

Mayor:
Dan Roe

Councilmembers:
Jason Etten
Wayne Groff
Robin Schroeder
Julie Strahan



City Council Agenda
Monday, February 13, 2023
6:00 p.m.

Address:
2660 Civic Center Dr.
Roseville, MN 55113

Phone:
651-792-7000

Website:
www.cityofroseville.com

Members of the public who wish speak during public comment or an agenda item during this meeting can do so virtually by registering at:
www.cityofroseville.com/attendmeeting

1. 6:00 P.M. Roll Call
Voting & Seating Order: Groff, Strahan, Etten, Schroeder, and Roe
2. 6:01 P.M. Pledge of Allegiance
3. 6:02 P.M. Approve Agenda
4. 6:03 P.M. Public Comment
5. Recognitions and Donations
6. 6:08 P.M. Items Removed from Consent Agenda
7. Business Items
 - 7.A. 6:10 P.M. Receive Presentation from Northeast Youth & Family Services President and CEO Angela Lewis Dmello
Documents:
[REQUEST FOR COUNCIL ACTION.PDF](#)
 - 7.B. 6:25 P.M. Consider 2022 Lake Owasso Water Ski Slalom Course Permit Request
Documents:
[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)
 - 7.C. 6:30 P.M. 2022 Tobacco Presumptive Penalty Approval Speedway
Documents:
[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)
 - 7.D. 6:40 P.M. 2022 Alcohol Presumptive Penalty Approval Speedway

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 7.E. 6:50 P.M. 2022 Alcohol Presumptive Penalty Approval Crave

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 7.F. 7:00 P.M. 2022 Alcohol Presumptive Penalty Approval Davannis

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 7.G. 7:10 P.M. 2022 Alcohol Presumptive Penalty Approval Red Lobster

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 7.H. 7:20 P.M. Continuation: Consider issuance of a Short-Term Rental License for 1901 Ryan Ave.

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 7.I. 7:30 P.M. Consider an Ordinance amending Title 9, Section 909 of the City Code in order to stop issuance of new Short Term Rental licenses

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

8. Council Direction on Councilmember Initiated Agenda Items

9. 8:00 P.M. Approval of City Council Minutes
Approve City Council Minutes from January 23, 2023

Approve EDA Minutes from January 23, 2023

10. 8:05 P.M. Approve Consent Agenda

10.A. Approve Payments

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.B. Approval of 1 Cigarette/Tobacco Products License, and 2 Tetrahydrocannabinol (THC) Licenses.

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.C. Approve General Purchases and Sale of Surplus Items in Excess of \$10,000

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.D. Adopt a Resolution to Accept 2022 Police Donations

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENT.PDF](#)

- 10.E. Approve 2023 Auto Theft Prevention Grant Applications

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.F. Adopt a Resolution Approving MnDOT Cooperative Construction Agreement No. 1051804 – TH 36 & Fairview Avenue Ramps Improvement

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.G. Approve Encroachment Agreement at 931 County Rd B2

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.H. Approve Resolution Authorizing Revocation and Designation of Municipal State Aid Roads

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

11. 8:10 P.M. Future Agenda Review, Communications, Reports, and Announcements - Council and City Manager
12. 8:15 P.M. Adjourn



Date: February 13, 2023

Item No.: 7.a

Item Description: Receive Presentation from NYFS President Angela Lewis Dmello

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 7.b

Department Approval



City Manager Approval



Item Description: Consider Lake Owasso Safe Boating Association's Request for Permit
Renewal of the Water-Ski Slalom Course on Lake Owasso

BACKGROUND

In 1997 the Lake Owasso Task Force presented a series of recommendations to the City Council. The Council, in the resolution taking action on the recommendations, agreed it would be the policy of the City to provide for public comment at Council meetings regarding requests for permits on lakes.

POLICY OBJECTIVE

The Lake Owasso Safe Boating Association requests approval for placement of a water ski slalom course in the same location as in the past fifty years.

BUDGET IMPLICATIONS

There are no financial impacts to the City.

RACIAL EQUITY IMPACT SUMMARY

Upon review, staff has not identified a disparate racial equity impact in relation to this request for council action.

STAFF RECOMMENDATION

Approve Lake Owasso Safe Boating Association's request for a permit from the Ramsey County Sheriff for a water ski course on Lake Owasso.

REQUESTED COUNCIL ACTION

Motion approving Lake Owasso Safe Boating Association's request for a permit from the Ramsey County Sheriff for a water ski course on Lake Owasso for the 2023 season.

Prepared by: Joe Adams - Police Deputy Chief
Attachments: A: Request for Approval Letter
B: Copy of Certificate of Insurance

January 3, 2023

Chief Scheider
City of Roseville
2660 Civic Center Drive
Roseville, MN 55113

Dear Chief Scheider:

The Lake Owasso Safe Boating Association (LOSBA) is respectfully requesting approval for permit renewal of the water-ski slalom course on Lake Owasso. The location remains identical as in the past fifty-five years. Enclosed is a copy of our 2023 renewed insurance certificate including details on additional insured.

Contacts:

Steve Youngquist
391 South Owasso Blvd.
Roseville, MN 55113
612-419-9454

Tony Starr
3048 West Owasso Blvd
Roseville, MN 55113
651-503-3273

If there is additional information we can provide, please let us know.

Thank you



Joe Bester
460 West Horseshoe Drive
Shoreview, MN 55126
651-260-3408
jebester@msn.com

CERTIFICATE OF INSURANCE**PRINT DATE:** 1/2/2023**CERTIFICATE NUMBER:** 20221230945528**AGENCY:**

Edgewood Partners Insurance Center
5909 Peachtree Dunwoody Road, Suite 800
Atlanta, GA 30328
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Water Ski & Wake Sports, Inc. Lake Owasso Safe Boating Association
2701 Lake Myrtle Park Rd.
Auburndale FL 33823

INSURERS AFFORDING COVERAGE:

INSURER A: Accredited Surety and Casualty Company, Inc. NAIC# 26379

EVENT INFORMATION:

Sanctioned Event Activities (1/1/2023 - 12/31/2023)

POLICY/COVERAGE INFORMATION:

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS TYPE OF INSURANCE:**POLICY NUMBER(S):****EFFECTIVE:****EXPIRES:****LIMITS:****A GENERAL LIABILITY**

☒ Occurrence

☒ Participant Legal Liability

1-TRE-IN-17-01338561-00

1/1/2023
12:01 AM

1/1/2024
12:01 AM

GENERAL AGGREGATE (Applies Per Event) \$4,000,000

EACH OCCURRENCE \$2,000,000

DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000

MEDICAL EXPENSE (Any one person) EXCLUDED

PERSONAL & ADV INJURY \$2,000,000

PRODUCTS-COMP/OP AGG \$2,000,000

A UMBRELLA/EXCESS LIABILITY

☒ Occurrence

1-TRE-IN-17-01338562-00

1/1/2023
12:01 AM

1/1/2024
12:01 AM

EACH OCCURRENCE \$3,000,000

AGGREGATE \$3,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

The certificate holder is an Additional Insured with respect to liability arising out of the negligence of the Named Insured as per the following endorsement: Additional Insured (Form RSCG 03 03).

Coverage only applies with respect to tournaments, practices, exhibitions, clinics and related activities sanctioned and approved by USA Water Ski & Wake Sports, Inc.

CERTIFICATE HOLDER:

City of Roseville
2660 Civic Center Drive
Roseville MN 55113

NOTICE OF CANCELLATION:

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 7.c

Department Approval



City Manager Approval



Item Description: Presumptive Penalty Approval – 2022 Tobacco Compliance Checks,
Speedway

BACKGROUND

In 2022, all businesses with a city tobacco license were mailed a letter announcing two citywide tobacco compliance checks to be conducted before the end of the calendar year (Attachment A). A copy of the letter was also e-mailed to all license holders. The following is related to the second round of tobacco compliance checks, which occurred in December of 2022.

On Saturday, December 17, 2022, a 19-year-old underage compliance checker, entered establishments holding a tobacco license in the city of Roseville, Minnesota, to conduct compliance checks (Attachment B).

Speedway (CN 22036927) - The underage checker ordered a pack of Swisher Sweet Cigars and a six pack of Michelob Ultra. The employee then telephoned a manager and received information on how to unlock the secured alcohol cabinet. After locating the key, the employee retrieved the beer. Without asking for identification or inquiring as to the checker's age, the employee sold the checker the cigars and beer. To date, the employee has not paid the administrative fine.

Officers met with the business in-person and advised them of the Roseville City Council hearing date. This notification was also provided in writing (Attachment C).

POLICY OBJECTIVE

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 306.09, for tobacco license holders for the second violation within thirty-six (36) months. The mandatory minimum penalty shall be a two thousand dollar (\$2,000.00) fine and a three (3) day suspension.

BUDGET IMPLICATIONS

Pursuant to City Code Section 306.09, the financial impact shall be a mandatory penalty of a two thousand dollar (\$2,000.00) fine and a three (3) day suspension issued to the license holder for the second violation within thirty-six (36) months.

RACIAL EQUITY IMPACT SUMMARY

Upon review of any potential racial equity impacts, staff notes that this hearing pertains to a business with multiple locations. The compliance checks, subsequent fines, and suspensions are uniform and written into city code. At this time, staff have not identified a disproportionate racial equity impact.

STAFF RECOMMENDATION

Staff recommends Council approval to issue and administer the presumptive penalty pursuant to City Code Section 306.09, for tobacco license holders.

REQUESTED COUNCIL ACTION

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 306.09, for on-sale license holders for the second violation within thirty-six (36) months. The mandatory minimum penalty shall be a two thousand dollar (\$2,000.00) fine and a three (3) day suspension.

Prepared by: Joe Adams, Deputy Chief of Police
Attachments: A: Letter announcing compliance checks
B: 2022 Police Report: Speedway (CN 22036927)
C: Letter announcing Council Meeting



July 8, 2022

ATTN: MANAGER

Please thoroughly review the following information as it pertains to tobacco compliance checks conducted by the Roseville Police Department.

Please review the state statute relating to sales of tobacco products to underage persons:

Minnesota Statute Chapter 609.685 SALE OF TOBACCO TO PERSONS UNDER AGE 21 Subdivision. 1a. Penalty to sell or furnish. (a) Any person 21 years of age or older who sells, gives, or otherwise furnishes tobacco, tobacco-related devices, or electronic delivery devices to a person under the age of 21 years is guilty of a petty misdemeanor for the first violation. Whoever violates this subdivision a subsequent time within five years of a previous conviction under this subdivision is guilty of a misdemeanor.

The City of Roseville *recently amended* City Code Chapter 306, Cigarette and Tobacco Products. The Roseville Police Department encourages you to become familiar with this ordinance. For your convenience, a copy of Chapter 306 has been enclosed for your review. Roseville's ordinances are also available on-line at www.cityofroseville.com

The civil penalties for underage tobacco sales are set forth in the Roseville City Code. These penalties vary depending upon whether it is a first time violation, a second time violation, a third time violation, etc. **The mandatory minimum penalty (imposed upon the licensee) for the sale of tobacco products to underage individuals is a \$1,000 fine.**

These penalties are civil in nature. Please be aware criminal penalties may also be imposed for violations of the Ordinance.

The Roseville Police Department will conduct a minimum of two citywide compliance checks in 2022. Please remind your employees of their legal and moral responsibility not to sell tobacco products to anyone under the age of 21.

Once again, we encourage you to review Roseville City Code, Chapter 306. If you have any questions, please contact Deputy Chief Joe Adams at 651-792-7275.

Sincerely,

Erika Scheider
Chief of Police

Enclosure:
Roseville City Code Chapter 306



ROSEVILLE POLICE DEPARTMENT

INCIDENT REPORT

ICR# 22036927	AGENCY ORI# MN0620800	JUVENILE:
Reported: 12-17-2022 1326 First Assigned: 1326 First Arrived: 1326 Last Cleared: 1326 Committed Start: Committed End: Title: Compliance Checks-Tobacco How Received: Phone Summary: Tobacco Compliance Check - Failure. Location(s) Speedway Address: 2295 Rice St N City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Vang, Haivy Badge No: 224 Primary: No Officer Assigned: Cook, Dennis Badge No: 247 Primary: Yes		
Involvement: Subject Name: Spraggins, Taniyah Lynette DOB: 02-25-2004 Age: 18 Address: (Residence) 6988 Ashwood Rd APT 210 City: Saint Paul State: MN Zip: 55125 Country: Phone: (Cell) (651)279-7097		
Involvement: Mentioned Name: Speedway Address: (Business) 2295 Rice St N City: Roseville State: MN Zip: 55113 Country:		
Involvement: Mentioned Name: Allen, Darren William DOB: 05-10-1966 Age: 56 Address: (Work) 2295 Rice St N City: Roseville State: MN Zip: 55113 Country: Phone: (Cell) (612)940-3738		
Offense: (306.04) Sell Tobacco - Under 21		

Supplemental Report	
ICR: 22036927	Last Modified: 12-17-2022 1452
Title: Tobacco Compliance Check - Failure	Created By: Dennis Cook
On Saturday December 17th 2022 I, Officer Cook (#247), assisted with conducting tobacco and alcohol compliance checks at various businesses within the City of Roseville. I was operating an unmarked police vehicle in plain clothes and was responsible for the safety/wellbeing of the underage checker, XXXXX XXXXXXXX XXX 01/05/2003. During the detail XXX was in possession of one government issued identification card which clearly indicated he was under the age of 21 until 01/05/2004. XXX was also in possession of one twenty dollar bearing serial #BG52399040C. A photograph of XXX, XXXXX identification, and the bill were uploaded to	

evidence.com under case file number 22036894.

XXX entered the Speedway convenience store located at 2295 Rice St N where he purchased a pack of Swisher Sweets cigars and a six pack of Michelob Ultra Infusions beer from the sole employee working at the business. XXX stated the employee phoned a manger and had to ask where the key for the secured alcohol cabinet was located. Once the employee was directed to the location of the key, the employee opened the alcohol cabinet and retrieved the beer for XXX. XXX stated the employee did not ask XXXXX age nor did she request any form of identification from XXX. XXX exited the store and provided me with both the tobacco and alcohol product which he had purchased from within the business.

I made contact with the sole employee working the business who I positively identified via Minnesota photo identification card as Taniyah Lynette Spraggins 02/25/2004. Spraggins confirmed she was the sole employee working at the time of the sale. Spraggins did not provide a reason as to why she did not verify XXXXX age prior to selling him the tobacco and alcohol products. I obtained current contact information for Spraggins and advised her that future correspondence from the City would occur through the mail at a later date. I also obtained contact information for the manager of the business from Spraggins.

I made phone contact with the manager of the business who I verbally identified as Darren William Allen 05/10/1966. I advised Allen of the compliance check failures and advised him that future correspondence would come from the City at a later date.

The tobacco and alcohol products were returned to the store and the pre-recorded twenty dollars was returned to me.

I took a photograph of the tobacco and alcohol products which I uploaded to evidence.com under the case file number.

My body worn camera was active while speaking with Spraggins.

After clearing from the scene I received a request to contact Spraggins mother via phone. I spoke to Spraggins mother who was upset that her daughter was left alone at the business and believed the responsibility of the failed compliance checks should be directed to the manager of the business. I advised Spraggins mother that I would document her concerns and recommended she speak with Speedway corporate management if she had issues with the businesses practices.

Nothing further.

Supplemental Report

ICR: 22036927

Last Modified: 12-20-2022 1429

Title: Individual Fine Letter

Created By: Haivy Vang

On 12/20/2022, I issued SPRAGGINS a Roseville Police Department administrative citation letter for the violation of selling tobacco to an underage individual (city ordinance 306.09).

I sent SPRAGGINS' administrative citation via USPS certified mail to the address listed on her driver's license where she confirmed she currently receives mail.

Nothing further.

Supplemental Report**ICR:** 22036927**Last Modified:** 01-23-2023 1946**Title:** Admin Citation and Notification Letter Delivered**Created By:** Bryan Anderson

On 01/20/2023 I was instructed to delivered a letter notifying management at Speedway (2295 Rice St) of an upcoming council meeting and that they will need to provide training records. An administrative citation was also given to management. The letters was delivered to the assistant manager Taniyah Spraggins.

ROSEVILLE POLICE DEPARTMENT
2022 Tobacco Compliance Check
 January 20, 2023



January 20, 2023

Speedway
 2295 Rice Street
 Roseville, MN 55113

Dear Speedway Manager,

On Monday, February 13, 2023, the Roseville City Council will discuss the December 17, 2022 tobacco compliance failure at Speedway. Staff has recommended Council impose the presumptive penalty of a \$2000.00 fine and a three (3) day tobacco license suspension for the second failure in 36 months.

Council discussion of this violation will occur during the "Business Actions" segment of the meeting. A representative from your establishment may appear at the time of the council discussion to offer any information you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you choose not to appear at this meeting, the City Council will act without any input from your business. Please note, due to the pandemic, the September city council meetings are being held in –person and virtually. Information on providing input can be found on the city's website at <http://cityofroseville.com/3458/Attend-a-Virtual-Meeting>.

Summary of Violation:

- July 16, 2022: An employee sold an 18-year old underage compliance buyer a cigars without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22019283).
- December 17, 2022: An employee sold a 19-year old underage compliance buyer a cigars without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22036927).

Please be advised if another violation should occur, further penalties will be invoked. Also, I will need copies of your training records. Please email the records to joe.adams@cityofroseville.com. If you have any questions, you can reach me at 651-792-7275.

Sincerely,

Joe Adams
 Deputy Chief of Police

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 7.d

Department Approval



City Manager Approval



Item Description: Presumptive Penalty Approval – 2022 Alcohol Compliance Checks,
Speedway

BACKGROUND

In 2022, all businesses with a city liquor license were mailed a letter announcing two citywide alcohol compliance checks to be conducted before the end of the calendar year (Attachment A). The letter included information on the Roseville City Ordinance regarding the mandatory liquor licensee training program and penalties for noncompliance. A copy of the letter was also e-mailed to all license holders. The following is related to the second round of alcohol compliance checks, which occurred in December of 2022.

On Saturday, December 17, 2022, a 19-year-old underage compliance checker, entered establishments holding a liquor license in the city of Roseville, Minnesota, to conduct compliance checks. Upon conclusion of the checks, multiple businesses failed (Attachment B).

Speedway (CN 22036927) - The underage checker ordered a pack of Swisher Sweet Cigars and a six pack of Michelob Ultra. The employee then telephoned a manager and received information on how to unlock the secured alcohol cabinet. After locating the key, the employee retrieved the beer. Without asking for identification or inquiring as to the checker's age, the employee sold the checker the cigars and beer. To date, the employee has not paid the administrative fine.

Officers met with the business in-person and advised them of the Roseville City Council hearing date. This notification was also provided in writing (Attachment C).

POLICY OBJECTIVE

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for off-sale liquor license holders for the first

21 violation within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand
22 dollar (\$1,000.00) fine.

23 **BUDGET IMPLICATIONS**

24 Pursuant to City Code Section 302.15, the financial impact shall be a mandatory penalty of a one
25 thousand dollar (\$1,000.00) fine issued to the license holder for the first off-sale violation within
26 thirty-six (36) months.

27 **RACIAL EQUITY IMPACT SUMMARY**

28 Upon review of any potential racial equity impacts, staff notes that this hearing pertains to a business
29 with multiple locations. The compliance checks, subsequent fines, and suspensions are uniform and
30 written into city code. At this time, staff have not identified a disproportionate racial equity impact.

31 **STAFF RECOMMENDATION**

32 Staff recommends Council approval to issue and administer the presumptive penalty pursuant to City
33 Code Section 302.15, for off-sale license holders.

34 **REQUESTED COUNCIL ACTION**

35 The Roseville Police Department seeks Council approval to issue and administer the presumptive
36 penalty pursuant to City Code Section 302.15, for off-sale license holders for the first violation
37 within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar
38 (\$1,000.00) fine.

