOLVED, that Golden Valley commits to carrying out the actions outlined in Resolution No. 21-100 and working with this coalition to leverage state and federal assistance for local communities.

Adopted by the City Council of Golden Valley, Minnesota this 18th day of January 2022.

______________________________
Shepard M. Harris, Mayor

ATTEST:

______________________________
Theresa J. Schyma, City Clerk
RESOLUTION NO. 21-100

RESOLUTION DECLARING A CLIMATE EMERGENCY IMPACTING THE ENVIRONMENT, ECONOMY, AND HUMAN HEALTH

WHEREAS, in 2021 Golden Valley experienced numerous climate change-related impacts including a record June heat wave, drought conditions, water use restrictions, and poor air quality from drought-fueled forest fires prompting residents to restrict outdoor activity and remain indoors for periods, making it clear that the climate crisis is not only a future issue — it is affecting us here and now;

WHEREAS, hundreds of Golden Valley properties are at risk of flooding and flood damage during heavy or intense precipitation events which can cause significant hardship and economic loss;

WHEREAS, Golden Valley residents have increasingly reported experiencing drainage and flooding issues, high groundwater issues, and historically high surface water levels in water bodies throughout the community;

WHEREAS, the frequency of daily rainfalls greater than 3 inches has increased 66% in the past century and annual precipitation in the Twin Cities increased from an average of 26.18 inches between 1940-1979 to an average of 30.92 inches between 1980-2018, increasing the frequency of flooding, landslides, freeze/thaw cycles, ice storms, rain on frozen ground events, and heavy snowstorms which put increased strain on city operations, residents, businesses, and the natural environment;

WHEREAS, ice cover on Minnesota lakes has declined an average of 10-14 days over the past 50 years and winter temperatures are warming nearly ten times faster than summer temperatures, increasing by approximately 2.2 degrees Fahrenheit per decade since 1969 based on data collected at MSP airport;

WHEREAS, the urban heat island effect causes nighttime temperatures in the first ring suburbs of Hennepin County to be 2 degrees Fahrenheit higher on average compared to surrounding areas and spikes to as much as 9 degrees Fahrenheit higher than surrounding areas during a heat wave, and is expected to increase due to climate change, affecting the health and well-being of residents;

WHEREAS, the high-risk climate hazards for Golden Valley include invasive species and pests, more freeze/thaw cycles, more frequent and intense heavy rainfalls, and extreme heat, and the moderate-risk climate hazards include extreme wind events and tornadoes, diminished air quality, and vector-borne diseases as outlined in the
Vulnerability Assessment in the Resilience and Sustainability chapter of Golden Valley's 2040 Comprehensive Plan;

WHEREAS, extreme weather will create new challenges for Golden Valley's infrastructure and finances and will pose a threat to the health, safety, and economic vitality of our residents and businesses;

WHEREAS, historic and present policies and decisions created disparate impacts for Black, Indigenous, People of Color and people of lower socioeconomic status;

WHEREAS, the greatest burden from an inadequate response to the climate crisis will be felt by historically excluded, marginalized and underserved communities, the youngest generation including the children and grandchildren of Golden Valley community members, and future generations;

WHEREAS, the impacts of climate change are affecting all residents, but the impacts will not be felt equally, and like other environmental justice issues, Hennepin County data show that our communities of color, low-income families, and residents with disabilities contribute least to the problem of climate pollution but are the most at risk from negative climate impacts, especially during flooding events, heat waves, and poor air quality days, and we acknowledge that those who have the least capacity to respond to climate change will be most affected;

WHEREAS, in Minnesota, the ten warmest and wettest years ever recorded have all occurred since 1998, warming surface waters and leading to a significant loss of fish habitat for many prominent species as well as increasing the risk of harmful algae blooms, forests are changing as native northern species are strained by warming temperatures, crops are stressed by cycles of drought and floods, home insurance rates are rising faster than the national average and faster warming winters are leading to new pests as well as shorter winter recreation seasons;

WHEREAS, the bi-partisan Next Generation Energy Act, passed by the Minnesota State Legislature and signed by then Governor Tim Pawlenty in 2007, committed our State to achieving an 80% reduction in greenhouse gas emissions by 2050 and with interim goals of 15% and 30% below 2005 greenhouse gas emissions levels by 2015 and 2025, respectively, with cities being key drivers of achieving these goals;

WHEREAS, our State did not meet its 2015 goal, and is not yet on track to reach our future targets;
WHEREAS, in April 2016 world leaders from 175 countries, including the United States, recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to “pursue efforts to limit the temperature increase to 1.5 degrees Celsius (2.7 degrees Fahrenheit)”;

WHEREAS, we have already reached a temperature increase of nearly 1.1 degrees Celsius (nearly 2 degrees Fahrenheit) as compared to pre-industrial times and the widespread impacts already realized by this level of global warming demonstrate that the Earth is already too hot for safety and justice, as attested by increased and intensifying wildfires, floods, rising seas, diseases, droughts, and extreme weather, threatening the food security, water supply, and well-being of billions of people;

WHEREAS, in August 2021 the Intergovernmental Panel on Climate Change (IPCC), the United Nations body responsible for assessing the science related to climate change, released a report that stated “It is unequivocal that human influence has warmed the atmosphere and land,” and that “Human influence has warmed the climate at a rate that is unprecedented in at least the last 2000 years,” and “with every additional increment of global warming, changes in extremes continue to become larger,” and “leaders at all levels must take immediate action to reduce greenhouse gas emissions to prevent catastrophic impacts”;

WHEREAS, the Department of State, the Department of Defense, and the intelligence community have identified climate change as a threat to national security, and the Department of Homeland Security views climate change as a top homeland security risk;

WHEREAS, recent scientific research indicates that to achieve the goal of limiting temperature increase to 1.5 degrees Celsius (2.7 degrees Fahrenheit), carbon emissions must be halved by 2030 and reach net zero global emissions by 2050;

WHEREAS, a transition to a clean energy economy, if not carefully planned, would have a disruptive effect and impact on the livelihoods of many in our community while a well-planned transition may provide expanded job opportunities and affordable and reliable energy for local residents;

WHEREAS, the massive scope and scale of action necessary to stabilize the climate will require unprecedented levels of public awareness, engagement, and deliberation to develop and implement effective, just, and equitable policies to address climate change;
WHEREAS, 2,012 jurisdictions in 34 countries including Minnesota leaders Duluth, Minneapolis, and Crystal Bay Township, have already declared climate emergencies in order to focus attention on the need for rapid action to address climate change;

WHEREAS, acting together with these other communities now will magnify our impact, and increase our visibility and leverage for state and federal funding and support;

NOW, THEREFORE, BE IT RESOLVED, that Golden Valley declares that a climate emergency threatens our city, region, state, nation, humanity and the natural world.

BE IT FURTHER RESOLVED, Golden Valley commits to working for a just transition to a clean energy economy and climate emergency mobilization effort and will:

- Continue to collaborate with residents, businesses, institutions, and non-profits to implement its Resilience and Sustainability Plan, Energy Action Plan, Natural Resources Management Plan, and Surface Water Management Plan, all of which contain goals, objectives, policies, and actions to help address climate impacts
- Continue to implement its Equity Plan including actions and practices that promote economic prosperity for all
- Continue to implement GreenStep Cities best practices related to energy, climate actions, climate adaptation and community resilience
- Work with the City’s Environmental Commission to address climate impacts and improve the environment, economy, and human health through the development and implementation of its annual work plan
- Update and implement its 10-year capital improvement program with an increasing focus on sustainability, equity, and climate adaptation
- Position the City with shovel-ready projects to take advantage of state and federal infrastructure funding and climate action funding opportunities
- Consider the environment, energy, and climate in the development of its annual legislative priorities
- Strategically partner with Hennepin County to implement its Climate Action Plan and help the County achieve its goal to reduce greenhouse gas emissions by 45% from 2010 levels by 2030 and achieve net zero emissions by 2050
- Consider advancing the development of a Citywide climate action plan sooner than 2030 as scheduled in the City’s Resilience and Sustainability Plan
- Continue to explore and secure the resources needed to fulfill its environmental goals and commitments
BE IT FURTHER RESOLVED, Golden Valley calls on the Minnesota legislature and executive branch to immediately and aggressively support cities of all sizes around Minnesota to both mitigate and adapt to the effects of climate change including providing funding and resources for the development and implementation of climate action plans.

BE IT FURTHER RESOLVED, Golden Valley calls on the federal government to immediately commit resources to support the climate mitigation and adaptation efforts of cities large and small, to invest in the infrastructure needed for a resilient, sustainable, and equitable future, to ensure that investment is at the scale needed, and to provide the necessary global leadership to keep global warming to 1.5 degrees Celsius (2.7 degrees Fahrenheit).

Adopted by the City Council of Golden Valley, Minnesota this 21st day of December 2021.

ATTEST:

Shepard M. Harris, Mayor

Theresa J. Schyma, City Clerk
REGULAR MEETING AGENDA

City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
   Mayor Harris called the meeting to order at 6:30 pm.

   A. Pledge of Allegiance

   B. 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, Planning Manager Zimmerman, Assistant City Engineer Kakach, Environmental Resources Supervisor Eckman, MN GreenCorps Member Schwantes, Physical Development Director Nevinski, Parks and Recreation Director Birno, and City Clerk Schyma

   C. Proclamation Recognizing July as Parks & Recreation Month

      Parks & Recreation Director Rick Birno presented an overview of the proclamation.

      John Cornelius, Open Space and Recreation Commission, thanked the Council for their support.

      **Motion by Sanberg, Second by Rosenquist** to support a proclamation Recognizing July as Parks & Recreation Month.

      **Motion carried 5-0.**

   D. Presentation of Minnesota Recreation and Parks Association 2020 Awards of Excellence to the City of Golden Valley

      Alyssa Fram, MRPA Awards Committee representative, presented awards to the City of Golden Valley Parks and Recreation Department. The programs that received recognition include the Cooperative Virtual Bike Rodeo and the HomeReced virtual program.

      Recreation Supervisor John Stutzman and Recreation Coordinator Maddy Champa also discussed the awards and programs.
2. **Additions and Corrections to Agenda**

   **Motion by Rosenquist, Second by Fonnest** to approve the meeting agenda as submitted.

   **Motion carried 5-0.**

3. **Consent Agenda**

   **Motion by M. Harris, Second by Sanberg** to approve the Consent Agenda as revised: removal of Items #3C1 - Accept Resignations from the DEI commission, #3F - Authorize Agreement for Residential Home Energy Squad Visits, and #3G - Approve Host Site Agreement with Minnesota Pollution Control Agency as a Minnesota GreenCorps Host Site, Resolution No. 21-53.

   **Motion carried 5-0.**

A. **Approval of Minutes**
   1. Regular City Council Meeting – March 2, 2021
   2. Regular City Council Meeting – March 16, 2021
   3. Regular City Council Meeting – April 6, 2021
   4. Regular City Council Meeting – April 20, 2021
   5. Regular City Council Meeting – May 4, 2021
   6. Regular City Council Meeting – May 18, 2021

B. Approval of City Check Register

C. **Boards, Commissions, and Task Forces:**
   1. Accept Resignations from the DEI commission

D. **Approval of Bids, Quotes and Contracts:**
   1. Approve Purchase of Building Security Equipment from Ideacom Mid-America and RCN Technologies
   2. Approve Purchase of Three Ford F-550 Trucks from Boyer Ford Trucks and Towmaster Truck Equipment
   3. Authorize Agreements with Union Pacific Railroad for Replacement of Street Crossings at 10th Avenue and Mendelsohn Avenue
   4. Authorize Change Order #1 for I-394 Inflow and Infiltration Phase 3 City Project #21-24
   5. Approve Microsoft Office 365 Volume Licensing Contract
   6. Authorize Professional Subscription Services Agreement for a Project Management Software Solution with SmartSheet

E. **Grants and Donations:**
   1. Authorize Grant Application with the Department of Natural Resources for DeCola Ponds SEA School-Wildwood Park Flood Storage Project, Resolution No. 21-51
2. Approve Receipt of Community Safety Grant from CenterPoint Energy, Resolution No. 21-52
   F. Authorize Agreement for Residential Home Energy Squad Visits
   G. Approve Host Site Agreement with Minnesota Pollution Control Agency as a Minnesota GreenCorps Host Site, Resolution No. 21-53

3. Items Removed From the Consent Agenda:
   3C1. Accept Resignations from the DEI commission

   Council Member Harris wanted to acknowledge the individuals resigning and thank them for their work on various commissions.

   **Motion by M. Harris, Second by Rosenquist** to accept the resignations of Jonathan Burris and Brad Taylor-White from the DEI Commission.

   *Motion carried 5-0.*

3F. Authorize Agreement for Residential Home Energy Squad Visits

   Council Member Fonnest discussed climate change and wanted to draw attention to this agreement.

   Environmental Resources Supervisor Eckman, MN GreenCorps Member Story Schwantes, and Stacey Boots Camp, Xcel Energy, discussed the Home Energy Squad.

   **Motion by Fonnest, Second by Sanberg** to Authorize the City Manager to enter into an Agreement with the Center for Energy and Environment for Residential Home Energy Squad Visits in a form approved by the City Attorney.

   *Motion carried 5-0.*

3G. Approve Host Site Agreement with Minnesota Pollution Control Agency as a Minnesota GreenCorps Host Site, Resolution No. 21-53

   Council Member Fonnest wanted to thank Story Schwantes for her year of service with the City of Golden Valley through the Minnesota GreenCorps.

   Environmental Resources Supervisor Eckman discussed the plans for the upcoming year.

   **Motion by Fonnest, Second by Rosenquist** to adopt Resolution No. 21-53 to enter into Host Site Agreement with the Minnesota Pollution Control Agency as a Minnesota GreenCorps Host Site.
Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

4. Public Hearing
   A. Public Hearing – Amendments to the Zoning Map – Rezoning Certain Properties in Scheid Park and on Golden Valley Road in Order to Alignment with the 2040 Comprehensive Plan, Ordinance No. 717

   Planning Manager Jason Zimmerman presented the staff report.

   Mayor Harris opened the public hearing. As there were no comments, the public hearing was closed.

   Motion by M. Harris, Second by Sanberg to adopt Ordinance #717, Rezoning Certain Properties in Scheid Park and on Golden Valley Road in Order to Achieve Alignment with the 2040 Comprehensive Plan.

   Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

5. Old Business

6. New Business
   A. Review of Council Calendar
   B. Mayor and Council Communications
      1. Other Committee/Meeting updates

7. Adjournment

   Motion by Sanberg, Second by M. Harris to adjourn the meeting at 7:39 pm.

   Motion carried 5-0.

   ______________________________
   Shepard M. Harris, Mayor

   ATTEST:

   ______________________________
   Theresa J. Schyma, City Clerk
REGULAR MEETING AGENDA
City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public was able to make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
   Mayor Harris called the meeting to order at 6:30 pm.
   
   A. Pledge of Allegiance
   
   B. 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, Police Chief Sturgis, Equity and Inclusion Manager Zackery, and City Clerk Schyma

2. Additions and Corrections to Agenda
   Motion by Fonnest, Second by Sanberg to approve the meeting agenda as submitted.
   Motion carried 5-0.

3. Consent Agenda
   Motion by Rosenquist, Second by M. Harris to approve the Consent Agenda as revised: removal of Items #3D1 - Accept Resignation from the Planning Commission and #3D3 - Receive and File Rising TIDES Task Force Final Report.
   Motion carried 5-0.
   
   A. Approval of Minutes
      1. Regular City Council Meeting – June 15, 2021
   B. Approval of City Check Register
   C. Licenses
      1. Approve Temporary On-Sale Liquor License – Good Shepherd Catholic Church
   D. Boards, Commissions, and Task Forces:
      1. Accept Resignation from the Planning Commission
   E. Approval of Bids, Quotes and Contracts:
      1. Approve Contract for Pavement Preservation with Corrective Asphalt Materials, LLC
2. Approve First Amendment to a Professional Services Agreement with BKV Group
   F. Approve Golden Valley Fire Relief Association By-Law Pension Amount, Resolution No. 21-54
   G. Approve Remote Meeting Policy, Resolution No. 21-55
   H. Authorize City Manager to Sign an Amendment to Flexible Spending Benefit Plan

3. Items Removed From the Consent Agenda:

3D1. Accept Resignation from the Planning Commission

Council Member Rosenquist thanked Ryan Sadeghi for his time and contributions to the Planning Commission.

Motion by Rosenquist, Second by Fonnest to accept the resignation of Ryan Sadeghi from the Planning Commission.

Motion carried 5-0.


Mayor Harris thanked the Task Force and staff who spent countless hours working for the betterment of the community.

Motion by S. Harris, Second by M. Harris to receive and file the Rising TIDES Task Force Final Report.

Motion carried 5-0.

4. Public Hearing

5. Old Business

6. New Business
   All Ordinances listed under this heading are eligible for public input.
   A. First Consideration of Ordinance Nos. 718 and 719 - Abolishing Civil Service Commission and Creating Police Employment Accountability and Community Engagement Commission

   Equity and Inclusion Manager Zackery and City Attorney Cisneros presented the staff report and answered questions from Council.

   Council Member Rosenquist thanked the Task Force for their hard work with this process.
All members of the Police Commission Task Force (PCTF) were invited to attend tonight’s meeting either in-person or remotely. Council invited Task Force members to share their comments and Mayor Harris opened the item for public comment.

Randy Anderson, PCTF member, spoke in favor of allowing staff to have voting privileges on the PEACE Commission.

Golden Valley Police Officer Dan Feldman, PCTF member, spoke in favor of allowing staff to have voting privileges on the PEACE Commission.

Miguel Cisneros, resident of Golden Valley, stated he is opposed to granting staff voting privileges on a resident advisory commission.

Council Member Rosenquist read a statement from Nancy Azzam, PCTF member, stating that she supports the Final Report of the Task Force as it was originally written.

Diane Halsey, resident of Golden Valley, spoke about the healing that needs to occur in Golden Valley not just due to previous actions of police officers but of the current environment. She is supportive of a new PEACE Commission.

Police Sergeant Randy Mahlen, PCTF member, enjoyed being on the Task Force and spoke in favor of allowing staff to have voting privileges on the PEACE Commission.

Stephanie Devitt, resident of Golden Valley, stated that part of this conversation is about balance of power. It is important to create a safe space where the leadership and power of the commission are given to those in the community who are most impacted.

Mayor Harris asked about the timing of abolishing the Civil Service Commission and whether the decision can be delayed for a couple of months.

City Attorney Cisneros responded about how a delay could potentially impact hiring processes.

Council Member Sanberg stated that there seems to be consensus with everything except voting privileges for Police Department staff that would serve as members on the commission.

Mayor Harris agrees with Council Member Sanberg regarding staff not having voting privileges on a resident advisory commission. Voting privileges for staff may seem equal but it is not necessarily equitable. He added that bylaws can be amended in the future if the Council believes changes need to be made.

**Motion by Rosenquist, Second by Fonnest** to Approve First Consideration of Ordinance No. 718 Repealing City Code § 2-130 to Abolish the Civil Service Commission.
Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

Motion by Sanberg, Second by Rosenquist to Approve First Consideration of Ordinance No. 719 creating PEACE Commission.

Motion carried 4-1. (In Favor: M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: Fonnest)

B. Review of Council Calendar

Mayor Harris reviewed upcoming city meetings, events, and holiday closures.

C. Mayor and Council Communications

1. Other Committee/Meeting updates

7. Adjournment

Motion by Rosenquist, Second by M. Harris to adjourn the meeting at 8:18 pm.

Motion carried 5-0.

__________________________________
Shepard M. Harris, Mayor

ATTEST:

__________________________________
Theresa J. Schyma, City Clerk
REGULAR MEETING AGENDA

City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public was able to make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
   Mayor Harris called the meeting to order at 6:58 pm.

   A. Pledge of Allegiance

   B. Roll Call
      Present: Mayor Shep Harris, Council Members Larry Fonnest, Maurice Harris, Gillian Rosenquist and Kimberly Sanberg
      Staff present: City Manager Cruikshank, Physical Development Director Nevinski, Assistant City Engineer Kakach, Police Chief Sturgis, Police Sergeant Randy Mahlen, Equity and Inclusion Manager Zackery, and City Clerk Schyma

2. Additions and Corrections to Agenda

   Motion by Fonnest, Second by Rosenquist to approve the meeting agenda as submitted.
   Motion carried 5-0.

3. Consent Agenda

   Motion by Rosenquist, Second by M. Harris to approve the Consent Agenda as revised: removal of Items #3D1 - Accept Resignation from the Planning Commission and #3D3 - Receive and File Rising TIDES Task Force Final Report.

   Motion carried 5-0.

   A. Approval of Minutes
      1. Special City Council Closed Executive Session – July 20, 2021
   B. Approval of City Check Register
   C. Licenses
      1. Approve General Business License – Motor Vehicle Dealer – Twin Cities Performance
   D. Boards, Commissions, and Task Forces:
      1. Approve Appointment to the Planning Commission
      2. Approve Reappointments to the Diversity, Equity, and Inclusion Commission (DEIC)
   E. Grants and Donations:
1. Approve Accepting Donation of an Electric Polaris Ranger Side by Side Utility Vehicle from the Crime Prevention Fund, Resolution No. 21-56
F. Receive and File Financial Reports From Previous Quarter
G. Authorize Feasibility Study for Streetlight and Overhead Utility Line Burial on Spring Valley Road

3. Items Removed From the Consent Agenda:

3D1. Approve Appointment to the Planning Commission

Council Member Rosenquist welcomed Michael Ruby to the Planning Commission.

Motion by Rosenquist, Second by Sanberg to appoint Michael Ruby to the Planning Commission.

Motion carried 5-0.

4. Public Hearing

5. Old Business

A. Approval of Ordinance No. 713 - Zoning Map Amendment for a portion of the property at 7001 Golden Valley Road, Golden Valley Country Club

City Planner Myles Campbell presented the report. He noted that the public hearing for this item closed at the May 4 City Council Meeting.

Motion by M. Harris, Second by Rosenquist to Approve Ordinance No. 713, Amending the Zoning Map to change the zoning designation for the proposed parcel as described in the land survey from Institutional Sub-district I-4, to Single Family Residential R-1.

Motion carried 5-0. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

6. New Business

All Ordinances listed under this heading are eligible for public input.
A. Second Consideration of Ordinance Nos. 718 and 719 - Abolishing Civil Service Commission and creating Police Employment Accountability and Community Engagement (PEACE) Commission; Approval of Resolution No. 21-57 Authorizing Summary Publication of Ordinance No. 719; and Approval of PEACE Commission Bylaws

Equity and Inclusion Manager Zackery presented the staff report and answered questions from Council.
All members of the Police Commission Task Force (PCTF) were invited to attend tonight’s meeting either in-person or remotely. Council invited Task Force members to share their comments and Mayor Harris opened the item for public comment.

Chris Hartzler, PCTF member, said it was an honor to serve on this task force. Chris stated he is now in favor of having staff members serving in ex-officio roles on the new PEACE Commission and not having voting rights to keep the power in balance.

Ruth Paradise, 8515 Duluth Street, asked about privacy concerns when collecting data.

**Motion by Rosenquist, Second by Fonnest** to Approve Second Consideration of Ordinance No. 718 Repealing City Code § 2-130 to Abolish the Civil Service Commission.

**Motion carried 5-0 with unanimous approval.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Rosenquist, Second by M. Harris** to Approve Second Consideration of Ordinance No. 719 creating PEACE Commission.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Sanberg, Second by Rosenquist** to Approve Resolution No. 21-57 Authorizing Summary Publication of Ordinance No. 719.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**Motion by Fonnest, Second by Sanberg** to Approve PEACE Commission Bylaws.

**Motion carried 5-0.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

B. **Review of Council Calendar**

Mayor Harris reviewed upcoming city meetings, events, and holiday closures.

C. **Mayor and Council Communications**

1. Other Committee/Meeting updates

7. **Adjournment**

**Motion by M. Harris, Second by Rosenquist** to adjourn the meeting at 8:14 pm.

**Motion carried 5-0.**
REGULAR MEETING AGENDA
City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
   Mayor Pro Tempore Sanberg called the meeting to order at 6:30 pm.

   A. Pledge of Allegiance

   B. Roll Call
   Present: Mayor Pro Tempore Kimberly Sanberg, Council Members Larry Fonnest, Maurice Harris, and Gillian Rosenquist
   Absent: Mayor Shep Harris
   Staff present: City Manager Cruikshank, City Attorney Cisneros, Planning Manager Zimmerman, City Planner Campbell, Assistant City Engineer Kakach, Physical Development Director Nevinski, City Engineer Oliver, and City Clerk Schyma

2. Additions and Corrections to Agenda

   Mayor Pro Tempore Sanberg announced an addition to the agenda, Item #3D5 – Approve Appointments to the Diversity, Equity, and Inclusion Commission.

   **Motion by M. Harris, Second by Rosenquist** to approve the meeting agenda as amended.

   Motion carried 4-0.

3. Consent Agenda

   **Motion by M. Harris, Second by Rosenquist** to approve the Consent Agenda as revised: removal of Items #3D1 - Accept Resignation from the Planning Commission, #3D5 - Approve Appointments to the Diversity, Equity, and Inclusion Commission, #3F2 - Approve Resolution No. 21-60 Accepting a Donation From the Golden Valley Community Foundation For a Youth and Family Music Performance, and #3J - Douglas Drive/Trunk Highway 55 Pedestrian Underpass and Roundabout Project #20-19.

   Motion carried 4-0.

   A. Approval of Minutes
1. Special City Council Closed Executive Session – August 10, 2021

B. Approval of City Check Register

C. Licenses
   1. General Business License - New & Used Vehicle Sales Licenses
   2. Temporary On-Sale Liquor License and Gambling License Exemption/Waiver of Notice Requirement – Church of St. Margaret Mary
   3. Temporary On-Sale Liquor License – The Loppet Foundation

D. Boards, Commissions, and Task Forces:
   1. Accept Resignation from the Planning Commission
   5. Approve Appointments to the Diversity, Equity, and Inclusion Commission

E. Bids, Quotes, and Contracts:
   1. Approve Purchase of a Vactor Combo Sewer Truck from MacQueen Equipment
   2. Approve Amendment to City Manager Employment Agreement, Resolution No. 21-58 and Accept Summary of Conclusion Regarding City Manager Performance Evaluation from Closed Executive Session on August 10, 2021
   3. Authorize Change Order #1 with GMH Asphalt Corporation for 2021 Bike Lanes and Laurel Avenue Mill and Overlay Project #20-02
   4. Approve Tolling Agreement Re: In Re Municipal Stormwater Pond (Case No. 18-cv-3495)

F. Grants and Donations:
   1. Approve Resolution No. 21-59 Accepting Grant Funding From Minnesota Pollution Control Agency (MPCA) and the Alternative Landscaping Equipment Grant Program For the Purchase of Battery Operated Landscaping Equipment For Use at Brookview
   2. Approve Resolution No. 21-60 Accepting a Donation From the Golden Valley Community Foundation For a Youth and Family Music Performance

G. Approve Resolution No. 21-61, Rescinding Resolution No. 16-13 and Adopting a New Neighborhood Notification Policy

H. Approve Amendment to Temporary Employment Policy - Extending PTO and Vacation Maximum Accrual

I. Approve Resolution No. 21-62 Ordering a Feasibility Study for Streetlight and Overhead Utility Line Burial on Spring Valley Road

J. Douglas Drive/Trunk Highway 55 Pedestrian Underpass and Roundabout Project #20-19
   1. Adopt Resolution No. 21-63 Accepting Funding from Minnesota Management and Budget (MMB)
   2. Approve Final Design and Right of Way Services with WSB & Associates

3. Items Removed From the Consent Agenda:
   3D2. Accept Resignation from the Planning Commission
Council Member Fonnest recognized Ron Blum for his service and commitment to Golden Valley.

**Motion by Rosenquist, Second by Fonnest** to accept the resignation of Ron Blum from the Planning Commission.

Motion carried 4-0.

3D5. Approve Appointments to the Diversity, Equity, and Inclusion Commission

**Motion by M. Harris, Second by Fonnest** to appoint Jonathan Kim to the Diversity, Equity, and Inclusion Commission.

Motion carried 4-0.

3F2. Approve Resolution No. 21-60 Accepting a Donation From the Golden Valley Community Foundation For a Youth and Family Music Performance

Council Member Fonnest thanked the Golden Valley Community Foundation for their gift.

**Motion by Fonnest, Second by Rosenquist** to approve Resolution No. 21-60 Accepting a Donation From the Golden Valley Community Foundation For a Youth and Family Music Performance.

Motion carried 4-0.

3J. Douglas Drive/Trunk Highway 55 Pedestrian Underpass & Roundabout Project #20-19

1. **Adopt Resolution No. 21-63 Accepting Funding from Minnesota Management and Budget (MMB)**

2. **Approve Final Design and Right of Way Services with WSB & Associates**

City Engineer Oliver presented the staff report and discussed the project in more detail.

**Motion by Rosenquist, Second by M. Harris** to Adopt Resolution No. 21-63 Accepting Funding from Minnesota Management and Budget (MMB).

Motion carried 4-0.