39

Prepared by: Joe Adams, Deputy Chief of Police
Attachments: A: Letter announcing compliance checks
B: 2022 Police Report: Speedway (CN 22036928)
C: Letter announcing Council Meeting

:

ROSEVILLE POLICE DEPARTMENT

Alcohol Compliance Checks

July 8, 2022



2022 Alcohol Compliance Checks

The Roseville Police Department conducts a minimum of two citywide alcohol compliance checks each year. The police department conducts compliance checks to ensure Roseville alcoholic beverage license holders are complying with state law and city code. When Roseville began alcohol compliance checks in 1997, the compliance rate was only 70%. Our goal is to achieve 100% compliance.

Required Training

Roseville city code requires all licensees, managers, and employees who serve alcohol to complete a city-approved or city-provided training program.

- The required training shall be completed prior to an employee serving or selling alcohol.
- The training must be completed on an annual basis for all employees who serve or sell alcohol.
- More information on the manager and server training can be found on the police department's [website](#).

Documentation of Training

Your business must maintain documentation you have properly trained every employee who sells or serves alcohol. Per city code, this documentation must be provided to a police officer or designated city employee when requested. Additional penalties may be assessed if you are unable to provide documentation or it is determined an employee did not undergo the required training.

Penalty for Noncompliance

In addition to any criminal penalties, the City Council may suspend a liquor license for up to 60 days, revoke a license, and/or may impose a civil fine on a licensee. The mandatory minimum penalty for the sale of alcoholic beverages to underage individuals is a \$1,000 fine for the license holder and a one day suspension for on-sale establishments. Additional administrative penalties will be imposed when there is a history of violations.

Additional Information

Any questions regarding compliance checks, training, city code, or state laws can be directed to Deputy Chief Joe Adams at 651-792-7275 or joe.adams@cityofroseville.com. Additional information can be found at:

- <https://www.cityofroseville.com/2365/Alcohol-Compliance>
- <https://www.cityofroseville.com/836/Liquor-Licenses>
- https://www.cityofroseville.com/DocumentCenter/View/27294/Title-3-Business-Regulations_181231
- <https://www.mlba.com/>
- <https://www.revisor.mn.gov/statutes/cite/340A.503>

Erika Scheider
Chief of Police



ROSEVILLE POLICE DEPARTMENT

INCIDENT REPORT

ICR# 22036928	AGENCY ORI# MN0620800	JUVENILE:
Reported: 12-17-2022 1327 First Assigned: 1327 First Arrived: 1327 Last Cleared: 1327 Committed Start: Committed End: Title: Compliance Checks-Alcohol How Received: Phone Summary: Alcohol Compliance Check - Failure. Location(s) Speedway Address: 2295 Rice St N City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Vang, Haivy Badge No: 224 Primary: No Officer Assigned: Cook, Dennis Badge No: 247 Primary: Yes		
Involvement: Subject Name: Spraggins, Taniyah Lynette DOB: 02-25-2004 Age: 18 Address: (Residence) 6988 Ashwood Rd APT 210 City: Saint Paul State: MN Zip: 55125 Country: Phone: (Cell) (651)279-7097		
Involvement: Mentioned Name: Allen, Darren William DOB: 05-10-1966 Age: 56 Address: (Work) 2295 Rice St N City: Roseville State: MN Zip: 55113 Country: Phone: (Cell) (612)940-3738		
Involvement: Mentioned Name: Speedway State: MN Zip: 55113 Country: Address: (Business) 2295 Rice St N City: Roseville		
Offense: (340A.503.2(1)) Liquor-Purchase/Sell/Barter/Furnish/Give to u		

Supplemental Report	
ICR: 22036928	Last Modified: 12-17-2022 1505
Title: Alcohol Compliance Check - Failure	Created By: Dennis Cook
On Saturday December 17th 2022 I, Officer Cook (#247), assisted with conducting tobacco and alcohol compliance checks at various businesses within the City of Roseville. I was operating an unmarked police vehicle in plain clothes and was responsible for the safety/wellbeing of the underage checker, XXXXX XXXXXXXX XXX 01/05/2003. During the detail XXX was in possession of one government issued identification card which clearly indicated he was under the age of 21 until 01/05/2004. XXX was also in possession of one twenty dollar bearing serial #BG52399040C. A photograph of XXX, XXXXX identification, and the bill were uploaded to	

[evidence.com](#) under case file number 22036894.

XXX entered the Speedway convenience store located at 2295 Rice St N where he purchased a pack of Swisher Sweets cigars and a six pack of Michelob Ultra Infusions beer from the sole employee working at the business. XXX stated the employee phoned a manger and had to ask where the key for the secured alcohol cabinet was located. Once the employee was directed to the location of the key, the employee opened the alcohol cabinet and retrieved the beer for XXX. XXX stated the employee did not ask XXXXX age nor did she request any form of identification from XXX. XXX exited the store and provided me with both the tobacco and alcohol product which he had purchased from within the business.

I made contact with the sole employee working the business who I positively identified via Minnesota photo identification card as Taniyah Lynette Spraggins 02/25/2004. Spraggins confirmed she was the sole employee working at the time of the sale. Spraggins did not provide a reason as to why she did not verify XXXXX age prior to selling him the tobacco and alcohol products. I obtained current contact information for Spraggins and advised her that future correspondence from the City would occur through the mail at a later date. I also obtained contact information for the manager of the business from Spraggins.

I made phone contact with the manager of the business who I verbally identified as Darren William Allen 05/10/1966. I advised Allen of the compliance check failures and advised him that future correspondence would come from the City at a later date.

The tobacco and alcohol products were returned to the store and the pre-recorded twenty dollars was returned to me.

I took a photograph of the tobacco and alcohol products which I uploaded to [evidence.com](#) under the case file number.

My body worn camera was active while speaking with Spraggins.

After clearing from the scene I received a request to contact Spraggins mother via phone. I spoke to Spraggins mother who was upset that her daughter was left alone at the business and believed the responsibility of the failed compliance checks should be directed to the manager of the business. I advised Spraggins mother that I would document her concerns and recommended she speak with Speedway corporate management if she had issues with the businesses practices.

Nothing further.

Supplemental Report

ICR: 22036928

Last Modified: 12-20-2022 1431

Title: Individual Fine Letter

Created By: Haivy Vang

On 12/20/2022, I issued SPRAGGINS a Roseville Police Department administrative citation letter for the violation of Selling/Serving Alcohol to an underage individual (city ordinance 302.15).

I sent SPRAGGINS' administrative citation via USPS certified mail to the address listed on her driver's license where she confirmed she currently receives mail.

Nothing further.

ROSEVILLE POLICE DEPARTMENT
2022 Alcohol Compliance Check
January 20, 2023



January 20, 2023

Speedway
2295 Rice Street
Roseville, MN 55113

Dear Speedway Manager,

On Monday, February 13, 2023, the Roseville City Council will discuss the December 17, 2022 alcohol compliance failure at Speedway. Staff has recommended Council impose the presumptive penalty of a \$1000.00 fine for the first off-sale liquor violation in 36 months.

Council discussion of this violation will occur during the "Business Actions" segment of the meeting. A representative from your establishment may appear at the time of the council discussion to offer any information you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you choose not to appear at this meeting, the City Council will act without any input from your business. Please note, due to the pandemic, the September city council meetings are being held in –person and virtually. Information on providing input can be found on the city's website at <http://cityofroseville.com/3458/Attend-a-Virtual-Meeting>.

Summary of Violation:

December 17, 2022: An employee sold a 19-year old underage compliance buyer beer without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22036928).

Please be advised if another violation should occur, further penalties will be invoked. Also, I will need copies of your training records. Please email the records to joe.adams@cityofroseville.com. If you have any questions, you can reach me at 651-792-7275.

Sincerely,

Joe Adams
Deputy Chief of Police

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023

Item No.: 7.e

Department Approval



City Manager Approval



Item Description: Presumptive Penalty Approval – 2022 Alcohol Compliance Check, Crave

BACKGROUND

In 2022, all businesses with a city liquor license were mailed a letter announcing two citywide alcohol compliance checks to be conducted before the end of the calendar year (Attachment A). The letter included information on the Roseville City Ordinance regarding the mandatory liquor licensee training program and penalties for noncompliance. A copy of the letter was also e-mailed to all license holders. The following is related to the second round of alcohol compliance checks, which occurred in December of 2022.

On Saturday, December 17, 2022, a 19-year-old underage compliance checker, entered establishments holding a liquor license in the city of Roseville, Minnesota, to conduct compliance checks. Upon conclusion of the checks, multiple businesses failed (Attachment B).

Crave (CN 22036919) - The underage checker ordered a glass of wine. The bartender poured the wine and provided it to the checker without asking for identification. The bartender has since paid the administrative fine.

Officers met with each business in-person and advised them of the Roseville City Council hearing date. This notification was also provided in writing (Attachment C). Crave later provided the required training documentation for their staff.

POLICY OBJECTIVE

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation

within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar (\$1,000.00) fine and a one (1) day suspension.

BUDGET IMPLICATIONS

Pursuant to City Code Section 302.15, the financial impact shall be a mandatory penalty of a one thousand dollar (\$1,000.00) fine and a one (1) day suspension issued to the on-sale license holder for the first violation within thirty-six (36) months.

RACIAL EQUITY IMPACT SUMMARY

Upon review of any potential racial equity impacts, staff notes that this hearing pertains to a business with multiple locations. The compliance checks, subsequent fines, and suspensions are uniform and written into city code. At this time, staff have not identified a disproportionate racial equity impact.

STAFF RECOMMENDATION

Staff recommends Council approval to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders.

REQUESTED COUNCIL ACTION

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar (\$1,000.00) fine and a one (1) day suspension.

Prepared by: Joe Adams, Deputy Chief of Police
Attachments: A: Letter announcing compliance checks
B: 2022 Police Report: Crave (CN 22036919)
C: Letter announcing Council Meeting

ROSEVILLE POLICE DEPARTMENT

Alcohol Compliance Checks

July 8, 2022



2022 Alcohol Compliance Checks

The Roseville Police Department conducts a minimum of two citywide alcohol compliance checks each year. The police department conducts compliance checks to ensure Roseville alcoholic beverage license holders are complying with state law and city code. When Roseville began alcohol compliance checks in 1997, the compliance rate was only 70%. Our goal is to achieve 100% compliance.

Required Training

Roseville city code requires all licensees, managers, and employees who serve alcohol to complete a city-approved or city-provided training program.

- The required training shall be completed prior to an employee serving or selling alcohol.
- The training must be completed on an annual basis for all employees who serve or sell alcohol.
- More information on the manager and server training can be found on the police department's [website](#).

Documentation of Training

Your business must maintain documentation you have properly trained every employee who sells or serves alcohol. Per city code, this documentation must be provided to a police officer or designated city employee when requested. Additional penalties may be assessed if you are unable to provide documentation or it is determined an employee did not undergo the required training.

Penalty for Noncompliance

In addition to any criminal penalties, the City Council may suspend a liquor license for up to 60 days, revoke a license, and/or may impose a civil fine on a licensee. The mandatory minimum penalty for the sale of alcoholic beverages to underage individuals is a \$1,000 fine for the license holder and a one day suspension for on-sale establishments. Additional administrative penalties will be imposed when there is a history of violations.

Additional Information

Any questions regarding compliance checks, training, city code, or state laws can be directed to Deputy Chief Joe Adams at 651-792-7275 or joe.adams@cityofroseville.com. Additional information can be found at:

- <https://www.cityofroseville.com/2365/Alcohol-Compliance>
- <https://www.cityofroseville.com/836/Liquor-Licenses>
- https://www.cityofroseville.com/DocumentCenter/View/27294/Title-3-Business-Regulations_181231
- <https://www.mlba.com/>
- <https://www.revisor.mn.gov/statutes/cite/340A.503>

Erika Scheider
Chief of Police



ROSEVILLE POLICE DEPARTMENT

INCIDENT REPORT

ICR# 22036919	AGENCY ORI# MN0620800	JUVENILE:
Reported: 12-17-2022 1143 First Assigned: 1143 First Arrived: 1143 Last Cleared: 1144 Committed Start: Committed End: Title: Compliance Checks-Alcohol How Received: Phone Summary: Alcohol Compliance Check - Failure. Location(s) Crave Address: 1595 Highway 36 W STE 1025 City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Vang, Haivy Badge No: 224 Primary: No Officer Assigned: Cook, Dennis Badge No: 247 Primary: Yes		
Involvement: Subject Name: Lindeke, Alexander Patrick DOB: 01-29-1997 Age: 25 Address: (Residence) 3500 McNair Dr N City: Robbinsdale State: MN Zip: 55422 Country: Address: (Work) 1595 Highway 36 W City: Roseville State: MN Zip: 55113 Country: Phone: (Cell) (763)280-9901		
Involvement: Mentioned Name: Olander, Jamie Lynn DOB: 04-11-1989 Age: 33 Address: (Work) 1595 Highway 36 W City: Roseville State: MN Zip: 55113 Country: Phone: (Cell) (612)387-1176		
Involvement: Mentioned Name: Crave Address: (Business) 1595 Highway 36 W STE 1025 City: Roseville State: MN Zip: 55113 Country:		
Involvement: Mentioned Name: Arrigoni-Erickson, Damon John DOB: 10-09-1991 Age: 31 Address: (Business) 1595 Highway 36 City: Roseville State: MN Zip: 55113 Country:		
Offense: (340A.503.2(1)) Liquor-Purchase/Sell/Barter/Furnish/Give to u		

Supplemental Report	
ICR: 22036919	Last Modified: 12-23-2022 1417
Title: Alcohol Compliance Check - Failure	Created By: Dennis Cook
On Saturday December 17th 2022 I, Officer Cook (#247), assisted with conducting alcohol compliance checks at various businesses within the City of Roseville.	

I was operating an unmarked police vehicle in plain clothes and was responsible for the safety/wellbeing of the underage checker, XXXXX XXXXXXXX XXX 01/05/2003. During the detail XXX was in possession of one government issued identification card which clearly indicated he was under the age of 21 until 01/05/2004. XXX was also in possession of one twenty dollar bearing serial #BG52399040C. A photograph of XXX, XXXXX identification, and the bill were uploaded to evidence.com under case file number 22036894.

XXX and I entered Crave, 1595 Highway 36 W #1025, and took seats at the bar. I witnessed XXX order a glass of Pinot Noir wine from the bartender at which time the bartender poured the glass of wine and provided it to XXX without asking XXXXX age or requesting any form of identification. Once the bartender had provided XXX with the alcoholic beverage I identified myself as a police officer and advised the bartender of the compliance check failure.

I positively identified the bartender via Minnesota photo drivers license as Alexander Patrick Lindeke 01/29/1997. Lindeke did not provide a reason as to why he did not ask XXXXX age or request any identification from XXX prior to serving him with the alcoholic beverage. I obtained current contact information for Lindeke and advised Lindeke that future correspondence from the City would come through the mail at a later date.

I next spoke to a manager who I verbally identified as Jamie Lynn Olander 04/11/1989. I advised Olander of the compliance check failure and advised her that the business would receive future correspondence from the City at a later date.

I uploaded a photograph of the glass of wine to evidence.com under the case file number.

My body worn camera was active once I transitioned to an enforcement role and began speaking to Lindeke about the compliance check violation.

XXXX XXXXXXXXXXXX XX XXX XXXXXXXXXXXX XXXXXXX XXXXXXXXXXXXX X XXXXXXXX
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XXX X XXXXXXXXXXX XXXXXXXXXXX XXXXXXXXXXX XXXXXXXXXXX XX XXXXXXX XX XX
XXXXXXXXXX XXXXXXX XXX X XXXXXXXXXXXX XX XXX XXXXXXXXXXXX XX
XXXXXXXXXXXX

Nothing further.

Supplemental Report

ICR: 22036919

Last Modified: 12-20-2022 1431

Title: Individual Fine Letter

Created By: Haivy Vang

On 12/20/2022, I issued LINDEKE a Roseville Police Department administrative citation letter for the violation of Selling/Serving Alcohol to an underage individual (city ordinance 302.15).

I sent LINDEKE's administrative citation via USPS certified mail to the address listed on his driver's license where he confirmed he currently receives mail.

Nothing further.

Supplemental Report

ICR: 22036919**Last Modified:** 01-23-2023 1934**Title:** Notification Letter Delivered**Created By:** Bryan Anderson

On 01/20/2023 I was instructed to delivered a letter notifying management at Crave of an upcoming council meeting and that they will need to provide training records. The letter was delivered to the manager, Damon Arrigoni-Erickson.

ROSEVILLE POLICE DEPARTMENT
2022 Alcohol Compliance Check
January 20, 2023



January 20, 2023

Crave
1595 Highway 36
Roseville, MN 55113

Dear Crave Manager,

On Monday, February 13, 2023, the Roseville City Council will discuss the December 17, 2022 alcohol compliance failure at Crave. Staff has recommended Council impose the presumptive penalty of a \$1000.00 fine and one (1) day liquor license suspension.

Council discussion of this violation will occur during the "Business Actions" segment of the meeting. A representative from your establishment may appear at the time of the council discussion to offer any information you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you choose not to appear at this meeting, the City Council will act without any input from your business. Please note, due to the pandemic, the September city council meetings are being held in –person and virtually. Information on providing input can be found on the city's website at <http://cityofroseville.com/3458/Attend-a-Virtual-Meeting>.

Summary of Violation:

December 17, 2022: An employee sold a 19-year old underage compliance buyer a beer without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22036919).

Please be advised if another violation should occur, further penalties will be invoked. Also, I will need copies of your training records. Please email the records to joe.adams@cityofroseville.com. If you have any questions, you can reach me at 651-792-7275.

Sincerely,

Joe Adams
Deputy Chief of Police

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 7.f

Department Approval



City Manager Approval



Item Description: Presumptive Penalty Approval – 2022 Alcohol Compliance Check, Davannis

BACKGROUND

In 2022, all businesses with a city liquor license were mailed a letter announcing two citywide alcohol compliance checks to be conducted before the end of the calendar year (Attachment A). The letter included information on the Roseville City Ordinance regarding the mandatory liquor licensee training program and penalties for noncompliance. A copy of the letter was also e-mailed to all license holders. The following is related to the second round of alcohol compliance checks, which occurred in December of 2022.

On Saturday, December 17, 2022, a 19-year-old underage compliance checker, entered establishments holding a liquor license in the city of Roseville, Minnesota, to conduct compliance checks. Upon conclusion of the checks, multiple businesses failed (Attachment B).

Davannis (CN 22036914) - The underage checker ordered a beer at which time the employee viewed the checker's identification. After reviewing the identification the employee retrieved and provided the beer to the checker. The employee has since paid the administrative fine.

Officers met with each business in-person and advised them of the Roseville City Council hearing date. This notification was also provided in writing (Attachment C). Davannis later provided the required training documentation for their staff.

POLICY OBJECTIVE

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation

20 within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar
21 (\$1,000.00) fine and a one (1) day suspension.

22 **BUDGET IMPLICATIONS**

23 Pursuant to City Code Section 302.15, the financial impact shall be a mandatory penalty of a one
24 thousand dollar (\$1,000.00) fine and a one (1) day suspension issued to the on-sale license holder for
25 the first violation within thirty-six (36) months.

26 **RACIAL EQUITY IMPACT SUMMARY**

27 Upon review of any potential racial equity impacts, staff notes that this hearing pertains to a business
28 with multiple locations. The compliance checks, subsequent fines, and suspensions are uniform and
29 written into city code. At this time, staff have not identified a disproportionate racial equity impact.

30 **STAFF RECOMMENDATION**

31 Staff recommends Council approval to issue and administer the presumptive penalty pursuant to City
32 Code Section 302.15, for on-sale license holders.

33 **REQUESTED COUNCIL ACTION**

34 The Roseville Police Department seeks Council approval to issue and administer the presumptive
35 penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation
36 within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar
37 (\$1,000.00) fine and a one (1) day suspension.

38

Prepared by: Joe Adams, Deputy Chief of Police
Attachments: A: Letter announcing compliance checks
B: 2022 Police Report: Davannis (CN 22036914)
C: Letter announcing Council Meeting
:

ROSEVILLE POLICE DEPARTMENT

Alcohol Compliance Checks

July 8, 2022



2022 Alcohol Compliance Checks

The Roseville Police Department conducts a minimum of two citywide alcohol compliance checks each year. The police department conducts compliance checks to ensure Roseville alcoholic beverage license holders are complying with state law and city code. When Roseville began alcohol compliance checks in 1997, the compliance rate was only 70%. Our goal is to achieve 100% compliance.