**Motion by Rosenquist, Second by Fonnest** to authorize the Mayor and City Manager to execute an agreement for Final Design and Right of Way Services for Douglas Drive and Trunk Highway 55 Pedestrian Underpass and Roundabout Project #20-19 in the form approved by the City Attorney with WSB & Associates for an amount not to exceed $512,184.
Motion carried 4-0.

4. Public Hearing
   A. Public Hearing – Ordinance No. 720 Amending the City Code to Better Regulate Pawnshops, Precious Metal Dealers, Consumer Small Loan Lenders and Currency Exchanges

   City Planner Myles Campbell presented the report.

   Mayor Pro Tem Sanberg opened the public hearing.

   Shannon Black, resident, stated she appreciated the work on this topic and she would like to see this issue go further and consider caps for these businesses.

   Mayor Pro Tem Sanberg closed the public hearing.

   Motion by Fonnest, Second by Rosenquist to adopt Ordinance No. 720, amending the text of Section 113-1: Definitions and Section 113-92: Commercial Zoning District, in order to better regulate pawnshops, precious metal dealers, consumer small loan lenders and currency exchanges.

   Motion carried 4-0 with unanimous approval. (In Favor: Fonnest, M. Harris, Rosenquist, Sanberg. Opposed: N/A)

B. Public Hearings on Residential Street Light District Spring Valley Road

   Assistant City Engineer R.J. Kakach presented the report. He noted that the street light improvement and assessment public hearings for Item #4B would be combined.

   Mayor Pro Tem Sanberg opened the combined public hearing.

   Jackie Day, 1334 Spring Valley Road, had questions regarding the existing relationship between the City and the utility company. She is wondering how this project can proceed.

   Mayor Pro Tem Sanberg closed the public hearing.

   Motion by Rosenquist, Second by M. Harris to close the residential street light improvement and assessment public hearings and take no other action at this time due to recent cost dispute with private utility company.

   Motion carried 4-0 with unanimous approval. (In Favor: Fonnest, M. Harris, Rosenquist, Sanberg. Opposed: N/A)
C. Public Hearing on Residential Overhead Utility Line Burial on Spring Valley Road

Assistant City Engineer R.J. Kakach presented the report. He noted that the overhead utility line burial and assessment public hearings for Item #4C would be combined.

Mayor Pro Tem Sanberg opened the combined public hearing. As there were no comments, the public hearing was closed.

**Motion by Rosenquist, Second by M. Harris** to close the overhead utility line burial improvement and assessment public hearings and take no other action at this time.

*Motion carried 4-0 with unanimous approval.* (In Favor: Fonnest, M. Harris, Rosenquist, Sanberg. Opposed: N/A)

5. Old Business

6. New Business

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

   A. Review of Council Calendar

   B. Mayor and Council Communications

      1. Other Committee/Meeting updates

7. Adjournment

**Motion by Rosenquist, Second by M. Harris** to adjourn the meeting at 7:24 pm.

*Motion carried 5-0.*

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ATTEST: Shepard M. Harris, Mayor

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Theresa J. Schyma, City Clerk
REGULAR MEETING AGENDA

City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public was able to make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
   Mayor Harris called the meeting to order at 6:30 pm.

   A. Pledge of Allegiance

   B. Roll Call
      Present: Mayor Shep Harris, Council Members Maurice Harris, Gillian Rosenquist and Kimberly Sanberg
      Absent: Council Member Larry Fonnest
      Staff present: City Manager Cruikshank, City Attorney Cisneros, City Engineer Oliver, Assistant City Engineer Kakach, Interim Police Chief Nadeau, Police Commander Kuhnly, Physical Development Director Nevinski, and City Clerk Schyma

   C. Presentation of a Certificate of Recognition to Alexandra Wilcox for Winning the Title of 2021 National American Miss Minnesota Jr. Pre-Teen

      Mayor Harris discussed Alexandra Wilcox’s accomplishment of Winning the Title of 2021 National American Miss Minnesota Jr. Pre-Teen and presented her with a certificate of recognition.

      Alexandra performed her speech “Liberty and Justice for ALL” that raises awareness of cultural diversity.

      Mayor Harris will present the certificate of recognition to Alexandra Wilcox.

      Mayor Harris also welcomed Interim Police Chief Scott Nadeau to Golden Valley.

2. Additions and Corrections to Agenda

   Mayor Harris stated that Item #3C3 should be removed from the agenda as there are no appointments taking place at this meeting.

   Motion by M. Harris, Second by Rosenquist to approve the meeting agenda as amended.

   Motion carried 4-0.
3. **Consent Agenda**

Motion by Rosenquist, Second by Sanberg to approve the Consent Agenda as revised: removal of Items #3C2 - Accept Resignation from the Human Services Commission; #3E1 - Approve Resolution No. 21-66 Accepting $10,390 Play Structure Equipment Credit Grant from the GameTime Cares Grant Program for South Tyrol Park; #3E2 - Approve Resolution No. 21-67 Accepting Donation from Kate Richardson, in the name of John Michael “Mike” Richardson; and #3E3 - Approve Resolution No. 21-68 Accepting Donation from Ronald and Mary Werft in the name of retired firefighter Bernie Vrona.

Motion carried 4-0.

A. Approval of Minutes
   1. Special City Council Meeting (Interviews) – August 17, 2021
   2. Special City Council Closed Executive Session – August 17, 2021

B. Approval of City Check Register

C. Boards, Commissions, and Task Forces:
   2. Accept Resignation from the Human Services Commission
   3. Board/Commission Appointments

D. Bids, Quotes, and Contracts:
   1. Authorize Agreement for Vertical Leveling (Survey Benchmarks) with Bolton & Menk, Project #21-26
   2. Approve Purchase of a Trash Compactor from ABM Equipment & Supply
   3. 2023 Pavement Management Program
      a. Authorize Preparation of Feasibility Report, Resolution No. 21-64
      b. Authorize Professional Services Agreement with Short Elliot Hendrickson, Inc.
   4. Approve Resolution No. 21-65 Relating to the Financing of City’s 2023 Pavement Management Program
   5. Authorize Agreement for Professional Services for the Design and Coordination of Quite Zone Medians on Douglas Drive at the Canadian Pacific Railroad Crossing with WSB Engineering

E. Grants and Donations:
   1. Approve Resolution No. 21-66 Accepting $10,390 Play Structure Equipment Credit Grant from the GameTime Cares Grant Program for South Tyrol Park
   2. Approve Resolution No. 21-67 Accepting Donation from Kate Richardson, in the name of John Michael “Mike” Richardson
   3. Approve Resolution No. 21-68 Accepting Donation from Ronald and Mary Werft in the name of retired firefighter Bernie Vrona

F. Adopt Resolution No. 21-69 to Order Feasibility Study for Streetlight District for Regent Avenue North and Minnaqua Drive
3. **Items Removed From the Consent Agenda:**

3C2. **Accept Resignation from the Human Services Commission**

Council Member Harris thanked Jacob Rudeen for his time and contributions to the Human Services Commission.

**Motion by M. Harris, Second by Rosenquist** to accept the resignation of Jacob Rudeen from the Human Services Commission.

Motion carried 4-0.

3E1. **Approve Resolution No. 21-66 Accepting $10,390 Play Structure Equipment Credit Grant from the GameTime Cares Grant Program for South Tyrol Park**

Council Member Sanberg discussed the grant for South Tyrol Park.

Mayor Harris stated he would be recusing himself from the discussion and vote due to a potential conflict of interest.

**Motion by Sanberg, Second by M. Harris** to Approve Resolution No. 21-66 Accepting $10,390 Play Structure Equipment Credit Grant from the GameTime Cares Grant Program for South Tyrol Park.

Motion carried 3-0.

3E2. **Approve Resolution No. 21-67 Accepting Donation from Kate Richardson, in the name of John Michael “Mike” Richardson**

Council Member Rosenquist stated her appreciation for the donation.

**Motion by Rosenquist, Second by M. Harris** to Approve Resolution No. 21-67 Accepting Donation from Kate Richardson, in the name of John Michael “Mike” Richardson.

Motion carried 4-0.

3E3. **Approve Resolution No. 21-68 Accepting Donation from Ronald and Mary Werft in the name of retired firefighter Bernie Vrona**

Council Member Rosenquist stated her appreciation for the donation.
Motion by Rosenquist, Second by Sanberg to Approve Resolution No. 21-68 Accepting Donation from Ronald and Mary Werft in the name of retired firefighter Bernie Vrona.

Motion carried 4-0.

4. Public Hearing

   City Planner Myles Campbell presented the report.

   Mayor Harris opened the public hearing.

   Eric Boe, 1023 Quebec Avenue North, discussed the significant elevation changes in the current plan. He further stated he is concerned about pedestrian safety.

   Lisa Boe, 1023 Quebec Avenue North, stated she wishes that the project would meet setbacks and that the City is not getting much in return.

   Chris Laudman, 7440 Plymouth Avenue, agrees with his neighbors that have spoken already regarding safety issues. He believes this is a good project for the Country Club but not necessarily for the neighborhood.

   LJ Rotman, 219 Ardmore Drive and member of the Golden Valley Country Club, stated his support for this project and what it will bring to the City of Golden Valley.

   Mike Waldo, CEO of Ron Clark Construction, discussed the proposed development concept to develop a new single-family Villa neighborhood in Golden Valley in conjunction with the Golden Valley Country Club.

   Tonya Laudman, 7440 Plymouth Avenue, stated she has concerns with this project and that it is more developer-friendly than neighborhood-friendly. She believes this development will cause disruption and safety issues in the neighborhood.

   Brooke Behn, 1300 Kelly Drive, stated she agrees with the safety concerns and comments that were voiced earlier by the Laudman’s and Boe’s.

   Mayor Harris closed the public hearing.

   Staff provided the Council with three options for recommended action. The Council consensus was to bring Option #3 to a vote.
Motion by Rosenquist, Second by Sanberg to approve the Preliminary Plan for Golden Valley Country Club Villas PUD No. 126, based on the findings above, staff recommends the approval be subject to the following conditions:

1. Final PUD Plans shall include details on the location, design, and other relevant features of the public amenities being provided, including the public art, pedestrian & bicycle facilities, and electric vehicle charging stations.
   a. Details on the final design or content of the public art may be waived until such time as the nearby community has been consulted.
2. Final PUD Plans shall be updated to provide individual lot coverage calculations in order to determine the degree of flexibility being provided from R-1 district requirements.
3. Final PUD Plans shall provide details on the maximum height of the proposed structures to determine any flexibilities from the City’s Building Envelope requirements.
4. The required park dedication fee shall be paid prior to the release of the final plat.
5. Landscaping must include native vegetation and low maintenance turf alternatives to sod wherever possible, and especially in common areas, on slopes, and in low-use areas. Sod should be avoided within the 50 foot shoreland setback areas and shall not be permitted in any areas covered by conservation easement.
6. Applicant shall provide a copy of the engineered irrigation plan mentioned in their application with the Final PUD Plan.
7. The stub of the public road serving lots 6&7 should be removed and converted to private access of some form for these lots.
8. Overhead power adjacent to and within development must be buried as well as all utilities serving the site; joint trench is preferred to maximize efficient use of right-of-way.
9. Sanitary sewer main in Pennsylvania Avenue must be lined for I&I compliance and any existing sanitary sewer stubs to the site must be abandoned.
10. Final PUD Plans must identify and show all existing and proposed steep slope and bluff areas within the shoreland area and establish a minimum setback from such areas to the proposed homes, or otherwise provide an alternative plan to mitigate impacts.
11. Areas of the PUD within 300’ of Bassett Creek must provide a minimum 50% open space.
12. Dedicate conservation easements over shoreland setback areas, steeper slopes, and higher quality natural and ecological areas within and adjacent to the development site.
13. Applicant shall submit HOA documents and all other private easements, covenants, dedications and restrictions for the development prior to approval of the Final PUD Plan.
14. Applicant shall provide plans or other materials to demonstrate the purpose of Outlot B within the PUD beyond unused open space, such as reforestation, utility service, or public use, prior to submittal of the Final PUD Plan.
Motion carried 3-1. (In Favor: S. Harris, Rosenquist, Sanberg. Opposed: M. Harris)

5. Old Business

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

A. Review of Council Calendar
   Mayor Harris reviewed upcoming city meetings, events, and holiday closures.

B. Mayor and Council Communications
   1. Other Committee/Meeting updates

7. Adjournment

Motion by Rosenquist, Second by Sanberg to adjourn the meeting at 9:44 pm.

Motion carried 4-0.

________________________________
Shepard M. Harris, Mayor

ATTEST:

________________________________
Theresa J. Schyma, City Clerk
REGULAR MEETING AGENDA
City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
Mayor Harris called the meeting to order at 6:30 pm.

A. Pledge of Allegiance

B. 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, Finance Director Virnig, Physical Development Director Nevinski, Housing and Economic Development Manager Shoquist, Assistant City Manager/Human Resources Director Santelices, City Planner Zimmerman, Assistant City Engineer Kakach, Environmental Resources Supervisor Eckman, and City Clerk Schyma

2. Additions and Corrections to Agenda

Motion by Rosenquist, Second by M. Harris to approve the meeting agenda as submitted.

Motion carried 5-0.

3. Consent Agenda

Motion by M. Harris, Second by Sanberg to approve the Consent Agenda as revised: removal of Items #3D2 - Approve Agreements for DeCola Ponds SEA School-Wildwood Park Flood Storage Project; #3D3 - Approve Agreements for Medley Park Stormwater Improvement Project; #3D5 - Approve Executive Search Consultant Contract with AB Strategic Security Group; #3E1 - Approve Resolution No. 21-70 Accepting the Federal Grant Funds from the American Rescue Plan Act (ARPA) the American Rescue Plan Act; and #3F - Approve Resolution No. 21-71 Appointing Election Judges and Establishing an Absentee Ballot Board for the General Election on Tuesday, November 2, 2021.

Motion carried 5-0.
A. Approval of Minutes
   1. Special City Council Meeting (Interviews) – September 9, 2021
   2. Special City Council Meeting (Interviews) – September 14, 2021
B. Approval of City Check Register
C. Boards, Commissions, and Task Forces:
   1. Appointment to the Planning Commission – Sophia Ginis
D. Bids, Quotes, and Contracts:
   1. Authorize City Manager to Sign License Agreement Amendment with Golden Valley Orchestra
   2. Approve Agreements for DeCola Ponds SEA School-Wildwood Park Flood Storage Project:
      a. Grant Amendment with the Department of Natural Resources
      b. Cooperative Agreement with Bassett Creek Watershed Management Commission
      c. Professional Services Agreement with Barr Engineering Co for Final Design and Construction Services for the Project in an Amount Not to Exceed $415,900
   3. Approve Agreements for Medley Park Stormwater Improvement Project:
      a. Cooperative Agreement with Bassett Creek Watershed Management Commission
      b. Professional Services Agreement with Barr Engineering Co for Final Design and Construction Services for the Project in an Amount Not to Exceed $353,000
   4. Approve the Hennepin County Public Safety Radio Communications System Subscriber Agreement for the Police Department, Fire Department and Public Works Departments
   5. Approve Executive Search Consultant Contract with AB Strategic Security Group
   6. Approve Updated Memorandum of Understanding with the Robbinsdale School District Regarding Pilot Program for School and Public Safety Partnership
E. Grants and Donations:
   1. Approve Resolution No. 21-70 Accepting the Federal Grant Funds from the American Rescue Plan Act (ARPA) the American Rescue Plan Act
F. Approve Resolution No. 21-71 Appointing Election Judges and Establishing an Absentee Ballot Board for the General Election on Tuesday, November 2, 2021
G. Approve Scheduling the Truth-in-Taxation (Proposed Property Tax) public hearing for Tuesday, December 7, 2021 at 6:30 pm

3. Items Removed From the Consent Agenda:
   3D2. Approve Agreements for DeCola Ponds SEA School-Wildwood Park Flood Storage Project:
      a. Grant Amendment with the Department of Natural Resources
      b. Cooperative Agreement with Bassett Creek Watershed Management Commission
c. **Professional Services Agreement with Barr Engineering Co for Final Design and Construction Services for the Project in an Amount Not to Exceed $415,900**

Environmental Resources Supervisor Eckman presented the report.

The Council voted on the following motions at once.

**Motion by Fonnest, Second by Rosenquist to:**
- approve the Grant Amendment in the form approved by the City Attorney with the Department of Natural Resources for the DeCola Ponds SEA School-Wildwood Park Flood Storage Project
- approve the Cooperative Agreement in the form approved by the City Attorney with Bassett Creek Watershed Management Commission for DeCola Ponds SEA School-Wildwood Park Flood Storage Project
- approve the Professional Services Agreement in the form approved by the City Attorney with Barr Engineering Co for the DeCola Ponds SEA School-Wildwood Park Flood Storage Project Final Design in an amount not to exceed $415,900.

**Motion carried 5-0.**

3D3. **Approve Agreements for Medley Park Stormwater Improvement Project:**
   a. **Cooperative Agreement with Bassett Creek Watershed Management Commission**
   b. **Professional Services Agreement with Barr Engineering Co for Final Design and Construction Services for the Project in an Amount Not to Exceed $353,000**

Environmental Resources Supervisor Eckman presented the report.

The Council voted on the following motions at once.

**Motion by Fonnest, Second by Sanberg to:**
- approve the Cooperative Agreement in the form approved by the City Attorney with Bassett Creek Watershed Management Commission for Medley Park Stormwater Improvement Project
- approve the Professional Services Agreement in the form approved by the City Attorney with Barr Engineering Co for the Medley Park Stormwater Improvement Project Final Design in an amount not to exceed $353,000

**Motion carried 5-0.**

3D5. **Approve Executive Search Consultant Contract with AB Strategic Security Group**
Assistant City Manager/Human Resources Director Santelices presented the report. She also introduced Juan Carlos Wittke and Jesus Campa of AB Strategic Security Group who discussed the process.

**Motion by Fonnest, Second by M. Harris** to approve contract with AB Strategic Security Group. **Motion carried 5-0.**

**3E1. Approve Resolution No. 21-70 Accepting the Federal Grant Funds from the American Rescue Plan Act (ARPA) the American Rescue Plan Act**

Finance Director Virnig presented the report.

**Motion by Fonnest, Second by M. Harris** to Approve Resolution No. 21-70 Accepting the Federal Grant Funds from the American Rescue Plan Act (ARPA) the American Rescue Plan Act.

**Motion carried 5-0 with unanimous approval.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

**3F. Approve Resolution No. 21-71 Appointing Election Judges and Establishing an Absentee Ballot Board for the General Election on Tuesday, November 2, 2021**

City Clerk Schyma presented an update on the 2021 Municipal Election.

**Motion by M. Harris, Second by Rosenquist** to adopt Resolution No. 21-71 approving the appointment of Election Judges and establishment of an Absentee Ballot Board for the General Election to be held on November 2, 2021.

**Motion carried 5-0 with unanimous approval.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

4. **Public Hearing**

A. **Public Hearing – Preliminary Plat – 8810 10th Avenue North, 915 and 1021 Boone Avenue North, Academy of Whole Learning**

   Mayor Harris noted that he had previously recused himself on a vote regarding the Academy of Whole Learning; however, he stated that he no longer has a conflict of interest regarding this item and will be able to discuss and vote on the item this evening.

   Planning Manager Jason Zimmerman will present report.

   Mayor Harris opened the public hearing. As no comments were received, the public hearing was closed.
Motion by M. Harris, Second by Sanberg to approve the Preliminary Plat for 8810 10th Avenue North, and 915 and 1021 Boone Avenue North, subject to the following conditions:

1. The applicant shall provide a fire hydrant in the northeast portion of the site, in accordance with the Fire Department’s needs.
2. The applicant shall dedicate all drainage and utility easements deemed necessary by Engineering staff and in accordance with final site grading plans. Such dedications shall be in place prior to approval of the final plat.
3. The City Attorney will determine if a title review is necessary prior to approval of the final plat.

Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

B. Public Hearings on Residential Street Light District for Regent Avenue North and Minnaqua Drive and Consideration of Adopting Resolution No. 21-72 Accepting the Feasibility Report and Ordering Construction of Certain Proposed Public Improvements and Resolution No. 21-75 Adopting and Confirming Assessments for Regent Avenue North and Minnaqua Drive Street Light Improvement

1. Project Hearing
2. Assessment Hearing

Assistant City Engineer R.J. Kakach presented the report. He noted that the public hearings for Items #4B1 and #4B2 would be combined.

Mayor Harris opened the public hearing.

Keith Kloubec, 2224 Regent Avenue, stated that he is the person who initiated and circulated the petition. He spoke in support of the project.

Mayor Harris closed the public hearing.

Motion by Fonnest, Second by Rosenquist to adopt Resolution No. 21-72 accepting the Feasibility Report and Order Construction of Certain Proposed Public Improvements for Residential Street Light District on Regent Avenue North and Minnaqua Drive.

Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

Motion by Sanberg, Second by M. Harris to adopt Resolution No. 21-75 Adopting and Confirming Assessments for Regent Avenue North and Minnaqua Street Light Improvement Project
Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

5. Old Business

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

A. Adopting Proposed 2022-2023 Budget and Proposed Tax Levies Payable in 2022 and Consenting to the Preliminary 2022 Housing and Redevelopment Proposed Levy, Resolution Nos. 21-73 and 21-74

Finance Director Sue Virnig presented the report.

Motion by M. Harris, Second by Fonnest to adopt Resolution No. 21-73 for Proposed 2022-2023 Budget and Proposed Tax Levies Payable in 2022.

Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

Motion by M. Harris, Second by Sanberg to adopt Resolution No. 21-74 Consenting to the Preliminary 2022 Housing and Redevelopment Proposed Levy

Motion carried 5-0 with unanimous approval. (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

B. Review of Council Calendar

Mayor Harris reviewed upcoming city meetings, events, and holiday closures.

C. Mayor and Council Communications
1. Other Committee/Meeting updates

7. Adjournment

Motion by M. Harris, Second by Sanberg to adjourn the meeting at 9:35 pm.

Motion carried 5-0.

ATTEST: Shepard M. Harris, Mayor

Theresa J. Schyma, City Clerk
REGULAR MEETING AGENDA

City Council meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during public comment sections, including the public forum beginning at 6:20 pm.

1. Call to Order
Mayor Harris called the meeting to order at 6:33 pm.

A. Pledge of Allegiance

B. 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, Finance Director Virnig, Physical Development Director Nevinski, City Engineer Oliver, and City Clerk Schyma

2. Additions and Corrections to Agenda

Motion by Rosenquist, Second by Sanberg to approve the meeting agenda as submitted.

Motion carried 5-0.

3. Consent Agenda

Motion by Rosenquist, Second by M. Harris to approve the Consent Agenda as revised: removal of Items #3D2 - Accept Resignation from the Board of Zoning Appeals and #3F1 - Approve Resolution No. 21-77 Supporting the City’s 2022 Legislative Bonding Request to Acquire Land and Prepare Plans and Specifications for a Remote Fire Station.

Motion carried 5-0.

A. Approval of Minutes
   1. Special City Council Meeting (Interviews) – September 21, 2021
B. Approval of City Check Register
C. Licenses:
   1. Gambling License Exemption and Waiver of Notice Requirement – Chester Bird American Legion Post 523
D. Boards, Commissions, and Task Forces:
1. Receive and File Meeting Minutes – Environmental Commission – August 23, 2021
2. Accept Resignation from the Board of Zoning Appeals

E. Bids, Quotes, and Contracts:
   1. Zane Avenue and Lindsay Street Reconstruction City Project #23-02
      a. Approve Resolution No. 21-76 Ordering Preparation of Feasibility Report
      b. Authorize the Execution of a Professional Services Agreement with Short Elliott Hendrickson, Incorporated for Services Associated with the Preparation of the Feasibility Report and Project Design, for an Amount Not to Exceed $380,400

F. Grants and Donations:
   1. Approve Resolution No. 21-77 Supporting the City’s 2022 Legislative Bonding Request to Acquire Land and Prepare Plans and Specifications for a Remote Fire Station

3. Items Removed From the Consent Agenda:
   3D2. Accept Resignation from the Board of Zoning Appeals

   Council Member Fonnest congratulated Sophia Ginis on her appointment to the Planning Commission and thanked her for her service on the Board of Zoning Appeals.

   **Motion by Fonnest, Second by Sanberg** to accept the resignation of Sophia Ginis from the Planning Commission.

   **Motion carried 5-0.**

   3F1. Approve Resolution No. 21-77 Supporting the City’s 2022 Legislative Bonding Request to Acquire Land and Prepare Plans and Specifications for a Remote Fire Station

   Physical Development Director Nevinski discussed the process and work of the Facilities Study Task Force.

   The Council thanked staff and the Facilities Study Task Force for their hard work.

   **Motion by Rosenquist, Second by M. Harris** adopt Resolution No. 21-77 supporting the City’s 2022 legislative bonding request to acquire land and prepare plans and specifications for a remote fire station.

   **Motion carried 5-0 with unanimous approval.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

4. Public Hearing
   A. Special Assessments – 2021 Delinquent Utility Bills, Resolution No. 21-78
Finance Director Sue Virnig presented the report.

Mayor Harris opened the public hearing. As there were no comments, the public hearing was closed.

**Motion by Sanberg, Second by M. Harris** to Approve Resolution No. 21-78 Adopting and Confirming Assessments for 2021 Delinquent Utility Billing

**Motion carried 5-0 with unanimous approval.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

### B. Special Assessments – 2021 Miscellaneous Charges, Resolution No. 21-79

Finance Director Sue Virnig presented the report.

Mayor Harris opened the public hearing. As there were no comments, the public hearing was closed.

**Motion by Sanberg, Second by M. Harris** to Approve Resolution No. 21-79 Adopting and Confirming Assessments for Delinquent 2021 Miscellaneous Charges

**Motion carried 5-0 with unanimous approval.** (In Favor: Fonnest, M. Harris, S. Harris, Rosenquist, Sanberg. Opposed: N/A)

### 5. Old Business

### 6. New Business

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

#### A. Review of Council Calendar

Mayor Harris reviewed upcoming city meetings, events, and holiday closures.

#### B. Mayor and Council Communications

1. Other Committee/Meeting updates

### 7. Adjournment

**Motion by M. Harris, Second by Rosenquist** to adjourn the meeting at 7:10 pm.
Motion carried 5-0.

ATTEST:

_________________________________
Shepard M. Harris, Mayor

_______________________________
Theresa J. Schyma, City Clerk
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:

The check register for approval:
- 01-07-22 Check Register
Golden Valley City Council Meeting  
January 18, 2022

Agenda Item

Prepared By  
Theresa Schyma, City Clerk

Summary  
The Northwest Suburban Chapter of Pheasants Forever has applied for a Gambling License Exemption to conduct gambling (raffle) at an event at the Golden Valley Country Club, 7001 Golden Valley Road, on January 29, 2022.

As per State Statute organizations that conduct gambling within the City limits have to submit an application for a lawful gambling permit to the State after the permit has been approved or denied by the City. Depending upon the timing of the permit the applicants may request the City to waive the 30-day waiting period.

Financial Or Budget Considerations  
Not applicable

Recommended Action  
Motion to receive and file the gambling license exemption and approve the waiver of notice requirement for the Northwest Suburban Chapter of Pheasants Forever for their raffle event at the Golden Valley Country Club on January 29, 2022.

Supporting Documents  
N/A
Golden Valley City Council Meeting  
January 18, 2022

**Agenda Item**  
3. C. 2. Gambling License Exemption and Waiver of Notice Requirement – Good Shepherd School

**Prepared By**  
Theresa Schyma, City Clerk

**Summary**  
The Good Shepherd School, 145 Jersey Avenue South, has applied for a Gambling License Exemption to conduct gambling (raffle) at their annual gala event at the Golden Valley Country Club, 7001 Golden Valley Road, on March 12, 2022.

As per State Statute organizations that conduct gambling within the City limits have to submit an application for a lawful gambling permit to the State after the permit has been approved or denied by the City. Depending upon the timing of the permit the applicants may request the City to waive the 30-day waiting period.

**Financial Or Budget Considerations**  
Not applicable

**Recommended Action**  
Motion to receive and file the gambling license exemption and approve the waiver of notice requirement for the Good Shepherd School, 145 Jersey Avenue South, for a raffle at their annual gala event at the Golden Valley Country Club on March 12, 2022.

**Supporting Documents**  
N/A
Agenda Item
3. C. 3. Temporary On-Sale Liquor License – The Loppet Foundation

Prepared By
Theresa Schyma, City Clerk

Summary
The Loppet Foundation has applied for a temporary on-sale liquor license for their event, City of Lakes Loppet Ski Festival, located at 1221 Theodore Wirth Parkway on Friday, February 5 and Saturday, February 6.

Golden Valley City Code does allow temporary on-sale liquor licenses to be issued to a club or charitable, religious, or other nonprofit organization with Council approval. A certificate of liability insurance naming the City as an additional insured is also required and has been provided by the applicant.

Financial Or Budget Considerations
Fees received for temporary liquor licenses help to defray costs the City incurs to administer license requirements.