Required Training

Roseville city code requires all licensees, managers, and employees who serve alcohol to complete a city-approved or city-provided training program.

- The required training shall be completed prior to an employee serving or selling alcohol.
- The training must be completed on an annual basis for all employees who serve or sell alcohol.
- More information on the manager and server training can be found on the police department's [website](#).

Documentation of Training

Your business must maintain documentation you have properly trained every employee who sells or serves alcohol. Per city code, this documentation must be provided to a police officer or designated city employee when requested. Additional penalties may be assessed if you are unable to provide documentation or it is determined an employee did not undergo the required training.

Penalty for Noncompliance

In addition to any criminal penalties, the City Council may suspend a liquor license for up to 60 days, revoke a license, and/or may impose a civil fine on a licensee. The mandatory minimum penalty for the sale of alcoholic beverages to underage individuals is a \$1,000 fine for the license holder and a one day suspension for on-sale establishments. Additional administrative penalties will be imposed when there is a history of violations.

Additional Information

Any questions regarding compliance checks, training, city code, or state laws can be directed to Deputy Chief Joe Adams at 651-792-7275 or joe.adams@cityofroseville.com. Additional information can be found at:

- <https://www.cityofroseville.com/2365/Alcohol-Compliance>
- <https://www.cityofroseville.com/836/Liquor-Licenses>
- https://www.cityofroseville.com/DocumentCenter/View/27294/Title-3-Business-Regulations_181231
- <https://www.mlba.com/>
- <https://www.revisor.mn.gov/statutes/cite/340A.503>

Erika Scheider
Chief of Police



ROSEVILLE POLICE DEPARTMENT

INCIDENT REPORT

ICR# 22036914	AGENCY ORI# MN0620800	JUVENILE:
Reported: 12-17-2022 1100 First Assigned: 1100 First Arrived: 1100 Last Cleared: 1101 Committed Start: Committed End: Title: Compliance Checks-Alcohol How Received: Phone Summary: Employee viewed checker's under 21 vertical ID and proceeded to sell alcoholic beverage to checker. Location(s) Davanni's Address: 1905 Perimeter Dr City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Vang, Haivy Badge No: 224 Primary: Yes		
Involvement: Subject Name: DOB: 05-12-1980 Iverson, Leif Ambrose Age: 42 Address: (Residence) 3413 53Rd Ave N Apt 205 City: BROOKLYN CENTER State: MN Zip: 55429-3430 Country: Phone: (Cell) 563-380-6221		
Involvement: Mentioned Name: Davanni's Pizza Address: (Business) 1905 West Perimeter Drive City: Roseville State: MN Zip: 55113 Country: USA Phone: (Business) (651)636-3411		
Involvement: Mentioned Name: Williams, Ryan Paul DOB: 02-03-1989 Age: 33 Address: (Business) 1905 Perimeter Dr City: Roseville State: MN Zip: 55113 Country: Phone: (Cell) (651)587-0483		
Offense: (340A.503.2(1)) Liquor-Purchase/Sell/Barter/Furnish/Give to u		

Supplemental Report	
ICR: 22036914	Last Modified: 12-19-2022 1054
Title: Compliance Check Fail	Created By: Haivy Vang
On 12/17/2022, at approximately 1035 hours, I conducted an alcohol compliance check at 1905 West Perimeter Dr. (Davanni's). The compliance checker entered the establishment and ordered an alcoholic beverage from an employee at the cash register. The employee viewed the checker's Minnesota provisional license and proceeded to serve them an alcoholic beverage (First Frost beer).	

It should be noted the compliance checker's driver's license is orientated vertically indicating they are under 21 years of age. Under 18 and under 21 indicators are displayed below the picture. UNDER 18 UNTIL, with appropriate date, displays as black text in a yellow bar. UNDER 21 UNTIL, with appropriate date, displays as white text in a red bar. This driver's license / identification card orientation was implemented by The Minnesota Department of Public Safety Driver and Vehicle Services in August of 2018. The intent of this particular change was to make it a quick reference that the cardholder is a minor.

I entered the establishment after the compliance checker alerted me they had been served an alcoholic beverage. I spoke with the employee whom was identified by his Minnesota driver's license as Leif Ambrose IVERSON date of birth 5/12/1980. IVERSON stated he viewed the checker's identification card. IVERSON admitted he proceeded to serve the checker a beer even after checking the ID. IVERSON stated he was not familiar with a vertical identification card. I advised IVERSON any vertically orientated identification card in Minnesota indicated the individual is a minor and they are either under 18 or 21 years of age.

IVERSON was clear of any active warrants.

I advised IVERSON I would be issuing him an administrative citation letter at a later date for the offense of selling alcoholic beverage to an underage person.

A photo of IVERSON's DL and the alcoholic beverage were uploaded to evidence.com.

PRS activated.

Supplemental Report

ICR: 22036914

Last Modified: 12-20-2022 1430

Title: Individual Fine Letter

Created By: Haivy Vang

On 12/20/2022, I issued IVERSON a Roseville Police Department administrative citation letter for the violation of Selling/Serving Alcohol to an underage individual (city ordinance 302.15).

I sent IVERSON's administrative citation via USPS certified mail to the address listed on his driver's license where he confirmed he currently receives mail.

Nothing further.

Supplemental Report

ICR: 22036914

Last Modified: 01-23-2023 1928

Title: Notification Letter Delivered

Created By: Bryan Anderson

On 01/20/2023 I was instructed to delivered a letter notifying management at Davanni's of an upcoming council meeting and that they will need to provide training records. The letter was delivered to the manager, Ryan Williams.

ROSEVILLE POLICE DEPARTMENT
2022 Alcohol Compliance Check
January 20, 2023



January 20, 2023

Davanni's
1905 Perimeter Drive
Roseville, MN 55113

Dear Davanni's Manager,

On Monday, February 13, 2023, the Roseville City Council will discuss the December 17, 2022 alcohol compliance failure at Davanni's. Staff has recommended Council impose the presumptive penalty of a \$1000.00 fine and one (1) day liquor license suspension.

Council discussion of this violation will occur during the "Business Actions" segment of the meeting. A representative from your establishment may appear at the time of the council discussion to offer any information you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you choose not to appear at this meeting, the City Council will act without any input from your business. Please note, due to the pandemic, the September city council meetings are being held in –person and virtually. Information on providing input can be found on the city's website at <http://cityofroseville.com/3458/Attend-a-Virtual-Meeting>.

Summary of Violation:

December 17, 2022: An employee sold a 19-year old underage compliance buyer a beer without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22036914).

Please be advised if another violation should occur, further penalties will be invoked. Also, I will need copies of your training records. Please email the records to joe.adams@cityofroseville.com. If you have any questions, you can reach me at 651-792-7275.

Sincerely,

Joe Adams
Deputy Chief of Police

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023

Item No.: 7.g

Department Approval



City Manager Approval



Item Description: Presumptive Penalty Approval – 2022 Alcohol Compliance Check, Red Lobster

BACKGROUND

In 2022, all businesses with a city liquor license were mailed a letter announcing two citywide alcohol compliance checks to be conducted before the end of the calendar year (Attachment A). The letter included information on the Roseville City Ordinance regarding the mandatory liquor licensee training program and penalties for noncompliance. A copy of the letter was also e-mailed to all license holders. The following is related to the second round of alcohol compliance checks, which occurred in December of 2022.

On Saturday, December 17, 2022, a 19-year-old underage compliance checker, entered establishments holding a liquor license in the city of Roseville, Minnesota, to conduct compliance checks. Upon conclusion of the checks, multiple businesses failed (Attachment B).

Red Lobster (CN 22036922) - The underage checker ordered a sangria containing alcohol at which time the employee viewed the checker's identification. After reviewing the identification the employee retrieved and provided the sangria to the checker. The employee has since paid the administrative fine.

Officers met with each business in-person and advised them of the Roseville City Council hearing date. This notification was also provided in writing (Attachment C). Red Lobster later provided the required training documentation for their staff.

POLICY OBJECTIVE

The Roseville Police Department seeks Council approval to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the second violation

21 within thirty-six (36) months. The mandatory minimum penalty shall be a two thousand dollar
22 (\$2,000.00) fine and a five (5) day suspension.

23 **BUDGET IMPLICATIONS**

24 Pursuant to City Code Section 302.15, the financial impact shall be a mandatory penalty of a two
25 thousand dollar (\$2,000.00) fine and a five (5) day suspension issued to the on-sale license holder for
26 the second violation within thirty-six (36) months.

27 **RACIAL EQUITY IMPACT SUMMARY**

28 Upon review of any potential racial equity impacts, staff notes that this hearing pertains to a business
29 with multiple locations. The compliance checks, subsequent fines, and suspensions are uniform and
30 written into city code. At this time, staff have not identified a disproportionate racial equity impact.

31 **STAFF RECOMMENDATION**

32 Staff recommends Council approval to issue and administer the presumptive penalty pursuant to City
33 Code Section 302.15, for on-sale license holders.

34 **REQUESTED COUNCIL ACTION**

35 The Roseville Police Department seeks Council approval to issue and administer the presumptive
36 penalty pursuant to City Code Section 302.15, for on-sale license holders for the second violation
37 within thirty-six (36) months. The mandatory minimum penalty shall be a two thousand dollar
38 (\$2,000.00) fine and a five (5) day suspension.

39

Prepared by: Joe Adams, Deputy Chief of Police
Attachments: A: Letter announcing compliance checks
B: 2022 Police Report: Red Lobster (CN 22036922)
C: Letter announcing Council Meeting

ROSEVILLE POLICE DEPARTMENT

Alcohol Compliance Checks

July 8, 2022



2022 Alcohol Compliance Checks

The Roseville Police Department conducts a minimum of two citywide alcohol compliance checks each year. The police department conducts compliance checks to ensure Roseville alcoholic beverage license holders are complying with state law and city code. When Roseville began alcohol compliance checks in 1997, the compliance rate was only 70%. Our goal is to achieve 100% compliance.

Required Training

Roseville city code requires all licensees, managers, and employees who serve alcohol to complete a city-approved or city-provided training program.

- The required training shall be completed prior to an employee serving or selling alcohol.
- The training must be completed on an annual basis for all employees who serve or sell alcohol.
- More information on the manager and server training can be found on the police department's [website](#).

Documentation of Training

Your business must maintain documentation you have properly trained every employee who sells or serves alcohol. Per city code, this documentation must be provided to a police officer or designated city employee when requested. Additional penalties may be assessed if you are unable to provide documentation or it is determined an employee did not undergo the required training.

Penalty for Noncompliance

In addition to any criminal penalties, the City Council may suspend a liquor license for up to 60 days, revoke a license, and/or may impose a civil fine on a licensee. The mandatory minimum penalty for the sale of alcoholic beverages to underage individuals is a \$1,000 fine for the license holder and a one day suspension for on-sale establishments. Additional administrative penalties will be imposed when there is a history of violations.

Additional Information

Any questions regarding compliance checks, training, city code, or state laws can be directed to Deputy Chief Joe Adams at 651-792-7275 or joe.adams@cityofroseville.com. Additional information can be found at:

- <https://www.cityofroseville.com/2365/Alcohol-Compliance>
- <https://www.cityofroseville.com/836/Liquor-Licenses>
- https://www.cityofroseville.com/DocumentCenter/View/27294/Title-3-Business-Regulations_181231
- <https://www.mlba.com/>
- <https://www.revisor.mn.gov/statutes/cite/340A.503>

Erika Scheider
Chief of Police



ROSEVILLE POLICE DEPARTMENT

INCIDENT REPORT

ICR# 22036922	AGENCY ORI# MN0620800	JUVENILE:
Reported: 12-17-2022 1150 Committed Start: Committed End: Title: Compliance Checks-Alcohol How Received: None Selected Summary: Employee viewed checker's under 21 vertical ID and proceeded to sell alcoholic beverage to checker. Location(s) RED LOBSTER Address: 2330 PRIOR AV N City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Vang, Haivy Badge No: 224 Primary: No		
Involvement: Subject Name: Walton, Da'Coley Alyce DOB: 10-14-2003 Age: 19 Address: (Residence) 4112 Jordan Ave N City: New Hope State: MN Zip: 55427 Country: Phone: (Cell) (612)643-3170		
Involvement: Mentioned Name: Red Lobster Address: (Business) 2330 Prior Ave N City: Roseville State: MN Zip: 55113 Country: Phone: (Business) (651)636-9800		
Involvement: Mentioned Name: James, Tiffany Krista DOB: 06-20-1980 Age: 42 Address: (Business) 2330 Prior Ave City: Roseville State: MN Zip: 55113 Country:		
Offense: (340A.503.2(1)) Liquor-Purchase/Sell/Barter/Furnish/Give to u		

Supplemental Report	
ICR: 22036922	Last Modified: 12-20-2022 0918
Title: Compliance Check Fail	Created By: Haivy Vang
On 12/17/2022, at approximately 1130 hours, I conducted an alcohol compliance check at 2330 Prior Ave N (Red Lobster). The compliance checker entered the establishment, was seated at a table, and ordered an alcoholic beverage, Snow Globe Sangria (mixed alcoholic drink) from a waitress. The waitress viewed the checker's Minnesota provisional license and proceeded to serve them an alcoholic beverage. It should be noted the compliance checker's driver's license is orientated vertically indicating they are under 21 years of age. Under 18 and under 21 indicators are displayed below the picture. UNDER 18 UNTIL, with appropriate	

date, displays as black text in a yellow bar. UNDER 21 UNTIL, with appropriate date, displays as white text in a red bar. This driver's license / identification card orientation was implemented by The Minnesota Department of Public Safety Driver and Vehicle Services in August of 2018. The intent of this particular change was to make it a quick reference that the cardholder is a minor.

I entered the establishment after the compliance checker alerted me they had been served an alcoholic beverage. I spoke with the waitress whom was identified by her Minnesota driver's license as Da'Coley Alyce WALTON date of birth 10/14/2003. WALTON stated she viewed the checker's identification card. WALTON admitted she proceeded to serve the checker an alcoholic drink even after checking the ID. WALTON stated she was not familiar with a vertical identification card. I advised WALTON any vertically orientated identification card in Minnesota indicated the individual is a minor and they are either under 18 or 21 years of age.

WALTON was clear of any active warrants.

I advised WALTON I would be issuing him an administrative citation letter at a later date for the offense of selling alcoholic beverage to an underage person.

A photo of WALTON's DL and the alcoholic beverage were uploaded to evidence.com.

This will be the second alcohol compliance check failure in 2022 for 2330 Prior Ave N (Red Lobster). Their last compliance check failure was on 7/15/2022 (RPD CN #22019148).

PRS activated.

Supplemental Report

ICR: 22036922

Last Modified: 12-20-2022 1430

Title: Individual Fine Letter

Created By: Haivy Vang

On 12/20/2022, I issued WALTON a Roseville Police Department administrative citation letter for the violation of Selling/Serving Alcohol to an underage individual (city ordinance 302.15).

I sent WALTON's administrative citation via USPS certified mail to the address listed on her driver's license where she confirmed she currently receives mail.

Nothing further.

Supplemental Report

ICR: 22036922

Last Modified: 01-20-2023 1311

Title: Seller Fine Paid

Created By: Joe Adams

Fine paid by seller.

Supplemental Report

ICR: 22036922

Last Modified: 01-23-2023 1938

Title: Notification Letter Delivered

Created By: Bryan Anderson

On 01/20/2023 I was instructed to delivered a letter notifying management at Red Lobster of an upcoming council meeting and that they will need to provide training records. The letter was delivered to the manager, Tiffany James.

ROSEVILLE POLICE DEPARTMENT
2022 Alcohol Compliance Check
 January 20, 2023



January 20, 2023

Red Lobster
 2330 Prior Avenue
 Roseville, MN 55113

Dear Red Lobster Manager,

On Monday, February 13, 2023, the Roseville City Council will discuss the December 17, 2022 alcohol compliance failure at Red Lobster. Staff has recommended Council impose the presumptive penalty of a \$2000.00 fine and five (5) day liquor license suspension.

Council discussion of this violation will occur during the "Business Actions" segment of the meeting. A representative from your establishment may appear at the time of the council discussion to offer any information you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you choose not to appear at this meeting, the City Council will act without any input from your business. Please note, due to the pandemic, the September city council meetings are being held in –person and virtually. Information on providing input can be found on the city's website at <http://cityofroseville.com/3458/Attend-a-Virtual-Meeting>.

Summary of Violation:

December 17, 2022: An employee sold a 19-year old underage compliance buyer a beer without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22036922).

July 15, 2022: An employee sold an 18-year old underage compliance buyer a beer without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22019160).

Please be advised if another violation should occur, further penalties will be invoked. Also, I will need copies of your training records. Please email the records to joe.adams@cityofroseville.com. If you have any questions, you can reach me at 651-792-7275.

Sincerely,

Joe Adams
 Deputy Chief of Police

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 7.h

Department Approval

Janice Gundlach

City Manager Approval

Samuel Truog

Item Description: Continuation: Consider issuance of a Short-Term Rental License for 1901 Ryan Ave.

BACKGROUND

This item was originally discussed during the January 30, 2023 City Council meeting. Typically, short-term rental licenses are deemed procedural (either requirements are met or they aren't) and acted upon as a part of the Council's consent agenda. This license request was pulled from the consent agenda as the Council had questions for the property owner, ultimately requesting additional information prior to taking action on the license request. Staff contacted the property owner with those questions and was provided responses, which can be found in Attachment C. It should also be noted that the applicant obtained the appropriate rental registration five days after purchasing the home, so regular rentals have been occurring, which are in compliance with City requirements.

Chapter 909 of City Code requires the licensing of non-owner occupied short-term rentals of dwelling units, subject to certain exemptions. On December 7, 2022, an application for a short-term rental license was submitted by the property owner. The property is a three bedroom, single family home. The property owner has certified and attested to the requirement of lodging tax payment, as well as, the maximum occupancy of four or less unrelated adults or one family. There have been no nuisance or property maintenance violations in the last five years that impact the ability of the license to be issued. Short-term rental licenses include the requirement of minimum stays based on on-season (10 days) and off-season (7 days) times of the year.

Upon issuance, the license will be valid for 365 days from issue date. A current copy of the license must be posted in the rental unit, along with current copies of City Code Sections 405, 407 and 602. A draft of the license is provided as Attachment B.

The applicant has supplied all required license information and paid the license fee of \$515. In accordance with Section 909.03, the process for licensure is outlined in Chapter 301, which requires presentation to the City Council. Based upon the requirements outlined in ordinance, the property owner is entitled to the license.

POLICY OBJECTIVE

Licensing required by Section 909, effective as of February 8, 2021.

BUDGET IMPLICATIONS

The correct fees were paid to the City at the time of application submittal.

29 **RACIAL EQUITY IMPACT SUMMARY**

30 Staff has not identified any racial equity impacts related to this action.

31 **STAFF RECOMMENDATION**

32 Staff recommends the approval of a one year Short-Term Rental License for 1901 Ryan Ave.

33 **REQUESTED COUNCIL ACTION**

34 By Motion, approve the Short-Term Rental License for 1901 Ryan Ave.

Prepared by: David Englund, Building Official, David.englund@cityofroseville.com 651-792-7087

35 Attachments: A: Short-Term Rental License Application

36 B: Draft copy of license

37 C: Property owner reply to Council questions

[Menu](#) [Reports](#) [Help](#)File Date: 12/07/2022Application Status: In ReviewApplication Detail: DetailApplication Type: Short-Term Rental License ApplicationAddress: 1901 Ryan Ave W Roseville MN 55113

Custom Fields: UNIT DETAILS

Unit Type

Single-Family Home

Number of Bedrooms

3

CERTIFICATION AND ATTESTATION

Attestation to Occupancy Limits

✓

Attestation to Payment of Lodging Tax

✓

Contact Info:	Contact Type	Organization Name	Contact Primary Address	Status	Name
	Property Owner		<u>Home, 15651 N Diamond ...</u>	Active	<u>Julie Stueve</u>

Owner Name:

Owner Address:

DBA Name:

Total Fee Assessed: \$525.30Total Fee Invoiced: \$525.30Balance: \$0.00

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	<u>License Issuance</u>	Jan Rosemeyer			

Initiated by Product: AV360

ATTACHMENT B

City of Roseville Short-Term Rental License This certificate must be posted in the rental unit

This rental dwelling unit is hereby licensed in accordance with Chapter 909 of Roseville City Code.

- The Property Owner must comply with all requirements set forth in Roseville City Code. This license may be suspended or revoked for violations of that code.
- Property owners must notify the City of any changes in ownership or type of occupancy.
- Licenses are non-transferable; new owners must apply for a new license.

License Number: STR23-XXX

Owner: Julie Stueve

Phone: 651-XXX-XXXX

Email: juliestueve@gmail.com

Address: 1901 Ryan Ave.

Expiration: 2/1/2024

The City, its designees, the City Council, or its officers, agents, or employees do not warrant or guarantee the safety, fitness, or suitability of any dwelling in the City. Owners or occupants should take whatever steps they deem appropriate to protect their interests, health, safety, and welfare.

MINIMUM STANDARDS AND CODES FOR RENTAL UNITS including but not limited to:

In the Unit:

Carbon Monoxide (CO) Detectors must be within 10 feet of bedrooms; **Smoke Detectors** must be in each sleeping room, each hallway outside sleeping rooms, and on each story, including the basement but not uninhabitable attics/crawl spaces. **CO and Smoke Detectors must NOT be disabled.**

Exits must be free from obstruction inside and out and **Exterior Doors** should open and close easily, be weather tight, and lock/unlock from the inside without a key or special knowledge.

The **Water Heater and Furnace** must be clear (by at least 3 feet) of boxes, junk, or flammable materials; the **Water Heater must have a TPR valve and relief valve discharge pipe.**

Toilets must flush and **Bathrooms** must have an exhaust fan or window.

Taps must have working hot and cold water; no leaking pipes or dripping **Faucets**.

Outlets, Switches, and Panel Boxes must have covers; kitchens and bathrooms should have grounded **GFCI Outlets**.

Rooms used for sleeping should have 1 window or 2 approved means of egress.

Interior Walls, Ceilings, and Window Sills must be clean and free of peeling paint.

Floors must be structurally sound and **Flooring** in good condition with no trip hazards such as ripped carpet or missing tiles.

Working Light Fixtures must be in all halls, stairways, laundry rooms, and furnace rooms.

Handrails must be on all stairs with more than 4 steps and be firmly attached with no missing or loose spindles.

Extension Cords may be used only for portable appliances.

Address Numbers must be clearly visible from the street.

Occupancy:

Rental Units may house 4 unrelated adults or 1 family.

Storage/Waste:

Rubbish must be stored in appropriate containers and removed regularly. Containers must be stored out of public view except on the day of collection and cannot remain at the curb for more than 24 hours. Outdoor Storage of junk is prohibited.

Vehicles/Driveway/Parking:

All Vehicles parked outside must be parked on an approved hard surface (not grass), street operable, and display current registration and proper license plates.

Please observe all No Parking signs. **Parking is not allowed on City streets after a snowfall of more than 2 inches until the streets have been plowed.** Do not put Snow into the street or onto neighboring properties.

Yard:

Grass/Weeds exceeding 8 inches are prohibited on any property.

Noise:

Prohibited Music is any music audible at the property line or from the adjacent apartment, common hallway, or 50 ft away from the

source between 10 PM and 7 AM. **Additionally, any Events (like parties) that disturb others are prohibited.**

Power Lawn Mowers or other Power Equipment may be operated outside only between 7 AM and 9 PM on weekdays or between the hours of 9 AM and 9 PM on weekends or legal holidays. Snow removal equipment is exempt.

Pets:

Keeping more than 2 Dogs requires a kennel license from the Police Department. Animal Waste must be removed regularly.

WHEN ISSUES ARISE

For an emergency, call 9-1-1

- For maintenance issues, contact the property owner (see contact information in box above).
- For legal matters (such as leases), contact the Minnesota Attorney General's Office at 651-296-3353 or www.ag.state.mn.us
- If the property owner is not maintaining the property, call Roseville Code Enforcement at 651-792-7014.

Minnesota Statute 504B.181, subd.2(b) requires landlords to notify residential tenants that the handbook Landlords and Tenants: Rights and Responsibilities is available to them. Published by the Office of the Minnesota Attorney General, the handbook can be accessed at www.ag.state.mn.us

Attachment C

David Englund

To: Julie Stueve
Subject: RE: 1901 Ryan

From: Julie Stueve [REDACTED]
Sent: Tuesday, January 31, 2023 3:02 PM
To: David Englund <David.Englund@cityofroseville.com>
Subject: Re: 1901 Ryan

Caution: This email originated outside our organization; please use caution.

1. It is currently rented as a long term rental
2. We do not operate other properties as short term rentals.

Thanks,

Julie

On Tue, Jan 31, 2023 at 2:54 PM David Englund <David.Englund@cityofroseville.com> wrote:

Hi Julie,

The Short Term Rental license was before City Council last night. Please see the link below for the meeting discussion.

<https://webstreaming.ctv15.org/viewer.php?streamid=6117>

See Bookmarks #5 Items removed from consent

Could you please answer the following:

1. Are you currently renting this property? If yes, is it in a short term (less than 30 days) or long term (30 days or more)?
2. Do you or any of the owners operate any other properties as short term rentals?

I would appreciate a quick response as I would like to get this back in front of City Council for approval on the Feb 13 meeting.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 7.i

Department Approval

Janice Gundlach

City Manager Approval

Sam F. Trueman

Item Description: Consider Ordinances amending Title 9, Section 909 of the City Code in order to stop issuance or renewal of Short Term Rental licenses

BACKGROUND

The legislative history surrounding Short Term Rental (STR) licenses is as follows:

- August 24, 2020: The City Council engaged in a discussion regarding options to regulate STR's. This meeting included extensive public comment.
- September 28, 2020: The City Council reviewed three options to regulate STR's. These options included: 1) amend the existing Rental Registration requirements outlining a definitive process to revoke and/or suspend a problem rental registration, 2) outright ban on STR's, and 3) create a business license for rentals less than 30 days. The Council directed staff to pursue a combination of options one and three. This meeting included extensive public comment.
- January 11, 2021: The City Council reviewed draft ordinances regulating STR's and provided direction to staff. This meeting included extensive public comment.
- February 8, 2021: The City Council adopted Ordinance 1596 establishing a license requirement for STR's. Since adoption of ordinance 1596, six licenses have been issued.
- January 30, 2023: By motion, the City Council directed staff to prepare the necessary ordinance to stop issuance of future STR licenses until such a time the regulations can be further evaluated. This motion passed unanimously.

Based on public testimony provided at the January 30th meeting, the City Council directed staff to draft an ordinance to stop the issuance of STR licenses so that the existing regulations can be reevaluated. After consultation with the City Attorney, the Ordinance provided in Attachment A is recommended for adoption, which stops the issuance of any new STR licenses, as well as issuance of any renewals given licenses are only valid for one year. Once the City Council has determined if any regulations need to be changed, another ordinance would need to be adopted to reflect those new rules. The City Council can always choose to simply reinstate the rules that were in place prior to adoption of this proposed Ordinance if revised regulations are deemed unnecessary.

The below table outlines all current licenses and their expiration date (including the two approved on January 30th):

License Holder	STR Address	Issue Date	Expiration Date
Michelle Mulvehill	1885 Shady Beach Avenue N	6/22/2022	6/22/2023
Eric Carrara	257 South McCarrons Blvd West	7/14/2022	7/14/2023
Connie Marty	1901 N Shady Beach Avenue	9/13/2022	9/13/2023
Grygorii Zaiets	1277 Garden Avenue	9/13/2022	9/13/2023
Tim Nguyen	770 W Heinel Drive	1/31/2023	1/31/2024
Jason Wilson	395 W Woodhill Drive	1/31/2023	1/31/2024

The proposed Ordinance was posted on the City’s website on Friday, February 3rd in accordance with the required 10-day public notification requirement. At the City Manager’s direction, staff also provided written and email notification to all current license holders of the Council’s intention pass an ordinance stopping the issuance and renewal of any future STR’s. If the Ordinance is adopted, staff will notify these same license holders of passage of the Ordinance. Staff will also disable the online application process for STR licenses.

Additionally, given the length of the ordinance, staff is proposing the Council approve a summary publication (Attachment B). The summary requires a 4/5th vote.

POLICY OBJECTIVE

The purpose of the license requirement for STR’s is to ensure that non-owner-occupied short-term rentals of dwelling units is conducted, operated, and maintained so as not to become a nuisance to the surrounding neighborhood or an influence that fosters blight and deterioration or creates a disincentive to reinvest in the community. The operation of a short-term rental property is a business enterprise that entails responsibilities required of the owner, local agent, and guests.

BUDGET IMPLICATIONS

No meaningful budget implications have been identified related to adoption of the proposed ordinance. STR licenses cost \$515 annually, but actual collected revenue is nominal given only six licenses have been issued to-date.

RACIAL EQUITY IMPACT SUMMARY

Any racial equity impacts as a result of adoption of the proposed ordinance have not been evaluated.

STAFF RECOMMENDATION

Adopt the Ordinances provided stopping the issuance or renewal of any future Short Term Rental licenses and approving a summary publication.

REQUESTED COUNCIL ACTION

By motion, adopt the Ordinances provided stopping the issuance or renewal of any future Short Term Rental licenses and approving a summary publication.

Prepared by: Janice Gundlach, Community Development Director
 Attachments: A: Proposed Ordinance
 B: Summary Ordinance

City of Roseville
ORDINANCE NO.

AN ORDINANCE AMENDING

TITLE 9 CHAPTER 909

AN ORDINANCE AMENDING TITLE 9, SECTION 909 OF THE
ROSEVILLE CITY CODE IN ORDER TO STOP ISSUANCE OF NEW
SHORT TERM RENTAL LICENSES

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title 9 Section 909.03 of the Roseville City Code is amended to read as follows:

909.03: LICENSE REQUIRED:

- A. It shall be unlawful for any person to hereafter occupy, allow to be occupied, or let to another person for occupancy any residential property within the City ~~for which an application for~~ without a short-term rental license ~~has not been properly made and filed with~~ issued by the City or after the time that a license is suspended or revoked. ~~Applications for licensure shall be as required by Chapter 301 of City Code, and shall be made upon forms furnished by the City for such purpose and shall specifically require the following minimum information:~~
- ~~1. Name, street address, email and phone number of the property owner.~~
 - ~~2. The name, street address, email and phone number(s), of a local agent authorized to make or order repairs or services for the property, if in violation of City or State Codes, if the person is different than the owner.~~
 - ~~3. The street address of the short term rental property.~~
 - ~~4. The type of units within the rental property (single family, twin home, townhome, condo, duplex, triplex or fourplex).~~
 - ~~5. The number of bedrooms in the unit.~~
 - ~~6. Certification and attestation that the maximum occupancy per unit is either 4 or less unrelated adults or one family pursuant to Roseville City Codes 906.06 and 1001.10. (Ord 1596, 2-8-2021)~~

SECTION 2: Title 9 Section 909.04 of the Roseville City Code is amended to read as follows:

909.04: EXPIRATION OF LICENSE:

- A. ~~Term: All licenses issued under this Chapter are effective upon issuance and shall expire one year (365 days) from date of issuance. All required renewal license application materials shall be received and submitted prior to the expiration date.~~
- B. ~~Late fee: Any renewal license applications submitted after expiration will be considered late and subject to fee penalties.~~
- C. ~~Violation: Any license not renewed after expiration, with continued short-term renting of the property, will be considered a violation of this ordinance. Renters will not be allowed to occupy a property if the renewal license is not issued within 5 days after expiration. (Ord 1596, 2-8-2021)~~

SECTION 3: Title 9 Section 909.05 of the Roseville City Code is amended to read as follows:

909.05: FEES, LODGING TAX:

- A. There shall be a license fee ~~and late renewal fee~~ as established by the City Fee Schedule in Section 314.05. All fees and fines shall be charged to and payable by the property owner.
- B. Pursuant to Minnesota Statutes, section 469.190, local lodging taxes shall be collected on all rentals less than 30 days in length in accordance with Chapter 312 of the City Code.
- C. Short-Term Rentals in violation of this ordinance may be subject to administrative fines, in addition to any other fees or penalties per Section 909.10 or other applicable sections of City Code. (Ord 1596, 2-8-2021)

SECTION 4: Title 9 Section 909.06 of the Roseville City Code is amended to read as follows:

909.06: MANNER OF LICENSURE:

- A. An owner who has an existing Short-Term Rental property as defined by this Chapter that is ~~not already~~ licensed under the requirements of City Code Chapter 909, may continue to operate until expiration of such license.

Following the effective date of this Chapter, no further licenses will be issued, no change in occupancy type will be approved, and no transfer or renewal of license will be permitted. ~~must apply for licensure pursuant to this Chapter, no later than 30 days following the effective date of this Chapter.~~

B. ~~An owner of a property that after the effective date of this Chapter wishes to convert the property into a Short Term Rental property, shall apply for and license the property prior to its conversion.~~

C. ~~If there is a change in the type of occupancy from the type stated on the license form, an amended license form shall be filed within 30 days of the change.~~

D. ~~When a previously licensed property is sold, the new owner, if continuing to offer Short Term Rental, shall apply for a license within 30 days of the sale.~~

E. ~~Valid Short term rental license holders shall not be required to register said rental per Chapter 907 if they enter into rental lease periods in excess of thirty (30) consecutive days.~~

F. ~~The City Manager may administratively deny a license under this Chapter if the property has been issued fines for repeat nuisance violations per City Code Section 511.~~

G. ~~If a person is found to have engaged in rentals that require a license under this Chapter, but no license has been obtained, upon application for licensure said license shall not become effective for 90 days. (Ord 1596, 2-8-2021)~~

SECTION 4: Title 9 Section 909.09 of the Roseville City Code is amended to read as follows:

909.09: LICENSE SUSPENSION AND REVOCATION:

A. A Short-Term Rental license may be revoked or suspended by the City Council at any time under the provisions of this chapter, or Chapter 301 Section 301.09, for grounds including, but not limited to, the following:

1. Two or more confirmed violations of this section within 180 days, except for a single violation as outlined in paragraph B of this section.
2. False or misleading information given or provided in connection with a license application.
3. Failure to maintain the residential rental property in a manner that meets pertinent provisions of City Code including, but not limited to, Code Chapters 407 and 906.

4. Violations committed or permitted by the owner or the owner's agent, or committed or permitted by the tenant or the tenant's guests or agents, of any rules, codes, statutes and ordinances relating to, pertaining to, or governing the premises including, but not limited to, the following:

- a. Minn. Stat. 609.75 through 609.76, which prohibit gambling;
- b. Minn. Stat. 609.321 through 609.324, which prohibit prostitution and acts relating thereto;
- c. Minn. Stat. 152.01 through 152.025 and 152.027, subds. 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
- d. Minn. Stat. 340A.401, which regulates the unlawful sale of alcoholic beverages;
- e. Minn. Stat. 609.33, which prohibits owning, leasing, operating, managing, maintaining, or conducting a disorderly house, or inviting or attempting to invite others to visit or remain in a disorderly house;
- f. Minn. Stat. 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716 and Chapter 103 of the City Code, which prohibit the unlawful possession, transportation, sale or use of weapon;
- g. Minn. Stat. 609.72, which prohibits disorderly conduct;
- h. Minn. Stat. 609.221, 609.222, 609.223, 609.2231 and 609.224, regarding assaults in the first, second, third, fourth and fifth degree.
- i. Roseville City Code Sections: 407, prohibiting public nuisances, 405, noise control, 511, repeat nuisance, 906, property maintenance, 1004 and 1005, land use and 1018, parking.

B. Upon recommendation by the Chief of Police, the City Manager is authorized to administratively suspend a license after a single violation that reasonably posed or poses a threat to public safety.

C. License suspension shall be for a term not less than: 180 days for the first suspension and 365 days for the second suspension. Depending on the gravity of the offense, the Council may impose longer suspension timeframes than noted in this paragraph.

D. License revocation shall be considered by the City Council when violations occur under paragraph A or B of this section and/or when two prior suspensions occurred under the same licensee.

E. In order to reinstate a suspended license, the applicant shall apply following the same process as if applying for a new Short-Term Rental license. Reinstatements following suspension will only be considered when the circumstances leading to the suspension have been remedied, the suspension penalty imposed by the City Council has been satisfied, the licensee has submitted a Mitigation Plan outlining policies and procedures to prevent violations from occurring in the future, and upon City Council approval. Reinstatement after suspension may be denied by the City Council if the licensee cannot satisfactorily meet the requirements in this paragraph.

F. If a license is revoked, reinstatement will not be considered. ~~may only be considered by the City Council if there is an ownership change. Ownership change to a family member of the prior owner, or entity affiliated with the prior owner shall not constitute compliance with this requirement.~~

G. Repeat Nuisance Service Call fees shall be applied pursuant to City Code Section 511. (Ord 1596, 2-8-2021)

SECTION 5: Title 9 Section 909.10 of the Roseville City Code is amended to read as follows:

909.10: VIOLATION:

A. Misdemeanor: Any person who maintains a short-term rental property without having the property licensed, or after the short-term rental license for the property has been revoked, or who permits new occupancy in violation of Section 909 is guilty of a misdemeanor and, upon conviction, is subject to a fine and imprisonment as prescribed by state law. Each day each violation continues or exists, constitutes a separate offense.

B. Administrative fee: In addition to, or in lieu of, charging a misdemeanor, the City may impose administrative fees in an amount set in the City Fee Schedule. Each day each violation continues or exists, constitutes a separate offense.

1. Upon the failure to pay an administrative fee, the City may post the dwelling unit as illegal for occupancy as a short-term rental.

C. Prohibited occupancy: Pursuant to 909.10.B.1, the dwelling unit or portion of, may not be occupied by anyone other than the primary homestead owner and that person's immediate family until:

1. The administrative fee has been paid; and

2. ~~A short-term rental license is obtained or~~ The City is satisfied that the dwelling unit will not be used as a short-term rental dwelling unit; and

215 3. Completion of any abatement, written compliance order, legal action
216 from a citation or action per City Code Sections 407 and 906. (Ord
217 1596, 2-8- 2021)
218

219 SECTION 6: Effective date. This ordinance shall take effect upon its
220 passage and publication.
221

222 Passed by the City Council of the City of Roseville this ____ day of _____ 2023.
223
224

Signatures as follows on separate page:
*Ordinance – AN ORDINANCE AMENDING TITLE 9, SECTION 909 OF THE
ROSEVILLE CITY CODE IN ORDER TO STOP ISSUSSUANCE OF NEW*

SHORT TERM RENTAL LICENSES

(SEAL)

CITY OF ROSEVILLE

BY: _____
Daniel J. Roe, Mayor

ATTEST:

Patrick Trudgeon, City Manager

City of Roseville
ORDINANCE SUMMARY NO. 1627

**APPROVING PUBLICATION OF AN ORDINANCE SUMMARY OF THE
AMENDMENT TO TITLE 9, SECTION 909 OF THE
ROSEVILLE CITY CODE IN ORDER TO STOP ISSUANCE OF NEW
SHORT TERM RENTAL LICENSES**

SECTION 1: The City Council of the City of Roseville, on February 13, 2023, adopted Ordinance No. 1626. Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps.

The City Council has determined that the following summary would clearly inform the public of the intent and effect of the ordinance.

SECTION 2: The following is the official summary of Ordinance No. approved by the City Council of Roseville on February 13, 2023 and directs the City Clerk to publish the title and summary as follows in the official newspaper in lieu of the entire ordinance:

On February 13, 2023, the City Council of the City of Roseville adopted Ordinance No. 1626, an ordinance amending title 9, section 909 of the Roseville city code in order to stop issuance of new short term rental licenses. The Ordinance maintains the regulations for current license holders, but prohibits issuance or renewal of new licenses, including licenses that are revoked.

SECTION 3: A printed copy of the full ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted on the Internet web page of the City of Roseville (www.cityofroseville.com).

ATTEST:

Patrick Trudgeon, City Manager

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.a

Department Approval

Michelle Littrick

City Manager Approval

Samuel Truog

Item Description: Approval of Payments

BACKGROUND

State Statute requires the City Council to approve all payment of claims. The following summary of claims has been submitted to the City for payment.