Recommended Action
Motion to approve a temporary on-sale liquor license for The Loppet Foundation, 1221 Theodore Wirth Parkway, for their City of Lakes Loppet Ski Festival event on Friday, February 5 and Saturday, February 6.
Agenda Item
3. D. 1. Award Bid and Approve Agreement for Irrigation System at Brookview Golf Course

Prepared By
Mike Ward, Golf Maintenance Supervisor
Rick Birno, Parks & Recreation Director

Summary
The Brookview Golf Course irrigation system is 37 years old and has reached its useful life cycle. The irrigation system is scheduled for replacement in 2022. The irrigation system provides regular watering from two wells located on the golf course. Amenities included in the irrigation replacement are the 18 hole regulation course, Par 3 nine hole course, all golf course rough areas, landscape areas around Brookview and the driving range.

Staff solicited bids for additional irrigation equipment and the installation of the irrigation system. The project was advertised on December 2, 2021 with sealed bids due on December 13, 2021. The bids received are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Midwest Irrigation, LLC</td>
<td>$1,754,800</td>
</tr>
<tr>
<td>Landscapes Unlimited, LLC</td>
<td>$1,579,000</td>
</tr>
</tbody>
</table>

Staff is recommending the approval of Landscapes Unlimited, LLC for the additional irrigation equipment and the installation of the irrigation system for a total bid of $1,579,000.00.

Financial Or Budget Considerations
The 2022 Golf Course Capital Improvement Program (CIP) includes an inter-fund loan for the irrigation equipment and installation. The 2022 Golf Course Capital Improvement Program (CIP) includes $1,579,000.00 for the purchase of additional irrigation equipment and the installation of the replacement system.
Recommended Action

- Motion to authorize the Mayor and City Manager to execute an equipment and installation agreement with Landscapes Unlimited, LLC in the form approved by the City Attorney for the 2022 replacement irrigation project at Brookview Golf Course in the amount of $1,579,000.

Supporting Documents

- Agreement with Landscapes Unlimited, LLC for additional irrigation equipment and installation of the replacement system (3 pages)
- Landscapes Unlimited, LLC Proposal (25 pages)
THIS AGREEMENT (this “Agreement”), entered into the 18th day of January, 2022 between the City of Golden Valley (the “City”), a municipal corporation, existing under the laws of the State of Minnesota, and Landscapes Unlimited a Nebraska limited liability company (“Contractor”).

ARTICLE 1. The Contract Documents. The Contract Documents consist of: this Agreement, the Proposal and Bid of the Contractor, the Contractor’s Bonds, the General Conditions, Special Conditions and any supplementary conditions, drawings, plans, Specifications, addenda issued prior to execution of this Agreement, other documents listed herein or in any of the foregoing documents, and Modifications of the same issued after execution of this Agreement (collectively the “Contract” or “Contract Documents”). A Modification is (1) a written amendment to the Contract signed by both parties, (2) a Change Order, (3) a Construction Change Directive, or (4) a written order for a minor change in the Work issued by the Engineer.

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:

1. Modifications to the Contract
2. This Agreement
3. Special Conditions
4. General Conditions

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.

ARTICLE 2. The Work. Contractor, for good and valuable consideration the sufficiency of which is hereby acknowledged, covenants and agrees to furnish all materials, all necessary tools and equipment, and to do and perform all work and labor necessary for the Automatic Irrigation Improvement Project (the “Project”) according to the Plans and Specifications and all of the Contract Documents.

Contractor shall commence and conclude the Work in accordance with the Contract Documents. Time is of the essence in this Agreement. Accordingly, Contractor shall complete the Work in accordance with the time schedule for commencement and completion of the Work set forth in the Contract Documents. Contractor shall complete the Work in every respect to the satisfaction and approval of the City.
ARTICLE 3. Contract Price. The City shall pay the Contractor the Contract Price in current funds for the Contractor’s performance of the Contract. The Contract Price shall be $1,579,000 subject to additions and deductions as provided in the Contract Documents.

Installment payments, if any, on account of the Work shall be made in accordance with the provisions of the General Conditions. Final payment shall be due and payable on or before thirty (30) days after issuance of a Certificate of Final Completion issued by the City confirming that the Work has been fully completed and Contractor’s obligations fully performed by Contractor.

ARTICLE 4. Contractor’s Bonds. Contractor shall make, execute and deliver to the City corporate surety bonds in a form approved by the City, in the sum of $1,579,000 for the use of the City and of all persons furnishing labor, skill, tools, machinery or materials to the Project. Said bonds shall secure the faithful performance and payment of the Contract by the Contractor and shall be conditioned as required by law. This Agreement shall not become effective unless and until said bonds have been received and approved by the City.

ARTICLE 5. Acceptance of the Work. The City, through its authorized agents, shall be the sole and final judge of the fitness of the Work and its acceptability.

ARTICLE 6. Records. Contractor shall keep as complete, exact and accurate an account of the labor and materials used in the execution of the Work as is possible, and shall submit and make this information available as maybe requested by the City.

ARTICLE 7. Payment. All payments to Contractor shall be made payable to the order of Landscapes Unlimited, and the City does not assume and shall not have any responsibility for the allocation of payments or obligations of the Contractor to third parties.

ARTICLE 8. Cancellation Prior to Execution. The City reserves the right, without liability, to cancel the award of the Contract at any time before the execution of the Contract by all parties.

ARTICLE 9. Termination. The City may by written notice terminate the Contract, or any portion thereof, when (1) it is deemed in the best public, state or national interest todo so; (2) the City is unable to adequately fund payment for the Contract because of changes in state fiscal policy, regulations or law; or (3) after finding that, for reasons beyond Contractor’s control,
Contractor is prevented from proceeding with or completing the Work within a reasonable time.

In the event that any Work is terminated under the provisions hereof, all completed items or units of Work will be paid for at Contract Bid Prices. Payment for partially completed items or units of Work will be made in accordance with the Contract Documents.

Termination of the Contract or any portion thereof shall not relieve Contractor of responsibility for the completed Work, nor shall it relieve Contractor’s Sureties of their obligations for and concerning any just claims arising out of the Work.

IN WITNESS WHEREOF, both parties hereto have caused this Contract to be signed on their respective behalves by their duly authorized offices and their corporate seals to be hereunto affixed the day and year first above written.

THE CITY OF GOLDEN VALLEY, MINNESOTA

BY

Shepard M. Harris, Mayor

BY

Timothy J. Cruikshank, City Manager

CONTRACTOR:

BY

ITS
Brookview Golf Course
Irrigation System Replacement
Proposal & Qualifications

Landscapes Unlimited has been in business since 1976 and has completed over 2,100 construction and renovation projects across the United States and worldwide. We tailor our services to meet the unique needs of each client, pride ourselves in exceptional quality and believe in building long term relationships with our clients and design professionals.

“Thank you for considering partnering with Landscapes Unlimited for your project. We’re anxious to put our experience, commitment to quality, and UNLIMITED Capabilities to work for you.”

- Bill Kubly, Chairman & CEO

what | we do

Golf | Construction, Renovation and Restoration
Sports & Recreation | Athletic Fields and Facilities, Parks, Trails and Amenities
Irrigation & Infrastructure | Drainage, Irrigation, Underground and Reclamation
Golf Management | Full Management and LU Select

Contact:
Roy Wilson, President, Irrigation
1201 Aries Drive
Lincoln, NE 68512
Office: 402.423.6653
roy@landscapesunlimited.com

www.landscapesunlimited.com
December 13, 2021

Mr. Mike Ward
Golf Course Superintendent
Brookview Golf Course
316 Brookview Parkway South
Golden Valley, MN 55426

Dear Mr. Ward:

We want to thank you for considering Landscapes Unlimited as a potential candidate for the irrigation installation work at the Brookview Golf Course. It is our hope that our 45 years in the industry and quality reputation reflect our competence, willingness and commitment to provide you with the long-term quality installation you expect and deserve.

At Landscapes Unlimited, our goal is to be the best at what we do and to provide you with the highest quality installation. Your priority of getting the job done right the first time is our priority as well and everybody wins with a successful installation.

With more than 45 years of experience, Landscapes Unlimited is:
- A firm that is trusted and respected because of our proven integrity in the industry.
- A firm voted “Contractor of the Year” numerous times for our quality construction and irrigation installations on new and existing courses.
- A firm with great people, who are valued and rewarded for their high standards in quality, productivity, loyalty, and commitment to being the best.
- A firm with a reputation of doing whatever it takes to get the job done in a timely manner with the utmost professionalism.
- A firm that has worked extensively throughout the United States and around the world, in all types of soil and climatic conditions, installing systems of all types on new and existing golf courses.
- A firm with outstanding financial strength, especially important in these times, that provides for quality resources in its employees and equipment.
- A firm that can address unknown or unforeseen challenges that may surface during the course of the job and come up with solutions based on the customer’s best interest.
- A firm that understands that this is a team approach, and that communication and coordination with the golf course staff, irrigation designer and vendor are imperative so that everyone’s expectations are known and met.
Long after the project is complete, we want to be able to look back and be proud of the final product. We also want you and the golfers to look back and be pleased that you chose us as your contractor.

After reviewing the irrigation bid information and consulting with your team, feel free to contact me if you have any further questions or desire additional information. We look forward to the potential opportunity to partner with you and Mr. Christiansen on this very special project and wish you well as you work through this process.

Kind regards,

Roy Wilson
President
Irrigation Group
Landscapes Unlimited, LLC
Roy@LandscapesUnlimited.com
WWW.Landscapesunlimited.com
4. Contractor's Excess:
   (Umbrella) Liability $5,000,000 Each Occurrence
5. Worker's Compensation:
   State Statutory
   Applicable Federal (e.g., Longshoremen's) Statutory
   Employer's Liability $ 100,000 Each Accident

D. Approval of the insurance by the Owner shall not relieve or decrease the liability of
the Contractor hereunder. It is to be understood that the Owner and the Irrigation
Consultant do not in any way represent that the insurance or the limits of insurance
specified in these articles are sufficient or adequate to protect the Contractor's
interests or liabilities, but are merely sample potential minimums.

1.7 BROOKVIEW GOLF COURSE BID FORM – (pages 8-14 to be submitted as bid)

Name of Bidder Landscares Unlimited, LLC
Address of Bidder 1201 Aries Drive
                       Lincoln, NE 68512

Mandatory Virtual Pre-bid Only: By City – December 6, 2021 @ 11:00am

Questions from contractors no later than 12:00 PM central time December 9, 2021 via email
to EC Design Group, Ltd.

BID OPENING: By City at 10:00 AM December 13, 2021.

INSTALLATION DATES: Irrigation installation work shall commence after the notification to
proceed by the City on or before April 4, 2022 with installation 100% complete as determined
between City and contractor no later than August 12, 2022. Weather days shall be granted
if working conditions caused by weather and/or acts of nature prohibit the work specified
during the scheduled times. Weather days shall only be added to the schedule if approved
by the Owner and/or the Owner's Representative. No weather days will be allowed for
addition to completion date unless prior approval has been granted.

THE UNDERSIGNED BIDDER declares that he has examined the Drawings, Specifications
and Contract Documents attached hereto, the location of the proposed work to be done, the
conditions affecting the work, and is fully advised as to the extent and character of the work
hazards, labor, transportation and all other factors which apply.

THE UNDERSIGNED FURTHER DECLARES that he has been regularly engaged in irrigation
installation work for at least twelve years and has installed twelve complete irrigation systems
on 18-hole golf courses in the last three years of size and difficulty similar to this project.
Contractor must provide resume of (5) total HDPE system installations (hybrids not allowed)
along with statement of experience.

THE UNDERSIGNED FURTHER DECLARES that he is the only person interested in the said
bid; that it is made without any connection with any person or persons making another bid
for the same contract; that the bid is in all respects fair and without collusion, fraud or
misrepresentation, and,
HEREBY PROPOSE to furnish all materials, tools, plants, equipment and all necessary labor and supervision required to construct, install, and to complete the work as stipulated in, required by, and in accordance with these Contract Documents and all addenda issued by the Owner and attached hereto, and the plans referred to them.

1.8 UNIT PRICES

All Bidders must provide Unit Prices in this section for all items. Include the following unit price and alternate information with bid form under separate section.

The undersigned agrees, if changes to the project are required and approved by Owner in accordance with requirements of the Contract Documents, that the cost of such changes will be determined on the basis of the following Unit Prices taken times the actual quantity of such materials, installed as a result of such change as measured by the Irrigation Consultant. The undersigned further agrees that each Unit Price include the cost of all labor, material, sales tax, overhead, profit, insurance, and all other incidentals required to cover the completion of the work of that Unit Price item in accordance with the Drawings, Specifications and Contract Documents, including excavating, trenching and backfilling unless otherwise indicated, the sum of the unit pricing does not equal the total of the lump sum irrigation bid.

A component of the Lump Sum Bid shall be a (50) large turf head (INF Sprinklers) contingency. This (50) head contingency shall be bid as all components (less sprinklers) necessary to install additional head(s), as the Owner or Owner’s Representative see fit. These head(s) shall include plping, fittings, swing joints, wiring, splice kits, and other incidentals necessary. This contingency does not include additional controller(s). This expense if needed will be borne by the Owner. Following will be a unit price for this contingency. This contingency shall be included in the Lump Sum Bid but the Owner shall reserve the right to divide the (50) contingency unit price by (50) to determine a credit, if any, at the conclusion of the project
**CLIENT TO BUY SPRINKLERS AND SWING JOINTS. **

$15,000.00 (50) PC heads components

A component of the Lump Sum Bid shall be a (25) Q.C.V. contingency. This (25) valve contingency shall be bid as all components (less valves) necessary to install additional Q.C.V(s), as the Owner or Owner’s Representative see fit. These valve(s) shall include piping, fittings, swing joints, and other incidentals necessary. This expense if needed will be borne by the Owner. Following will be a unit price for this contingency. This contingency shall be included in the Lump Sum Bid but the Owner shall reserve the right to divide the (25) contingency unit price by (25) to determine a credit, if any, at the conclusion of the project
** CLIENT TO BUY QUICK COUPLING VALVES AND SWING JOINTS. **

$3,750.00 (25) Q.C.V components

Mobilization

$25,000.00 site

Specified Watertronics Door Upgrade Kit(s) #RET-STV-HP-63KIT

Qty. (2) – complete w/5 year cellular Watervision Cloud $25,000.00 per each

Irrigation Contractor to include EC Design Group, Ltd for Construction Observation & Inspection(s) as part of their base bid

$18,500.00 lump sum base bid

Irrigation Contractor to include EC Design Group, Ltd for GPS/GIS Record Drawings & Central Hydraulic Programming $22,500.00 lump sum base bid

As part of their base bid
Irrigation Contractor to include Grow-In/Quick Start Programming by Wholegood Distributor upon Irrigation Consultant & Superintendent approval prior to Irrigation Consultant final map - As part of their base bid $5,500.00 lump sum base bid

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Price per each</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toro INF34 series full circle gear driven rotor, 1” Body w/1 ¼” swing joint, piping, fittings and all associated equipment (Owner supplied Wholegoods)</td>
<td>$300.00</td>
</tr>
<tr>
<td>Toro INF35 series part circle gear driven rotor, 1” Body w/1 ¾” swing joint, piping, fittings and all associated equipment (Owner supplied Wholegoods)</td>
<td>$300.00</td>
</tr>
<tr>
<td>Toro 1” Quick coupler valve w/swing joint &amp; stabilizer –complete (Owner supplied Wholegoods)</td>
<td>$150.00</td>
</tr>
<tr>
<td>2” (360°) PE Lateral Isolation Valve Assembly (as specified)</td>
<td>$550.00</td>
</tr>
<tr>
<td>3” Clow RW Isolation Valve w/HDPE Extension (as specified)</td>
<td>$705.00</td>
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<tr>
<td>4”</td>
<td>$1,250.00</td>
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<td>6”</td>
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<td>10”</td>
<td>N/A</td>
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<tr>
<td>2” HDPE DR 13.5 4710 Pipe (labor and material)</td>
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<tr>
<td>3” HDPE DR 13.5 4710 Pipe (labor and material)</td>
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<td>4” HDPE DR 13.5 4710 Pipe (labor and material)</td>
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<td>6” HDPE DR 13.5 4710 Pipe (labor and material)</td>
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<td>8” HDPE DR 13.5 4710 Pipe (labor and material)</td>
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<tr>
<td>10” HDPE DR 13.5 4710 Pipe (labor and material)</td>
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<tr>
<td>#12 type Paige Electric PE single conductor wire for underground burial in pipe trench – 24 VAC</td>
<td>$.25</td>
</tr>
<tr>
<td>#14 type Paige Electric PE single conductor wire for underground burial in pipe trench – 24 VAC</td>
<td>$.20</td>
</tr>
<tr>
<td>Paige Electric 10’ ground rod assembly w/grounding gem set</td>
<td>$250.00</td>
</tr>
<tr>
<td>Paige Electric 96” ground plate assembly w/grounding gem set (central/satellite and related components)</td>
<td>$375.00</td>
</tr>
<tr>
<td>Toro T107-SP-XXX RF/Solar Weather Station (as specified with power, grounding and surge)</td>
<td>$13,000.00</td>
</tr>
<tr>
<td>Bermad C30 Air/Vacuum Relief Valve (10) on base bid</td>
<td>$650.00</td>
</tr>
</tbody>
</table>
TORO/HDPE LUMP SUM IRRIGATION BID $1,579,000.00
(COMPLETE AS PROPOSED ON THE PLANS AND IN THESE SPECIFICATIONS*)

*All lump sum bids shall include all applicable taxes, fees and permits and related work at no additional
cost to the Owner.

Rock Clause (where standard vibratory pulling or trenching/backhoe equipment cannot be
utilized for installation)

<table>
<thead>
<tr>
<th>Size</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2&quot;</td>
<td>$15.00 per lin. Ft</td>
</tr>
<tr>
<td>3&quot;</td>
<td>$20.00 per lin. Ft</td>
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<td>4&quot;</td>
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</tr>
<tr>
<td>8&quot;</td>
<td>$35.00 per lin. Ft</td>
</tr>
<tr>
<td>10&quot;</td>
<td>$40.00 per lin. Ft</td>
</tr>
</tbody>
</table>

Note: Contractor to list the standard equipment that will be utilized on their base bid
installation.

CASE 960 (Vibratory Plow Model #)
CASE 960 (Trenching Plow Model #)
JOHN DEERE 310 (Backhoe Model #)

Removal and replacement of all unsuitable (deleterious) material for backfill
(owner supplied replacement material) $100.00 per cu yd
Contractor supplied backfill material $30.00 per cu yd

Bid Alternates:

ALTERNATE ADD/DELETE #1 – Removal of existing irrigation equipment (approximately 750
sprinklers) $20,000.00
Commodity Pricing:

2” HDPE DR 13.5 4710 Pipe (material unit price only) $0.859 per lin. Ft**

3” HDPE DR 13.5 4710 Pipe (material unit price only) $1.862 per lin. Ft**

4” HDPE DR 13.5 4710 Pipe (material unit price only) $3.072 per lin. Ft**

6” HDPE DR 13.5 4710 Pipe (material unit price only) $6.665 per lin. Ft**

8” HDPE DR 13.5 4710 Pipe (material unit price only) $11.287 per lin. Ft**

10” HDPE DR 13.5 4710 Pipe (material unit price only) $17.536 per lin. Ft**

#6 tray cable for Toro 64 Station Satellite power (material unit price) – see plan notes $2.265 per lin. Ft**

#8 tray cable for Toro 64 Station Satellite power (material unit price) – see plan notes $1.658 per lin. Ft**

#10 tray cable for Toro 64 Station Satellite power (material unit price) – see plan notes $1.091 per lin. Ft**

**Commodity pricing shall include all applicable taxes at no additional cost to the Owner. Commodity pricing will be reviewed and re-evaluated by club with winning contractor prior to purchasing material.

Please declare HDPE commodity piping and fittings proposed in base bid:

- [ ] CMF Global – AquaFuse – Complete
- [ ] Ewing - Fusion – Complete
- [ ] ISCO Industries – Complete
STATEMENT OF EXPERIENCE

The Bidder shall list golf irrigation installation projects and references for which he provided services of a similar scope and magnitude to the subject project. The Contractor shall include a minimum of ten projects within the past three (3) years that include irrigation installation utilizing HDPE main line and lateral piping.

<table>
<thead>
<tr>
<th>Project and Location</th>
<th>Contract Amount</th>
<th>Reference and Phone No.</th>
</tr>
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<tbody>
<tr>
<td>1. See attached list</td>
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<td>10.</td>
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</tr>
</tbody>
</table>

Total HDPE System Installation Resume (hybrids not allowed):

1. **Old Warson, St. Louis, MO**
2. **Gulph Mills Golf Club, King of Prussia, PA**
3. **Hillcrest Country Club, Lincoln, NE**
4. **Shady Oaks, Forth Worth, TX**
5. **Los Alamos Golf Course, Los Alamos, NM**
All requests for changes resulting in addenda must be submitted to the Irrigation Consultant no later than 10 days prior to bid due date and acknowledged as follows:

Addenda

The undersigned acknowledges receipt of the following addenda, copies that are attached hereto:

No. 1 12-9-2021 Dated No. N/A Dated

Acceptance

The successful Bidder agrees to enter into a contract in the Form of Contract by Owner. The undersigned hereby designates as his office to which such notice of award may be mailed, faxed, telegraphed or delivered:

[Signature]

Submitted By

Landscapes Unlimited, LLC
Contractor

1201 Aries Drive, Lincoln, NE 68512
Address

12-10-2021
Date

By Roy Wilson
Title Assistant Manager
IRRIGATION BID CLARIFICATIONS
BROOKVIEW GOLF COURSE
DECEMBER 13, 2021

- All pricing for this bid is based upon current commodity pricing in effect as of DECEMBER 13, 2021 and reflected on quotes from the vendor. Any fluctuations in pricing or supply that increase project costs before a contract is signed and before orders are placed will be reimbursed to the Contractor by the Owner on an actual cost-incurred basis. The Owner will be entitled to documentation of such pricing fluctuations upon request. *(Wire and electrical material pricing are good through 12/20/2021. Pipe pricing is good through 12/15/2021.)*

- The bid is based on a sales tax of 6.875% on materials. If this rate changes or if another type of tax or additional tax is required, the Contractor would have to be reimbursed for any additional tax by the Owner.

- The bid does not consider a licensed electrician for any work related to the installation of any of the wiring in the field. Conduit is not included for any of the wiring in the field except at creek crossings.

- The bid does not consider paying prevailing wages, the services of a licensed plumber for any of the work, or the use of union forces.

- Landscapes Unlimited is not responsible for any damage or repair of any existing private or public utilities or infrastructure that cannot be properly located by the Owner or appropriate authorities.

- The irrigation bid does not include any costs for a performance and payment bond.

- The proposal is based on compliance with safety protocols currently mandated by state and local law where the project is located. Any additional safety protocols required by Owner or any changes in the safety protocols required by law may increase project costs, and such additional costs will be reimbursed to Contractor by Owner.
EXHIBIT C
(BIDDER’S QUALIFICATIONS)
EXHIBIT C
BIDDER'S QUALIFICATION FORM

This form shall be completed and included in the proposal response. Bidders not meeting these requirements will have their proposal responses rejected. In submitting this proposal response and upon award of a contract, I hereby certify that (check all that apply):

☒ My company has the required prior project experience: installation of Automatic Irrigation Improvements. With the RFB response, my company has provided a minimum of three (3) similar project references that equal at least 80% of the base proposal cost for this project.
   
   a. References must include contact name, phone number, brief description of project, date of completion, and contract amount. *See attached References list

☒ My company meets all the following minimum qualifications in order to be considered qualified to perform this contract. Failure to meet these minimum requirements shall be grounds for disqualification of the Bidder. My company certifies that it:

☒ My company has provided a list of all subcontractors that they intend to use for the project and a list of past projects the subcontractors have worked with the contractor on in the past.

   a. Subcontractor information must include contact name, phone number, projects that subcontractor has worked with my company in the past on.
   *Subcontractor for boring is to yet to be determined

☒ With this RFB response, my company has provided documentation (references, certifications, company profile...) verifying the criteria listed above. I understand that failure to provide this documentation will constitute rejection of response.

By signing this statement, I certify that the information provided above is accurate.

Name of Company: Landscapes Unlimited, LLC
Authorized Signature: Ray Wilson  Date: 12-10-2021
Title: Assistant Manager

END
<table>
<thead>
<tr>
<th>Job Name</th>
<th>Job Site City</th>
<th>State</th>
<th>Contact Name</th>
<th>Phone Number</th>
<th>Brief Description of Project</th>
<th>Date of Completion</th>
<th>Contract Amount</th>
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</thead>
<tbody>
<tr>
<td>Berkshire Country Club</td>
<td>Reading</td>
<td>PA</td>
<td>Andrew Dooley</td>
<td>610-374-2952</td>
<td>Golf - Renovation</td>
<td>4/15/2017</td>
<td>$1,221,754.71</td>
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<td>Lancaster Country Club</td>
<td>Lancaster</td>
<td>PA</td>
<td>Todd Bidlespacher</td>
<td>717-392-8638</td>
<td>Golf - Renovation</td>
<td>6/2/2017</td>
<td>$3,482,860.40</td>
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<td>Terrace Park Country Club</td>
<td>Milford</td>
<td>OH</td>
<td>Scott LesChander</td>
<td>513-293-0466</td>
<td>Irrigation - Golf</td>
<td>6/4/2021</td>
<td>$1,713,180.00</td>
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<td>Norfolk Country Club</td>
<td>Norfolk</td>
<td>NE</td>
<td>Jeff Kuhn</td>
<td>402-371-3230</td>
<td>Irrigation - Golf</td>
<td>7/2/2021</td>
<td>$1,300,179.25</td>
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<td>Shore Club</td>
<td>Cape May Court House</td>
<td>NJ</td>
<td>Doug Larson</td>
<td>609-338-1993</td>
<td>Irrigation - Golf</td>
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<td>Golf Club at Devil's Tower</td>
<td>Hulett</td>
<td>WY</td>
<td>Todd Coover</td>
<td>307-467-5773</td>
<td>Irrigation - Golf</td>
<td>In-Progress</td>
<td>$1,257,000.00</td>
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<tr>
<td>Riverside Golf Club</td>
<td>Grand Island</td>
<td>NE</td>
<td>Nate Pehrson</td>
<td>308-391-1355</td>
<td>Irrigation - Golf</td>
<td>In-Progress</td>
<td>$1,230,000.00</td>
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<tr>
<td>Country Club of Virginia - Westhampton Course</td>
<td>Richmond</td>
<td>VA</td>
<td>Christian Sain</td>
<td>804-288-2891</td>
<td>Irrigation - Golf</td>
<td>Not Started</td>
<td>$1,834,573.00</td>
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<tr>
<td>Pioneers Golf Course</td>
<td>Lincoln</td>
<td>NE</td>
<td>Casey Crittenden</td>
<td>402-440-5489</td>
<td>Irrigation - Golf</td>
<td>In-Progress</td>
<td>$1,498,440.00</td>
</tr>
</tbody>
</table>
EXHIBIT D
(NON-COLLUSION AFFIDAVIT)
EXHIBIT D
NON-COLLUSION AFFIDAVIT

INSTRUCTIONS: This form shall be completed and included in the proposal response.

I swear (or affirm) under the penalty of perjury:

1. That I am the Responder (if the Responder is an individual), a partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation).

2. That the attached Bid submitted in response to the Request for Bid (Automatic Irrigation Improvement Project) has been arrived at by the Responder independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Responder of materials, supplies, equipment, or services described in the Request for Bid, designed to limit fair and open competition.

3. That the contents of the proposal have not been communicated by the Responder or its employees or agents to any person not an employee or agent of the Responder and will not be communicated to any such persons prior to the official opening of the proposals.

4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Authorized Signature

Name of Company: Landscapes Unlimited, LLC
Print Authorized Name: Roy Wilson
Title: Assistant Manager
Authorized Signature: Roy Wilson Date: 12-10-2021

Notary Public

Subscribed and sworn to before me this:

10th day of December 2021

Notary Public Signature

10/23/2023

Commission Expires (mm/dd/yyyy)
EXHIBIT E
(RESPONSIBLE CONTRACTOR VERIFICATION)
EXHIBIT E

PRIME CONTRACTOR RESPONSE
Responsible Contractor Compliance Verification
Minn. Stat. § 16C.285

Automatic Irrigation Improvement Project
Brookview Golf Course, Golden Valley, Minnesota

The undersigned is an owner or officer of the company named below (the "Company") and signs this statement under oath verifying that at the time it responded to the solicitation document on the above referenced project ("Project"), the Company was in compliance with each of the minimum criteria in Minn. Stat. § 16C.285, subd. 3 (hereinafter "subdivision 3"), with the exception of clause (7).

Any prime contractor or subcontractor or motor carrier that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project.

A false statement under oath verifying compliance with any of the minimum criteria shall render the prime contractor or subcontractor or motor carrier that make the false statement ineligible to be awarded a construction contract on the project and may result in termination of a contract awarded to a prime contractor or subcontractor or motor carrier that submits a false statement.

Prior to execution of the construction contract for the Project, the Prime Contractor will submit to the contracting authority a supplemental verification confirming compliance with Minn. Stat. § 16C.285, subd. 3, clause (7), (see Attachment A-1). If the Prime Contractor retains additional subcontractors with which it will have a direct contractual relationship following contract award, the Prime Contractor will submit any supplemental verification confirming compliance with Minn. Stat. § 16C.285, subd. 3, clause (7) within 14 days after retaining any such additional subcontractors (see Attachment A-2).

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier and motor carriers, pursuant to subdivision 3, clause (7).
By signing this form I certify that I am an owner or officer of the company, and I swear under oath that:

1) My company meets each of the Minimum Criteria to be a responsible contractor as defined and is in compliance with Minn. Stat. § 16C.285,

2) If my company is awarded a contract, I will submit Attachment A prior to contract execution, and

3) If my company is awarded a contract, I will also submit Attachment B as required.

Authorized Signature of Owner or Officer

Roy Wilson
Print Name

Landscapes Unlimited, LLC
Company Name

12-10-2021
Date
LANDSCAPES UNLIMITED

The Nation’s Leading Golf Development Company

Since 1976 Landscapes Unlimited (LU) has transformed the visions and plans of architects, designers, and developers into reality. Our staff of experienced professionals headed by Bill Kubly has completed more than 2,100 construction and renovation projects across the United States, Europe, Asia and the Caribbean.

LU provides unlimited capabilities through our four business units: Construction, Irrigation, Project Development and Recreational Development. These business units work individually or in unison to offer complete project delivery. This structure allows us the capability to tailor our services to the specific vision and needs of the client, while providing a tremendous amount of value-added experience and service to each and every project.

With regional offices in strategic locations across the country, LU is able to readily handle any new construction or renovation project as well as irrigation installations on new and existing facilities. We have a working familiarity with all the contracting specialties required to complete the most difficult and complex projects – safely, on time, and within budget. Attention to detail, open communication, and a principled focus on quality is the foundation of our solid reputation and lasting client relationships.

WHY LANDSCAPES UNLIMITED?

Providing Unlimited Solutions is a mindset. We are driven by the notion that success is no coincidence. Our formula is straightforward. Integrate lessons learned through years of hand’s-on experiences with an unparalleled commitment to quality, an attitude of partnership, innovation and creativity, and old-fashioned hard work.

- **Experience**: 40-plus years in business. Over 2100 completed projects domestically and internationally, valued at over $2 billion.
- **Diversity**: Projects of all sizes and scopes. A simple bunker rebuild is not too small, nor are turnkey developments budgeted at tens of millions, too large.
- **Innovation**: New approaches with the same core-values. We pride ourselves in being the industry pioneer and leader in alternative turnkey delivery...Design/Build, Design-Assist, Integrated Project Delivery, Design/Build/Operate, Program Management, to name a few.
- **Creativity**: Projects have challenges, both predictable and those that arise mid-stream. Our team members are highly experienced critical thinkers. Imaginative and resourceful workarounds keep a project on track.
- **Quality**: It has been our honor to have constructed more courses that have won more industry awards, than anyone in our business. Past clients can attest, no matter the size or the scope, all projects receive the same attention to details.
- **Partnership**: Success is nurtured in a collaborative environment. We never view ourselves as just the “contractor”. We consider ourselves an extension of the client’s resources with a vested interest in their success.
- **Hard Work**: The Company has evolved dramatically, but the one thing that has not changed, is our rock-solid, mid-west work ethic. We hit the job every morning with a commitment to succeed. **Roll up our sleeves, beat the budget, meet the schedule, exceed the client’s expectations!** This attitude resonates on dozens of job sites every single day, just as it has over the past 44 years.
Customized Solutions
Golf Course Renovation - Construction and Irrigation

Golf Course Renovation/Remodeling
As Owners of golf courses, we understand the challenges of executing a renovation project and the impact it can have on members and/or patrons and operations. We have refined our project delivery approach for renovation projects so that critical milestones are met with the aid of careful planning. We incorporate value engineering and an analysis of constructability so that the capital investment made is optimized. The experience level of our crews is the highest attainable and ensures that the level of quality of the renovation is world class. Finally, we never lose focus that the capital investment in the renovation project is a balance with the loss of some, or all, operational revenues during the renovation period. Our job is to get the club operational as soon as possible. LU’s renovation experience covers the entire spectrum of projects, from the smallest bunker or tee renovation, to complete remodeling of a golf course facility. We are proud to have taken on some of the most challenging renovation projects in the industry.

Renovation Services
LU is one of the only full-service golf course development and construction companies in the world. We have the capability of providing general contracting services with most of the activities being delivered with our own employees. We also have the capability to provide program management and design/build services which provide the Owner with a single point of responsibility for all design and construction elements of the project. In addition, we can manage the grow-in process of the golf course to have it ready for play to meet the club’s operational objectives.

- Golf Course Renovation/Remodeling
- Irrigation
- Grow-in and Maturation
- General Contracting
- Program Management
- Design/Build
Irrigation Renovation

LU began its history over 40 years ago as an irrigation contractor replacing and servicing systems on existing golf courses. That business soon grew into complete golf course renovations and the construction of new golf courses. The core fundamentals learned in those early years have allowed us to grow our business into what it is today.

The expertise developed over decades of successful irrigation installations allows Landscapes Unlimited to offer valuable insight into the design, installation, management and maintenance of all types of irrigation systems especially as it relates to renovation projects. Because we also own and manage golf courses, we understand the importance of being as invisible as possible during our work so as not to impact the normal operations and play on the golf course. At the end of the project we, like the client, don’t want any evidence of us ever being on the course except to notice the beautiful quality turf as a result of a newly installed and very efficient irrigation system.

The Landscapes Unlimited irrigation teams and support staff are very knowledgeable with all the latest state-of-the-art products and technology meant to preserve our very precious water resources:

- Precision sprinklers and nozzles
- Satellite, decoder and wireless control systems
- Soil sensor monitoring and weather stations
- Variable frequency drive pump stations
- Long-lasting and durable HDPE piping systems

Irrigation Services

LU is one of the few golf course general contractors in the industry that has its own Irrigation Division whose very skilled and experienced team-members focus solely on irrigation installations on existing courses and new construction courses. LU’s irrigation capabilities are highly sought after by Irrigation Consultants and clients across the United States as well as outside the country. To maintain the high performance demanded in quality irrigation installations, LU invests heavily in continued education and training of its irrigation personnel in always striving to perfect their irrigation installation techniques. Like the construction team, the goal is the same for the irrigation team....to be the best in the business.

Landscapes Unlimited: An Advocate for Sustainability
SAFETY

We Work Safe

LU’s Safety Program is one of the most comprehensive in the industry.

Here is why we are so successful:
At Landscapes Unlimited safety is more than a program, it is a fundamental value in our organization’s mission and is constantly demonstrated, reinforced, and recognized at every level of our operations. To sustain our safety program, the following five components are used in its implementation to allow the program to continually flourish:

Communication is a critical tool utilized by the company to create a continuous awareness about current safety practices among all employees. Field managers receive regular safety program updates as well as materials and safety information via e-mail, intra-net, and web-based meetings. Compliance reports are provided to senior staff regularly (weekly, monthly, quarterly, and year end) to ensure everyone is aware of the status of their project’s safety activities.

Training is a cornerstone of LU’s safety program and is vital to ensure the highest safety standards are maintained throughout the company. Superintendents and their assistants receive monthly video-based safety training and must pass each course to demonstrate their comprehension. Weekly toolbox talks as well as daily tailgate safety meetings are utilized to further support and disseminate safety education and awareness to all levels of our personnel.

Accountability is a key element in establishing that every employee is responsible for the safety of themselves, their coworkers and the general public. A clear understanding of what is required of each employee to complete their job functions in a safe manner is continually provided and enforced in a fair and consistent manner so all can share in the benefits of the organization’s safety culture. Employee involvement in the program is encouraged and acknowledged.

Safety Inspections are conducted by our corporate safety staff, insurance representatives and approved outside consultants using a state-of-the-art safety report application. These comprehensive examinations of our project sites identify and record any potential hazards and their underlying causes. Corrective actions are then assigned to responsible parties for their elimination or control.

Reward and recognition is the final component of the company’s safety program. A dynamic safety incentive system is used in rewarding employees at all levels for demonstrating safe work practices and recognizing ingenuity. As an organization, formal recognition is also provided to employees every June during National Safety Month.
Bid Bond

CONTRACTOR:  
(Name, legal status and address)  
Landscapes Unlimited LLC  
1201 Aries Drive  
Lincoln, NE 68512

SURETY:  
(Name, legal status and principal place of business)  
Merchants Bonding Company (Mutual)  
P.O. Box 14498  
Des Moines, IA 50306-3498

OWNER:  
(Name, legal status and address)  
City of Golden Valley  
7800 Golden Valley Road  
Golden Valley, MN 55427

BOND AMOUNT: Five Percent of the Amount Bid (5%)  

PROJECT:  
(Name, location or address, and Project number, if any)  
Brookview Golf Course Automatic Irrigation Improvement Project  
Project Number, if any:  

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety’s consent for an extension beyond sixty (60) days.  

If this Bond is issued in connection with a subcontractor’s bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.  

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.  

Signed and sealed this 13th day of December, 2021

______________________________  
(Witness)  
Jim Jungersen

______________________________  
(Witness)  
Randy Nelson

______________________________  
(Principal)  
Landscapes Unlimited LLC

______________________________  
(Seal)  

______________________________  
(Title),  
Merchants Bonding Company (Mutual)

______________________________  
(Surety)  

______________________________  
(Seal)  

______________________________  
(Title)  
James M. King, Attorney-in-Fact
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Jacob J Buss; James M King; Robert T Ciron; Seth Weedin; Tamala J Hurlbut; Thomas L King

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2013 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognition, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 20th day of August , 2020.

STATE OF IOWA
COUNTY OF DALLAS ss.
On this 20th day of August 2020 , before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

POLLY MASON
Commission Number 750576
My Commission Expires
January 07, 2023

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 13th day of December , 2021.

POA 0018 (1/20)
Agenda Item
3. D. 2. Approve Purchase of Irrigation Equipment for Brookview Golf Course

Prepared By
Mike Ward, Golf Maintenance Supervisor
Rick Birno, Parks & Recreation Director

Summary
The Brookview Golf Course irrigation system is 37 years old and has reached its useful life cycle. The irrigation system is scheduled for replacement in 2022. The irrigation system provides regular watering from two wells located on the golf course. Amenities included in the irrigation replacement include the 18-hole regulation course, par 3 9-hole course, all golf course rough areas, landscape areas around Brookview and the driving range.

Financial Or Budget Considerations
The 2022 Golf Course Capital Improvement Program (CIP) includes an inter-fund loan payment for the irrigation equipment and installation. It benefitted the course to take most of the equipment from the State Bid to lower overall costs. Due to the positive golf year at Brookview the equipment itself will come from the Brookview Golf Operating Budget. This will reduce the overall inter-fund load payment.

Staff recommends purchasing the equipment from the national Omnia government purchasing contract through RFP #2017025

<table>
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<tr>
<th>Contract No.</th>
<th>Item</th>
<th>Vendor</th>
<th>Amount</th>
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<tbody>
<tr>
<td>#2017025</td>
<td>Irrigation Equipment</td>
<td>MTI Distributing, Inc.</td>
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<tr>
<td>Total Purchase Price</td>
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<td>$352,210.26</td>
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Recommended Action
Motion to approve purchase of irrigation equipment for the Brookview Golf Course irrigation replacement project from MTI Distributing, Inc. in the amount of $352,210.26.

Supporting Documents
- MTI Distributing, Inc. Quote (2 pages)
**Brookview Golf Course**  
*(OMNIA Member #5141480)*  
**Toro Irrigation System**  
Material Quotation December 8, 2021  
EXHIBIT "A"

<table>
<thead>
<tr>
<th>QTY</th>
<th>PART #</th>
<th>DESCRIPTIONS - CONTROLLERS</th>
<th>UNIT PRICE</th>
<th>EXTENSION</th>
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<td>1</td>
<td>NSN-ULTIMATE-L</td>
<td>Toro NSN Renewal Package - <strong>Premium Computer w/ 5 Years NSN Support</strong> (includes: 24hr support, emergency paging, ext. warranty, free software packs including Microsoft Office, 24hr hardware replacement, color printer, and 2 day NSN regional training.)</td>
<td>14,380.00</td>
<td>14,380.00</td>
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<td>1</td>
<td>RIU-01-SPECIAL</td>
<td>Toro Radio Base Station, Single Radio (50% Off With the Purchase of New CPU Package)</td>
<td>4,463.64</td>
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<td>3</td>
<td>G4-48P6R4</td>
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<td>4,551.51</td>
<td>13,654.53</td>
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<tr>
<td>15</td>
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**SUB TOTAL**  
113,433.67

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<td>642</td>
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<td>INF35-368-2</td>
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<td>10,344.50</td>
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<td>708</td>
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<td>TSJ-15A12-12-3-10A</td>
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**SUB TOTAL**  
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<td>Toro 10&quot; Round Valve Box w/ Black Cover</td>
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<td>391.60</td>
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<td>10</td>
<td>TVB-1521-12-G</td>
<td>Toro 15&quot; Jumbo Rectangular Valve Box w/ Green Cover</td>
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**SUB TOTAL**  
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<th>QTY</th>
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<tr>
<td>2</td>
<td>995-100</td>
<td>1” &amp; 1-1/2” Golf Body Snap Ring Pliers</td>
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<td>Valve Selector Tool</td>
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<td>Riser Hold Up Tool, Universal</td>
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<td>DT/800S 5/16” Nut Driver For Intermediate Nozzle</td>
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<td>4</td>
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<td>827.56</td>
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<td>2</td>
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<td>TORO 10” Round Valve Box w/ Green Cover</td>
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<td>2</td>
<td>TVB-1521-12-G</td>
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<td>TVB-1521-EXT6BOX</td>
<td>TORO 6” Extension for 15” Jumbo Rectangular Valve Box</td>
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<td>49.28</td>
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<td>SUB TOTAL</td>
<td>2,054.76</td>
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This is a material quotation only! This quote may not represent actual quantities needed for the project. The purchaser of the product must supply MTI Distributing with their list of materials to be delivered.

**SUMMARY**

<table>
<thead>
<tr>
<th>MATERIAL TOTAL</th>
<th>329,553.46</th>
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<td>TOTAL</td>
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<td>MN SALES TAX (6.875%)</td>
<td>22,656.80</td>
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<td>GRAND TOTAL</td>
<td>352,210.26</td>
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<td>PAYMENT TERMS</td>
<td>NET 30 DAYS</td>
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This Quote reflects pricing for complete package purchases only. Prices may be higher for less than complete material package purchases. Pricing is subject to change without notice.

CITY OF GOLDEN VALLEY
JANUARY 18, 2022

SHEPARD M. HARRIS
MAYOR

TIMOTHY J. CRUIKSHANK
CITY MANAGER
Golden Valley City Council Meeting
January 18, 2022

Agenda Item
3. E. Adopt Resolution #22-010 to execute a grant agreement with the Minnesota Department of Transportation for the Local Road Improvement Program (LRIP) SAP 128-594-002 at Douglas Drive/Trunk Highway 55 Pedestrian Underpass and Roundabout. City Project #20-15.

Prepared By
Jeff Oliver, PE, City Engineer
R.J. Kakach, PE, Assistant City Engineer

Summary
At the August 17, 2021, City Council meeting, the Council approved Final Design and Construction Services for the Douglas Drive and Trunk Highway 55 Pedestrian Underpass and Roundabout Project with WSB & Associates in the amount of $512,184. A resolution accepting funding from the Minnesota Management and Budget (MMB) was also approved at the same City Council meeting.

In order to draw funds from MMB in the amount allocated in the General Obligation Bonding Bill, a Local Road Improvement Program (LRIP) grant agreement must be approved and executed between the City and the State. The three main phases of the project were separated out in order to draw funds for each phase as needed as the project proceeds. The three phases include design, right of way acquisition, and construction. Each phase also includes its own unique State Aid Project (SAP) number. The SAP for design is 128-594-002. Additional grant agreements will be brought forth for approval of the right of way acquisition and construction allotments as the project progresses.

Design costs incurred thus far have been funded from the general fund and will be reimbursed with approved MMB dollars through resolution #22-XX approving the LRIP SAP 128-594-002 Grant Agreement for Design of the Douglas Drive/Trunk Highway 55 Pedestrian Underpass and Roundabout Project #20-19.

Financial Or Budget Considerations
Collecting $512,184 of the $6,500,000 allocated for the project from MMB.

Recommended Action
Motion to adopt Resolution #22-010 to execute a grant agreement, approved by the City Attorney, with the Minnesota Department of Transportation for the Local Road Improvement Program (LRIP) SAP 128-594-002 at Douglas/Trunk Highway 55 Pedestrian Underpass and Roundabout.

Supporting Documents
- Location Maps (1 page)
- Resolution #22-010 Local Road Improvement Program (LRIP) SAP 128-594-002 Grant Agreement for Douglas/55 Underpass (1 page)
- Local Road Improvement Program (LRIP) SAP 128-594-002 Grant Agreement for Douglas/55 Underpass (22 pages)
RESOLUTION NO. 22-010

RESOLUTION TO APPROVE
Exhibit E for Grant Agreement to State Transportation Fund
Local Road Improvement Program
Grant Terms and Conditions
SAP 128-594-002

WHEREAS, the City of Golden Valley has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be $512,184 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that the City of Golden Valley does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52 and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper City of Golden Valley officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Adopted by the City Council of Golden Valley, Minnesota this 18th day of January 2022.

__________________________
Shepard M. Harris, Mayor

ATTEST:

____________________________
Theresa J. Schyma, City Clerk
**LOCAL ROAD IMPROVEMENT PROGRAM (LRIP) GRANT AGREEMENT**

**This Agreement** between the Minnesota Department of Transportation (“MnDOT”) and the Grantee named below is made pursuant to Minnesota Statutes Section 174.52 and pursuant to Minn. Laws 2020, 5th Special Session, Chapter 3- H.F. 1. The provisions in that section and the Exhibits attached hereto and incorporated by reference constitute this Agreement and the persons signing below agree to fully comply with all of the requirements of this Agreement. This Agreement will be effective on the date State obtains all required signatures under Minnesota Statutes §16C.05, subdivision 2.

1. **Public Entity (Grantee) name, address and contact person:**

   City of Golden Valley  
   7800 Golden Valley Road  
   Golden Valley, MN 55427  
   
   Contact: Jeff Oliver

2. **Project(s):**

<table>
<thead>
<tr>
<th>Name of Project &amp; Project Number (See Exhibit C for location)</th>
<th>Amount of LRIP Funds</th>
<th>Amount of Required Matching Funds</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas and 55 Underpass and Roundabout Design/Engineering SAP 128-594-002</td>
<td>$512,184.00</td>
<td>$0.00</td>
<td>December 31, 2024</td>
</tr>
</tbody>
</table>

3. **Total Amount of LRIP Grant for all projects under this Agreement:** $512,184.00

4. **The following Exhibits for each project are attached and incorporated by reference as part of this Agreement:**

   - Exhibit A: Completed Sources and Uses of Funds Schedule  
   - Exhibit B: Project Schedule, Workforce Certificate, and Equal Pay Certificate  
   - Exhibit C: Bond Financed Property Certification  
   - Exhibit D: Grant Application  
   - Exhibit E: Grantee Resolution Approving Grant Agreement  
   - Exhibit F: General Terms and Conditions
5. Additional requirements, if any:

NONE

6. Any modification of this Agreement must be in writing and signed by both parties.

(The remaining portion of this page was intentionally left blank.)
PUBLIC ENTITY (GRANTEE)

By: ________________________________
Title: Shepard M. Harris, Mayor
Date: January 18, 2022

By: ________________________________
Title: Timothy J. Cruikshank, City Manager
Date: January 18, 2022

DEPARTMENT OF TRANSPORTATION
Approval and Certifying Encumbrance

By: ________________________________
Title: State Aid Programs Engineer
Date: ________________________________

Office of Financial Management, Grant Unit

By: ________________________________  Agency Grant Supervisor
Date: ________________________________

OFFICE OF CONTRACT MANAGEMENT

By: ________________________________  Contract Administrator
Date: ________________________________
# EXHIBIT A

## SOURCES AND USES OF FUNDS SCHEDULE

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<th>Amount</th>
<th>USES OF FUNDS</th>
<th>Amount</th>
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<tr>
<td><strong>State Funds:</strong></td>
<td></td>
<td><strong>Items Paid for with LRIP Grant Funds:</strong></td>
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<tr>
<td>LRIP Grant</td>
<td>$512,184.00</td>
<td>Preliminary and final design engineering</td>
<td>$512,184.00</td>
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<tr>
<td><strong>Other:</strong></td>
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<td></td>
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<td><strong>Subtotal:</strong></td>
<td>$512,184.00</td>
<td><strong>Subtotal:</strong></td>
<td>$512,184.00</td>
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</table>

| **Public Entity Funds:** |        | **Items paid for with Non-LRIP Grant Funds:** |        |
| Matching Funds         | $      |                                           |        |
| **Other:**             |        |                                           |        |
|                        | $      |                                           | $      |
|                        | $      |                                           | $      |
| **Subtotal:**          | $0.00  | **Subtotal:**                             | $0.00  |

**TOTAL FUNDS** $512,184.00 **=** **TOTAL PROJECT COSTS** $512,184.00
EXHIBIT B

PROJECT SCHEDULE, WORKFORCE CERTIFICATE, AND EQUAL PAY CERTIFICATE

(Provide for enough time in the schedule to final the project through the MnDOT state aid pay request process.)

Award Date Winter 2022/2023
Contract Start Date Spring 2023
Contract Substantial Complete Date Fall 2023
Contract Final Completion Date December 31, 2024
EXHIBIT C

BOND FINANCED PROPERTY CERTIFICATION

State of Minnesota
General Obligation Bond Financed Property

The undersigned states that it has or will acquire a fee simple, leasehold and/or easement interest in the real property located in the County of Hennepin, State of Minnesota that is generally described or illustrated graphically in Attachment 1 attached hereto and all improvements thereon (the “Restricted Property”) and acknowledges that the Restricted Property is or may become State bond-financed property. To the extent that the Restricted Property is or becomes State bond-financed property, the undersigned acknowledges that:

A. The Restricted Property is State bond-financed property under Minn. Stat. Sec. 16A.695, is subject to the requirements imposed by that statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget; and

B. The Restricted Property is subject to the provisions of the Local Road Improvement Program Grant Agreement between the Minnesota Department of Transportation and the undersigned dated January 18, 2022; and

C. The Restricted Property shall continue to be deemed State bond-financed property for 37.5 years or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget.

Date: January 18, 2022

____________________________
[name of Public Entity grantee], a political subdivision of the State of Minnesota

By: ______________________________
Name: Shepard M. Harris
Title: Mayor

By: ______________________________
Name: Timothy J. Cruikshank
Title: City Manager
EXHIBIT D

GRANT APPLICATION

This project was legislatively selected, with $6,500,000.00 appropriated in Minnesota Laws 2020, 5th Special Session, Chapter 3, Article 1, Section 16, Subdivision 7 Golden Valley; Douglas Drive and Highway 55.

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of Golden Valley to perform preliminary and final design engineering, environmental analysis, acquisition of permanent easements and right-of-way, reconstruction, and construction engineering of local roads related to construction of public safety improvements at and near the intersection of Douglas Drive and Highway 55, including a box culvert underpass across Highway 55, a roundabout and extended frontage road south of Highway 55, retaining wall construction, underground utility relocation, sidewalk and trail connections to existing facilities, Americans with Disabilities Act-compliant facilities, and landscaping.
EXHIBIT E
GRANTEE RESOLUTION APPROVING GRANT AGREEMENT

RESOLUTION NO. 22-010
RESOLUTION TO APPROVE
Exhibit E for Grant Agreement to State Transportation Fund
Local Road Improvement Program
Grant Terms and Conditions
SAP 128-594-002

WHEREAS, the City of Golden Valley has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be $512,184 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that the City of Golden Valley does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52 and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper City of Golden Valley officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Adopted by the City Council of Golden Valley, Minnesota this 18th day of January 2022.

__________________________
Shepard M. Harris, Mayor

ATTEST:

____________________________
Theresa J. Schyma, City Clerk
EXHIBIT F

GENERAL TERMS AND CONDITIONS FOR
LOCAL ROAD IMPROVEMENT PROGRAM (LRIP) GRANTS

Article I
DEFINITIONS

Section 1.01 Defined Terms. The following terms shall have the meanings set out respectively after each such term (the meanings to be equally applicable to both the singular and plural forms of the terms defined) unless the context specifically indicates otherwise:

“Advance(s)” - means an advance made or to be made by MnDOT to the Public Entity and disbursed in accordance with the provisions contained in Article VI hereof.

“Agreement” - means the Local Road Improvement Program Grant Agreement between the Public Entity and the Minnesota Department of Transportation to which this Exhibit is attached.

“Certification” - means the certification, in the form attached as Exhibit C, in which the Public Entity acknowledges that its interest in the Real Property is bond financed property within the meaning of Minn. Stat. Sec. 16A.695 and is subject to certain restrictions imposed thereby.

“Code” - means the Internal Revenue Code of 1986, as amended, and all treasury regulations, revenue procedures and revenue rulings issued pursuant thereto.

“Commissioner” - means the Commissioner of Minnesota Management & Budget.

“Commissioner’s Order” - means the “Fourth Order Amending Order of the Commissioner of Minnesota Management & Budget Relating to Use and Sale of State Bond Financed Property” dated July 30, 2012, as it may be amended or supplemented.

“Completion Date” - means the projected date for completion of the Project as indicated in the Agreement.

“Construction Contract Documents” - means the document or documents, in form and substance acceptable to MnDOT, including but not limited to any construction plans and specifications and any exhibits, amendments, change orders, modifications thereof or supplements thereto, which collectively form the contract between the Public Entity and the Contractor(s) for the completion of the Construction Items on or before the Completion Date for either a fixed price or a guaranteed maximum price.

“Construction Items” - means the work to be performed under the Construction Contract Documents.

“Contractor” - means any person engaged to work on or to furnish materials and supplies for the Construction Items including, if applicable, a general contractor.

“Draw Requisition” - means a draw requisition that the Public Entity, or its designee, submits to MnDOT when an Advance is requested, as referred to in Section 4.02.
“G.O. Bonds” - means the state general obligation bonds issued under the authority granted in Article XI, Sec. 5(a) of the Minnesota Constitution, the proceeds of which are used to fund the LRIP Grant, and any bonds issued to refund or replace such bonds.

“Grant Application” - means the grant application that the Public Entity submitted to MnDOT which is attached as Exhibit D.

“LRIP Grant” - means a grant from MnDOT to the Public Entity under the LRIP in the amount specified in the Agreement, as such amount may be modified under the provisions hereof.

“LRIP” - means the Local Road Improvement Program pursuant to Minn. Stat. Sec. 174.52 and rules relating thereto.

“MnDOT” - means the Minnesota Department of Transportation.

“Outstanding Balance of the LRIP Grant” - means the portion of the LRIP Grant that has been disbursed to the Public Entity minus any amounts returned to the Commissioner.

“Project” - means the Project identified in the Agreement to be totally or partially funded with a LRIP grant.

“Public Entity” - means the grantee of the LRIP Grant and identified as the Public Entity in the Agreement.

“Real Property” - means the real property identified in the Agreement on which the Project is located.

**Article II**

**GRANT**

Section 2.01 **Grant of Monies.** MnDOT shall make the LRIP Grant to the Public Entity, and disburse the proceeds in accordance with the terms and conditions herein.

Section 2.02 **Public Ownership,** The Public Entity acknowledges and agrees that the LRIP Grant is being funded with the proceeds of G.O. Bonds, and as a result all of the Real Property must be owned by one or more public entities. The Public Entity represents and warrants to MnDOT that it has or will acquire one or more of the following ownership interests in the Real Property: (i) fee simple ownership, (ii) an easement that is for a term that extends beyond the date that is 37.5 years from the Agreement effective date, or such shorter term as authorized by statute, and which cannot be modified or terminated early without the prior written consent of MnDOT and the Commissioner; and/or (iii) a prescriptive easement for a term that extends beyond the date that is 37.5 years from the Agreement effective date.

Section 2.03 **Use of Grant Proceeds.** The Public Entity shall use the LRIP Grant solely to reimburse itself for expenditures it has already made, or will make, to pay the costs of one of the following applicable activities: (i) preliminary, final construction and engineering and administration (ii) constructing or reconstructing city streets, county highways, or town roads with statewide or regional significance that have not been fully funded through other state, federal, or local funding sources; or (iii) capital improvement projects on county state-aid highways that are intended primarily to reduce traffic crashes, deaths, injuries, and property damage. The Public Entity shall not use the LRIP Grant for any other purpose, including but not limited to, any work to be done on a state trunk highway or within a trunk highway easement.
Section 2.04 Operation of the Real Property. The Real Property must be used by the Public Entity in conjunction with or for the operation of a county highway, county state-aid highway, town road, or city street and for other uses customarily associated therewith, such as trails and utility corridors, and for no other purposes or uses. The Public Entity shall have no intention on the effective date of the Agreement to use the Real Property as a trunk highway or any part of a trunk highway. The Public Entity must annually determine that the Real Property is being used for the purposes specified in this Section and, upon written request by either MnDOT or the Commissioner, shall supply a notarized statement to that effect.