Check Series #	Amount
ACH Payments	\$230,533.34
105764-105876	\$603,037.95
Total	\$833,571.29

A detailed report of the claims is attached. City Staff has reviewed the claims and considers them to be appropriate for the goods and services received.

POLICY OBJECTIVE

Under MN State Statute, all claims are required to be paid within 35 days of receipt.

BUDGET IMPLICATIONS

All expenditures listed above have been funded by the current budget, from donated monies, or from cash reserves.

RACIAL EQUITY IMPACT SUMMARY

N/A

STAFF RECOMMENDATION

Staff recommends approval of all payment of claims.

REQUESTED COUNCIL ACTION

Motion to approve the payment of claims as submitted

Prepared by: Joshua Kent - Assistant Finance Director
Attachments: A: Checks for Approval

Bank Reconciliation

Board Audit

User: Joshua.Kent
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Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 100 General Fund				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	5,696.36
Total for Department: 00 General Function				5,696.36
Department: 01 General Government				
0	DG Minnesota CS 2021, LLC	Monthly Solar Gardens Invoice	02/01/2023	599.73
0	Erickson, Bell, Beckman & Quinn P.A.	Prosecution services for December 202	01/25/2023	31,817.00
0	McGough Property Management, LLC	Management Fee	02/01/2023	3,612.40
0	Phil Weix	P Weix Reimbursement of 1099 year e	01/25/2023	134.54
0	Talon Bradford	T Bradford 2022 Oct - Dec Gym Reim	01/25/2023	150.00
0	Total Tool	2022 Annual Crane and Hoist Inspecti	02/01/2023	360.00
0	Xcel Energy	Dec Xcel Billings	02/01/2023	19,335.98
0	Yer Vue	Target - wellness lunch & learn	02/01/2023	20.54
105768	Anchor Solar Investments, LLC	Feb 23 Solar Leasing	01/25/2023	1,660.88
105770	ARAMARK Services	Coffee	01/25/2023	2,284.53
105774	Bond Trust Services Corp.	2009A Housing Improvement Bond Pa	01/25/2023	475.00
105782	Cummins Sales and Service	Inspection	01/25/2023	516.26
105783	David Bartholomay	P Trudgen 2023 Leadership Growth G	01/25/2023	742.43
105784	David R. Cantu	January 2023 Professional Services	01/25/2023	864.50
105793	League of MN Cities	K Heikkila & D Peters respect@work	01/25/2023	30.00
105809	Ramsey County	Election Services 2023	01/25/2023	24,269.00
105812	Springbrook Holding Company, LLC	Springbrook 2023 Maintenance Subsc	01/25/2023	48,474.46
105814	St. Paul Pioneer Press	City of Roseville Public	01/25/2023	30.08
105819	TransUnion Risk and Alternative	Employment Credit Report	01/25/2023	69.09
105823	Zan Associates	Roseville Community Visioning - Serv	01/25/2023	10,097.53
105828	API Garage Door	08/16/2022 Remove and Replace Secti	02/01/2023	2,500.00
105836	CL Bensen Company, Inc.	DP 40-STD2 PLEATED	02/01/2023	585.12
105837	Classic Catering	Employee Recognition breakfast cateri	02/01/2023	1,999.36
105852	Linn Building Maintenance	General monthly cleaning	02/01/2023	8,626.00
Total for Department: 01 General Government				159,254.43
Department: 02 Public Safety				
0	Ancom Technical Center	Battery 3000 mAH Sart Li-ION	02/01/2023	403.00
0	Car Wash Partners	December 2022 Services	01/25/2023	16.11
0	Greenhaven Printing	Police Department B/C - Jonathan Bur	02/01/2023	467.59
0	Jefferson Fire & Safety, Inc.	Enforcer Firebull Flourine Free Class	01/25/2023	615.00
0	PowerDMS, Inc.	PowerFTO Subscription	02/02/2023	3,180.00
0	Streicher's	Clothing	02/01/2023	796.89
0	Xcel Energy	Dec Xcel Billings	02/01/2023	6,547.54
0	Yale Mechanical	Contract Maintenance	01/25/2023	1,410.50
105768	Anchor Solar Investments, LLC	Feb 23 Solar Leasing	01/25/2023	357.68
105771	Aspen Mills Inc.	Clothing	01/25/2023	476.37
105780	Comcast	Internet	01/25/2023	111.65
105799	McKesson Medical-Surgical	Glove, Exam NTRL LG	01/25/2023	322.08
105810	Ramsey County Fire Chiefs Assoc.	2023 Membership Dues	01/25/2023	150.00
105821	West Metro Fire-Rescue	Training - D Brosnahan Funeral Opera	01/25/2023	100.00
105824	Verizon	Oct 27 - Nov 26 Phones	01/30/2023	1,080.27
105829	Aspen Mills Inc.	PC600LS Port and Company Long Sle	02/01/2023	320.75

Check No.	Vendor/Employee	Transaction Description	Date	Amount
105831	Capital City Firefighter's Association	2023 Membership Dues	02/01/2023	50.00
105838	CovertTrack Group, Inc.	Renewa annual subscription mapping j	02/01/2023	2,820.00
105840	Galls, LLC	Shield W/ Eagle badge	02/01/2023	5,068.91
105846	John Alan Roberto	Custom Mouse Pads	02/01/2023	210.46
105852	Linn Building Maintenance	General monthly cleaning	02/01/2023	1,400.00
105855	Minnesota Occupational Health	B Chang, M Chrisensen, I Walker heal	02/01/2023	471.00
105856	Mn Sheriffs Association	Background investigations - MSA & o	02/01/2023	300.00
105857	Motorola Solutions, Inc.	Batt Impres 2 LIION R	02/01/2023	213.00
105867	TransUnion Risk and Alternative	Person Searches	02/01/2023	231.00
105869	Twin Cities Transport & Recove	2006 Merucry Mountaineer *1442	02/01/2023	2,127.00
105870	University of Minnesota Veterinary Me	Trazodone 50mg Tablet	02/01/2023	274.02
105871	Verizon	Monthly Charges Nov 27 - Dec 26	02/01/2023	1,080.27
105875	Jared Nixon	Warrants & affidavit writing	02/02/2023	885.00
Total for Department: 02 Public Safety				31,486.09
Department: 03 Public Works				
0	Corporate Connection, Inc.	Embroidered clothing	02/01/2023	323.18
0	Emergency Automotive Tech Inc	JW Speaker Model 539 - LED Strobe ,	01/25/2023	69.69
0	Factory Motor Parts, Co.	Weather Repel -30	01/25/2023	154.83
0	Factory Motor Parts, Co.	FVP 26, FVP BA00149	02/01/2023	115.47
0	FleetPride	Hydraucic Hose, Hose End, Fitting BCI	01/25/2023	436.94
0	FleetPride	fittings, hydraulic hose, sleeve, labor	02/01/2023	206.52
0	Force America Distributing	Pressure switch, filter indicator, synthe	02/01/2023	477.41
0	Kath Fuel Oil Service, Inc.	Citgo Superguard Syn bulk	02/01/2023	3,382.80
0	Mansfield Oil Company of Gainsville,	Dyed B5 ULS2 Coldflow winter additi	01/25/2023	24,659.27
0	McMaster-Carr	Chemical Resistant Cable	02/01/2023	421.24
0	Michael Kroeger	CDL License Renewal	02/01/2023	67.25
0	Midway Ford Co.	Lamp Asy	01/25/2023	202.20
0	Midway Ford Co.	Tube, brushing, plunger, spring, damp	02/01/2023	119.16
0	Premium Waters Inc	Monthly Jan	02/01/2023	201.04
0	Xcel Energy	Dec Xcel Billings	02/01/2023	2,833.95
0	Ziegler Inc	Moil TI#p Y	02/01/2023	592.18
105767	Alliant, Inc.	Professional Services through Decemb	01/25/2023	2,084.79
105776	Cintas Corporation	Clothing	01/25/2023	39.64
105777	City Auto Glass	Squad 2520 Glass Replacement	01/25/2023	503.44
105788	Grainger Inc	Dated Monthly Desk Calendar	01/25/2023	87.55
105791	David Hopstock	Mailbox hit by snow plow reimbursen	01/25/2023	56.01
105807	Precision Landscape & Tree,Inc	Tree Removal	01/25/2023	80.00
105817	Titan Machinery	Joystick	01/25/2023	1,400.71
105827	Allstate Peterbilt of South St. Paul	Filters	02/01/2023	327.11
105832	Cemstone Products Co, Inc.	Vulkem 45SSL Limestone	02/01/2023	76.11
105833	CES Imaging	SSP Minimum - Canon TX3000 MFP	02/01/2023	56.95
105842	Goodyear Tire & Rubber Company	milage, road service, mental valve, flo	02/01/2023	2,796.35
105843	Grainger Inc	Antibiotics tube, blank shipping tag	02/01/2023	98.85
105849	K-Tech Specialty Coating, Inc.	Beet Heet Concentrate - Pick-up	02/01/2023	2,305.34
105854	Midland Hills Country Club	repair to damaged gate by city plow	02/01/2023	133.54
105858	Napa Genuine Parts, Co	washer fluid	02/01/2023	94.44
105860	Pirtek Midway	Assy Kit, fuel surcharge, labor	02/01/2023	927.08
105861	Precise MRM, LLC	10MB Flat data plan	02/01/2023	768.00
105865	Suburban Tire Wholesale, Inc.	Eagle enforcer	02/01/2023	2,143.02
105868	Tri State Bobcat, Inc	belt, drive	02/01/2023	48.55
105869	Twin Cities Transport & Recove	Tow charge	02/01/2023	300.00
105874	Cintas Corporation	Jacket, shirts, coverall, pant	02/02/2023	79.28
Total for Department: 03 Public Works				48,669.89
Total for Fund:100 General Fund				245,106.77

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 101 General Fund Donations				
Department: 02 Public Safety				
0	Thomas Gray	Used his own funds to pay for a ride c	02/01/2023	18.00
Total for Department: 02 Public Safety				18.00
Total for Fund:101 General Fund Donations				18.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 103 Contracted Engineering Svcs				
Department: 00 General Function				
0	American Engineering Testing, Inc.	AET Project P-0012144 (Invoice #5)	02/01/2023	1,480.75
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	91.46
105772	AT&T	Return Cell Tower Escrow	01/25/2023	3,938.41
105850	Lee Homes Corp.	Escrow Control Escrow Refund for EC	02/01/2023	2,500.00
Total for Department: 00 General Function				8,010.62
Department: 03 Public Works				
105830	Boarman Kroos Vogel Group, Inc	02 Master Planning	02/01/2023	24,629.46
Total for Department: 03 Public Works				24,629.46
Total for Fund:103 Contracted Engineering Svcs				32,640.08

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 110 Telecommunications				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	37.94
Total for Department: 00 General Function				37.94
Department: 01 General Government				
0	North Suburban Access Corp.	2022 Dec Monthly Municipal Meeting	01/25/2023	2,623.10
105804	North Suburban Comm Commission	Q4 2022 City Contribution to the NSC	01/25/2023	24,391.03
105806	Nystrom Publishing Co, Inc.	November/December Newsletter 2022	01/25/2023	13,844.93
Total for Department: 01 General Government				40,859.06
Total for Fund:110 Telecommunications				40,897.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 112 IT: Other Agency Operational				
Department: 01 General Government				
0	Aaron Seeley	A Seeley 1/1/2022 - 6/30/2022 Mileag	01/25/2023	71.99
0	SHI International Corp	Acrobat ProDC for Eprise License Ne	01/25/2023	60.90
105779	Comcast	Internet	01/25/2023	5,471.71
105802	MRA - The Management Assoc, Inc.	HRBP - Carolyn Morain - December 2	01/25/2023	3,386.25
105825	Afi Technologies, Inc.	AFI backup service	02/01/2023	109.22
Total for Department: 01 General Government				9,100.07
Total for Fund:112 IT: Other Agency Operational				9,100.07

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 200 Recreation Fund				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	416.96
Total for Department: 00 General Function				416.96
Department: 04 Recreation				
0	Angel Benes	Taught 2 classes at \$225	01/25/2023	450.00
0	DG Minnesota CS 2021, LLC	Monthly Solar Gardens Invoice	02/01/2023	100.23
0	Fikes, Inc.	Operating Supplies	01/25/2023	390.38
0	Taho Sportswear, Inc.	Clothing	01/25/2023	1,785.50
0	Willie McCray	Jan 11, 2023 19 games for game offici.	01/25/2023	1,387.00
0	Willie McCray	19 games official and scorekeeper	02/01/2023	1,387.00
0	Xcel Energy	Dec Xcel Billings	02/01/2023	53,079.92
105773	Black Stone Sports	Youth skates and grinding wheel	01/25/2023	1,199.35
105786	Field Day	New Year's Eve Celebration on Ice	01/25/2023	1,275.00
105788	Grainger Inc	Flexible hose stainless steel silver	01/25/2023	201.25
105808	ProGuard Sports, Inc.	Operating Supplies	01/25/2023	756.86
105813	St. Croix Coffee Tea Company	Coffee	01/25/2023	1,238.85
105820	Watson Company	Food for Resale	01/25/2023	2,128.69
105822	Wildlife Science Center	Off Site Raptor Program (3 owls) 10/2	01/25/2023	640.00
105847	Joy Albrecht	RPZ Testing	02/01/2023	495.00
105852	Linn Building Maintenance	General monthly cleaning	02/01/2023	3,140.00
105876	Steve's Appliances Inc	Freezer/refridgerator, stovetop, microv	02/02/2023	1,959.56
Total for Department: 04 Recreation				71,614.59
Total for Fund:200 Recreation Fund				72,031.55

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 202 Park Dedication Fund				
Department: 04 Recreation				
0	Erickson, Bell, Beckman & Quinn P.A.	Midland Legacy Estates - Land Purchase	01/25/2023	1,872.00
Total for Department: 04 Recreation				1,872.00
Total for Fund:202 Park Dedication Fund				1,872.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 204 P & R Contract Maintenance				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	281.55
Total for Department: 00 General Function				281.55
Department: 04 Recreation				
0	Anita Twaroski	A Twaroski Mileage Reimbursement 8	02/01/2023	63.13
0	Bill Norman	Diesel fuel on personal card	02/01/2023	50.00
0	Voss Lighting	PHIL C400S51/ALTO HPS SON 400\	02/01/2023	125.10
0	Xcel Energy	Dec Xcel Billings	02/01/2023	3,607.13
105847	Joy Albrecht	RPZ Testing	02/01/2023	1,815.00
105848	Killmer Electric Co., Inc.	Repair electrical service feed at aboretu	02/01/2023	1,297.73
105852	Linn Building Maintenance	General monthly cleaning	02/01/2023	325.00
105859	On Site Companie-OSSTC	portables	02/01/2023	805.00
105862	Precision Landscape & Tree,Inc	Tree removal @ Tamarak park	02/01/2023	9,000.00
105863	Ramsey County Master Gardener Progi	Interpretive signage for Healing Garde	02/01/2023	662.19
105874	Cintas Corporation	Coverall	02/02/2023	14.70
Total for Department: 04 Recreation				17,764.98
Total for Fund:204 P & R Contract Maintenance				18,046.53

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 260 Community Development				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	598.56
Total for Department: 00 General Function				598.56
Department: 10 Community Development				
105814	St. Paul Pioneer Press	City of Roseville Ordinance	01/25/2023	22.09
105835	City of White Bear Lake	Ramsey County GIS Fees 2023	02/01/2023	3,649.87
Total for Department: 10 Community Development				3,671.96
Total for Fund:260 Community Development				4,270.52

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 265 License Center				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	478.63
Total for Department: 00 General Function				478.63
Department: 01 General Government				
0	McGough Property Management, LLC	Management Fee	02/01/2023	492.60
0	Xcel Energy	Dec Xcel Billings	02/01/2023	1,285.61
105851	Leroy Signs	Repair exterior fascia sinage, retro fit I	02/01/2023	3,505.00
105852	Linn Building Maintenance	General monthly cleaning	02/01/2023	880.00
Total for Department: 01 General Government				6,163.21
Total for Fund:265 License Center				6,641.84

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 270 Charitable Gambling				
Department: 01 General Government				
0	Roseville Community Foundation	2022 Gambling Proceeds	01/25/2023	6,000.00
Total for Department: 01 General Government				6,000.00
Total for Fund:270 Charitable Gambling				6,000.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 271 Special "10" Fund				
Department: 01 General Government				
0	Roseville Community Foundation	2022 Gambling Proceeds	01/25/2023	11,000.00
Total for Department: 01 General Government				11,000.00
Total for Fund:271 Special "10" Fund				11,000.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 290 Police Forfeiture Fund				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	6.49
Total for Department: 00 General Function				6.49
Total for Fund:290 Police Forfeiture Fund				6.49

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 295 Police Grants				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	25.75
Total for Department: 00 General Function				25.75
Total for Fund:295 Police Grants				25.75

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 400 Police Vehicle Revolving				
Department: 02 Public Safety				
0	Streicher's	Clothing	02/01/2023	967.98
105864	SOS Office Furniture	convert Kelly's office to sit stand work	02/01/2023	1,571.55
Total for Department: 02 Public Safety				2,539.53
Total for Fund:400 Police Vehicle Revolving				2,539.53

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 401 Fire Vehicles Revolving				
Department: 02 Public Safety				
0	MacQueen Equipment	PPE CIP Purchase	01/25/2023	6,899.56
105785	Dell Marketing, L.P.	7 Dell Latitude 7220 Rugged CTO	01/25/2023	12,293.05
105798	McGough Construction Company	Brick Pier Repair	01/25/2023	1,911.00
105818	TK Elevator Corp.	ACIA--20P48KY Downpayment	01/25/2023	477.36
Total for Department: 02 Public Safety				21,580.97
Total for Fund:401 Fire Vehicles Revolving				21,580.97

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 409 Central Svcs Equip Revolving				
Department: 01 General Government				
105789	Great American Financial Services	Postage Equipment Meter Rental	01/25/2023	332.00
Total for Department: 01 General Government				332.00
Total for Fund:409 Central Svcs Equip Revolving				332.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 410 Building Improvements				
Department: 01 General Government				
105803	North Shore Gym Sales	Gymnastics Equipment	01/25/2023	21,950.00
105826	All State Communications, Inc.	Install total of 4 blue cat 6 HDMI cabl	02/01/2023	1,765.00
105853	Master Technology Group	Various audio visual adds	02/01/2023	1,233.20
Total for Department: 01 General Government				24,948.20
Total for Fund:410 Building Improvements				24,948.20

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 583 TIF #21 CPC Redevelopment				
Department: 10 Community Development				
105778	Colder Products Company	2nd Half 2022 TIF Payment	01/25/2023	112,845.74
Total for Department: 10 Community Development				112,845.74
Total for Fund:583 TIF #21 CPC Redevelopment				112,845.74

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 586 TIF #18 Sienna Green				
Department: 10 Community Development				
105766	Aeon	2nd Half TIF Payment 2022	01/25/2023	62,188.72
Total for Department: 10 Community Development				62,188.72
Total for Fund:586 TIF #18 Sienna Green				62,188.72

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 588 TIF District #20: McGough				
Department: 10				
105798	McGough Construction Company	2nd Half 2022 TIF Pay as you go	01/25/2023	60,691.91
Total for Department: 10				60,691.91
Total for Fund:588 TIF District #20: McGough				60,691.91

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 592 Street Construction - 2022				
Department: 03 Public Works				
105866	TKDA Associates	Professional Services Nov 27, 2022 - I	02/01/2023	3,869.60
Total for Department: 03 Public Works				3,869.60
Total for Fund:592 Street Construction - 2022				3,869.60

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 600 Sanitary Sewer				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	159.88
Total for Department: 00 General Function				159.88
Department: 05 Sanitary Sewer				
0	Corporate Connection, Inc.	Embroidered clothing	02/01/2023	422.64
0	Gopher State One Call	2023 annual facility operator fee	02/01/2023	16.67
0	Sarah Wadi and Mazen Balsheh	Sewer Reimbursement 1042 Lovell Av	02/01/2023	5,000.00
0	Xcel Energy	Dec Xcel Billings	02/01/2023	1,435.45
105764	2277 Roseville West, LLC	February 23 Lease Payment	01/25/2023	1,671.77
105805	Northern Dewatering, Inc	County Rd B and Dale Street bypass p	01/25/2023	30,718.00
Total for Department: 05 Sanitary Sewer				39,264.53
Total for Fund:600 Sanitary Sewer				39,424.41

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 610 Water Fund				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	262.03
105775	AARON BRISKI	Refund Check 020844-000, 2744 VIR	01/25/2023	147.70
105781	THOMAS COOK	Refund Check 013978-000, 2706 MA	01/25/2023	70.56
105792	RANDY KAFKA	Refund Check 017393-000, 2968 MA	01/25/2023	109.52
105796	JACQUELINE LIND	Refund Check 000744-000, 894 BRE	01/25/2023	62.00
105797	SHERYL LUNDQUIST	Refund Check 002126-000, 2434 W C	01/25/2023	61.05
105800	JIM & SARAH MCNEAL	Refund Check 008184-000, 1887 SHI	01/25/2023	130.96
105811	ANTHONY ROBBINS	Refund Check 022390-000, 1033 LO	01/25/2023	34.40
105844	RICHARD HOFFMAN	Refund Check 007924-000, 804 SEX	02/01/2023	90.31
105872	GERALD WARKEL	Refund Check 007256-000, 1236 RO	02/01/2023	62.21
Total for Department: 00 General Function				1,030.74
Department: 06 Water Fund				
0	Corporate Connection, Inc.	Embroidered clothing	02/01/2023	191.64
0	Ferguson Waterworks #2518	5/8 PC Reg R450 MIU wall unit	02/01/2023	2,270.39
0	Gopher State One Call	2023 annual facility operator fee	02/01/2023	16.67
0	Metal Supermarkets	Hot rolled angle	02/01/2023	73.56
0	T. A. Schifsky & Sons, Inc.	Yard purchases from 12/04/22 - 12/10/	02/01/2023	4,245.12
0	Xcel Energy	Dec Xcel Billings	02/01/2023	6,258.74
105764	2277 Roseville West, LLC	February 23 Lease Payment	01/25/2023	1,671.77
105765	Advanced Engineering & Environment	Water Utility Services December of 20	01/25/2023	4,797.50
105790	GS Systems, Inc	AVEA Customer Support and Premiun	01/25/2023	5,870.00
105816	SUSA	2023 Membership	01/25/2023	125.00
105841	Gary Carlson Equipment, Corp.	vert mast light tower	02/01/2023	135.00
105845	Holcim-MWR, Inc.	CS road base	02/01/2023	8,874.47
105873	Water Conservation Service, Inc.	Leak locate, mileage	02/01/2023	1,276.58
Total for Department: 06 Water Fund				35,806.44
Total for Fund:610 Water Fund				36,837.18

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 620 Golf Course				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	208.56
0	Xcel Energy	Dec Xcel Billings	02/01/2023	-121.20
Total for Department: 00 General Function				87.36
Department: 07 Golf Course				
0	Xcel Energy	Dec Xcel Billings	02/01/2023	1,884.16
105787	Mary Gangl	M Gangl Refund for security dposit ba	01/25/2023	200.00
105795	Sue Letourneau	S Letourneau Refund of Deposit banq	01/25/2023	200.00
105847	Joy Albrecht	RPZ Testing	02/01/2023	165.00
105862	Precision Landscape & Tree,Inc	Tree stump removal NW corner of clul	02/01/2023	1,691.16
Total for Department: 07 Golf Course				4,140.32
Total for Fund:620 Golf Course				4,227.68

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 640 Storm Drainage				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	174.09
Total for Department: 00 General Function				174.09
Department: 08 Storm Water				
0	Corporate Connection, Inc.	Embroidered clothing	02/01/2023	560.32
0	Gopher State One Call	2023 annual facility operator fee	02/01/2023	16.66
0	Xcel Energy	Dec Xcel Billings	02/01/2023	823.37
105764	2277 Roseville West, LLC	February 23 Lease Payment	01/25/2023	1,671.77
105769	AP Central Park	Double Billed for Strom Drainage	01/25/2023	6,143.78
105839	Erickson Electric Company, Inc.	Check pump at Central Park	02/01/2023	3,771.64
Total for Department: 08 Storm Water				12,987.54
Total for Fund:640 Storm Drainage				13,161.63

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 650 Solid Waste Recycle				
Department: 00 General Function				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	19.74
Total for Department: 00 General Function				19.74
Total for Fund:650 Solid Waste Recycle				19.74

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 710 Risk Management				
Department: 00 General Function				
105794	League of MN Cities Ins Trust P&C	P&C Insurance City Plow 125 Struck :	01/25/2023	956.42
105815	Stericycle, Inc.	Feb 23 Monthly Charges	01/25/2023	295.14
Total for Department: 00 General Function				1,251.56
Total for Fund:710 Risk Management				1,251.56

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 722 HRA Property Abatement Program				
Department: 00 General Function				
105801	Montgomery Brinkman, LLC	1/14/23 clear snow from city sidewalk	01/25/2023	1,942.50
Total for Department: 00 General Function				1,942.50
Total for Fund:722 HRA Property Abatement Program				1,942.50

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 725 EDA Operating Fund				
Department: 00				
0	LINA	Bill Reference - 15688_01012023 Acc	01/25/2023	53.32
Total for Department: 00				53.32
Total for Fund:725 EDA Operating Fund				53.32

REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.b

Department Approval

City Manager Approval



Item Description: Approval of 1 Cigarette/Tobacco Products License, and 2 Tetrahydrocannabinol (THC) Licenses.

BACKGROUND

Chapter 3 of the City Code requires all applications for business and other licenses to be submitted to the City Council for approval. The following applications are submitted for consideration:

Cigarette/Tobacco Products License

JE Roseville Gas 2021, LLC dba Holiday
1215 Larpenteur Ave
Roseville, MN 55113

JE Roseville Gas 2021, LLC dba Holiday have submitted application materials for a Cigarette/Tobacco Products License.

Tetrahydrocannabinol (THC) Products License

Roseville Tobacconist Cigars and E-cig Inc.
2217 Snelling Ave N
Roseville, MN 55113

Noble Tobacco
1681 Rice St.
Roseville, MN 55113

Roseville Tobacconist Cigars & E-cig Inc., and Noble Tobacco have submitted application materials for a Tetrahydrocannabinol (THC) License. Chapter 316 of the City Code permits a maximum of 8 Tetrahydrocannabinol Products Licenses within the city. If both are approved, the total number of THC licenses issued will be 4.

POLICY OBJECTIVE

Required by City Code

BUDGET IMPLICATIONS

The revenue that is generated from the license fees is used to offset the cost of police compliance checks, background investigations, enforcement of liquor laws, and license administration.

RACIAL EQUITY IMPACT SUMMARY

NA

37 **STAFF RECOMMENDATION**

38 Staff has reviewed the application(s) and has determined that the applicant(s) meet all City requirements.

39 Staff recommends approval of the license(s), subject to successful background investigation(s).

40 **REQUESTED COUNCIL ACTION**41 Motion to approve the THC Licenses for Roseville Tobacconist Cigars & E-cig Inc., and Noble Tobacco,
42 and the Cigarette/Tobacco Products License for JE Roseville Gas 2021, LLC dba Holiday subject to
43 successful background investigations.
44

Prepared by: Katie Bruno, Deputy City Clerk

Attachments: A: Application- JE Roseville Gas 2021 LLC dba Holiday for Cigarette/Tobacco Products License

B Application- Roseville Tobacconist Cigars and E-cig Inc. for Retail THC license

C: Application- Noble Tobacco for Retail THC license



Finance Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7036

Cigarette/Tobacco Products License Application

Note: All applicants are subject to a background check as a part of the license approval process. Background check procedures may take up to 30 days to complete.

Business Name JE Roseville Gas 2021, LLC dba Holiday
Business Address 1215 Larpentour Ave. W. Roseville 55113
Business Phone _____
Email Address mjacobson@jerrysfoods.com

Person to Contact in Regard to Business License:

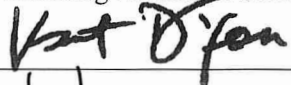
Name Michelle Jacobson c/o Jerrys Enterprises, Inc.
Address 5101 Vernon Ave. S. Edina MN 55436
Phone 952-283-2569

I hereby apply for the following license(s) for the term of one year, beginning July 1, _____, and ending June 30, 2023, in the City of Roseville, County of Ramsey, State of Minnesota.

<u>License Required</u>	<u>Fee</u>
Cigarette/Tobacco Products	\$200.00

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data will constitute public record if and when the license is granted. Our intended use of the information is to perform the background check procedures required prior to license issuance. If you refuse to supply the information, the license application may not be processed.

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue #176.182.

Signature 
Date 1/24/23

If completed license should be mailed somewhere other than the business address, please advise.



Administration Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7023

Tetrahydrocannabinol (THC) Retail Application

Business Name Roseville Tobacconist Cigars and E cig Inc.
Business Address 2217 Snelling Ave N Roseville, MN 55113
Business Phone 651-850-7187
Email Address Rosevilletobacconist@gmail.com

Business Owner:

Name

Ishad M.A. Mishal

Address

Phone

Email

Person to Contact concerning Business License (if different from above.):

Name

Address

Phone

Email

I hereby apply for the following license beginning 01/26/23, and ending December 31, 2023, in the City of Roseville, County of Ramsey, State of Minnesota.

License Required

Fee

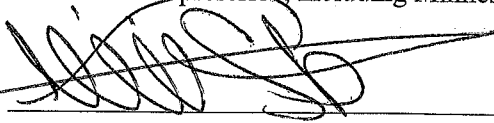
*Tetrahydrocannabinol (THC) Retailer	\$300.00
Background Investigation Fee (first time applicant)	\$300.00

- *Tetrahydrocannabinol (THC) Retail Establishment is defined as an establishment which:
- a. Prohibits persons under 21 years of age from entering the establishment at all times.
 - b. Posts conspicuous written notice of such age retraction at all entrances to the establishment.
 - c. Meets all of the following building or structural criteria:
 - i. Shares no wall with, and has no part of their structure adjoined to any other business or retailer, unless the wall is permanent, completely opaque, and without doors, windows, and pass-throughs to the other business or retailer; and
 - ii. Is accessible by the public only by an exterior door.

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data will constitute public record if and when the license is granted. Our intended use of the information is to annually update our records. If you refuse to supply the information, the license application may not be processed.

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue §151.72

Signature



Date

01/26/2023

If completed license should be mailed somewhere other than the business address, please advise.



Administration Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7023

Tetrahydrocannabinol (THC) Retail Application

Business Name Noble Tobacco
Business Address 1681 Rice Street Roseville MN 55113
Business Phone 1651-340-4785
Email Address [REDACTED]

Business Owner:

Name nabeel Abu Feddah
Address [REDACTED]
Phone [REDACTED]
Email [REDACTED]

Person to Contact concerning Business License (if different from above.):

Name AHMAD AL DAIRIEH (manager)
Address [REDACTED]
Phone [REDACTED]
Email [REDACTED]

I hereby apply for the following license beginning _____, and ending December 31, 2023, in the City of Roseville, County of Ramsey, State of Minnesota.

<u>License Required</u>	<u>Fee</u>
*Tetrahydrocannabinol (THC) Retailer	\$300.00
Background Investigation Fee (first time applicant)	\$300.00

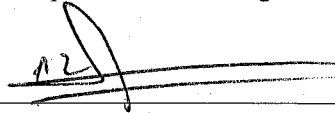
*Tetrahydrocannabinol (THC) Retail Establishment is defined as an establishment which:

- a. Prohibits persons under 21 years of age from entering the establishment at all times.
- b. Posts conspicuous written notice of such age retraction at all entrances to the establishment.
- c. Meets all of the following building or structural criteria:
 - i. Shares no wall with, and has no part of their structure adjoined to any other business or retailer, unless the wall is permanent, completely opaque, and without doors, windows, and pass-throughs to the other business or retailer; and
 - ii. Is accessible by the public only by an exterior door.

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data will constitute public record if and when the license is granted. Our intended use of the information is to annually update our records. If you refuse to supply the information, the license application may not be processed.

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue §151.72

Signature



Date

02/04/23

If completed license should be mailed somewhere other than the business address, please advise.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.c

Department Approval

Michelle Litrick

City Manager Approval

Sam J. Trueman

Item Description: Approve General Purchases Exceeding \$10,000 or Sale of Surplus Items

BACKGROUND

City Code section 103.05 establishes the requirement that all general purchases or contracts in excess of \$10,000 be separately approved by the City Council, independent of the budget process or other statutory purchasing requirements. In addition, State Statutes generally require the Council to authorize the sale of surplus vehicles and equipment. *Attachment A-1* includes a list of items submitted for Council review and approval.

Staff will note that unless noted otherwise, all items contained in this report were previously identified and included in the adopted budget or Capital Improvement Plan (CIP) submitted for Council review during the most recent budget cycle. This information package included a CIP Project/Initiative summary which identified the type of purchase, estimated cost, funding source, and other supporting narrative. Where applicable, these project/initiative summaries are included with *Attachment A-2*.

POLICY OBJECTIVE

Required under City Code 103.05.

BUDGET IMPLICATIONS

Funding for all items is provided for in the current budget or through pre-funded capital replacement funds.

RACIAL EQUITY IMPACT SUMMARY

N/A

STAFF RECOMMENDATION

Staff recommends the City Council approve the submitted purchases or contracts for service and where applicable; authorize the sale/trade-in of surplus items.

REQUESTED COUNCIL ACTION

Motion to approve the submitted purchases or contracts for services and where applicable; the sale/trade-in of surplus items.

Prepared by: Joshua Kent, Assistant Finance Director
Attachments: A1: Over \$10,000 Items for Purchase or Sale/Trade-in

A2: CIP Project/Initiative summary (if applicable)

Attachment A-1

General Purchases or Contracts

Division	Vendor	Description	Key	Budget Amount	P.O. Amount	Budget / CIP
Parks & Recreation (Improvements)	Flagship Recreation	Playground Replacement - Keya Park (Design, Equipment for Com. Build)	(a)	\$ 180,000	\$ 155,000	2023 CIP
Parks & Recreation (Improvements)	Flagship Recreation	Playground Replacement - Keya Park (Theming and ADA Enhancements)	(b)	\$ 180,000	\$ 25,000	2023 CIP
Public Works	Stykemain Commercial Trucks & Equipment	Crane Truck Replacement - 2022 Chevrolet Silverado MD 5500	(c)	\$ 185,000	\$ 161,465	2023 CIP
Public Works	Jackson & Associates LLC	Roof Repairs at City Hall and Maintenance Facility	(d)	\$ 62,500	\$ 27,805	2023 Budget
Public Works	Povolny Specialties	Battery Backup for Street Signals	(e)	\$ 13,900	\$ 13,900	MSA Dollars

Public Works

Key

(a) Keya Park has outlived its useful life and is showing significant signs of deterioration. Flagship Recreation is the vendor we would like to bring on to help design and provide the equipment for a full community engagement process to finish building the playground.

(b) These budgeted funds are planned for Keya (turtle) themed elements and possible interpretive items in and around the park.

(c) In the 2023 budget the city planned to replace the current 1986 F-350 crane truck #209 which is used to service lift stations. It is currently in need of upgrades due to its age and condition. The current crane also has a limited capacity and can not service all of our existing pumps. Because the cost of a new crane truck is more than what was originally budgeted, it has been decided to delay the I&I reduction to another year and would use this portion of the budget to offset the increase cost of the vehicle replacement. It is also the intention to dispose of the current 1986 crane truck at auction and expect to receive at least \$10,000.

(d) During inspections it was found that work is required in the City Hall roof and Maintenance Facility roof to fix leaks and extend the life of the roofs. The City received a quote from the vendor who did the work last year. Maintenance includes repairs to five locations and should extend the life of the roof for another 5-10 years before additional maintenance is needed.

(e) In response to safety concerns during power outages, City staff has worked with MnDOT to install battery backup systems at the Snelling Ave and County Road C2 signal and at the Snelling Ave and Lydia signal. The full amount of \$13,900 will be covered by Minnesota State Aid dollars.

Sale of Surplus Vehicles or Equipment

Division	Description	Key	Est. Sale / Trade-In Amount
Public Works	Dispose of Existing Crane Truck	(c)	\$ 10,000

2023 Capital Improvement Plan

Project/Initiative Summary

Department/Division:	Park Improvements
Project/Initiative Title:	Playground Replacement - Keya Park
Total Estimated Cost:	\$180,000
Funding Source:	Park Improvement Program Fund (<i>property tax</i>)

Project/Initiative Description:

This project will plan for, remove and replace the playground at Keya Park (formerly Pocahontas Park), which has outlived its useful life and is showing significant signs of deterioration.

Playground replacements are based on age and condition ratings. These ratings are calculated through regular inspections done by City staff that are Certified Playground Safety Inspectors. The project will include a full community engagement process and finish with a community playground build.

Additional funds are planned for Keya (turtle) themed elements and possible interpretive items.

Location:

Keya (formerly Pocahontas Park)
2540 Pascal St.



Public Works Department

Memo

To: Michelle Pietrick, Finance Director
From: Jesse Freihammer, Public Works Director
Date: February 8, 2023
Re: #209 Flat Bed Crane

In the 2023 Budget, the city planned to replace unit #209, which is a crane truck used to service lift stations with a new crane truck. The current crane truck is a 1986 F-350 RWD and is need of upgrades due to age and condition. The current crane also has limited capacity and can not service all of our existing pumps.

Staff received three quotes for vehicles that would meet our new requirements. Due to the cost of equipment and limited supply, all options are higher than budgeted.

- The three quotes are as follows. The quote from Stykemain GMC is the best overall value due to the equipment included so staff would recommend approval of this quote. The other quotes would need additional equipment added which would increase the cost.
 - Stykemain – 2022 Silverado MD 5500, Signature Propane Linebacker Body with Venturo Crane - \$161,465.00
 - Mathews Motors – 2022 Ford F550, Stellar Tmax 30K Mechanics Body, 5521 Crane - \$146,175.00
 - Brondes Ford – 2022 F 550SD - \$156,840.00
- This would be funded from the following CIP's
 - There is \$110,000 in the CIP for #209 vehicle replacement
 - Staff will not be doing the \$75,000 in I&I reduction so would use this to offset the increase cost of the vehicle replacement

- The City will dispose of the existing crane truck. We expected to get at least \$10,000 at the auction.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.d

Department Approval



City Manager Approval



Item Description: Adopt a Resolution to Accept 2022 Police Department Donations

BACKGROUND

Over the years the City of Roseville has received many donations from residents, program participants and affiliated groups. These gifts have been in the form of both materials and monies. When staff is notified of a potential donation, they make a determination of whether to recommend acceptance based on the suitability of the item for the city.

Per City Attorney, a resolution for acceptance of the all donated funds is required per state law.

POLICY OBJECTIVE

The Roseville Police Department strives to establish connections with all community members, especially historically disadvantaged groups, through community outreach initiatives. Many of the Department's initiatives are funded through the ongoing operating budget. However, some outreach initiatives such as Shop with a Cop, a program building relationships between police officers and disadvantaged youth, are funded through generous donations from residents, businesses and community groups. Community partnerships are vital in keeping Roseville a safe community for all.

The following is the City of Roseville's policy regarding the acceptance of donations:

- To avoid conflict of interest or appearance of impropriety, the solicitation of donations is not permitted except by authorization of the City Council for various City functions and events.
- Minnesota Statute requires all donations to be officially accepted by the City Council.

BUDGET IMPLICATIONS

Approved donations may result in a budget reduction.

RACIAL EQUITY IMPACT SUMMARY

The Roseville Police Department utilizes donations to support community outreach initiatives including Shop with a Cop, homeless outreach, and youth mentorship programming, prioritizing building community and fostering public trust and legitimacy with historically disadvantaged groups.

STAFF RECOMMENDATION

The police department is recommending City Council adopts a resolution allowing the police department to accept 2022 donations.