Section 2.05 Sale or Lease of Real Property. The Public Entity shall not (i) sell or transfer any part of its ownership interest in the Real Property, or (ii) lease out or enter into any contract that would allow another entity to use or operate the Real Property without the written consent of both MnDOT and the Commissioner. The sale or transfer of any part of the Public Entity’s ownership interest in the Real Property, or any lease or contract that would allow another entity to use or operate the Real Property, must comply with the requirements imposed by Minn. Stat. Sec. 16A.695 and the Commissioner’s Order regarding such sale or lease.

Section 2.06 Public Entity’s Representations and Warranties. The Public Entity represents and warrants to MnDOT that:

A. It has legal authority to execute, deliver and perform the Agreement and all documents referred to therein, and it has taken all actions necessary to its execution and delivery of such documents.

B. It has the ability and a plan to fund the operation of the Real Property for the purposes specified in Section 2.04, and will include in its annual budget all funds necessary for the operation of the Real Property for such purposes.

C. The Agreement and all other documents referred to therein are the legal, valid and binding obligations of the Public Entity enforceable against the Public Entity in accordance with their respective terms.

D. It will comply with all of the provisions of Minn. Stat. Sec. 16A.695, the Commissioner’s Order and the LRIP. It has legal authority to use the G.O. Grant for the purpose or purposes described in this Agreement.

E. All of the information it has submitted or will submit to MnDOT or the Commissioner relating to the LRIP Grant or the disbursement of the LRIP Grant is and will be true and correct.

F. It is not in violation of any provisions of its charter or of the laws of the State of Minnesota, and there are no actions or proceedings pending, or to its knowledge threatened, before any judicial body or governmental authority against or affecting it relating to the Real Property, or its ownership interest therein, and it is not in default with respect to any order, writ, injunction, decree, or demand of any court or any governmental authority which would impair its ability to enter into the Agreement or any document referred to herein, or to perform any of the acts required of it in such documents.

G. Neither the execution and delivery of the Agreement or any document referred to herein nor compliance with any of the provisions or requirements of any of such documents is prevented by, is a breach of, or will result in a breach of, any provision of any agreement or document to which it is now a party or by which it is bound.
H. The contemplated use of the Real Property will not violate any applicable zoning or use statute, ordinance, building code, rule or regulation, or any covenant or agreement of record relating thereto.

I. The Project will be completed and the Real Property will be operated in full compliance with all applicable laws, rules, ordinances, and regulations of any federal, state, or local political subdivision having jurisdiction over the Project and the Real Property.

J. All applicable licenses, permits and bonds required for the performance and completion of the Project and for the operation of the Real Property as specified in Section 2.04 have been, or will be, obtained.

K. It reasonably expects to possess its ownership interest in the Real Property described in Section 2.02 for at least 37.5 years, and it does not expect to sell such ownership interest.

L. It does not expect to lease out or enter into any contract that would allow another entity to use or operate the Real Property.

M. It will supply whatever funds are needed in addition to the LRIP Grant to complete and fully pay for the Project.

N. The Construction Items will be completed substantially in accordance with the Construction Contract Documents by the Completion Date and all such items will be situated entirely on the Real Property.

O. It will require the Contractor or Contractors to comply with all rules, regulations, ordinances, and laws bearing on its performance under the Construction Contract Documents.

P. It shall furnish such satisfactory evidence regarding the representations and warranties described herein as may be required and requested by either MnDOT or the Commissioner.

Q. It has made no material false statement or misstatement of fact in connection with its receipt of the G.O. Grant, and all the information it has submitted or will submit to the State Entity or Commissioner of MMB relating to the G.O. Grant or the disbursement of any of the G.O. Grant is and will be true and correct.

Section 2.07 Event(s) of Default. The following events shall, unless waived in writing by MnDOT and the Commissioner, constitute an Event of Default under the Agreement upon either MnDOT or the Commissioner giving the Public Entity 30 days’ written notice of such event and the Public Entity’s failure to cure such event during such 30-day time period for those Events of Default that can be cured within 30 days or within whatever time period is needed to cure those Events of Default that cannot be cured within 30 days as long as the Public Entity is using its best efforts to cure and is making reasonable progress in curing such Events of Default; however, in no event shall the time period to cure any Event of Default exceed six (6) months unless otherwise consented to, in writing, by MnDOT and the Commissioner.

A. If any representation, covenant, or warranty made by the Public Entity herein or in any other document furnished pursuant to the Agreement, or to induce MnDOT to disburse the LRIP Grant, shall prove to have been untrue or incorrect in any material respect or materially misleading as of the time such representation, covenant, or warranty was made.
B. If the Public Entity fails to fully comply with any provision, covenant, or warranty contained herein.

C. If the Public Entity fails to fully comply with any provision, covenant or warranty contained in Minn. Stat. Sec. 16A.695, the Commissioner’s Order, or Minn. Stat. Sec. 174.52 and all rules related thereto.

D. If the Public Entity fails to use the proceeds of the LRIP Grant for the purposes set forth in Section 2.03, the Grant Application, and in accordance with the LRIP.

E. If the Public Entity fails to operate the Real Property for the purposes set forth in Section 2.04.

F. If the Public Entity fails to complete the Project by the Completion Date.

G. If the Public Entity sells or transfers any portion of its ownership interest in the Real Property without first obtaining the written consent of both MnDOT and the Commissioner.

H. If the Public Entity fails to provide any additional funds needed to fully pay for the Project.

I. If the Public Entity fails to supply the funds needed to operate the Real Property in the manner specified in Section 2.04.

Notwithstanding the foregoing, any of the above events that cannot be cured shall, unless waived in writing by MnDOT and the Commissioner, constitute an Event of Default under the Agreement immediately upon either MnDOT or the Commissioner giving the Public Entity written notice of such event.

Section 2.08 Remedies. Upon the occurrence of an Event of Default and at any time thereafter until such Event of Default is cured to the satisfaction of MnDOT, MnDOT or the Commissioner may enforce any or all of the following remedies.

A. MnDOT may refrain from disbursing the LRIP Grant; provided, however, MnDOT may make such disbursements after the occurrence of an Event of Default without waiving its rights and remedies hereunder.

B. If the Event of Default involves a sale of the Public Entity’s interest in the Real Property in violation of Minn. Stat. Sec. 16A.695 or the Commissioner’s Order, the Commissioner, as a third party beneficiary of the Agreement, may require that the Public Entity pay the amounts that would have been paid if there had been compliance with such provisions. For other Events of Default, the Commissioner may require that the Outstanding Balance of the LRIP Grant be returned to it.

C. Either MnDOT or the Commissioner, as a third party beneficiary of the Agreement, may enforce any additional remedies it may have in law or equity.

The rights and remedies specified herein are cumulative and not exclusive of any rights or remedies that MnDOT or the Commissioner would otherwise possess.

If the Public Entity does not repay the amounts required to be paid under this Section or under any other provision contained herein within 30 days of demand by the Commissioner, or any amount ordered by a court of competent jurisdiction within 30 days of entry of judgment against the Public Entity and in favor
of MnDOT and/or the Commissioner, then such amount may, unless precluded by law, be offset against any aids or other monies that the Public Entity is entitled to receive from the State of Minnesota.

Section 2.09 **Notification of Event of Default.** The Public Entity shall furnish to MnDOT and the Commissioner, as soon as possible and in any event within seven (7) days after it has obtained knowledge of the occurrence of each Event of Default, a statement setting forth details of each Event of Default and the action which the Public Entity proposes to take with respect thereto.

Section 2.10 **Effect of Event of Default.** The Agreement shall survive Events of Default and remain in full force and effect, even upon full disbursement of the LRIP Grant, and shall only be terminated under the circumstances set forth in Section 2.11.

Section 2.11 **Termination of Agreement and Modification of LRIP Grant.**

A. If the Project is not started within five (5) years after the effective date of the Agreement or the LRIP Grant has not been disbursed within four (4) years after the date the Project was started, MnDOT’s obligation to fund the LRIP Grant shall terminate. In such event, (i) if none of the LRIP Grant has been disbursed by such date, MnDOT shall have no obligation to fund the LRIP Grant and the Agreement will terminate, and (ii) if some but not all of the LRIP Grant has been disbursed by such date, MnDOT shall have no further obligation to provide any additional funding for the LRIP Grant and the Agreement shall remain in force but shall be modified to reflect the amount of the LRIP Grant that was actually disbursed and the Public Entity is still obligated to complete the Project by the Completion Date.

B. The Agreement shall terminate upon the Public Entity’s sale of its interest in the Real Property and transmittal of the required portion of the proceeds of the sale to the Commissioner in compliance with Minn. Stat. Sec. 16A.695 and the Commissioner’s Order, or upon the termination of the Public Entity’s ownership interest in the Real Property if such ownership interest is an easement.

Section 2.12 **Excess Funds.** If the full amount of the G.O. Grant and any matching funds referred to in Section 5.13 are not needed to complete the Project, then, unless language in the G.O. Bonding Legislation indicates otherwise, the G.O. Grant shall be reduced by the amount not needed.

**Article III**

**COMPLIANCE WITH MINNESOTA STATUTE, SEC. 16A.695 AND THE COMMISSIONER’S ORDER**

Section 3.01 **State Bond Financed Property.** The Public Entity acknowledges that its interest in the Real Property is, or when acquired by it will be, “state bond financed property”, as such term is used in Minn. Stat. Sec. 16A.695 and the Commissioner’s Order and, therefore, the provisions contained in such statute and order apply, or will apply, to its interest in the Real Property, even if the LRIP Grant will only pay for a portion of the Project.

Section 3.02 **Preservation of Tax Exempt Status.** In order to preserve the tax-exempt status of the G.O. Bonds, the Public Entity agrees as follows:

A. It will not use the Real Property or use or invest the LRIP Grant or any other sums treated as “bond proceeds” under Section 148 of the Code (including “investment proceeds,” “invested sinking funds” and “replacement proceeds”) in such a manner as to cause the G.O. Bonds to be classified as “arbitrage bonds” under Code Section 148.
B. It will deposit and hold the LRIP Grant in a segregated non-interest-bearing account until such funds are used for payments for the Project.

C. It will, upon written request, provide the Commissioner all information required to satisfy the informational requirements set forth in the Code, including Sections 103 and 148, with respect to the G.O. Bonds.

D. It will, upon the occurrence of any act or omission by the Public Entity that could cause the interest on the G.O. Bonds to no longer be tax exempt and upon direction from the Commissioner, take such actions and furnish such documents as the Commissioner determines to be necessary to ensure that the interest to be paid on the G.O. Bonds is exempt from federal taxation, which such action may include: (i) compliance with proceedings intended to classify the G.O. Bonds as a “qualified bond” within the meaning of Code Section 141(e), or (ii) changing the nature of the use of the Real Property so that none of the net proceeds of the G.O. Bonds will be deemed to be used, directly or indirectly, in an “unrelated trade or business” or for any “private business use” within the meaning of Code Sections 141(b) and 145(a).

E. It will not otherwise use any of the LRIP Grant or take, permit or cause to be taken, or omit to take, any action that would adversely affect the exemption from federal income taxation of the interest on the G.O. Bonds, and if it should take, permit or cause to be taken, or omit to take, as appropriate, any such action, it shall take all lawful actions necessary to correct such actions or omissions promptly upon obtaining knowledge thereof.

Section 3.03 Changes to G.O. Compliance Legislation or the Commissioner’s Order. If Minn. Stat. Sec. 16A.695 or the Commissioner’s Order is amended in a manner that reduces any requirement imposed against the Public Entity, or if the Public Entity’s interest in the Real Property becomes exempted from Minn. Stat. Sec. 16A.695 and the Commissioner’s Order, then upon written request by the Public Entity, MnDOT shall execute an amendment to the Agreement to implement such amendment or exempt the Public Entity’s interest in the Real Property from Minn. Stat. Sec. 16A.695 and the Commissioner’s Order.

Article IV
DISBURSEMENT OF GRANT PROCEEDS

Section 4.01 The Advances. MnDOT agrees, on the terms and subject to the conditions set forth herein, to make Advances of the LRIP Grant to the Public Entity from time to time in an aggregate total amount not to exceed the amount of the LRIP Grant. If the amount of LRIP Grant that MnDOT cumulatively disburses hereunder to the Public Entity is less than the amount of the LRIP Grant delineated in Section 1.01, then MnDOT and the Public Entity shall enter into and execute whatever documents MnDOT may request in order to amend or modify this Agreement to reduce the amount of the LRIP Grant to the amount actually disbursed. Provided, however, in accordance with the provisions contained in Section 2.11, MnDOT’s obligation to make Advances shall terminate as of the dates specified in Section 2.11 even if the entire LRIP Grant has not been disbursed by such dates.

Advances shall only be for expenses that (i) are for those items of a capital nature delineated in Source and Use of Funds that is attached as Exhibit A, (ii) accrued no earlier than the effective date of the legislation that appropriated the funds that are used to fund the LRIP Grant, or (iii) have otherwise been consented to, in writing, by the Commissioner.

It is the intent of the parties hereto that the rate of disbursement of the Advances shall not exceed the rate
of completion of the Project or the rate of disbursement of the matching funds required, if any, under Section 5.13. Therefore, the cumulative amount of all Advances disbursed by the State Entity at any point in time shall not exceed the portion of the Project that has been completed and the percentage of the matching funds required, if any, under Section 5.13 that have been disbursed as of such point in time. This requirement is expressed by way of the following two formulas:

Formula #1:
Cumulative Advances ≤ (Program Grant) × (percentage of matching funds, if any, required under Section 5.13 that have been disbursed)

Formula #2:
Cumulative Advances ≤ (Program Grant) × (percentage of Project completed)

Section 4.02 Draw Requisitions. Whenever the Public Entity desires a disbursement of a portion of the LRIP Grant the Public Entity shall submit to MnDOT a Draw Requisition duly executed on behalf of the Public Entity or its designee. Each Draw Requisition with respect to construction items shall be limited to amounts equal to: (i) the total value of the classes of the work by percentage of completion as approved by the Public Entity and MnDOT, plus (ii) the value of materials and equipment not incorporated in the Project but delivered and suitably stored on or off the Real Property in a manner acceptable to MnDOT, less (iii) any applicable retainage, and less (iv) all prior Advances.

Notwithstanding anything herein to the contrary, no Advances for materials stored on or off the Real Property will be made by MnDOT unless the Public Entity shall advise MnDOT, in writing, of its intention to so store materials prior to their delivery and MnDOT has not objected thereto.

At the time of submission of each Draw Requisition, other than the final Draw Requisition, the Public Entity shall submit to MnDOT such supporting evidence as may be requested by MnDOT to substantiate all payments which are to be made out of the relevant Draw Requisition or to substantiate all payments then made with respect to the Project.

The final Draw Requisition shall not be submitted before completion of the Project, including any correction of material defects in workmanship or materials (other than the completion of punch list items). At the time of submission of the final Draw Requisition the Public Entity shall submit to MnDOT: (I) such supporting evidence as may be requested by MnDOT to substantiate all payments which are to be made out of the final Draw Requisition or to substantiate all payments then made with respect to the Project, and (ii) satisfactory evidence that all work requiring inspection by municipal or other governmental authorities having jurisdiction has been duly inspected and approved by such authorities and that all requisite certificates and other approvals have been issued.

If on the date an Advance is desired the Public Entity has complied with all requirements of this Agreement and MnDOT approves the relevant Draw Requisition, then MnDOT shall disburse the amount of the requested Advance to the Public Entity.

Section 4.03 Additional Funds. If MnDOT shall at any time in good faith determine that the sum of the undisbursed amount of the LRIP Grant plus the amount of all other funds committed to the Project is less than the amount required to pay all costs and expenses of any kind which reasonably may be anticipated in connection with the Project, then MnDOT may send written notice thereof to the Public Entity specifying the amount which must be supplied in order to provide sufficient funds to complete the Project. The Public Entity agrees that it will, within 10 calendar days of receipt of any such notice, supply or have some other entity supply the amount of funds specified in MnDOT's notice.
Section 4.04 **Condition Precedent to Any Advance.** The obligation of MnDOT to make any Advance hereunder (including the initial Advance) shall be subject to the following conditions precedent:

A. MnDOT shall have received a Draw Requisition for such Advance specifying the amount of funds being requested, which such amount when added to all prior requests for an Advance shall not exceed the amount of the LRIP Grant set forth in Section 1.01.

B. No Event of Default under this Agreement or event which would constitute an Event of Default but for the requirement that notice be given or that a period of grace or time elapse shall have occurred and be continuing.

C. No determination shall have been made by MnDOT that the amount of funds committed to the Project is less than the amount required to pay all costs and expenses of any kind that may reasonably be anticipated in connection with the Project, or if such a determination has been made and notice thereof sent to the Public Entity under Section 4.03, then the Public Entity has supplied, or has caused some other entity to supply, the necessary funds in accordance with such section or has provided evidence acceptable to MnDOT that sufficient funds are available.

D. The State Entity shall have received evidence, in form and substance acceptable to the State Entity, that the Public Entity has sufficient funds to fully and completely pay for the Project and all other expenses that may occur in conjunction therewith.

E. The Public Entity has supplied to the State Entity all other items that the State Entity may reasonably require

Section 4.05 **Processing and Disbursement of Advances.** The Public Entity acknowledges and agrees as follows:

A. Advances are not made prior to completion of work performed on the Project.

B. All Advances are processed on a reimbursement basis.

C. The Public Entity must first document expenditures to obtain an Advance.

D. Reimbursement requests are made on a partial payment basis or when the Project is completed.

E. All payments are made following the “Delegated Contract Process or State Aid Payment Request” as requested and approved by the appropriate district state aid engineer.

Section 4.06 **Construction Inspections.** The Public Entity shall be responsible for making its own inspections and observations regarding the completion of the Project, and shall determine to its own satisfaction that all work done or materials supplied have been properly done or supplied in accordance with all contracts that the Public Entity has entered into regarding the completion of the Project.

**Article V**

**MISCELLANEOUS**

Section 5.01 **Insurance.** If the Public Entity elects to maintain general comprehensive liability insurance regarding the Real Property, then the Public Entity shall have MnDOT named as an additional named insured therein.
Section 5.02 Condemnation. If, after the Public Entity has acquired the ownership interest set forth in Section 2.02, all or any portion of the Real Property is condemned to an extent that the Public Entity can no longer comply with Section 2.04, then the Public Entity shall, at its sole option, either: (i) use the condemnation proceeds to acquire an interest in additional real property needed for the Public Entity to continue to comply with Section 2.04 and to provide whatever additional funds that may be needed for such purposes, or (ii) submit a request to MnDOT and the Commissioner to allow it to sell the remaining portion of its interest in the Real Property. Any condemnation proceeds which are not used to acquire an interest in additional real property shall be applied in accordance with Minn. Stat. Sec. 16A.695 and the Commissioner’s Order as if the Public Entity’s interest in the Real Property had been sold. If the Public Entity elects to sell its interest in the portion of the Real Property that remains after the condemnation, such sale must occur within a reasonable time period after the date the condemnation occurred and the cumulative sum of the condemnation and sale proceeds applied in accordance with Minn. Stat. Sec. 16A.695 and the Commissioner’s Order.

If MnDOT receives any condemnation proceeds referred to herein, MnDOT agrees to or pay over to the Public Entity all of such condemnation proceeds so that the Public Entity can comply with the requirements of this Section.

Section 5.03 Use, Maintenance, Repair and Alterations. The Public Entity shall not, without the written consent of MnDOT and the Commissioner, (i) permit or allow the use of any of the Real Property for any purpose other than the purposes specified in Section 2.04, (ii) substantially alter any of the Real Property except such alterations as may be required by laws, ordinances or regulations, or such other alterations as may improve the Real Property by increasing its value or which improve its ability to be used for the purposes set forth in Section 2.04, (iii) take any action which would unduly impair or depreciate the value of the Real Property, (iv) abandon the Real Property, or (v) commit or permit any act to be done in or on the Real Property in violation of any law, ordinance or regulation.

If the Public Entity fails to maintain the Real Property in accordance with this Section, MnDOT may perform whatever acts and expend whatever funds necessary to so maintain the Real Property, and the Public Entity irrevocably authorizes MnDOT to enter upon the Real Property to perform such acts as may be necessary to so maintain the Real Property. Any actions taken or funds expended by MnDOT shall be at its sole discretion, and nothing contained herein shall require MnDOT to take any action or incur any expense and MnDOT shall not be responsible, or liable to the Public Entity or any other entity, for any such acts that are performed in good faith and not in a negligent manner. Any funds expended by MnDOT pursuant to this Section shall be due and payable on demand by MnDOT and will bear interest from the date of payment by MnDOT at a rate equal to the lesser of the maximum interest rate allowed by law or 18% per year based upon a 365-day year.

Section 5.04 Recordkeeping and Reporting. The Public Entity shall maintain books and records pertaining to Project costs and expenses needed to comply with the requirements contained herein, Minn. Stat. Sec. 16A.695, the Commissioner’s Order, and Minn. Stat. Sec. 174.52 and all rules related thereto, and upon request shall allow MnDOT, its auditors, the Legislative Auditor for the State of Minnesota, or the State Auditor for the State of Minnesota, to inspect, audit, copy, or abstract all of such items. The Public Entity shall use generally accepted accounting principles in the maintenance of such items, and shall retain all of such books and records for a period of six years after the date that the Project is fully completed and placed into operation.

Section 5.05 Inspections by MnDOT. The Public Entity shall allow MnDOT to inspect the Real Property upon reasonable request by MnDOT and without interfering with the normal use of the Real Property.
Section 5.06 **Liability.** The Public Entity and MnDOT agree that each will be responsible for its own acts and the results thereof to the extent authorized by law, and neither shall be responsible for the acts of the other party and the results thereof. The liability of MnDOT and the Commissioner is governed by the provisions of Minn. Stat. Sec. 3.736. If the Public Entity is a “municipality” as that term is used in Minn. Stat. Chapter 466, then the liability of the Public Entity is governed by the provisions of Chapter 466. The Public Entity’s liability hereunder shall not be limited to the extent of insurance carried by or provided by the Public Entity, or subject to any exclusion from coverage in any insurance policy.

Section 5.07 **Relationship of the Parties.** Nothing contained in the Agreement is to be construed as establishing a relationship of co-partners or joint venture among the Public Entity, MnDOT, or the Commissioner, nor shall the Public Entity be considered to be an agent, representative, or employee of MnDOT, the Commissioner, or the State of Minnesota in the performance of the Agreement or the Project.

No employee of the Public Entity or other person engaging in the performance of the Agreement or the Project shall be deemed have any contractual relationship with MnDOT, the Commissioner, or the State of Minnesota and shall not be considered an employee of any of those entities. Any claims that may arise on behalf of said employees or other persons out of employment or alleged employment, including claims under the Workers’ Compensation Act of the State of Minnesota, claims of discrimination against the Public Entity or its officers, agents, contractors, or employees shall in no way be the responsibility of MnDOT, the Commissioner, or the State of Minnesota. Such employees or other persons shall not require nor be entitled to any compensation, rights or benefits of any kind whatsoever from MnDOT, the Commissioner, or the State of Minnesota, including tenure rights, medical and hospital care, sick and vacation leave, disability benefits, severance pay and retirement benefits.

Section 5.08 **Notices.** In addition to any notice required under applicable law to be given in another manner, any notices required hereunder must be in writing and personally served or sent by prepaid, registered, or certified mail (return receipt requested), to the address of the party specified below or to such different address as may in the future be specified by a party by written notice to the others:

To the Public Entity: At the address indicated on the first page of the Agreement.

To MnDOT at: Minnesota Department of Transportation
Office of State Aid
395 John Ireland Blvd., MS 500
Saint Paul, MN 55155
Attention: Marc Briese, State Aid Programs Engineer

To the Commissioner at: Minnesota Management & Budget
400 Centennial Office Bldg.
658 Cedar St.
St. Paul, MN 55155
Attention: Commissioner

Section 5.09 **Assignment or Modification.** Neither the Public Entity nor MnDOT may assign any of its rights or obligations under the Agreement without the prior written consent of the other party.

Section 5.10 **Waiver.** Neither the failure by the Public Entity, MnDOT, or the Commissioner, as a third party beneficiary of the Agreement, in one or more instances to insist upon the complete observance or performance of any provision hereof, nor the failure of the Public Entity, MnDOT, or the Commissioner to exercise any right or remedy conferred hereunder or afforded by law shall be construed as waiving any
breach of such provision or the right to exercise such right or remedy thereafter. In addition, no delay by any of the Public Entity, MnDOT, or the Commissioner in exercising any right or remedy hereunder shall operate as a waiver thereof, nor shall any single or partial exercise of any right or remedy preclude other or further exercise thereof or the exercise of any other right or remedy.

Section 5.11 **Choice of Law and Venue.** All matters relating to the validity, interpretation, performance, or enforcement of the Agreement shall be determined in accordance with the laws of the State of Minnesota. All legal actions arising from any provision of the Agreement shall be initiated and venued in the State of Minnesota District Court located in St. Paul, Minnesota.

Section 5.12 **Severability.** If any provision of the Agreement is finally judged by any court to be invalid, then the remaining provisions shall remain in full force and effect and they shall be interpreted, performed, and enforced as if the invalid provision did not appear herein.

Section 5.13 **Matching Funds.** Any matching funds as shown on Page 1 of the Grant Agreement that are required to be obtained and supplied by the Public Entity must either be in the form of (i) cash monies, (ii) legally binding commitments for money, or (iii) equivalent funds or contributions, including equity, which have been or will be used to pay for the Project. The Public Entity shall supply to MnDOT whatever documentation MnDOT may request to substantiate the availability and source of any matching funds.

Section 5.14 **Sources and Uses of Funds.** The Public Entity represents to MnDOT and the Commissioner that the Sources and Uses of Funds Schedule attached as Exhibit A accurately shows the total cost of the Project and all of the funds that are available for the completion of the Project. The Public Entity will supply any other information and documentation that MnDOT or the Commissioner may request to support or explain any of the information contained in the Sources and Uses of Funds Schedule. If any of the funds shown in the Sources and Uses of Funds Schedule have conditions precedent to the release of such funds, the Public Entity must provide to MnDOT a detailed description of such conditions and what is being done to satisfy such conditions.

Section 5.15 **Project Completion Schedule.** The Public Entity represents to MnDOT and the Commissioner that the Project Completion Schedule attached as Exhibit B correctly and accurately sets forth the projected schedule for the completion of the Project.

Section 5.16 **Third-Party Beneficiary.** The Governmental Program will benefit the State of Minnesota and the provisions and requirements contained herein are for the benefit of both the State Entity and the State of Minnesota. Therefore, the State of Minnesota, by and through its Commissioner of MMB, is and shall be a third-party beneficiary of this Agreement.

Section 5.17 **Public Entity Tasks.** Any tasks that the Agreement imposes upon the Public Entity may be performed by such other entity as the Public Entity may select or designate, provided that the failure of such other entity to perform said tasks shall be deemed to be a failure to perform by the Public Entity.

Section 5.18 **Data Practices.** The Public Entity agrees with respect to any data that it possesses regarding the G.O. Grant or the Project to comply with all of the provisions and restrictions contained in the Minnesota Government Data Practices Act contained in Minnesota Statutes Chapter 13, as such may subsequently be amended or replaced from time to time.

Section 5.19 **Non-Discrimination.** The Public Entity agrees to not engage in discriminatory employment practices regarding the Project and it shall fully comply with all of the provisions contained in
Minnesota Statutes Chapters 363A and 181, as such may subsequently be amended or replaced from time to time.

Section 5.20 **Worker’s Compensation.** The Public Entity agrees to comply with all of the provisions relating to worker’s compensation contained in Minn. Stat. Secs. 176.181 subd. 2 and 176.182, as they may be amended or replaced from time to time with respect to the Project.

Section 5.21 **Antitrust Claims.** The Public Entity hereby assigns to MnDOT and the Commissioner of MMB all claims it may have for over charges as to goods or services provided with respect to the Project that arise under the antitrust laws of the State of Minnesota or of the United States of America.

Section 5.22 **Prevailing Wages.** The Public Entity agrees to comply with all of the applicable provisions contained in Minnesota Statutes Chapter 177, and specifically those provisions contained in Minn. Stat. §. 177.41 through 177.435 as they may be amended or replaced from time to time with respect to the Project. By agreeing to this provision, the Public Entity is not acknowledging or agreeing that the cited provisions apply to the Project.

Section 5.23 **Entire Agreement.** The Agreement and all of the exhibits attached thereto embody the entire agreement between the Public Entity and MnDOT, and there are no other agreements, either oral or written, between the Public Entity and MnDOT on the subject matter hereof.

Section 5.24 **E-Verification.** The Public Entity agrees and acknowledges that it is aware of Minn.Stat. § 16C.075 regarding e-verification of employment of all newly hired employees to confirm that such employees are legally entitled to work in the United States, and that it will, if and when applicable, fully comply with such order.

Section 5.25 **Telecommunications Certification.** If federal funds are included in Exhibit A, by signing this agreement, Contractor certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (Aug. 13, 2018), and 2 CFR 200.216, Contractor will not use funding covered by this agreement to procure or obtain, or to extend, renew, or enter into any contract to procure or obtain, any equipment, system, or service that uses “covered telecommunications equipment or services” (as that term is defined in Section 889 of the Act) as a substantial or essential component of any system or as critical technology as part of any system. Contractor will include this certification as a flow down clause in any contract related to this agreement.