REQUESTED COUNCIL ACTION

Adopt a resolution allowing the police department to accept the following 2022 donations:

Shop with a Cop

Mary or Richard Fowler	\$500.00
Patricia Harrison	\$2,000.00
McMonigal Architects	\$100.00
Thomas and Karola Rauer	\$100.00
Barbara Esselman	\$100.00
Maureen Stoen	\$75.00
Hugh and Julie Thibodeau	\$200.00
Karin and Patrick Mascia	\$100.00
Mary Daly	\$50.00
Mark and Patricia Potter	\$50.00
S E Van Zanden	\$50.00
Mary Cardinal	\$150.00
Joan Vanderpool	\$25.00
Kim Sackett-Rowekamp	\$200.00
Rowland & Beverly Sutherland	\$50.00
Jerome and Marie Lynch	\$20.00
Linda Lorenz or Terry Smith	\$200.00
Don and Mary Jean Glende	\$25.00
James or Mary Foley	\$1,000.00
Audrey Johnson	\$25.00
Marilyn Maguire	\$15.00
Diane and David Grigal	\$50.00
Luanne Minke	\$50.00
Anonymous	\$20.00
Anonymous	\$110.00
Beth Lewis	\$25.00
Lisa Roers	\$25.00
Kate Finnegan	\$50.00
Lawrence and Colleen Clark	\$50.00
Gerald and Tamara Johnson	\$100.00
Margaret and James Driscoll	\$100.00
Glenn and Peggy Matthees	\$100.00
Michael and Carol Garbisch	\$100.00
Carl and Mary Herbst	\$100.00
David and Lorraine Fait	\$200.00
Scott and Jill Cordes	\$250.00
Mary Jungmann	\$500.00
Amy Christensen	\$1,000.00
Pat Dankert	\$100.00
Anonymous	\$150.00

74	Ellen Thayer	\$15.00
75	Pamela Darvell	\$100.00
76	Jim or Joanne Woehrle	\$100.00
77	Kathie Mapes	\$200.00
78	Rita Lynch	\$20.00
79	L. L. or J. G. Monette	\$30.00
80	Louis or Maureen Bushard	\$150.00
81		
82	<u>Community Outreach Programs</u>	
83	Patricia Harrison	\$5,000.00
84	Linda DeLeo	\$20.00
85		
86	<u>Police Explorers</u>	
87	Jamie Guertin	\$30.00
88	Edwin Caceres Olivo	\$30.00
89	Rev Dr Joshua and Katherine Miller	\$60.00
90	Dana Thomas	\$30.00
91		
92	<u>Other</u>	
93	Karin and Patrick Mascia	\$100.00
94	Roseville Area High School (Officer Wellness)	\$650.00
95	Ace Hardware (Weber Genesis Grill)	\$1100.00
96		
97		
98	Total 2022 Police Donations:	\$15,750.00
99		

100 Prepared by: Erika Scheider, Chief of Police

101 Attachment: A. Resolution to Accept 2022 Police Donations

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was duly held on the ____th day of _____, 2023, at 6:00 p.m.

The following members were present: ; and and the following members were absent: .

Member introduced the following resolution and moved its adoption:

**RESOLUTION NO. _____
A RESOLUTION ACCEPTING 2022 POLICE DONATIONS**

WHEREAS, the City of Roseville is generally authorized to accept donations of real and personal property for the benefit of its residents pursuant to Minnesota Statutes Section 465.03 and is specifically authorized to accept gifts for the benefit of its public recreational services pursuant to Minnesota Statutes Section 471.17;

WHEREAS, the following individuals have offered to donate to the City funds in the amount of \$15,750.00 for various Roseville Police Department programs, functions and events;

<u>Shop with a Cop</u>		
Mary or Richard Fowler		\$500.00
Patricia Harrison		\$2,000.00
McMonigal Architects		\$100.00
Thomas and Karola Rauer		\$100.00
Barbara Esselman		\$100.00
Maureen Stoen		\$75.00
Hugh and Julie Thibodeau		\$200.00
Karin and Patrick Mascia		\$100.00
Mary Daly		\$50.00
Mark and Patricia Potter		\$50.00
S E Van Zanden		\$50.00
Mary Cardinal		\$150.00
Joan Vanderpool		\$25.00
Kim Sackett-Rowekamp		\$200.00
Rowland & Beverly Sutherland		\$50.00
Jerome and Marie Lynch		\$20.00
Linda Lorenz or Terry Smith		\$200.00
Don and Mary Jean Glende		\$25.00
James or Mary Foley		\$1,000.00
Audrey Johnson		\$25.00

41	Marilyn Maguire	\$15.00
42	Diane and David Grigal	\$50.00
43	Luanne Minke	\$50.00
44	Anonymous	\$20.00
45	Anonymous	\$110.00
46	Beth Lewis	\$25.00
47	Lisa Roers	\$25.00
48	Kate Finnegan	\$50.00
49	Lawrence and Colleen Clark	\$50.00
50	Gerald and Tamara Johnson	\$100.00
51	Margaret and James Driscoll	\$100.00
52	Glenn and Peggy Matthees	\$100.00
53	Michael and Carol Garbisch	\$100.00
54	Carl and Mary Herbst	\$100.00
55	David and Lorraine Fait	\$200.00
56	Scott and Jill Cordes	\$250.00
57	Mary Jungmann	\$500.00
58	Amy Christensen	\$1,000.00
59	Pat Dankert	\$100.00
60	Anonymous	\$150.00
61	Ellen Thayer	\$15.00
62	Pamela Darvell	\$100.00
63	Jim or Joanne Woehrle	\$100.00
64	Kathie Mapes	\$200.00
65	Rita Lynch	\$20.00
66	L. L. or J. G. Monette	\$30.00
67	Louis or Maureen Bushard	\$150.00
68		
69	<u>Community Outreach Programs</u>	
70	Patricia Harrison	\$5,000.00
71	Linda DeLeo	\$20.00
72		
73	<u>Police Explorers</u>	
74	Jamie Guertin	\$30.00
75	Edwin Caceres Olivo	\$30.00
76	Rev Dr Joshua and Katherine Miller	\$60.00
77	Dana Thomas	\$30.00
78		
79	<u>Other</u>	
80	Karin and Patrick Mascia	\$100.00
81	Roseville Area High School (Officer Wellness)	\$650.00
82	Ace Hardware (Weber Genesis Grill)	\$1100.00
83		
84	Total 2022 Donations:	\$15,750.00
85		
86		

87 WHEREAS, the above-referenced donations have no further conditions on their
88 acceptance;
89

90 WHEREAS, the donations are contributed to the City for the benefit of its residents and
91 public recreational services; and,
92

93 WHEREAS, the City Council finds that it is appropriate to accept the donations offered.
94

95 NOW, THEREFORE, BE IT RESOLVED, that the Roseville City Council, on behalf of the City
96 of Roseville, Minnesota, hereby accepts the gift of the donations described herein.
97

98 The motion for the adoption of the foregoing resolution was duly seconded by Member
99 and upon vote being taken thereon, the following voted in favor thereof: and the following
100 voted against the same:
101

102 WHEREUPON said resolution was declared duly passed and adopted.
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ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.e

Department Approval



City Manager Approval



Item Description: Approve 2023 Auto Theft Prevention Grant Applications

BACKGROUND

In May, 2021, the Roseville Police Department was awarded two auto theft prevention grants through the Minnesota Department of Commerce. One grant provided funding for an auto theft investigator dedicated to reduce automobile related thefts, increase education and awareness in our community, respond to automobile theft incidents, and prosecute offenders. The grant was a two year grant (2021-2023) and covered up to \$100,000 per year towards salary/benefits of the investigator. The second grant awarded funding for equipment used to respond to automobile related crimes (e.g. tire deflation devices, covert cameras, and GPS vehicle tracking devices to be utilized in catalytic converter theft and auto related investigations).

On May 17, 2021, the Roseville City Council voted to accept the grant funding. At that time, staff recommended if the auto theft investigator position was beneficial, RPD would seek grant funding to continue to the position at the end of the grant cycle (June 30, 2023) or explore other funding sources.

The Department of Commerce recently released its most recent requests for proposals for automobile theft prevention grants. The newly released dedicated auto theft investigator grant provides funding for three years (July 2023 – June 2026). The grant covers up to \$100,000 each year towards salary and benefits. If Roseville was awarded the grant, it would allow the Roseville Police Department to continue the current dedicated auto theft investigator position for an additional three years. This would not be a new position, but would only continue the current grant funded position in place since 2021. The equipment grant would allow the department to obtain additional equipment to enhance the department's response and investigation of auto related crimes.

Roseville experienced a 34% increase from 2021 to 2022 in auto related crimes. Without the dedicated position, many of these cases would not have been investigated and the number of crimes could be much higher. As a result of the grant funded position, Roseville has hosted a number of catalytic converter etching events, proactive patrols of hot spots, carjacking details, and building partnerships with businesses and citizens to proactively reduce auto related crimes. In 2022, our investigator also played an integral role in helping take down a national ring believed to be responsible for a high number of the catalytic converter thefts in the metro area.

According to statistics compiled by the Minnesota Bureau of Criminal Apprehension (BCA), Roseville reported 224 motor vehicle thefts in 2022. Referring to the FBI's average valuation of \$8,886 per stolen vehicle in 2019 (an amount likely much higher in 2022), Roseville residents and visitors incurred an estimated \$1,990,464 in losses associated with auto theft. While the negative economic impact of auto theft is significant, of even more importance is the perceived risk and associated trauma of victimization in

the community.

Over the years, RPD has applied a multi-prong approach to addressing automobile theft, obtaining funding through numerous Minnesota Department of Commerce auto theft prevention grants. Past funding successes have included implementing an Automated License Plate Recognition (ALPR) system; fully outfitting a Bait Car currently in use, officer-lead auto theft and carjacking details, purchasing evidence equipment to process fingerprints and expanding the job duties and associated salary of RPD's Investigative Aide to enhance auto theft crime analysis.

The Department plans to build upon past auto theft prevention grant successes while focusing on new prevention initiatives by seeking funding through two Minnesota Department of Commerce auto theft prevention grants. The Auto Theft Prevention Grant- Dedicated Auto Theft Investigator grant (Attachment A) will allow RPD to continue a successful initiative, continuing the assignment of a full-time detective to the Community Action Team (CAT) to investigate motor vehicle theft crimes. The Auto Theft Prevention Grant- General (Attachment B) will supply specialized equipment to aid in the investigation of auto theft related crimes.

Grant funding for the investigator is for a period of three years (July 1, 2023 through June 30, 2026). In order to qualify for funding the agency must have at least 250 combined motor vehicle theft or recoveries of stolen vehicles in the service areas in 2021 or 2022. Roseville meets all grant eligibility requirements.

The grant application deadline is February 24, 2023.

POLICY OBJECTIVE

The Roseville Police Department seeks approval to reapply for two Minnesota Department of Commerce 2023 Auto Theft Prevention Grants. The \$300,000 in funds will pay for the majority of the salary and benefits for a dedicated Auto Theft Investigator position for the next three years. RPD also seeks approval to apply for additional funding for specialized equipment to aid in the investigation of auto theft crimes.

Both grant opportunities enhance the Department's on-going effort to reduce motor vehicle thefts, impacting the economic strain and trauma associated with victimization through specialized equipment, enhanced investigations, education and awareness and a partnership with RPD's Community Action Team (CAT).

BUDGET IMPLICATIONS

The investigator grant (not to exceed \$300,000 over three years) will cover the majority of the salary of a continued auto theft investigator. Any salary or benefits expenses over \$100,000 per year would need to be covered by the City. For 2023, the Police Department's operating budget will be able to absorb any costs for the position in excess of \$100,000. For 2024 and 2025, any salary costs in excess of the \$100,000 would be included in the department's operating budget requests. There is no obligation for the city to fund the position at the end of the grant. If proven successful over the next three years, RPD would look at additional grant opportunities through the Department of Commerce or other grants to continue the position. There is no obligations to the City to continue the position after the grant expiration.

There is no financial impact or city match for funding through the general Auto Theft Prevention equipment grant.

RACIAL EQUITY IMPACT SUMMARY

Studies have shown crime, including auto theft, disproportionately affects disadvantaged communities. Owning a vehicle is as an opportunity to escape poverty through the ability to earn an income. Losing a vehicle to theft can have disparate impacts on families hit hardest by poverty, many of whom identify as BIPOC, due to a potential loss of wages and the fact that later model vehicles are most frequently targeted for theft. Enhanced investigations through continuing the department's dedicated Auto Theft Investigator

87 grant-funded position and specialized equipment will allow the department to build upon our multi-prong
88 approach employed to reduce automobile theft, a crime that is not just a nuisance to public safety, but also
89 discourages quality of life, significantly affecting the lives of all Roseville community members, especially
90 historically disadvantaged groups.

91 **STAFF RECOMMENDATION**

92 Staff recommends authorizing the Roseville Police Department to apply for two Minnesota Department of
93 Commerce auto theft prevention grants; the 2023 Auto Theft Prevention- Dedicated Auto Theft
94 Investigator grant and the 2023 Auto Theft Prevention- General grant.

95

96 If awarded the investigator grant, it would not result in the addition of a new position, but it would allow
97 RPD to extend the current grant funded auto theft investigator position, which is set to expire in June
98 2023. It also would allow the Department to acquire additional investigative tools and equipment to
99 combat auto related crimes (e.g. GPS tracking devices, automated license plate readers, mobile
100 surveillance cameras and other investigative tools).

101 **REQUESTED COUNCIL ACTION**

102 Authorize the Roseville Police Department to apply for two Minnesota Department of Commerce auto
103 theft prevention grants; the 2023 Auto Theft Prevention- Dedicated Auto Theft Investigator grant and the
104 2023 Auto Theft Prevention- General grant.

105 Prepared by: Erika Scheider, Chief of Police

106 Attachment: A. 2023 Auto Theft Prevention Grant- Investigator RFP

107 B. 2023 Auto Theft Prevention Grant- General RFP

108

**MINNESOTA DEPARTMENT OF COMMERCE
FRAUD BUREAU**

REQUEST FOR PROPOSALS

Auto Theft Prevention Grant (Dedicated Investigator)

Timeline:

RFP Posted: January 23, 2023

Application Due: February 24, 2023

Grant Term Begins: July 1, 2023

A detailed timeline is in Section VII. Review Process and Timeline

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MINNESOTA DEPARTMENT OF COMMERCE FRAUD BUREAU

GRANT REQUEST FOR PROPOSALS

Auto Theft Prevention Program (Dedicated Investigator)

I. Grant Overview

The Minnesota Automobile Theft Prevention Program is intended to reduce Automobile Theft and automobile-related thefts. The funding is used for Dedicated Auto Theft Investigator positions to reduce automobile thefts, increase education and awareness of the public to the issue, respond to automobile theft incidents, and prosecute offenders. The Program is administered by the Minnesota Department of Commerce Fraud Bureau.

Funding Availability

Funding is available through the automobile theft prevention surcharge Minn. Stat. §297I.11. The total amount of awards will be based upon funds available and quality of grant applications as recommended by the Automobile Theft Prevention Board. The Commissioner of Commerce in consultation with the Commissioner of Public Safety will determine the final awards.

Funding will be allocated through a competitive process with review by a committee representing content and community specialists with regional knowledge. We expect to announce selected grantees in April 2023. If selected, you may only incur eligible expenditures when the grant contract agreement is fully executed, and the grant has reached its effective date.

Program Priorities

The commissioner may give priority to:

- (1) offices and agencies engaged in a collaborative effort to reduce automobile theft; and
- (2) counties or regions with the greatest rates of automobile theft.

In accordance with [Minn. Stat. §65B.84 Subd. 3\(c\)](#).

II. Eligibility

Program Eligible Costs

Only Minnesota law enforcement agencies may apply. Agencies may submit a collaborative application that includes a larger service area than a single jurisdiction.

Full-Time Auto Theft Investigator

- In order to qualify, the applicant must have at least 250 combined auto-theft or auto theft recoveries in the service area in 2021 or 2022. (An auto theft and a recovery count as a separate number, even if it was the same vehicle, as long as it was recovered in the service area.)
- Applicants with more than 500 auto thefts may apply for multiple positions.
- These investigators must work exclusively auto theft and auto theft related cases.
- Reimbursement of \$100,000 per year.

Part-Time Auto Theft investigator

- In order to qualify, applicants must have at least 75 combined auto thefts or auto theft recoveries in the service area in 2021 or 2022. (An auto theft and a recovery count as a separate number, even if it was the same vehicle, as long as it was recovered in the service area.)
- A part-time funded position must be the primary investigator for auto theft cases for the service area. Meaning when possible, auto theft cases will be assigned to that investigator, and that investigator will review all auto theft reports in the service area.
- Applicants who qualify a full-time position but are unable to due to staffing or other concerns, may request multiple positions.
- Reimburse \$15,000 per year for each position.

Other Benefits

- Reimbursement for expenses related to automobile theft prevention and investigation organizations, meetings, conferences and trainings.

This grant is for a three-year term, July 1, 2023 – June 30, 2026.

NOTE: Grant funds may not be used to address thefts of other types of vehicles such as boats, snowmobiles, construction equipment or all-terrain vehicles.

Competitive Priorities

The Automobile Theft Prevention Grant Board seeks applications for proposals that include proven or best practices that will lead to a reduction of automobile thefts. The Board also encourages applications for innovative approaches, involving techniques, equipment, and programing that have a measurable result towards the reduction in automobile thefts.

Collaboration

The Automobile Theft Prevention Grant Board encourages applications that involve collaboration of multiple entities within a service area to work together towards a reduction in automobile theft. The lead agency applying for a grant must include letters of commitment from any other entities included in the grant proposal. Collaborative proposals without letters of commitment will not be considered.

III. Application Content

Application Content

Applicants must submit the following completed forms for the application to be considered complete:

- **Automobile Theft Prevention Grant Project Information Sheet (Form 1).** This form details the service area and contact information for the applicant agency should the program receive funding.
- **Dedicated Auto Theft Investigator Project Needs and Description (Form 1c).** This form provides a description of the proposed project and anticipated results.
- **Letter of Commitment:** Are required for multi-agency grants and cases where an application requires cooperation for other entities.

- **Original Resolution:** There must be an original resolution from the governing body of the applicant agency authorizing that entity and signatory to enter into a contract with the state. The resolution is not required at the time of application. A fully executed resolution must be submitted before the grant contract is fully executed. A sample resolution is available upon request.

IV. Required Forms, Exhibits and Attachments

Required Forms

- Form 1 – Project Information Sheet
- Form 1c – Dedicated Auto Theft Investigator Project Needs and Description

Exhibits

- **Exhibit A: Sample State of Minnesota Grant Contract** (Actual contract may differ slightly and have some conditions related to property purchased with grant funds.)
- **Exhibit B: Conflict of Interest**
- **Exhibit C: Workforce and Equal Pay Declaration Page** (Required if applicant receives more than \$100,000.00 from the State of Minnesota.)

Attachment

- **Attachment 1: Sample* Reporting Instructions**
- **Attachment 2: Sample* Reporting Tool** (The spreadsheet tool has multiple tabs for data collection.)

*Actual information required may vary depending on the nature of the grant and service area.

V. Application Submission:

All applications must be received no later than 4:30 p.m. Central Time, on February 24, 2023. Applications submitted after this deadline will not be reviewed.

Applications must be submitted by email to:

Auto Theft Grants

Commerce Fraud Bureau

Email: autotheftgrant@state.mn.us

Subject: Auto Theft Application Proposal

VI. Grant Selection Criteria and Weight

The review committee will be reviewing each applicant on a 100-point scale:

Evaluation Criteria	Total Weight
Number of auto thefts, carjackings, and auto theft rate	20%
Number of and rate of non-recovered stolen vehicles	10%
Auto thefts by organized groups, permanent nature, or repeat offenders	10%
Scope of auto thefts in the service area	10%
Agency need	10%
Proposed work plan	30%
Benefit to investigations/prior experience	10%

VII. Review Process and Timeline

The review committee will evaluate all eligible and complete applications received by the deadline. Department of Commerce will review all committee recommendations and is responsible for award decisions. The award decisions of Department of Commerce are final and not subject to appeal.