Section 5.26 **Title VI/Non-discrimination Assurances.** Public Entity agrees to comply with all applicable US DOT Standard Title VI/Non-Discrimination Assurances contained in DOT Order No. 1050.2A, and in particular Appendices A and E, which can be found at: [https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035](https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035). Public Entity will ensure the appendices and solicitation language within the assurances are inserted into contracts as required. MnDOT may conduct a review of the Public Entity’s compliance with this provision. The Public Entity must cooperate with MnDOT throughout the review process by supplying all requested information and documentation to MnDOT, making Public Entity staff and officials available for meetings as requested, and correcting any areas of non-compliance as determined by MnDOT.
Agenda Item
3. F. Approval of 2022 State Legislative Priorities

Prepared By
Tim Cruikshank, City Manager

Summary
Each year the Council reviews the City’s Legislative Priorities prior to the upcoming Legislative Session. Council discussed the 2022 State Legislative Priorities at the December 14, 2021 and January 11, 2022 City Council work sessions. Once approved, the 2022 State Legislative Priorities will be distributed to Golden Valley’s legislative delegation and to other appropriate parties as needed to help achieve the City’s goals.

Financial Or Budget Considerations
Various, depending on the item and legislative outcome.

Recommended Action
Motion to approve the City of Golden Valley 2022 State Legislative Priorities.

Supporting Documents
• City of Golden Valley 2022 State Legislative Priorities (45 pages)
2022 GOLDEN VALLEY
STATE LEGISLATIVE PRIORITIES

Adopted by the City Council
These priorities are supported by the Golden Valley City Council, along with Metro Cities, League of Minnesota Cities, Municipal Legislative Commission, and Regional Council of Mayors policies, and may be used by local officials and staff to advocate for during the Legislative session.
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TRANSPORTATION PRIORITIES

T1. Support Full Funding For Bus Rapid Transit (BRT) And Multimodal Infrastructure Or Transportation

The City of Golden Valley supports investment in Bus Rapid Transit and multimodal infrastructure on the Highway 55 corridor from Wright County to Minneapolis due to a high concentration of jobs, strong reverse-commute patterns, and increased residential development along the corridor. This includes improving safety and mobility at key intersections, like Winnetka Avenue, to better accommodate vehicles, pedestrians, transit, etc.

T2. Support Comprehensive Transportation Funding

The City of Golden Valley supports dedicating more resources to all components of the state’s transportation system and ensuring local units of government have access to resources and funding tools to meet growing needs.

ENVIRONMENTAL PRIORITIES

E1. Continue To Adequately Fund The DNR Flood Damage Reduction Program For Local Projects

The City of Golden Valley is requesting legislative approval of funds through the Department of Natural Resources (DNR) Flood Damage Reduction Program to implement public improvements within the DeCola Ponds and Medicine Lake Road watershed. These projects include improvements within the Cities of Crystal, New Hope and Golden Valley (eg, flood storage, subwatershed diversion, and runoff rate control projects).

E2. Climate Emergency Declaration: Support Policies And Investments Mitigating The Impact Of Climate Change

The Golden Valley City Council declared by resolution a Climate Emergency Dec 21, 2021. The City joins more than 2,000 jurisdictions in 34 countries to focus attention on the need for rapid action to address climate change.

E3. Support Funding For Metropolitan Council Inflow/Infiltration Grants—Public And Private Improvements

Because I/I reduction efforts benefit the entire metropolitan area, the City of Golden Valley supports the state providing continued capital assistance for grants to cities as well as financial assistance for private property through future Clean Water Legacy Act appropriations.
E4. Advance Building Performance

The City of Golden Valley’s supports statewide energy efficiency improvements in buildings, lighting, and infrastructure and includes these as local goals in the Resilience and Sustainability Chapter of its 2040 Comprehensive Plan.

COMMUNITY AFFAIRS

C1. Support For Racial Equity In Minnesota And House Select Committee On Racial Justice

Recognizing cities cannot work in isolation on racial equity issues, the City of Golden Valley supports efforts by the League of Minnesota Cities and the State Legislature’s House Select Committee on Racial Justice to optimize success for all Minnesotans regardless of race.

C2. Support Equitable And Inclusive Elections

The City of Golden Valley supports expansive and accessible voting rights with consistent statewide standards to allow local decision-making control of certain aspects in city elections.

C3. Police Arbitration Reform

The City of Golden Valley strongly urges the Minnesota State Legislature to consider changes to the current Minnesota Public Employment Labor Relations Act (MPELRA) arbitration system in any further discussions or proposals that address police reform measures.

C4. Support For Ban On Conversion Therapy Practices

The City of Golden Valley supports the State Legislature banning the practice of conversion therapy for minors in the State of Minnesota.

APPENDIX

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F1. Support Local-Option Sales Tax

City Position

The City of Golden Valley supports a local-option sales tax at .05 percent. The estimated potential revenue of $2.85 million per year would help fund critical infrastructure and building improvements.

Issues

City Buildings: Current City facilities do not accommodate contemporary fire protection, policing, administrative, or public works operations. To better serve the community, improve operational efficiencies, and expand economic development opportunities, the City developed a long-term, phased plan to address its building needs. The plan includes relocating public works operations out of the downtown area, constructing a modern public safety building and firefighting facilities that accommodate 24/7 duty crews, and a new City Hall. These improvements are scheduled to occur over the next 30 years at an estimated cost of $160 million. Additional resources are needed to fund debt and keep property taxes in check.

Action

To fund the above described capital improvements, the City of Golden Valley requests authorization to enact a local-option sales tax in accordance with Department of Revenue steps, which include:

• passing a resolution that includes a proposed tax rate; detailed description of up to five capital projects funded with the tax; documentation of how each project will provide economic benefits to residents, businesses, and visitors from the jurisdiction; amount of revenue to be raised for each project and estimated time needed to raise funds; total amount of revenue to be raised for all projects; and estimated length of time the tax will be in effect if all proposed projects are approved

• submitting the resolution and supporting documents to the Senate and House Tax Committee chairs by Jan 31, then passing a resolution with approved language for a local ballot once legislative approval is received

• passing the resolution at least 90 days before a general election for voters to approve by a majority vote, and if a project is not approved, adjusting the revenue and expiration date
F2. Support Bond Allocation For Remote Fire Station

City Position
The City of Golden Valley is requesting State funding in the amount of $17 million to acquire land, complete predesign and design work, and construct a new remote fire station for the Golden Valley Fire Department.

Issues
The City of Golden Valley is in need of constructing a new remote fire station. Currently the City operates a paid on-call fire department out of three stations. To continue delivering effective service, the fire department needs to move to a duty-crew staffing model. However, the current three stations lack the facilities needed to accommodate a duty-crew model, and the two existing remote stations are not geographically located to provide optimal response time within the community, as well as within the western metro for mutual aid requests.

The City proposes to construct an approximately 20,000-square-foot remote fire station on the east side of Highway 100. This general location, combined with the current headquarters location at Winnetka Avenue and Golden Valley Road, provides quick access to major thoroughfares and improves response times throughout Golden Valley. The current department staffing model does not result in 13 to 15 personnel arriving on scene at a structure fire within eight minutes, as recommended by the National Fire Protection Association.

The City’s bonding request includes funding for land acquisition, pre-design and design work, followed by station construction. The station is proposed to include an apparatus bay of approximately 7,500 square feet and support space (office, sleeping quarters, meeting area, etc) of approximately 7,700 square feet. The station will serve as a polling location for the City and provide community meeting and training space.

Action
- Advocate to include the City’s funding request of $17 million for design and construction of a new remote fire station in the 2022 bonding bill.
F3. Support Sales Tax Exemption On Local Purchases

City Position
The City of Golden Valley supports the tax exemption of motor vehicle tax of 6.5 percent on all municipal vehicles.

Issues
Currently only police and fire emergency vehicles are exempt. The City has many other vehicles, such as sweepers and large trucks, that respond to snow emergencies, flooding, road repair, etc.

Action
Support language regarding the exemption of Motor Vehicle Sales Tax on all municipal vehicles purchased by governmental agencies.
F4. Modify Obsolete Fiscal Disparities Formula To Assist Local Units Of Government With Basic Needs

City Position

The City of Golden Valley supports reviewing and amending the 50-year-old Fiscal Disparities formula to ensure all metro area local governments have access to resources and funding tools to meet growing needs. By amending the Fiscal Disparities formula, all metro area cities can use the additional amount of property taxes received to help fund needed improvements.

For nearly 50 years, the Fiscal Disparities program has reapportioned 40 percent of tax capacity from metro area cities with higher commercial/industrial tax bases to those with less market value per capita. This is to help equalize funding for the betterment of the Twin Cities metropolitan area.

While all cities have needs, those that historically have been net Fiscal Disparities contributors have aged and are experiencing greater infrastructure needs than 50 years ago. Much of this infrastructure was built before the early 1960s and is due for replacement. It is time to recalculate the Fiscal Disparities formula to reflect today’s realities. Since just 2001, Golden Valley has contributed almost $40 million to help other communities meet their needs. With the proposed change, over the next 20 years Golden Valley would keep an estimated $18 million help meet its needs.

Issue

Golden Valley, like most cities in Minnesota and the nation at large, is facing a looming infrastructure crisis. All across the US, aging systems for water supply, sanitary sewer management, storm water and flood control, transportation, etc., are in need of repair and/or replacement. Not only is much of Golden Valley’s infrastructure a half century or more old, but as populations grow, it’s taking on service demands it was not built to handle. The Fiscal Disparities program has been in existence for almost 50 years and in need of an overhaul.

Action

Advocate for modifying the obsolete Fiscal Disparities formula so all metro area cities can fund needed infrastructure improvements while keeping taxes and utility expenses lower than they inevitably would be if this infrastructure problem is allowed to grow into a full-blown crisis.

Additional Documents (See Appendix F4)

- Table: 20-Year History Of Golden Valley’s Fiscal Disparities Contributions With 40 Percent Program And 20-Year Projection Of Golden Valley’s Fiscal Disparities Gains With 30 Percent Program (1 page)
F5. Support Funding For Local Government Aid

City Position
The City of Golden Valley supports funding of the Local Government Aid (LGA) component to help ensure needs for public services can be met by equalizing the tax base for all cities.

Issue
Golden Valley is one of the few cities statewide that does not receive LGA but has many basic public service needs that are underfunded.

Action
Advocate for the state to keep pace with inflationary pressures and support increased funding for LGA. Golden Valley supports an increase in the LGA appropriation and a review in its entirety of the formula that would at least provide a minimum distribution to help fund public services. Golden Valley supports HF 2031 authored by Representative Hertaus in 2019.

Additional Documents (See Appendix F5)
- Table: 10-Year History Of Local Government Aid Distribution And Its Impact On Golden Valley (1 page)
F6. Support Funding For Affordable And Workforce Housing

City Position

The City of Golden Valley supports additional tools for local communities to develop and preserve affordable and workforce housing and to advance diverse, inclusionary, and equitable housing opportunities.

Issue

Cities must ensure they provide a full range of housing choices in the community. As cities, businesses, and the overall economy in the Minneapolis–St Paul region continues to grow, the need for housing available to those with low and moderate incomes also grows. Failure to expand housing options will impact the region’s ability to attract talent, grow its economy, and reinvest in itself.

If resources and policies needed to advance affordable housing opportunities for BIPOC homeowners and renters across the state are specifically identified, housing opportunity would be more effective from a diversity, equity and inclusion perspective.

Actions

Advocate for policy and financial tools that support both the preservation of naturally occurring affordable housing, construction of new affordable housing, as well as additional resources needed for cities to address the unequal distribution of housing resources, including:

• policies, programs and resources for affordable rental housing eligibility based on income and social vulnerability indicators
• policies, programs and resources for affordable homeownership eligibility based on income, social vulnerability indicators, and first generation homebuyers
• increasing funding for the state’s rental rehab loan fund for naturally occurring affordable housing and including use of the fund in the metro region
• enhancing state programs, policies, and funding allocations to promote and finance the preservation and construction of affordable housing, particularly for assisted, senior, and supportive housing
• modifying Tax Increment Financing (TIF) statutes to clearly enable pooling of TIF revenue for affordable housing
• establishing a statewide notification requirement for rental properties prior to ownership transfer
• creating incentives for property owners to participate in the Section 8 Housing Choice Voucher Program to increase housing options for low and moderate income earners
• preserving and expanding the state’s 4d low-income property tax program that provides a property tax benefit to qualifying low-income rental properties

Additional Documents (See Appendix F6)

• Memo: Golden Valley Affordable Housing Work Plan (2 pages)
**TRANSPORTATION**

**T1. Support Full Funding For Bus Rapid Transit (BRT) And Multimodal Infrastructure Or Transportation**

**City Position**

The City of Golden Valley supports investment in Bus Rapid Transit and multimodal infrastructure on the Highway 55 corridor from Wright County to Minneapolis due to a high concentration of jobs, strong reverse-commute patterns, and increased residential development along the corridor. This includes improving safety and mobility at key intersections, like Winnetka Avenue, to better accommodate vehicles, pedestrians, transit, etc.

**Issue**

Trunk Highway 55 is a major transportation route serving the west metro area and beyond. The corridor contains a high concentration of jobs, has a strong reverse-commute pattern, and is experiencing increased residential development. Bus Rapid Transit is a practical and affordable component of a comprehensive regional transportation system.

Because Highway 55 also creates a barrier between the northern and southern portions of communities, infrastructure to support BRT ridership and promote multi-modal transportation must be planned for and funded as part of the Highway 55 BRT corridor.

**Actions**

- Advocate for full funding for Bus Rapid Transit on Highway 55, which impacts all communities along the corridor (Minneapolis, Golden Valley, Plymouth, Medina, and beyond).

- Leverage federal dollars to the extent possible to fund infrastructure improvements that support BRT, including a pedestrian overpass at Highway 55 and Winnetka Avenue.

- Aggressively pursue Federal infrastructure funding to advance these initiatives.

**Additional Documents (See Appendix T1)**

- Resolution: Supporting Future Bus Rapid Transit (BRT) Service On Highway 55 And Participation In Additional Study Of The Corridor (2 pages)

- Highway 55 & Winnetka Avenue Concept (1 page)
TRANSPORTATION

T2. Support Comprehensive Transportation Funding

City Position
The City of Golden Valley supports dedicating more resources to all components of the state’s transportation system and ensuring local units of government have access to resources and funding tools to meet growing needs.

Issue
A comprehensive regional transportation system that meets the physical, social, and economic needs of Golden Valley and the state requires adequate funding. This transportation system includes streets, bridges, highways, transit, and multi-modal solutions. Collaborative efforts and initiatives are already in progress.

Actions
• Establish a sustainable formula to increase transit and transportation funding.
• Advocate for including improvements to US Highway 169 between I-394 and Medicine Lake Road in the MnDOT Capital Improvement Plan.
E1. Continue To Adequately Fund The DNR Flood Damage Reduction Program For Local Projects

City Position
The City of Golden Valley is requesting legislative approval of funds through the Department of Natural Resources (DNR) Flood Damage Reduction Program to continue to implement public improvements within the DeCola Ponds and Medicine Lake Road watershed. These projects include improvements within the Cities of Crystal, New Hope and Golden Valley (eg, flood storage, subwatershed diversion, and runoff rate control projects).

Issue
The City of Golden Valley experiences localized flooding in the Medicine Lake Road and Winnetka Avenue area and flooding from Bassett Creek in numerous locations throughout the community. This flooding causes damages to homes and businesses, and impacts infrastructure and emergency services. The City is currently pursuing Phase III of a multi-phase project.

Action
Advocate for continued full funding of the Minnesota DNR Flood Damage Reduction Program, including funding of the Medicine Lake Road and Winnetka Avenue Area Long Term Flood Mitigation Project.

Additional Documents (See Appendix E1)
- Map: DeCola Ponds Flood Mitigation Area (1 page)
E2. Climate Emergency Declaration: Support Policies And Investments Mitigating The Impact Of Climate Change

City Position
The Golden Valley City Council declared by resolution a Climate Emergency Dec 21, 2021. On Jan 18, 2022, the City passed an additional resolution to join more than 2,000 jurisdictions in 34 countries to focus attention on the need for rapid action to address climate change.

Issue
Golden Valley residents, businesses, and property owners are experiencing the impacts of climate change through increased flooding and flood risk, excessive heat, drought, invasive species, diminished air quality, and extreme weather events. Not only do these events affect the health, safety, well-being, and economic vitality of Golden Valley residents and businesses, these climate-related impacts affect the City’s operations, infrastructure, and finances.

Additionally, climate change disproportionately impacts historically excluded, marginalized, and underserved communities, low-income families, and residents with disabilities who are most at risk from the negative impacts of climate change.

Actions
The City of Golden Valley calls on the Minnesota Legislature and executive branch to immediately and aggressively support mitigation and adaption efforts by providing funding and resources to develop and implement climate actions plans.

Additional Documents (See Appendix E2)
• City Council Resolution No. 21-100 Declaring a Climate Emergency in Golden Valley (5 pages)
• City Council Resolution No. 22-____ Joining with Cities and Counties Across Minnesota/US/World Declaring a Climate Emergency (will be added after City Council approves it Jan 18)
E3. Support Funding For Metropolitan Council Inflow/Infiltration Grants—Public And Private Improvements

City Position
Because I/I reduction efforts benefit the entire metropolitan area, the City of Golden Valley supports the state providing continued capital assistance for grants to cities as well as financial assistance for private property through future Clean Water Legacy Act appropriations.

Issue
Many metro communities are contributing excess inflow and infiltration of clear water into the regional wastewater system. Excess I/I results in wastewater flows that exceed the capacity of conveyance and treatment systems, resulting in significant environmental and public health issues and excessive costs to upgrade these systems.

Action
Advocate for financial assistance through future Clean Water Legacy appropriations to metro area cities with excess I/I. These resources should include assistance for cities to address I/I contributions from private property.

Additional Documents (See Appendix E3)
• Memo: MCES I&I Grant Benefits - City of Golden Valley (1 page)
E4. Advance Building Performance

City Position
The City of Golden Valley supports statewide energy efficiency improvements in buildings, lighting, and infrastructure and includes these as local goals in the Resilience and Sustainability Chapter of its 2040 Comprehensive Plan.

Issue
The State of Minnesota has a goal of reducing greenhouse gas emissions by 80 percent by 2050 but is not on track to do so. Buildings are a top greenhouse gas emitter, and a different approach is needed to building design and construction. Building codes, which are established by the State, are not advancing fast enough to reach carbon reduction goals.

Action
The City of Golden Valley supports policy changes and other solutions that lead to increased building efficiency, including:

• clear standards for developers and designers
• financial support and incentives for energy efficient improvements
• educational support and training
• advancing code requirements at a rate faster than the typical building code update cycle
• statewide adoption of building codes that advance energy performance in new and remodeled buildings
C1. Support For Racial Equity In Minnesota And House Select Committee On Racial Justice

City Position
The City of Golden Valley supports efforts by the League of Minnesota Cities and the State Legislature’s House Select Committee on Racial Justice to optimize success for all Minnesotans regardless of race. This includes recognizing cities cannot work in isolation on racial equity issues, declaring and addressing racism as a public health crisis, and ensuring House legislative efforts are analyzed through an intersectional racial equity lens.

Issue
Established in 2020, the House Select Committee on Racial Justice received recommendations designed to address intentional and unintentional systemic disparities and inequities in economic development, housing, education, public safety, health and human services, and environmental justice. In recognition, cities are invested in building a more equitable future where every resident can thrive regardless of race.

Action
The City encourages the Select Committee’s efforts to provide definitions, a historical framework, and current data related to the impact of systemic racism and race-related disparities. The City also supports the State taking a leadership role to serve all Minnesotans by prioritizing addressing racial equity through:

• partnering with local government and communities of color to identify and address racial equity issues and build/rebuild relationships and trust
• proactively assessing past racial harms and developing actions to address them
• collecting and providing data disaggregated by race necessary for cities and the state to make informed decisions about how to address racial disparities
• developing a state system for the proactive and innovative development and delivery of resources to local government to address racial equity, including policy and service options, local engagement tools, policy expertise, and financial resources
• actively reviewing and amending existing statutory language to identify laws that contribute to racial inequities and considering racial equity impacts when crafting proposed legislation and policies
• working to improve access to procurement opportunities for veteran-, woman-, and minority-owned businesses
C2. Support Equitable And Inclusive Elections

City Position
The City of Golden Valley supports expansive and accessible voting rights. Providing consistent statewide standards, allowing local decision-making control of certain aspects in city elections, and expanding voting rights are vital to improving access to voting and the efficiency of election administration.

Issue
Current law limits the ability for some residents of Golden Valley to use voting as their voice. Many Golden Valley residents are unable to vote due to:

• burdensome rules and inconsistent information about when voting rights are restored to those convicted of a felony
• restrictions prohibiting taxpaying, lawful, noncitizens from participating in selecting their local representatives
• state laws that do not allow online absentee ballot requests for local elections

Furthermore, local decision-making control to adopt Ranked Choice Voting (RCV) in city elections is currently only available to charter cities. RCV allows voters to rank candidates by preference, which leads to a more representative government because the winning candidate in an RCV election has the broadest support of all voters in the community.

Actions
The City of Golden Valley supports:

• restoring voting rights for those convicted of a felony who have served the entirety of their sentence and are not incarcerated
• giving cities the authority to consider and adopt regulations that would allow all lawful residents over age 18 to vote in city elections, regardless of US citizenship status
• creating consistency in absentee voter outreach opportunities, including legislation to allow online absentee ballot requests for local elections
• allowing statutory cities to consider and adopt RCV
• enacting state-level standards and equipment for RCV
C3. Police Arbitration Reform

City Position
The City of Golden Valley strongly urges the Minnesota State Legislature to consider changes to the current Minnesota Public Employment Labor Relations Act (MPELRA) arbitration system in any further discussions or proposals that address police reform measures.

Issue
As it now stands, the arbitration system undermines the ability of elected and appointed officials, including police chiefs and city managers, to make lasting departmental disciplinary or termination decisions that protect residents and help to ensure a responsible public safety environment in their communities. Without systemic changes, arbitrator opinions are allowed to override the professional judgment of police supervisors when it comes to deciding what constitutes just cause and who ultimately is permitted to return to the streets as an officer. Consequently, rigorous police department accountability standards continue to be compromised at a time when they are needed more than ever.

Actions
• The City supports a new reasonable standard of review in police misconduct cases. This is necessary to uphold discipline decisions that are entrusted to the local officials ultimately responsible for protecting their communities. Including a new, reduced standard of review in police discipline matters is important to foster cultural change as well as to enhance and support effective police officer accountability and transparency measures that are included in the Police Accountability Act of 2020. The new standard should focus the arbitrator’s role on simply determining whether the facts presented show that the employer’s actions were reasonable and consistent with city and departmental policies.

• The City supports using administrative law judges (ALJs) for grievances involving terminations and discipline related to police misconduct. The ALJ process would involve robust fact-finding and technical legal parameters that would help ensure a thorough review of the officer’s and employer’s actions. This model also provides an appeals process, which the arbitration process does not. The City believes the severity and importance of police cases involving terminations and discipline related to police misconduct warrant them being elevated into the ALJ system.
C4. Support For Ban On Conversion Therapy Practices

City Position
The City of Golden Valley supports the State Legislature banning the practice of conversion therapy for minors in the State of Minnesota.

Issue
Conversion therapy, also known as reparative therapy, is a practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

Conversion therapy is based on the discredited premise that being lesbian, gay, bisexual, transgender, or queer (LGBTQ+) is a mental disorder that can be cured or corrected. Medical, mental health, and child welfare experts, including the American Medical Association and the American Psychiatric Association, have denounced conversion therapy as ineffective, unreliable, unethical, and unsafe for the people who undergo such treatment, including LGBTQ+ people.

Furthermore, conversion therapy has been shown to cause serious and dangerous harm to those who are subjected to such treatments, including depression, anxiety, increased suicidal behaviors, lowered self-esteem, internalized homophobia, self-blame, intrusive imagery, sexual dysfunction, and interpersonal harm, such as alienation, loneliness, social isolation, interference with intimate relationships, and loss of social supports. The State of Minnesota regulates and licenses behavioral and mental health professionals but has so far not addressed the serious issue of conversion therapy.

Action
The City of Golden Valley supports the State Legislature banning the practice of conversion therapy for minors in the State of Minnesota. The City supports a ban that applies to any and all forms of conversion therapy, but that excludes a prohibition on practices or treatments that provide acceptance, support, and understanding for the facilitation of an individual's coping, social support, and identity exploration and development, or treatment to support gender identity transition.
APPENDIX
Appendix F4. Modify Obsolete Fiscal Disparities Formula To Assist Local Units Of Government With Basic Needs

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* New commercial/industrial tax capacity value prospectively
### 10-Year History Of Local Government Aid Distribution And Its Impact On Golden Valley

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</table>
Appendix F6. Support Funding For Affordable And Workforce Housing

• Golden Valley Affordable Housing Work Plan 2020 (2 pages)
Golden Valley Affordable Housing Work Plan - 2020
Last updated: January 2020

Prepared By
Emily Goellner, Senior Planner/Grant Writer

Summary
Based on direction from the Council and Manager, staff has developed a work plan on affordable housing strategies and policies.

Key Points
• The role that the City plays in local housing policy and programming has expanded rapidly since 2017.
• Staff will continue focusing on building relationships with NOAH property owners, landlords, and property managers in 2019.
• Since health and safety are central to the City’s housing interests, any new policies or programs should not unintentionally discourage property improvements, rehabilitation, and code compliance.
• The 2040 Comprehensive Plan identifies many goals and action steps for the City to take. They are categorized into five goals: quality, variety, affordability, sustainability, and equity. Staff will work with existing human and financial resources to implement the plan.
• Staffing and budgeting impacts associated with policy and program options must continue to be examined to ensure that administration, enforcement, and education can be completed properly.
• Some policies and program ideas will be most impactful if enacted on a regional or state level.
• The Housing Preservation Tools Workgroup meetings are attended by staff at Golden Valley and ten other city governments (Minneapolis, St. Paul, St. Louis Park, Edina, Eden Prairie, Bloomington, Richfield, Hopkins, Brooklyn Center, and Brooklyn Park), Hennepin County, Minnesota Housing Finance Agency, Metro HRA, Urban Land Institute, and Family Housing Fund. The meetings are held to inform policy recommendations, share knowledge, and bring important stakeholders to the conversations. This group will continue to meet regularly.

Staff has accomplished the following actions:
1. Adopted a Tenant Protection Ordinance (applicable to owners upon sale of NOAH property) and notified property owners
2. Adopted the 2040 Comprehensive Plan, which includes an extensive list of actions to be taken to meet affordable housing goals
3. Hosted a training on Section 8 Housing Choice Vouchers by the Metro HRA at the February STAR Program meeting for property managers
4. Received CDBG funding for a land trust home for West Hennepin Affordable Housing Land Trust (WHAHLT) (dba Homes Within Reach)
5. Applied for CDBG, AHIF, and HOME funding for an additional land trust home with West Hennepin Affordable Housing Land Trust (WHAHLT) (dba Homes Within Reach)
6. Researched opportunities for an HRA levy
   a. Bonds or loans to rehabilitation or acquisition/resale of affordable properties
   b. Establish a loan program for maintenance of NOAH and/or single-family homes
   c. Other programs that further the Housing Policy Plan in the 2040 Comp Plan
7. Expanded the City's legislative priority on affordable housing
8. Adopted changes to the Mixed Income Housing Policy to increase the number of housing projects required to comply
9. Provided input at the regional housing forum hosted by Governor Dayton’s Task Force on Affordable Housing
10. Planning, Fire, and Police department staff met to monitor condition of housing stock
11. Implemented a 4d property tax program to help preserve existing NOAH units within the City.

Staff is taking continuing action on the following strategies:

12. Host additional discussions with NOAH property owners/manager and staff from the Minnesota Multi-Family Housing Association (MHA)
13. Create plan and timeline for selling and developing publicly owned vacant land for affordable housing
14. Update the Housing page on the City website to include more home remodeling information
15. Continue monitoring condition of housing stock and rental rates
   a. Request rental rate information with rental licensing program applications
   b. Perform update to housing inventory every 5 years
   c. Continue monitoring housing stock conditions with inspections
16. Actively follow the work of Prosperity’s Front Door, which is the next step after the Governor Dayton’s Task Force on Affordable Housing
17. Perform an evaluation of the STAR program for rental properties and recommend enhancements that help the City meet a variety of housing goals
18. Contact property owners to promote NOAH loan program with Greater MN Housing Fund (GMHC), which provides equity for property improvements in exchange for maintained rents
19. Exploring the possibility of using vacant public lands as the basis for new affordable housing via public land disposition.

Staff is continuing research in partnership with other suburban cities on the following strategies:

20. Research ordinance prohibiting landlords from excluding Section 8 voucher holders from a building’s rental application process (pending MPLS lawsuit)
21. Continue monitoring lawsuit involving the City of Minneapolis policy that prohibits landlords from excluding Section 8 voucher holders from a building’s rental application process (at least 4 cities are interested in adopting a policy if lawsuit decides in favor of City of Minneapolis)
22. Research the benefits and process for the adoption of a local Fair Housing Policy, which the Metropolitan Council requires for participation in their grant programs for housing projects
Appendix T1. Support Full Funding For Bus Rapid Transit (BRT) And Multimodal Infrastructure Or Transportation

• Resolution: Supporting Future Bus Rapid Transit (BRT) Service On Highway 55 And Participation In Additional Study Of The Corridor (2 pages)

• Map: Highway 55 & Winnetka Avenue Concepts (1 page)
RESOLUTION NO. 19-76

RESOLUTION SUPPORTING FUTURE BUS RAPID TRANSIT (BRT) SERVICE ON HIGHWAY 55 AND PARTICIPATION IN ADDITIONAL STUDY OF THE CORRIDOR

WHEREAS, the Metropolitan Council commissioned a study of Highway Transit Corridors in 2014 and included the Highway 55 corridor in an addendum to that study in 2015 identifying the segment of Medina to Minneapolis through Golden Valley as a possible BRT route; and

WHEREAS, the Minnesota Department of Transportation, the Metropolitan Council, and Scott County funded, and the City of Golden Valley participated in, the US Highway 169 Mobility Study, which also considered BRT service on Highway 55; and

WHEREAS, the Golden Valley City Council adopted Resolution 17-72 supporting the US Highway 169 Mobility Study, including the location of BRT service on Highway 55; and

WHEREAS, the studies of BRT service on Highway 55 have identified a strong reverse commute market to Plymouth and Golden Valley, found a strong market for express bus service that connects corridor communities to jobs in Minneapolis, and provides a connection to the future METRO Blue Line light rail extension; and

WHEREAS, BRT Service on Highway 55 is projected to service 8300 riders per day by 2030, serves corridor employment centers with more than 7000 jobs and job density of ten or more jobs per acre, and scores “high” in meeting the five goals for transit investment identified the 2014 Highway Transitway Corridor Study; and

WHEREAS, BRT service on Highway 55 is identified in the Metropolitan Council’s 2040 Transportation Policy Plan as an unfunded potential BRT route, Golden Valley’s 2040 Comprehensive Plan, and Golden Valley’s Legislative Priorities; and

WHEREAS, the City Council of the City of Plymouth adopted a resolution in May 2019 supporting efforts to complete a Highway 55 Mobility Study in conjunction with Hennepin County, the State of Minnesota, and the Metropolitan Council, and

WHEREAS, leadership from the corridor cities, Hennepin County, and Metropolitan Council met in October and November of 2019 to discuss how to advance the development of BRT Service on Highway 55 and concluded that support and investment by the corridor communities was necessary to advance BRT service on Highway 55; and

WHEREAS, legislative, regional and local leaders meet on December 12, 2019 to discuss BRT service on Highway 55, including challenges, engagement, goals, and ways to advance the development of BRT on the corridor.

NOW THEREFORE BE IT RESOLVED that the City of Golden Valley continues to support the development of BRT service on Highway 55 and, in collaboration with other cities and agencies, is willing to further study BRT on the Highway 55 corridor to identify corridor improvements, demonstrate ridership demand, conduct additional land use analysis and consider other factors that support BRT development along the corridor.
Adopted by the City Council of Golden Valley, Minnesota this 17th day of December, 2019.

Shepard M. Harris, Mayor

ATTEST:

Kristine A. Luedke, City Clerk
Appendix E1. Continue To Adequately Fund The DNR Flood Damage Reduction Program For Local Projects

• Map: DeCola Ponds Flood Mitigation Area (2 pages)
Explore Potential for Flood Storage

Completed, Liberty Crossing Infrastructure Improvement Project

Proposed Flood Storage Area

Sources:
- Hennepin County Surveyors Office for aerial photography (2018).
- MnDNR for city boundary lines & road data (2014).
- Barr for 100-year inundation area & watershed boundary of project area (2017).
- City of Golden Valley for all other layers.
DeCola Ponds, Medicine Lake Road and Winnetka Avenue Long-Term Flood Mitigation Plan

- Floodplain
- Flood Prone Properties
- Flood Storage Area
- Sub-Watershed Boundary

Explore Potential for Flood Storage

Sources:
- Hennepin County Surveyors Office for aerial photography (2018).
- MnDNR for city boundary lines & road data (2014).
- Barr for 100-year inundation area & watershed boundary of project area (2017).
- City of Golden Valley for all other layers.

Print Date: 1/8/2020
Appendix E2. Climate Emergency Declaration: Support Policies And Investments Mitigating The Impact Of Climate Change

• City Council Resolution No. 21-100 Declaring a Climate Emergency in Golden Valley (5 pages)

• City Council Resolution No. 22-_____ Joining with Cities and Counties Across Minnesota/US/World Declaring a Climate Emergency (will be added after City Council approves it Jan 18)
RESOLUTION NO. 21-100

RESOLUTION DECLARING A CLIMATE EMERGENCY IMPACTING THE ENVIRONMENT, ECONOMY, AND HUMAN HEALTH

WHEREAS, in 2021 Golden Valley experienced numerous climate change-related impacts including a record June heat wave, drought conditions, water use restrictions, and poor air quality from drought-fueled forest fires prompting residents to restrict outdoor activity and remain indoors for periods, making it clear that the climate crisis is not only a future issue — it is affecting us here and now;

WHEREAS, hundreds of Golden Valley properties are at risk of flooding and flood damage during heavy or intense precipitation events which can cause significant hardship and economic loss;

WHEREAS, Golden Valley residents have increasingly reported experiencing drainage and flooding issues, high groundwater issues, and historically high surface water levels in water bodies throughout the community;

WHEREAS, the frequency of daily rainfalls greater than 3 inches has increased 66% in the past century and annual precipitation in the Twin Cities increased from an average of 26.18 inches between 1940-1979 to an average of 30.92 inches between 1980-2018, increasing the frequency of flooding, landslides, freeze/thaw cycles, ice storms, rain on frozen ground events, and heavy snowstorms which put increased strain on city operations, residents, businesses, and the natural environment;

WHEREAS, ice cover on Minnesota lakes has declined an average of 10-14 days over the past 50 years and winter temperatures are warming nearly ten times faster than summer temperatures, increasing by approximately 2.2 degrees Fahrenheit per decade since 1969 based on data collected at MSP airport;

WHEREAS, the urban heat island effect causes nighttime temperatures in the first ring suburbs of Hennepin County to be 2 degrees Fahrenheit higher on average compared to surrounding areas and spikes to as much as 9 degrees Fahrenheit higher than surrounding areas during a heat wave, and is expected to increase due to climate change, affecting the health and well-being of residents;

WHEREAS, the high-risk climate hazards for Golden Valley include invasive species and pests, more freeze/thaw cycles, more frequent and intense heavy rainfalls, and extreme heat, and the moderate-risk climate hazards include extreme wind events and tornadoes, diminished air quality, and vector-borne diseases as outlined in the
Vulnerability Assessment in the Resilience and Sustainability chapter of Golden Valley’s 2040 Comprehensive Plan;

WHEREAS, extreme weather will create new challenges for Golden Valley’s infrastructure and finances and will pose a threat to the health, safety, and economic vitality of our residents and businesses;

WHEREAS, historic and present policies and decisions created disparate impacts for Black, Indigenous, People of Color and people of lower socioeconomic status;

WHEREAS, the greatest burden from an inadequate response to the climate crisis will be felt by historically excluded, marginalized and underserved communities, the youngest generation including the children and grandchildren of Golden Valley community members, and future generations;

WHEREAS, the impacts of climate change are affecting all residents, but the impacts will not be felt equally, and like other environmental justice issues, Hennepin County data show that our communities of color, low-income families, and residents with disabilities contribute least to the problem of climate pollution but are the most at risk from negative climate impacts, especially during flooding events, heat waves, and poor air quality days, and we acknowledge that those who have the least capacity to respond to climate change will be most affected;

WHEREAS, in Minnesota, the ten warmest and wettest years ever recorded have all occurred since 1998, warming surface waters and leading to a significant loss of fish habitat for many prominent species as well as increasing the risk of harmful algae blooms, forests are changing as native northern species are strained by warming temperatures, crops are stressed by cycles of drought and floods, home insurance rates are rising faster than the national average and faster warming winters are leading to new pests as well as shorter winter recreation seasons;

WHEREAS, the bi-partisan Next Generation Energy Act, passed by the Minnesota State Legislature and signed by then Governor Tim Pawlenty in 2007, committed our State to achieving an 80% reduction in greenhouse gas emissions by 2050 and with interim goals of 15% and 30% below 2005 greenhouse gas emissions levels by 2015 and 2025, respectively, with cities being key drivers of achieving these goals;

WHEREAS, our State did not meet its 2015 goal, and is not yet on track to reach our future targets;
WHEREAS, in April 2016 world leaders from 175 countries, including the United States, recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to “pursue efforts to limit the temperature increase to 1.5 degrees Celsius (2.7 degrees Fahrenheit)”;

WHEREAS, we have already reached a temperature increase of nearly 1.1 degrees Celsius (nearly 2 degrees Fahrenheit) as compared to pre-industrial times and the widespread impacts already realized by this level of global warming demonstrate that the Earth is already too hot for safety and justice, as attested by increased and intensifying wildfires, floods, rising seas, diseases, droughts, and extreme weather, threatening the food security, water supply, and well-being of billions of people;

WHEREAS, in August 2021 the Intergovernmental Panel on Climate Change (IPCC), the United Nations body responsible for assessing the science related to climate change, released a report that stated “It is unequivocal that human influence has warmed the atmosphere and land,” and that “Human influence has warmed the climate at a rate that is unprecedented in at least the last 2000 years,” and “with every additional increment of global warming, changes in extremes continue to become larger,” and “leaders at all levels must take immediate action to reduce greenhouse gas emissions to prevent catastrophic impacts”;

WHEREAS, the Department of State, the Department of Defense, and the intelligence community have identified climate change as a threat to national security, and the Department of Homeland Security views climate change as a top homeland security risk;

WHEREAS, recent scientific research indicates that to achieve the goal of limiting temperature increase to 1.5 degrees Celsius (2.7 degrees Fahrenheit), carbon emissions must be halved by 2030 and reach net zero global emissions by 2050;

WHEREAS, a transition to a clean energy economy, if not carefully planned, would have a disruptive effect and impact on the livelihoods of many in our community while a well-planned transition may provide expanded job opportunities and affordable and reliable energy for local residents;

WHEREAS, the massive scope and scale of action necessary to stabilize the climate will require unprecedented levels of public awareness, engagement, and deliberation to develop and implement effective, just, and equitable policies to address climate change;
WHEREAS, 2,012 jurisdictions in 34 countries including Minnesota leaders Duluth, Minneapolis, and Crystal Bay Township, have already declared climate emergencies in order to focus attention on the need for rapid action to address climate change;

WHEREAS, acting together with these other communities now will magnify our impact, and increase our visibility and leverage for state and federal funding and support;

NOW, THEREFORE, BE IT RESOLVED, that Golden Valley declares that a climate emergency threatens our city, region, state, nation, humanity and the natural world.

BE IT FURTHER RESOLVED, Golden Valley commits to working for a just transition to a clean energy economy and climate emergency mobilization effort and will:

- Continue to collaborate with residents, businesses, institutions, and non-profits to implement its Resilience and Sustainability Plan, Energy Action Plan, Natural Resources Management Plan, and Surface Water Management Plan, all of which contain goals, objectives, policies, and actions to help address climate impacts
- Continue to implement its Equity Plan including actions and practices that promote economic prosperity for all
- Continue to implement GreenStep Cities best practices related to energy, climate actions, climate adaptation and community resilience
- Work with the City's Environmental Commission to address climate impacts and improve the environment, economy, and human health through the development and implementation of its annual work plan
- Update and implement its 10-year capital improvement program with an increasing focus on sustainability, equity, and climate adaptation
- Position the City with shovel-ready projects to take advantage of state and federal infrastructure funding and climate action funding opportunities
- Consider the environment, energy, and climate in the development of its annual legislative priorities
- Strategically partner with Hennepin County to implement its Climate Action Plan and help the County achieve its goal to reduce greenhouse gas emissions by 45% from 2010 levels by 2030 and achieve net zero emissions by 2050
- Consider advancing the development of a Citywide climate action plan sooner than 2030 as scheduled in the City's Resilience and Sustainability Plan
- Continue to explore and secure the resources needed to fulfill its environmental goals and commitments
BE IT FURTHER RESOLVED, Golden Valley calls on the Minnesota legislature and executive branch to immediately and aggressively support cities of all sizes around Minnesota to both mitigate and adapt to the effects of climate change including providing funding and resources for the development and implementation of climate action plans.

BE IT FURTHER RESOLVED, Golden Valley calls on the federal government to immediately commit resources to support the climate mitigation and adaptation efforts of cities large and small, to invest in the infrastructure needed for a resilient, sustainable, and equitable future, to ensure that investment is at the scale needed, and to provide the necessary global leadership to keep global warming to 1.5 degrees Celsius (2.7 degrees Fahrenheit).

Adopted by the City Council of Golden Valley, Minnesota this 21st day of December 2021.

ATTEST:

Shepard M. Harris, Mayor

Theresa J. Schyma, City Clerk
Appendix E3. Support Funding For Metropolitan Council Inflow/Infiltration Grants—Public And Private Improvements

• Memo: MCES I&I Grant Benefits – City of Golden Valley (1 page)
The City of Golden Valley has utilized funding from the Metropolitan Council Environmental Services (MCES) Grant Programs to reduce Inflow and Infiltration (I&I) in both the public and private sewer systems over the past several years. The public grants have provided additional funding to allow expanded scopes on projects and decreased timelines on I&I reduction programs. For example, as part of the annual street reconstruction projects, we have been able to increase sewer lining and manhole sealing quantities with the extra grant money that was available. Also, we were able to expedite a five to seven year sanitary sewer manhole cover replacement program into four years with additional funding from MCES.

The 2013-2014 MCES private sewer grant allowed residents to repair their sanitary sewer lateral and be reimbursed by MCES at 33% of the repair cost up to $2,000. The available funding through this grant was so popular that City staff had to turn away applicants. Nearly 300 properties applied for the grant over the two year period. This reimbursement opportunity from MCES led to an increase in I&I compliance with the City Ordinance. The Ordinance requires all properties to become compliant prior to the sale of a property. This allows the City to gradually reduce I&I in the private system. The grant money attracted interest from properties all over the City, including people who were not selling their home. This extra interest in becoming I&I compliant from the available MCES grant funding helped propel the City forward in their I&I mitigation efforts.

The public and private grants provided by MCES have helped to lower Golden Valley’s annual sanitary sewer flows over the past five years. The public grant has allowed for more thorough I&I reduction to be done with street reconstruction projects and I&I mitigation programs whereas the private grant increased interest in becoming compliant with the City’s I&I Ordinance. The additional funding from MCES has pushed Golden Valley ahead in their goal to reduce I&I in the sanitary sewer system.
Golden Valley Council Manager Meeting
January 21, 2022

Agenda Item
3. G. Approve Resolution 22-011 Supporting the Authority to Impose a Local Sales Tax to Fund Specific Capital Improvements

Summary
In order to use Local Option Sales Tax as outlined in the legislative priorities a resolution is required and needs to be passed by January 31, 2022. The following needs to be included:

- Proposed tax rate
- Detailed description of up to five capital projects to be funded with the tax
- Documentation of how each project will provide an economic benefit to residents, businesses and visitors from outside the jurisdiction
- Amount of revenue to be raised and estimated time needed to raise funds
- Estimated length of time the tax will be effect if all proposed projects are approved

Financial Or Budget Considerations
The Local Option Sales Tax will provide additional financing for the capital improvements that are outlined in the resolution.

Recommended Action
Approve Resolution No. 22-011 Supporting the Authority to Impose a Local Sales Tax to fund specific capital Improvements that provide regional benefit, to establish the duration of the tax and the revenue to be raised by the tax, and to authorize the City of Golden Valley to issue bonds supported by the sales tax revenue.

Supporting Documents
Resolution No. 22-011 Supporting the Authority to Impose a Local Sales Tax to fund specific capital Improvements that provide regional benefit, to establish the duration of the tax and the revenue to be raised by the tax, and to authorize the City of Golden Valley to issue bonds supported by the sales tax revenue (3 pages).
RESOLUTION NO. 22-011

SUPPORTING THE AUTHORITY TO IMPOSE A LOCAL SALES TAX TO FUND SPECIFIC CAPITAL IMPROVEMENTS THAT PROVIDE REGIONAL BENEFIT, TO ESTABLISH THE DURATION OF THE TAX AND THE REVENUE TO BE RAISED BY THE TAX, AND TO AUTHORIZE THE CITY OF GOLDEN VALLEY TO ISSUE BONDS SUPPORTED BY THE SALES TAX REVENUE

WHEREAS, the City of Golden conducted a comprehensive study in 2021 to identify the future needs of its Public Safety, Public Works and City Hall facilities; and

WHEREAS, the study determined that the City’s facilities are outdated and undersized, create inefficiencies, and cannot be effectively remodeled to meet modern standards; and

WHEREAS, the City extensively engaged residents and businesses during the study to establish principles, priorities and scenarios to develop a long-term phased approach to address its facility needs; and

WHEREAS, the City’s Public Safety operations serve the needs of the surrounding communities through emergency responses and regional collaboration; and

WHEREAS, the City’s Public Works operations manage and support a water supply system jointly owned and operated by the cities of Golden Valley, Crystal and New Hope, with water purchased by the City of Minneapolis and stored in reservoirs located in Crystal and Golden Valley; and

WHEREAS, the City’s Public Works operations maintain and manage a stormwater management system to protect and enhance the quality of stormwater that drains into the Mississippi River with management from Bassett Creek Water Management Commission which involves nine cites and

WHEREAS, the City’s DMV serves residents throughout the region, including the many employees who work in Golden Valley but reside elsewhere, and the City is prominently located in the metro area with four regional corridors that run through it serving many residents and businesses in the western metro; and

WHEREAS, following a presentation of the completed facilities study, the City Council identified four areas are needed to be renovated to meet the needs of the City and the region:

1. Remote Fire Station: Currently the City has three stations that serve the city and surrounding communities. The stations are currently staffed by paid-on-call firefighters who must first drive to a station from home or work, resulting in delayed response time. Furthermore, attracting and retaining staff for a paid-on-call staffing model is increasing difficult. A new remote fire station will provide the City and region with facilities to house scheduled duty-crews and provide modern training facilities to serve the region. ($17M)
2. Downtown Public Safety Facility: The current public safety building does not meet the operational needs for contemporary public safety operations, creating many operational inefficiencies. The current facility does not have gender-equitable locker rooms, suitable dedicated training space for classroom and physical training by police officers and fire fighters, sufficient secure space for vehicles and equipment, adequate workspace for officers and firefighters to complete administrative duties, or space to meet or engage with the public. The building’s structural construction and limited site size limit the ability to modify or expand. ($61.5M)

3. Public Works Facility: The City’s Public Works Department encompasses four divisions (Parks, Streets, Utilities, Vehicle Maintenance) to maintain local and regional infrastructure, parks, vehicles and buildings. Work includes planned maintenance projects throughout the year, seasonal maintenance and response and emergency repairs. Currently Public Works operates out of four buildings on two different sites. A new public works facility would be moved out of the downtown area to allow more housing options. Public Works operates under a regional approach for mutual aid, works with the Bassett Creek Water Management Commission (9 cities) that works with storm water management, and the Joint Water Commission (3 cities) to maintain a water distribution system with the City of Minneapolis water. Golden Valley has four major trunk highway systems. ($56.3M)

4. City Hall: City Hall serves as a gathering and meeting space for public discourse and policy making that affects residents, businesses, and workers throughout the entire metro region, not just Golden Valley. The DMV serves residents and dealership from around the metro area. Current facilities present many challenges to accessing these spaces, and the building’s structural layout limits the ability to cost effectively remodel or expand. ($33.8M)

WHEREAS, the projected cost to construct new facilities that meet the needs of the community and the region over a thirty year period exceed $160M.

WHEREAS, the Minnesota Department of Revenue’s estimate for the City of Golden Valley estimates that a local sales tax of 0.5 percent would generate $2.8 million annually.

WHEREAS, the City has provided documentation of the regional significance of each project, including the share of the economic benefit to or use of each project by persons residing, or businesses located, outside of the jurisdiction; and

WHEREAS, the estimated local sales tax revenue and estimated time needed to raise that amount of revenue for the project is as follows:
- Municipal Facilities as described earlier

WHEREAS, Minn. Stat.§ 297A.99 authorizes the imposition of a general sales tax if permitted by special law of the Minnesota Legislature; and
WHEREAS, Minn. Stat.§ 297A.99 requires the City to pass a resolution authorizing such a local tax and to obtain Legislative approval prior to approval by the local voters to enact the local tax.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council supports the authority to impose a general local sales tax of 0.5 percent for a period of 30 years to fund the aforementioned project(s). Upon approval of this resolution, the City will submit the adopted resolution and documentation of regional significance to the chairs and ranking minority members of the House and Senate Taxes committees for approval and passage of a special law authorizing the tax, by January 31 of the year that it is seeking the special law. Upon Legislative approval and passage of the special law authorizing the tax, the City will adopt a resolution accepting the new law, which will be filed with a local approval certificate to the Office of the Secretary of State before the following Legislative session.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the City will put a detailed ballot question(s), which includes separate questions for each project, on a general election ballot for local voter approval. This will be done within two years of receiving legislative authority. If the ballot question passes, the City will also pass an ordinance imposing the tax and notify the Commissioner of Revenue at least 90 days before the first day of the calendar quarter that the tax will be imposed. Upon completion of the aforementioned requirements, the local sales tax will commence and run thirty (30) years or until a sum sufficient to fund the voter approved project(s), including related debt costs, is raised, whichever comes first.

Adopted by the City Council of Golden Valley, Minnesota this 18th day of January 2022.

__________________________
Shepard M. Harris, Mayor

ATTEST:

____________________________
Theresa J. Schyma, City Clerk
Agenda Item
3. H. Approve 2022 Appointments, Assignments, and Reimbursements

Prepared By
Tara Olmo, Assistant to the City Manager’s Office

Summary
Each year, the City Council appoints its members and staff to fill several roles required by statute. Additionally, the Council appoints its members to serve as representatives on various assignments. The proposed appointments are as follows:

1. **Acting Mayor.** Each year, the Council must appoint an Acting Mayor to fulfill the duties of Mayor during the disability or absence of the Mayor. (Minn. Stat. § 412.121.) This duty has historically been rotated.

   Listed below is the history of Mayor Pro Tem appointments:

   • 2017 – Schmidgall
   • 2018 – Fonnest
   • 2019 – Clausen
   • 2020 – Rosenquist
   • 2021 – Sanberg

   The proposed Acting Mayor for 2022 is Council Member Harris

2. **Assistant Weed Inspector.** Under Minnesota Statute, the Mayor acts as the weed inspector for the City. Each year, the City appoints assistant weed inspectors (Minn. Stat. § 18.80, subd. 3) to carry out the duties of weed inspector. Historically, employees of the Fire Department, Parks and Recreation Department and the City Forester have filled this role.

   The proposed assistant weed inspectors for 2022 are:

   • Chris Sorheim, Fire/Property Maintenance Specialist
   • Jake Dashiell, Fire/Property Maintenance Specialist
   • Al Lundstrom, Park Supervisor
   • Tim Teynor, City Forester
3. **Board and Commission Liaisons.** Each year, the Council appoints one Council Member to act as a liaison to each Board and Commission.

The Proposed Board and Commission Liaisons for 2022 are as follows:

<table>
<thead>
<tr>
<th>Board or Commission</th>
<th>2022 Council Liaison</th>
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<tbody>
<tr>
<td>Board of Zoning Appeals</td>
<td>Rosenquist</td>
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<tr>
<td>Environmental Commission</td>
<td>Sanberg</td>
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<tr>
<td>Human Services Commission</td>
<td>La Mere-Anderson</td>
</tr>
<tr>
<td>Open Space and Recreation Commission</td>
<td>Harris, M</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>La Mere-Anderson</td>
</tr>
<tr>
<td>Diversity Equity &amp; Inclusion Commission</td>
<td>Harris, M</td>
</tr>
<tr>
<td>Police Employment, Accountability &amp; Community Engagement (PEACE)</td>
<td>Sanberg</td>
</tr>
</tbody>
</table>

4. **Other Assignments.** Each year, the Council assigns Council Members to serve as representatives on various other assignments. These appointments are for a one-year term. (Golden Valley City Code Section 2-43(b).)

The proposed Council appointments for 2022 are as follows:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>2022 Appointed Official</th>
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<tbody>
<tr>
<td>169 Corridor Committee</td>
<td>Council Member Rosenquist</td>
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<tr>
<td>Beyond the Yellow Ribbon Campaign</td>
<td>Mayor Harris</td>
</tr>
<tr>
<td>Blue Line Now! Coalition</td>
<td>Mayor Harris (Delegate)</td>
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<tr>
<td></td>
<td>Council Member Rosenquist (Alternate)</td>
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<tr>
<td>Bottineau Light Rail Community Works Steering Committee</td>
<td>Council Member Rosenquist</td>
</tr>
<tr>
<td>Golden Valley Business Council</td>
<td>Council Member Harris (Delegate)</td>
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<td></td>
<td>Mayor Harris (Alternate)</td>
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<tr>
<td>Golden Valley Historical Society Board</td>
<td>Council Member La Mere-Anderson</td>
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<tr>
<td>Highway 55 Bus Rapid Transit</td>
<td>Council Member Rosenquist</td>
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<tr>
<td>Hopkins School District 270 Caring Youth Committee</td>
<td>Council Member Sanberg</td>
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<tr>
<td>Hopkins School District 270 Cities Joint Meetings</td>
<td>Council Member Sanberg</td>
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<tr>
<td>Legislative Liaison and Spokesperson</td>
<td>Mayor Harris</td>
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<td>METRO Blue Line Extension Corridor Management Committee</td>
<td>Mayor Harris (Delegate)</td>
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<td>Council Member Rosenquist (Alternate)</td>
</tr>
<tr>
<td>Metro Cities/LMC</td>
<td>Varies</td>
</tr>
<tr>
<td>Assignment</td>
<td>2022 Appointed Official</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Minneapolis Park and Recreation Board Committee</td>
<td>Council Member Rosenquist (Delegate)</td>
</tr>
<tr>
<td></td>
<td>Mayor Harris (Alternate)</td>
</tr>
<tr>
<td>Minneapolis Regional Chamber of Commerce</td>
<td>Council Member Harris</td>
</tr>
<tr>
<td>Minneapolis Water Advisory Board</td>
<td>Mayor Harris</td>
</tr>
<tr>
<td>Municipal Legislative Commission</td>
<td>Mayor Harris (Delegate)</td>
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<tr>
<td></td>
<td>Council Member Harris (Alternate)</td>
</tr>
<tr>
<td>Northwest Suburbs Cable Communications/ CCX</td>
<td>Council Member Sanberg</td>
</tr>
<tr>
<td>Quarterly Police Department Committee</td>
<td>Mayor Harris (Regular Representative)</td>
</tr>
<tr>
<td></td>
<td>1 rotation</td>
</tr>
<tr>
<td>Regional Council of Mayors</td>
<td>Mayor Harris</td>
</tr>
<tr>
<td>Robbinsdale School District 281 Government Advisory Committee</td>
<td>Council Member Sanberg</td>
</tr>
<tr>
<td>Sochacki Park Governance Policy Board</td>
<td>Council Member Rosenquist (Delegate)</td>
</tr>
<tr>
<td></td>
<td>Mayor Harris (Alternate)</td>
</tr>
</tbody>
</table>

5. **Discover St. Louis Park.** Periodically, the City Council appoints a representative to the Discover St. Louis Park Board (the Saint Louis Park Visitors and Convention Bureau). Historically, this role has been filled by the City Manager.

The proposed appointment to DSLP for 2022 is as follows:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>2022 Appointed Official</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discover St. Louis Park Board</td>
<td>City Manager Cruikshank</td>
</tr>
</tbody>
</table>

**Financial Or Budget Considerations**

Under City Code, section 2-43, the Mayor and Council are paid $50 for each meeting they are directed or designated to attend, up to a maximum of $150 per month. Where a delegate and alternate are appointed, the delegate is eligible for payment for all meetings they attend. The alternate is eligible for payment for all meetings they attend that the delegate does not attend. The Ordinance requires the Council to outline the method for approval of meetings by resolution. The attached resolution meets this requirement.

**Supporting Documents**

- Resolution No. 22-012 for approval of additional assignments and meetings payment attended by the Mayor and Council (1 page)
RESOLUTION NO. 22-012

RESOLUTION FOR APPROVAL OF ADDITIONAL ASSIGNMENTS AND MEETINGS PAYMENT ATTENDED BY THE MAYOR AND COUNCIL

WHEREAS, each year the City Council assigns Council Members to serve as representatives on various Committees and Subcommittees; and

WHEREAS, Golden Valley City Code Section 2-43(b) states "In addition to their salaries, the Mayor and Council shall be paid $50 for each meeting they are directed or designated to attend, up to a maximum of $150 per month. The method for approval of meetings shall be outlined by resolution of the Council"; and

WHEREAS, at the January 18, 2022, City Council meeting, the Council approved assignments to the following:

- 169 Corridor Committee
- Beyond the Yellow Ribbon Campaign
- Blue Line Now! Coalition
- Bottineau Light Rail Community Works Steering Committee
- Golden Valley Business Council
- Golden Valley Historical Society Board
- Highway 55 Bus Rapid Transit
- Hopkins School District 270 Caring Youth Committee
- Hopkins School District 270 Cities Joint Meetings
- League of Minnesota Cities
- Legislative Liaison and Spokesperson
- METRO Blue Line Extension Corridor Management Committee
- Metro Cities
- Minneapolis Park and Recreation Board Committee
- Minneapolis Regional Chamber of Commerce
- Minneapolis Water Advisory Board
- Municipal Legislative Commission
- Northwest Suburbs Cable Communications/CCX
- Regional Council of Mayors
- Regional Council of Mayors
- Robbinsdale School District 281 Government Advisory Committee
- Sochacki Park Governance Policy Board

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Golden Valley that it hereby approves payment to the Mayor and Council for attendance at the above listed meetings pursuant to City Code Section 2-43(b) and that payment shall be made upon submission of proof of attendance at the meeting to the City Manager. Where a delegate and alternate are appointed, the delegate is eligible to be paid for all meetings they attend. The alternate is eligible for payment for all meetings they attend that the delegate does not attend.

Adopted by the City Council of Golden Valley, Minnesota this 18th day of January 2022.

______________________
Shepard M. Harris, Mayor

ATTEST:

______________________
Theresa Schyma, City Clerk
Golden Valley City Council Meeting
January 18, 2022

Agenda Item
5. A. 1. Zoning Map Amendment for 6300 Olson Memorial Highway

Prepared By
Jason Zimmerman, Planning Manager

Summary
At the December 7, 2021, meeting of the City Council, United Properties brought a petition to amend the City’s Future Land Use Map and to rezone the property located at 6300 Olson Memorial Highway for Light Industrial use instead of the current designation of Office. This would allow for the construction of a new business center that would provide space for office, warehousing, R&D, and light manufacturing.

At the meeting, a public hearing was held for both items and the Council voted (4-1) to approve a resolution related to the change in land use. This action required additional review by the Metropolitan Council since it would require modification to the City’s Comprehensive Plan, and so the rezoning was tabled until this outside review could be completed.

In early January, the Metropolitan Council notified City staff that it had completed its review of the Comprehensive Plan Amendment and approved the change. With this approval in place, staff is returning to the City Council in order to consider the Zoning Map amendment. Consideration of a preliminary plat request is also appropriate at this time and is addressed in a separate staff memo.

Staff Findings
Staff’s findings on this rezoning have not changed since the public hearing in December:

1. The site is currently in an area with a variety of zoning designations, including some that allow for light industrial uses, and would not be out of character with the surrounding neighborhood.
2. Engineering staff is not concerned about the traffic generated by the business center proposed for this site and believes the recent reconstruction of Douglas Drive is more than sufficient to handle what would likely be a decrease in trips compared to historic levels.
3. As noted in the memo on the site’s land use change, the use of this site for a business center fits with a number of the goals and objectives of the Comprehensive Plan.
4. Additionally, the site has been vacant for over five years despite numerous parties having expressed interest. Rezoning this land and allowing for a different type of development to occur that would put a significant area back into productive use.
5. While the focus of rezoning should be on all potential future users under the Light Industrial zoning designation, the narrative provided by United Properties demonstrates an understanding of the current real estate market and desire to provide high quality buildings that are fitting for a prominent location.

Financial Or Budget Considerations
This rezoning would not require any expenditure by the City. The change would allow the redevelopment of a vacant property to move forward, resulting in future revenue.

Recommended Action
Motion to adopt Ordinance No. 724, Amending the Zoning Map and Rezoning 6300 Olson Memorial Highway from Office to Light Industrial.

Supporting Documents
• Ordinance No. 724, Amending the Zoning Map and Rezoning 6300 Olson Memorial Highway from Office to Light Industrial (1 page)
The City Council for the City of Golden Valley hereby ordains:

**Section 1.** City Code chapter 113 entitled “Zoning” is amended in Section 113-55 Subd. (b) by changing the zoning designation of certain tracts of land from Office to Light Industrial.

**Section 2.** The tracts of land affected by this ordinance are legally described as:

Lot 1, Auditor's Subdivision No. 322, Hennepin County, Minnesota.

All that part of the Southeast Quarter of the Northeast Quarter of Section 32, Township 118, Range 21, lying South of the right of way of the Electric Short Line Railroad Company and East of the West 653 feet thereof.

The East 323 feet of the West 653 feet of that part of the Southeast Quarter of the Northeast Quarter lying South of the right of way of the Minnesota Western Railway Company; The East 323 feet of the West 653 feet of that part of the Northeast Quarter of the Southeast Quarter lying North of the center line of 6th Avenue North; all in Section 32, Township 118, Range 21.

**Section 3.** City Code Chapter 1 entitled “General Provisions” and Sec. 1-8 entitled “General Penalty; Continuing Violations” are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

**Section 4.** This ordinance shall take effect form and after its passage and publication as required by law.

Adopted by the City Council this 18th day of January 2022.

Shepard M. Harris, Mayor

ATTEST:

Theresa J. Schyma, City Clerk
Agenda Item
5. A. 2. Preliminary Plan for Subdivision for 6300 Olson Memorial Highway

Prepared By
Jason Zimmerman, Planning Manager

Summary
As referenced in the accompanying zoning memo, at the December 7, 2021, meeting of the City Council, the Council voted to approve a land use change for the property located at 6300 Olson Memorial Highway. This action required additional review by the Metropolitan Council. With this approval now in place, staff is returning to the City Council with a request for approval of a preliminary plat to divide the existing parcel into two new parcels and to allow the applicant to proceed with a proposal to redevelop the site for a new business center.

Transportation Improvements
As identified in Chapter 4 of the City’s 2040 Comprehensive Plan, this site has been identified as a target location to provide a needed local street connection between Country Club Drive and the signalized intersection at Douglas Drive.

In light of this, Engineering staff have identified the need for right-of-way to be dedicated through the site in order to provide land for construction of a future public road. Staff considered various layouts and alternatives, but determined that best option for locating this right-of-way is east/west between the two proposed lots (in the area currently identified as shared private access for the two buildings) in order to align with the signalized intersection at Douglas Drive.

While no timing or funding for a public road have been identified in the City’s ten year Capital Improvement Program, staff believes the proposed subdivision of the property (along with the demolition of the existing structure) provides perhaps the only opportunity in the foreseeable future to position the City to complete this missing piece in the transportation network.

For the time being, an east/west right-of-way that does not complete the connection is satisfactory to absorb traffic associated with the redevelopment of 6300 Olson Memorial Highway. If and when other developments are proposed in the area, such as within the Golden Valley Country Club driving range, additional analysis will be needed to determine if the impacts rise to a level that requires the dedication of right-of-way for a north/south segment and completion of the frontage road. Until that time, this area would continue to be utilized as a private access drive serving the new business center.
Dedication of land at 6300 Olson Memorial Highway for this future right-of-way is included as a conditional of approval for the final plat.

**Staff Findings**
The staff evaluation of this proposal has not changed since the public hearing in December. According to Section 109-67 of the City Code, the following are the regulations governing approval of a preliminary plat for subdivision:

<table>
<thead>
<tr>
<th>Factor/Finding</th>
<th>Standard/Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The Council may require changes or revisions as it deems necessary for the health, safety, general welfare, and convenience of the City.</td>
<td>conditionally met. In order to advance the long-term transportation network concept included in the 2040 Comprehensive Plan, land must be dedicated for a future public road and included on the final plat.</td>
</tr>
<tr>
<td>2. The approval of a preliminary plat is tentative only, involving only the general acceptability of the layout as submitted.</td>
<td>conditionally met. Staff have reviewed the layout and find it to be generally acceptable. Additional drainage and utility easements must be added to the final plat, including an easement over floodplain and wetland areas. As the site is adjacent to both State and County right-of-way, other comments from these jurisdictions must be incorporated into the final plat.</td>
</tr>
<tr>
<td>3. Prior to approval of the preliminary plat by the Council, the engineering proposals pertaining to water supply, storm drainage, sanitary sewer service, roadway widths, traffic impacts, and the surfacing of streets shall be approved by the City engineer and other public officials having jurisdiction.</td>
<td>met. While the specifics of the site design remain to be fully developed as part of the submittals for the potential site redevelopment, there are no known issues related to water supply, storm drainage, sanitary sewer service, or traffic impacts.</td>
</tr>
<tr>
<td>4. No plat shall be approved for a subdivision which covers an area subject to periodic flooding or which contains extremely poor drainage facilities and which would make adequate drainage of the streets and lots difficult or impossible, unless the subdivider agrees to make improvements which will, in the opinion of the City Engineer, make the area completely safe for occupancy and provide adequate street and lot drainage.</td>
<td>met. The City Engineer has determined that the site should drain adequately.</td>
</tr>
<tr>
<td>5. No plat shall be approved for a subdivision that does not meet the requirements specified in this chapter.</td>
<td>met.</td>
</tr>
</tbody>
</table>
Financial Or Budget Considerations
No near-term impacts, though the recommended dedication of land for a future public road provides the possibility of future expenditures for construction.

Recommended Action
Motion to approve the Preliminary Plan for Subdivision for 6300 Olson Memorial Highway (Golden Valley Business Center) subject to the following conditions:

1. The applicant shall work with staff to dedicate land through the site sufficient to provide right-of-way for a future public road.
2. The applicant shall include on the final plat the dedication of all drainage and utility easements deemed necessary to meet City Code requirements (including floodplain and wetland areas).
3. Comments from the Minnesota Department of Transportation and Hennepin County shall be incorporated into the final plat.
4. A park dedication fee of $519,180 (or 6% of the land value) shall be paid prior to the release of the final plat.
5. The City Attorney will determine if a title review is necessary prior to approval of the final plat.

Supporting Documents
- Preliminary Plat for Golden Valley Business Center (3 pages)
- Letter from MnDOT (2 pages)
- Letter from Hennepin County (6 pages)
- Letter from the Golden Valley Country Club dated January 11, 2022 (4 pages)
November 10, 2021

Jason Zimmerman, AICP  
Planning Manager  
City of Golden Valley  
7800 Golden Valley Road  
Golden Valley, MN 55427

SUBJECT: Golden Valley Business Center  
MnDOT Review #P21-052  
NW quadrant of Douglas Dr/CR 102 and MN 55  
Control Section: 2723  
Golden Valley, Hennepin County

Dear Jason Zimmerman,

The Minnesota Department of Transportation (MnDOT) has reviewed the above referenced preliminary plat and associated plans, received 10/25/21, in compliance with Minnesota Statute 505.03, subdivision 2, Plats. MnDOT offers the following comments:

Road Network Connections  
MnDOT supports connecting Country Club Dr to the existing signalized intersection of Douglas Dr and Olson Memorial Highway Service Road. Once this connection is made, Country Club Drive’s access to MN 55 will be closed.

Please contact Eric Lauer-Hunt, West Area Traffic Safety, at 651-234-7353 or eric.lauer-hunt@state.mn.us with any questions.

Pedestrian and Bicycle  
Consider providing direct connections from the trail along Douglas Drive to the building entrances to provide access for people walking and biking.

Please contact Jesse Thornsen, Pedestrian and Bicycle Planning, at jesse.thornsen@state.mn.us or 651-234-7788 with any questions.

Transit  
There is a stop for southbound buses adjacent to this parcel immediately northwest of the Douglas Dr and Olson Memorial Hwy Frontage Rd intersection. If there will be impacts to the bus stop, contact Metro Transit at Transit-BusOps-StreetSup-AssistManagers@metc.state.mn.us so they can evaluate the impacts to their service and other potential mitigations.

Please contact Jason Junge, Transit Advantages Coordinator, at jason.junge@state.mn.us or 651-234-7878 with any questions.
Permits
Any work that affects MnDOT right-of-way will require an appropriate permit. All permits are available and should be submitted at: https://olpa.dot.state.mn.us/OLPA/. Please upload this letter when applying for any permits.

For questions regarding permit submittal requirements, please contact Buck Craig of MnDOT’s Metro District Permits Section at 651-775-0405 (cell) or buck.craig@state.mn.us.

Review Submittal Options
MnDOT’s goal is to complete reviews within 30 calendar days. Review materials received electronically can be processed more rapidly. Do not submit files via a cloud service or SharePoint link. In order of preference, review materials may be submitted as:

1. Email documents and plans in PDF format to metrodevreviews.dot@state.mn.us. Attachments may not exceed 20 megabytes per email. Documents can be zipped as well. If multiple emails are necessary, number each message.
2. For files over 20 megabytes, upload the PDF file(s) to MnDOT’s Web Transfer Client site: https://mft.dot.state.mn.us. Contact MnDOT Planning development review staff using the same email above for uploading instructions, and send an email listing the file name(s) after the document(s) has/have been uploaded.

You are welcome to contact me at 651-234-7792, or david.kratz@state.mn.us with any questions.

Sincerely,

David Kratz
Senior Planner

Copy sent via email:
Jason Swenson, Water Resources
Buck Craig, Permits
Doug Nelson, Right of Way
Eric Lauer-Hunt, Traffic
Jason Junge, Transit
Andrew Lutaya, Area Engineer
Lance Schowalter, Design

Mackenzie Turner Barger, Multimodal Planning
Jesse Thornsen, Ped/Bike Planning
Tod Sherman, Planning
Cameron Muhic, Planning
David Elvin, Planning
Brandon JB Nelson, Surveying
Jason Gottfried, Hennepin County
Russell Owen, Metropolitan Council
November 9, 2021

Mr. Jason Zimmerman
City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427

Re: Preliminary and Final Plat Review – United Properties (Received 10/25/21)
County State Aid Highway (CSAH) 102 (Douglas Drive)
Hennepin County Plat Review ID #3962 (Reviewed 11/02/21)

Mr. Zimmerman:

Please consider the following county staff comments for the subdivision and redevelopment of 6300 Olson Memorial Highway into two lots with a new business center.

Access: The county supports the current access to the signalized Olson Memorial Highway North Frontage Road/Douglas Drive intersection and the city’s planned public east-west roadway connection to Country Club Drive (not shown on the plat). Since the proposed partial access driveways on Douglas Drive do not meet the county’s access spacing guidelines, county staff do not support either access due to safety and operations concerns. In addition, county staff recommend internal parking lot revisions to allow additional space for eastbound queueing and westbound parking lot circulation immediately west of the Douglas Drive access.

Right-of-way: The county supports the city’s request for right of way dedication and/or easements along Douglas Drive to provide the rights necessary to own and maintain the roadway and regional trail.

Storm Water/Drainage: Ensure discharge rates remain less than existing flow rates. The county storm water system will not take water from new drainage areas. Additional treatments may be necessary if flow rates cannot match existing. Contact: Eric Vogel at 612-596-0316 or eric.vogel2@hennepin.us.

Permits: Inform the developer that all construction within county right of way requires an approved Hennepin County permit prior to construction. This includes, but is not limited to, driveway and street access, drainage and utility construction, trail development, and landscaping. The county will not issue decisions on such right of way permits until after the city’s final plat approval process is complete. Contact: Michael Olmstead, Permits Supervisor at 612-596-0336 or michael.olmstead@hennepin.us.
More Information: Please contact Jason Gottfried: 612-596-0394, jason.gottfried@hennepin.us for any further discussion of these items.

Sincerely,

Carla Stueve, PE
County Highway Engineer
PARCEL ID: 3211821140003

OWNER NAME: Golden Valley Investors Llc

PARCEL ADDRESS: 6300 Olson Memorial Hwy, Golden Valley MN 55427

PARCEL AREA: 28.03 acres, 1,221,033 sq ft

A-T-B: Torrens

SALE PRICE: $34,281,824

SALE DATA: 03/2004

SALE CODE: Excluded From Ratio Studies

ASSESSED 2020, PAYABLE 2021
PROPERTY TYPE: Commercial-Preferred
HOMESTEAD: Non-Homestead
MARKET VALUE: $13,500,000
TAX TOTAL: $478,271.96

ASSESSED 2021, PAYABLE 2022
PROPERTY TYPE: Commercial
HOMESTEAD: Non-homestead
MARKET VALUE: $13,500,000

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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Via Email

To: Tim Cruikshank, City Manager - tcruiukshank@goldenvalleymn.gov

Re: Optum Site Re-development-6300 Olson Memorial Highway, Golden Valley, Minnesota (the “Optum Site”)

Dear Mr. Cruikshank:

We write on behalf of Golden Valley Country Club to express our: (1) concerns regarding the proposed “light industrial” development of the Optum Site; and (2) objections to certain road alignment proposals which the City staff have recommended for connecting Country Club Drive to Douglas Drive in connection with the redevelopment of the Optum Site.

On December 7, United Properties and UBS presented to the City Council their proposal for redevelopment of the Optum Site. The City Council ultimately voted, on a split vote, to advance the land use change for the Optum Site project from “office” to “light industrial”. The vote followed a presentation by the City’s Planning Manager. Part of the presentation included his suggestion for a road alignment to connect the east of the end of Country Club Drive to Douglas Drive.

“Light Industrial” for the Optum Site

The light industrial zoning being sought for the Optum Site is extraordinarily broad allowing for all types of warehousing, distribution centers, manufacturing, processing, assembling, fabricating, sexually oriented businesses, breweries, tap rooms, distilleries, and cocktail rooms. Undoubtedly, the Optum Site will be used for one or more of these activities. Inevitably, the Optum Site owner will seek to use the site for other uses, each of which would negatively impact the Club and the neighborhood. Any number of the twenty-six (26) conditional uses permitted under the City’s ordinances may be pursued and the Club and the neighborhood will be afforded no protection from any of these, much less the most egregious uses such as building material yards, motor vehicle storage, dry cleaning plants, truck/van terminals, automobile sales lots, recycling facilities and buildings in excess of 45 feet tall. The Club has no desire to see any of these uses occur on the Optum Site and if they do the Club’s 150 acres of open green space will be placed at risk.

United Properties has promised to build two low rise buildings for primarily office purposes with some light assembly of high tech equipment, without traffic or outdoor storage and used only during normal business hours. Once the City formally approves the rezoning of the Optum Site following a favorable action by the Met Council, the City will lose all control to protect the City, the neighborhood and the Club from what will be built on the Optum Site and what uses will occur.
there. In that event, the City, neighborhood and Club will have no means to ensure that the promises of United Properties will be kept, in particular when United Properties transfers the project which it will inevitably do.

As the only neighbor to the Optum Site, we want to express our request that the City insist on enforceable assurances that the Optum Site development be as promised by United Properties and otherwise be “light” on noise, trucking, and other activities which could diminish the experience of our members and/or those who might choose to live at the senior housing cooperative that has been proposed for a small parcel at the south end of our practice range.

The Road Proposal

The Planning Manager briefly presented the slide below showing four possible road alignments by which Country Club Drive could be connected to Douglas Drive.

Two of these proposed road alignments (yellow and purple) would cut through the Club’s property and each would leave the Club without a practice range.

A practice or driving range is critical to the operation of all golf course facilities and losing such a range would be a death knell to the Club. The Club engaged Kevin Norby, one of the leading golf course architects in the State, to evaluate the impact to the Club if either of the City’s proposed road alignments on the Club property would come to pass. Mr. Norby concluded that the Club property cannot accommodate either road alignment (the “Norby Report”).

The promise of City Staff that there are no “immediate” plans to build a road on either the yellow or purple proposed alignments provides little comfort because it seems contradictory to the City’s stated desire to connect Country Club and Douglas in the near future. City Staff has assured us that the yellow or purple road alignments would occur only if the Club were to redevelop its practice range further in the future, beyond the currently proposed development at the south end of the practice range. Since the Club intends to remain a golf club for another 100 years at least,
such redevelopment will never occur because the Club cannot survive as a golf club without a practice range, and the Club has no other land where it can locate its practice range other than where it is now.

This means—given the City’s assurances—that the yellow and purple road alignment proposal will never yield the road the City desires to connect Country Club Drive with Douglas Drive. The City has expressed a desire to connect Country Club and Douglas now, as opposed to decades from now. So the new road to connect Country Club and Douglas should be located on the Optum site as part and parcel of that site’s redevelopment.

Until a couple months ago the City’s plan for connecting these roads always has centered on making the connection solely within the Optum Site at such time as it was re-developed. The City so stated in it 2040 Comprehensive Plan; as updated in the Final Report for the Comprehensive Transportation Plan Update issued on October 17, 2018.

“5.8.3.1 Country Club Drive/North TH 55 Frontage Road Extension.
As part of the Douglas project, direct access from Country Club Drive to Douglas Drive north of Highway 55 has been eliminated as a safety improvement. The access was realigned to operate as a right-in/right-out between Country Club Drive and westbound Highway 55. To improve local street connectivity, it is desirable to extend Country Club Drive northerly to join the existing signalized intersection of Douglas Drive and the North Highway 55 Frontage Road east of Douglas Drive. Extension of Country Club Drive would require right of way to be acquired from the currently vacant site in the northwest quadrant of Highway 55 and Douglas Drive.”

Final Report of the 2040 Comprehensive Plan, Section 5.8.3.1 (emphasis added).

This Plan was published by the City, intending that it be relied upon. Indeed, the Club relied on it. There was never any mention of a road alignment across any portion of the Club’s property. To the contrary, the connection was to be “northerly” to join the existing signalized intersection on Douglas Drive at the entrance to the Optum Site and the right of way would be acquired from the Optum Site alone.

Moreover, UBS, the owner of the Optum Site, and United Properties, the current developer of the Optum Site, were certainly on notice of the City’s plan to use the Optum Site for a road connecting Country Club Drive to Douglas Drive. Yet, City Staff has not required that the Optum Site accommodate the entire road alignment.

The Planning Manager proposed to encumber the Optum Site with a road alignment bisecting the parcel east to west essentially through the middle of the parcel, such that the west end of that road alignment would abut our practice range at the Club. (See diagram above, where yellow and purple and pink alignments intersect.) Obviously, such a road alignment would be of no value to the City, nor would it accommodate the City’s desire of connecting Douglas Drive with Country Club Drive, unless the west end of the road were to be eventually extended onto the Club’s property to allow a connection southward to Country Club Drive.
January 10, 2022

Moreover, if the assurances of the City Staff to the effect that it would not take the Club’s land for reconnecting Country Club Drive with Douglas Drive unless/until the Club went out of business or otherwise proposed additional development of its practice range beyond the currently proposed development at the south end of the practice range, there will be no connection between Country Club Drive and Douglas Drive until that happens. If completing a connection between Country Club Drive and Douglas Drive is critical to public safety, why would the City wait, when it has the perfect opportunity to complete the connection in conjunction with the redevelopment of the Optum Site, a plan the City Council has just voted to move forward? Since the Optum Site will be redeveloped anyway, any road alignment should be incorporated into the re-development plan of that site, and wholly located on that site.

We understand that the City desires to have the Optum Site re-developed, and we do not wish to second guess the City’s judgment on the highest and best use of that land. But we think the City ought not to allow development of that land in a way that would impair the Club’s peaceful enjoyment of its land, or impair the peaceful enjoyment of those who might choose to live adjacent to it. Although the City Council has voted to advance the rezoning for the project, there are still opportunities for the City to ensure that the project accommodates these concerns and the Club requests that the City do so.

In conclusion, we thank you for your consideration of this letter. We ask that it become part of the official record for the Optum Site redevelopment applications.

Sincerely,

The Board of Directors of Golden Valley Country Club

Cc (via email):

Shep Harris, Mayor - sharris@goldenvalleymn.gov
Denise LaMere-Anderson, Council - DLamere-Anderson@goldenvalleymn.gov
Maurice Harris, Council Member - mharris@goldenvalleymn.gov
Gillian Rosenquist, Council Member - grosenquist@goldenvalleymn.gov
Kimberly Sanberg, Council Member - ksanberg@goldenvalleymn.gov
Jason Zimmerman, Planning Manager - jzimmerman@goldenvalleymn.gov
Marc Nevinski, Physical Development Director - mnevinski@goldenvalleymn.gov
<table>
<thead>
<tr>
<th>Event</th>
<th>Event Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>JANUARY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday, January 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual City Council Goal Setting Session</td>
<td>6:30 PM</td>
<td>Hybrid - Council Chambers</td>
</tr>
<tr>
<td><strong>Thursday, January 27</strong></td>
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<tr>
<td>Municipal Legislative Commission (MLC) Legislative Breakfast Meeting</td>
<td>7:30 AM - 9:30 AM</td>
<td>Braemar Golf Course 6364 John Harris Dr, Edina</td>
</tr>
<tr>
<td>Golden Valley Business Council Meeting</td>
<td>8:30 AM - 9:30 AM</td>
<td>Virtual Meeting</td>
</tr>
<tr>
<td><strong>Saturday, January 29</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WinterFest</td>
<td>12:00 PM - 2:00 PM</td>
<td>North Wesley Park</td>
</tr>
<tr>
<td><strong>FEBRUARY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday, February 1</td>
<td></td>
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</tr>
<tr>
<td>Precinct Caucuses</td>
<td>7:00 PM</td>
<td>Multiple Locations See Elections Page on City Website</td>
</tr>
<tr>
<td>Wednesday, February 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Council Meeting (Wednesday)</td>
<td>6:30 PM</td>
<td>Hybrid - Council Chambers</td>
</tr>
<tr>
<td><strong>Friday, February 4</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2022 League of MN Cities Elected Leaders Institute</td>
<td>10:30 AM - 7:00 PM</td>
<td>Crowne Plaza Minneapolis West Plymouth, MN</td>
</tr>
<tr>
<td><strong>Saturday, February 5</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2022 League of MN Cities Elected Leaders Institute</td>
<td>7:30 AM - 12:00 PM</td>
<td>Crowne Plaza Minneapolis West Plymouth, MN</td>
</tr>
<tr>
<td>Seven Dreams Education Foundation “Bird Bash”</td>
<td>5:00 PM</td>
<td>Marriott Northwest 7025 Northland Drive N, Brooklyn Park</td>
</tr>
<tr>
<td><strong>Tuesday, February 8</strong></td>
<td></td>
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<tr>
<td>HRA Work Session</td>
<td>6:30 PM</td>
<td>Hybrid - Council Chambers</td>
</tr>
<tr>
<td>Council Work Session</td>
<td>6:30 PM</td>
<td>Hybrid - Council Chambers</td>
</tr>
<tr>
<td><strong>Saturday, February 12</strong></td>
<td></td>
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</tr>
<tr>
<td>Crystal Legislative Breakfast</td>
<td>9:30 AM - 11:00 AM</td>
<td>Crystal Community Center 4800 Douglas Dr N</td>
</tr>
<tr>
<td><strong>Sunday, February 13</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winter Market in the Valley (Indoors)</td>
<td>10:00 AM - 1:00 PM</td>
<td>Brookview Bassett Creek Room</td>
</tr>
<tr>
<td><strong>Tuesday, February 15</strong></td>
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<td></td>
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<tr>
<td>City Council Meeting</td>
<td>6:30 PM</td>
<td>Hybrid - Council Chambers</td>
</tr>
<tr>
<td><strong>Thursday, February 17</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building An Equitable Golden Valley Quarterly Conversation</td>
<td>6:00 PM - 7:15 PM</td>
<td>Virtual Event</td>
</tr>
<tr>
<td><strong>Monday, February 21</strong></td>
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<tr>
<td>City Offices Closed for Observance of Presidents' Day</td>
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<tr>
<td><strong>Tuesday, February 22</strong></td>
<td></td>
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<tr>
<td>City Council Annual Joint Meeting with Boards/Commissions</td>
<td>6:30 PM</td>
<td>Hybrid - Brookview - Valley View Room</td>
</tr>
<tr>
<td><strong>Thursday, February 24</strong></td>
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<tr>
<td>Golden Valley Business Council Meeting</td>
<td>8:30 AM - 9:30 AM</td>
<td>Hybrid - Brookview - Valley View Room</td>
</tr>
<tr>
<td><strong>Saturday, February 26</strong></td>
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<tr>
<td>Hopkins Education Foundation’s Royal Bash</td>
<td>6:00 PM</td>
<td>Hybrid Event Marriott Minnetonka Southwest 5801 Opus Pkwy, Minnetonka</td>
</tr>
<tr>
<td><strong>Sunday, February 27</strong></td>
<td></td>
<td></td>
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<tr>
<td>West Metro Home Remodeling Fair</td>
<td>9:30 AM - 2:00 PM</td>
<td>Eisenhower Community Center 1001 MN-7, Hopkins, MN</td>
</tr>
<tr>
<td><strong>MARCH</strong></td>
<td></td>
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<tr>
<td>Tuesday, March 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Council Meeting</td>
<td>6:30 PM</td>
<td>Hybrid - Council Chambers</td>
</tr>
<tr>
<td><strong>Friday, March 4</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State of the City</td>
<td>3:00 PM</td>
<td>Under Pressure Brewing 8806 7th Ave N</td>
</tr>
</tbody>
</table>