RFP posted on the Department of Commerce web site	January 23, 2023
Questions due no later than 4:30 pm Central Time	February 13, 2023
Applications due no later than 4:30 pm Central time	February 24, 2023
Committee begins review of applications	February 27, 2023
Selected applicants notified; grant agreement negotiations begin	April 3, 2023
Work plans approved, grant contracts fully executed, and work begins	July 1, 2021

VIII. Notification

Applicants selected for a grant award are anticipated to be notified by April 3, 2023, as indicated in the table above. The scope of work and budget for selected applicants will then need be negotiated.

The term of this grant contract is anticipated to run from July 1, 2023 to June 30, 2026. The State is not bound to this schedule. The anticipated date for contract work to begin is only an approximation as many factors can delay (or accelerate) the start of a contract.

Work on the individual contract cannot begin prior to the execution date of the agreement.

IX. Questions

Questions are to be submitted by email to autotheftgrant@state.mn.us.

All answers will be posted within two business days at [Minnesota Auto Theft Prevention Program / Minnesota.gov \(mn.gov\)](#). Please submit questions no later than 4:30 p.m. Central Time, on February 15, 2021.

X. General Requirements

Financial Review Process

All Non-Governmental Organizations (NGO's) applying for grants in the state of Minnesota must undergo a financial review prior to a grant award made of \$25,000 and higher, in order to comply with [Policy on the Financial Review of Nongovernmental Organizations](#).

Conflicts of Interest

We will take steps to prevent individual and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat. §16B.98](#) and [Conflict of Interest Policy for State Grant-Making](#).

Organizational conflicts of interest occur when:

- a grantee or applicant is unable or potentially unable to render impartial assistance or advice to the Department due to competing duties or loyalties.
- a grantee's or applicant's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties.

In cases where a conflict of interest is suspected, disclosed, or discovered, the applicants or grantees will be notified and actions may be pursued, including but not limited to disqualification from eligibility for the grant award or termination of the grant agreement.

Exhibit B: Conflicts of Interest Declaration, ***must be submitted*** as part of the proposal.

Public Data

- Data related to an RFP is classified as nonpublic or public per [Minn. Stat. § 13.599](#).
- Names and addresses of grant applicants will be public data once proposal responses are opened.
- All remaining data in proposal responses (except trade secret data as defined and classified in [Minn. Stat. §13.37](#)) will be public data after the evaluation process is completed (for the purposes of this grant, when all grant agreements have been fully executed).
- All data created or maintained by the Minnesota Department of Commerce as part of the evaluation process (except trade secret data as defined and classified in [Minn. Stat. §13.37](#)) will be public data after the evaluation process is completed (for the purposes of this grant, when all grant agreements have been fully executed).

Sample Grant Contract

You should be aware of the State's standard contract terms and conditions in preparing your response to this RFP. A sample State of Minnesota Grant Agreement is available for download on the Department's [Request for Proposals Webpage](#) (<https://mn.gov/commerce/business/rfp/>).

Much of the language reflected in the contract is required by statute. If you take exception to any of the terms, conditions or language in the contract, you must indicate those exceptions by completing Exhibit D: Exceptions to Sample Grant Contract Terms and Conditions Form in your response to the RFP; certain exceptions may result in your proposal being disqualified from further review and evaluation. Only those exceptions indicated in your response to the RFP will be available for discussion or negotiation if your project is funded.

Grant Payments

Per [Policy 08-08](#), grant payments will be made by reimbursement. All grantee requests for reimbursement must correspond to the approved grant budget. The State shall review each request for reimbursement against the approved grant budget, grant expenditures to-date and the latest grant progress report before approving payment. Grant payments shall not be made on grants with past due progress reports unless the Department has given the grantee a written extension.

Grantee Bidding Requirements

As referenced in Clause 4 in the sample State Grant Contract Agreement, any subcontracted grant-funded services and/or materials that are expected to cost:

- \$100,000 or more must undergo a formal notice and bidding process.
- Between \$25,000 and \$99,999 must be competitively awarded based on a minimum of three (3) verbal quotes or bids.
- Between \$10,000 and \$24,999 must be competitively awarded based on a minimum of two (2) verbal quotes or bids or awarded to a targeted vendor.

The grantee must take all necessary affirmative steps to assure that targeted vendors from businesses with active certifications through these entities are used when possible:

- [State Department of Administration's Certified Targeted Group, Economically Disadvantaged and Veteran-Owned Vendor List](#)
- Metropolitan Council's Targeted Vendor list: [Minnesota Unified Certification Program](#)

- Small Business Certification Program through Hennepin County, Ramsey County, and City of St. Paul: [Central Certification Program](#)

The grantee must maintain:

- Written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.
- Support documentation of the purchasing and/or bidding process utilized to contract services in their financial records, including support documentation justifying a single/sole source bid, if applicable.

The grantee must not contract with vendors who are suspended or debarred in MN:

<http://www.mmd.admin.state.mn.us/debarredreport.asp>

Audits

Per [Minn. Stat. §16B.98 Subdivision 8](#), the grantee's books, records, documents, and accounting procedures and practices of the grantee or other party that are relevant to the grant or transaction are subject to examination by the granting agency and either the legislative auditor or the state auditor, as appropriate. This requirement will last for a minimum of six years from the grant contract agreement end date, receipt, and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

Affirmative Action and Non-Discrimination requirements for all Grantees

- A. The grantee agrees not to discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status in regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age in regard to any position for which the employee or applicant for employment is qualified. [Minn. Stat. §363A.02](#). The grantee agrees to take affirmative steps to employ, advance in employment, upgrade, train, and recruit minority persons, women, and persons with disabilities.
- B. The grantee must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [Minnesota Rules, part 5000.3500](#)
- C. The grantee agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.



MINNESOTA DEPARTMENT OF COMMERCE
FRAUD BUREAU

REQUEST FOR PROPOSALS

Auto Theft Prevention Grant (General) **FY23-FY25**

Timeline:

RFP Posted: January 23, 2023

Revised RFP Posted*: January 26, 2023

Application Due: February 24, 2023

Grant Term Begins: July 1, 2023

A detailed timeline is in Section VII. Review Process and Timeline

***This revision clarifies this is for a two-year program. Revisions are in red bold type herein.**

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MINNESOTA DEPARTMENT OF COMMERCE FRAUD BUREAU

GRANT REQUEST FOR PROPOSALS

Auto Theft Prevention Program (General)

I. Grant Overview

The Minnesota Automobile Theft Prevention Program is intended to reduce Automobile Theft and automobile-related thefts. The funding is used for programs that aid in the reduction of automobile thefts, increase education and awareness of the public to the issue, respond to automobile theft incidents, and prosecute offenders. The Program is administered by the Minnesota Department of Commerce Fraud Bureau.

Funding Availability

Funding is available through the automobile theft prevention surcharge Minn. Stat. §297I.11. The total amount of awards will be based upon funds available and quality of grant applications as recommended by the Automobile Theft Prevention Board. The Commissioner of Commerce in consultation with the Commissioner of Public Safety will determine the final awards. The minimum grant amount is \$5,000.00.

Funding will be allocated through a competitive process with review by a committee representing content and community specialists with regional knowledge. We expect to announce selected grantees in April 2023. If selected, you may only incur eligible expenditures when the grant contract agreement is fully executed, and the grant has reached its effective date. **These grant contracts will be for two years.**

Program Priorities

The commissioner may give priority to:

- (1) offices and agencies engaged in a collaborative effort to reduce automobile theft; and
- (2) counties or regions with the greatest rates of automobile theft.

In accordance with [Minn. Stat. §65B.84 Subd. 3\(c\)](#).

II. Eligibility

Applicants must be a Minnesota county attorney's office, law enforcement agency, neighborhood organization, community organization, or business organization. Multiple offices or agencies within a county may apply for a grant under this section.

The applicant's proposal must address at least one of the following categories:

- a. providing financial support to the State Patrol and local law enforcement agencies for automobile theft enforcement teams;
- b. providing financial support to state or local law enforcement agencies for programs designed to reduce the incidence of automobile theft and for improved equipment and techniques for responding to automobile thefts;
- c. providing financial support to local prosecutors for programs designed to reduce the incidence of automobile theft;

- d. providing financial support to judicial agencies for programs designed to reduce the incidence of automobile theft;
- e. providing financial support for neighborhood or community organizations or business organizations for programs designed to reduce the incidence of automobile theft and to educate people about the common methods of automobile theft, the models of automobiles most likely to be stolen, and the times and places automobile theft is most likely to occur; and
- f. providing financial support for automobile theft educational and training programs for state and local law enforcement officials, driver and vehicle services exam and inspections staff, and members of the judiciary.

NOTE: Grant funds may not be used to address thefts of other types of vehicles such as boats, snowmobiles, construction equipment or all-terrain vehicles.

Competitive Priorities

The Automobile Theft Prevention Grant Board seeks applications for proposals that include proven or best practices that will lead to a reduction of automobile thefts. The Board also encourages applications for innovative approaches, involving techniques, equipment, and programing that have a measurable result towards the reduction in automobile thefts.

Collaboration

The Automobile Theft Prevention Grant Board encourages applications that involve collaboration of multiple entities within a service area to work together towards a reduction in automobile theft. The lead agency applying for a grant must include letters of commitment from any other entities included in the grant proposal. Collaborative proposals without letters of commitment will not be considered.

III. Application Content

Application Content

Applicants must submit the following completed forms for the application to be considered complete:

- **Automobile Theft Prevention Grant Project Information Sheet (Form 1).** This form details the service area and contact information for the applicant agency should the program receive funding.
- **Automobile Theft Prevention Grant Project Overview (Form 1a).** This form provides a description of the proposed project and anticipated results.
- **Automobile Theft Prevention Grant Project Needs Assessment/Planning Process/Demonstrated Results (Form 1b).** This form provides statistical information related to the service area. It also provides information regarding the nature of auto theft in the service area, how it affects the community, the planning process and considerations regarding the problem and the need for funds. The text boxes will expand as you type, do not exceed 2 pages.
- **Work Plan (Form 2).** Copy and use separate pages for each objective. This form details the objectives the agency intends to achieve along with the specific activities it will take to achieve them, as well as the way it measures success. If awarded grant funds, the agency may be required to collect and report additional information. Although a reduction in overall auto theft is the ultimate goals, other measures, such as

increased or faster recover rates of stolen vehicle, increases in the number of prosecutions, reductions in recidivism, and better clearance rates should also be considered as related to the particular program objective.

- **Budget (Form 3).** This portion describes the planned expenses, although bids or quotes are not required at the time of application, however, if selected for funding to be attached, an explanation of how budget amounts were determined should be included. Budget items must support the work plan. In some cases, only a portion of grant proposal may be funded, (for example an agency may request 4 ALPR, and only receive funding for 3, or a full-time position request maybe offered at part-time) to the extent possible your proposal should show how items are related, if not obvious you may include an explanation (for example cell service is necessary to support bait car equipment.)
- **Letter of Commitment:** Are required for multi-agency grants and cases where an application requires cooperation for other entities.
- **Original Resolution:** There must be an original resolution from the governing body of the applicant agency authorizing that entity and signatory to enter into a contract with the state. A fully executed resolution must be submitted before the grant contract is fully executed. A sample resolution is available upon request.

IV. Required Forms, Exhibits and Attachments

Required Forms

- Form 1 -- Project Information Sheet
- Form 1a -- Project Overview
- Form 1b -- Project Needs Assessment/Planning Process/Demonstrated Results
- Form 2 --Work Plan
- Form 3 -- Detailed Budget

Exhibits

- **Exhibit A: Sample State of Minnesota Grant Contract** (Actual contract may differ slightly and have some conditions related to property purchased with grant funds.
- **Exhibit B: Conflict of Interest**
- **Exhibit C: Workforce and Equal Pay Declaration Page** (Required if applicant receives more than \$100,000.00 from the State of Minnesota.)

Attachment

- **Attachment 1: Sample* Reporting Instructions**
- **Attachment 2: Sample* Reporting Tool** (The spreadsheet tool has multiple tabs for data collection.)

*Actual information required may vary depending on the nature of the grant and service area.

V. Application Submission:

All applications must be received no later than 4:30 p.m. Central Time, on February 24, 2023. Applications submitted after this deadline will not be reviewed.

Applications must be submitted by email to:

Auto Theft Grants
Commerce Fraud Bureau

VI. Grant Selection Criteria and Weight

The review committee will be reviewing each applicant on a 100 point scale:

Evaluation Criteria	Total Weight
Project Overview - Project identifies one or more of the goals listed in Section II. Eligibility above - Project Overview clearly relates to the needs statement - The project demonstrates promise in reducing incidents of automobile theft through prevention, deterrence, evidence, vehicle recoveries, increasing solvability, prosecution.	25%
Needs Assessment/Planning Process/Demonstrated Results - Statistics demonstrate the clear auto theft problem in the service area. - The organization presents a good understanding of the nature of the auto theft problem in the proposed service area, including the nature of offenders and communities affected. - The proposed approach includes proven or innovative strategies to address the nature of the auto theft problem customized to the targeted service area and demonstrates the financial need for this grant. - The application is complete and thoroughly considers challenges implementing a new program, equipment, or technology. - Previous experience with the applicant's work with this program may also be considered.	45%
Work Plan - Objectives are specific, <i>measurable</i> and reasonable to achieving applicant's goals. - Description of strategies are clear and understandable providing specific activities that will be undertaken to reach the objectives.	20%
Budget - Costs are reasonable for the project's stated goals. - The description of planned expenses makes sense and a clear explanation of how budget amounts were determined and/or calculated is provided.	10%

Due to funding availability or proposal merits, the review committee may recommend only portion(s) of an applicant's proposal be funded.

VII. Review Process and Timeline

The review committee will evaluate all eligible and complete applications received by the deadline. Department of Commerce will review all committee recommendations and is responsible for award decisions. The award decisions of Department of Commerce are final and not subject to appeal.

RFP posted on the Department of Commerce web site	January 23, 2023
Questions due no later than 4:30 pm Central Time	February 13, 2023
Applications due no later than 4:30 pm Central time	February 24, 2023

Committee begins review of applications	February 27, 2023
Selected applicants notified; grant agreement negotiations begin	April 3, 2023
Work plans approved, grant contracts fully executed, and work begins	July 1, 2023

VIII. Notification

Applicants selected for a grant award are anticipated to be notified by April 3, 2023, as indicated in the table above. The scope of work and budget for selected applicants will then need be negotiated.

The term of this grant contract is anticipated to run from July 1, 2023 to June 30, 2025. The State is not bound to this schedule. The anticipated date for contract work to begin is only an approximation as many factors can delay (or accelerate) the start of a contract.

Work on the individual contract cannot begin prior to the execution date of the agreement.

IX. Questions

Questions are to be submitted by email to autotheftgrant@state.mn.us.

All answers will be posted within two business days at [Minnesota Auto Theft Prevention Program / Minnesota.gov \(mn.gov\)](https://www.mn.gov/Minnesota-Auto-Theft-Prevention-Program/). Please submit questions no later than 4:30 p.m. Central Time, on February 15, 2023.

X. General Requirements

Financial Review Process

All Non-Governmental Organizations (NGO's) applying for grants in the state of Minnesota must undergo a financial review prior to a grant award made of \$25,000 and higher, in order to comply with [Policy on the Financial Review of Nongovernmental Organizations](#).

Conflicts of Interest

We will take steps to prevent individual and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat. §16B.98](#) and [Conflict of Interest Policy for State Grant-Making](#).

Organizational conflicts of interest occur when:

- a grantee or applicant is unable or potentially unable to render impartial assistance or advice to the Department due to competing duties or loyalties.
- a grantee's or applicant's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties.

In cases where a conflict of interest is suspected, disclosed, or discovered, the applicants or grantees will be notified and actions may be pursued, including but not limited to disqualification from eligibility for the grant award or termination of the grant agreement.

Exhibit B: Conflicts of Interest Declaration, **must be submitted** as part of the proposal.

Public Data

- Data related to an RFP is classified as nonpublic or public per [Minn. Stat. § 13.599](#).
- Names and addresses of grant applicants will be public data once proposal responses are opened.
- All remaining data in proposal responses (except trade secret data as defined and classified in [Minn. Stat. §13.37](#)) will be public data after the evaluation process is completed (for the purposes of this grant, when all grant agreements have been fully executed).

- All data created or maintained by the Minnesota Department of Commerce as part of the evaluation process (except trade secret data as defined and classified in [Minn. Stat. §13.37](#)) will be public data after the evaluation process is completed (for the purposes of this grant, when all grant agreements have been fully executed).

Sample Grant Contract

You should be aware of the State's standard contract terms and conditions in preparing your response to this RFP. A sample State of Minnesota Grant Agreement is available for download on the [Department's Request for Proposals Webpage](#) (<https://mn.gov/commerce/business/rfp.jsp>).

Much of the language reflected in the contract is required by statute. If you take exception to any of the terms, conditions or language in the contract, you must indicate those exceptions by completing Exhibit D: Exceptions to Sample Grant Contract Terms and Conditions Form in your response to the RFP; certain exceptions may result in your proposal being disqualified from further review and evaluation. Only those exceptions indicated in your response to the RFP will be available for discussion or negotiation if your project is funded.

Grant Payments

Per [Policy 08-08](#), grant payments will be made by reimbursement. All grantee requests for reimbursement must correspond to the approved grant budget. The State shall review each request for reimbursement against the approved grant budget, grant expenditures to-date and the latest grant progress report before approving payment. Grant payments shall not be made on grants with past due progress reports unless the Department has given the grantee a written extension.

Grantee Bidding Requirements

As referenced in Clause 4 in the sample State Grant Contract Agreement, any subcontracted grant-funded services and/or materials that are expected to cost:

- \$100,000 or more must undergo a formal notice and bidding process.
- Between \$25,000 and \$99,999 must be competitively awarded based on a minimum of three (3) verbal quotes or bids.
- Between \$10,000 and \$24,999 must be competitively awarded based on a minimum of two (2) verbal quotes or bids or awarded to a targeted vendor.

The grantee must take all necessary affirmative steps to assure that targeted vendors from businesses with active certifications through these entities are used when possible:

- [State Department of Administration's Certified Targeted Group, Economically Disadvantaged and Veteran-Owned Vendor List](#)
- Metropolitan Council's Targeted Vendor list: [Minnesota Unified Certification Program](#)
- Small Business Certification Program through Hennepin County, Ramsey County, and City of St. Paul: [Central Certification Program](#)

The grantee must maintain:

- Written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.
- Support documentation of the purchasing and/or bidding process utilized to contract services in their financial records, including support documentation justifying a single/sole source bid, if applicable.

The grantee must not contract with vendors who are suspended or debarred in MN:

<http://www.mmd.admin.state.mn.us/debarredreport.asp>

Audits

Per [Minn. Stat. §16B.98 Subdivision 8](#), the grantee's books, records, documents, and accounting procedures and practices of the grantee or other party that are relevant to the grant or transaction are subject to examination by the granting agency and either the legislative auditor or the state auditor, as appropriate. This requirement will last for a minimum of six years from the grant contract agreement end date, receipt, and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

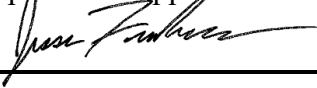
Affirmative Action and Non-Discrimination requirements for all Grantees:

- A. The grantee agrees not to discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status in regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age in regard to any position for which the employee or applicant for employment is qualified. [Minn. Stat. §363A.02](#). The grantee agrees to take affirmative steps to employ, advance in employment, upgrade, train, and recruit minority persons, women, and persons with disabilities.
- B. The grantee must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [Minnesota Rules, part 5000.3500](#)
- C. The grantee agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

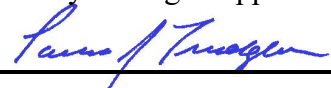
ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.f

Department Approval



City Manager Approval



Item Description: Adopt a Resolution Approving MnDOT Cooperative Construction Agreement
No. 1051804 – TH 36 & Fairview Avenue Ramps Improvement

BACKGROUND

As part of the Minnesota Department of Transportation's (MnDOT) list of projects for next summer, they will rebuild and realign the ramps at WB Hwy 36 and Fairview Avenue near the Rosedale Mall in 2023. Reconstruction of the ramps will reduce traffic backups for motorists waiting to exit EB Hwy 36 to Fairview Avenue. Additionally, the signals at both ramps to the west entrance to Rosedale Center will be replaced. This project also will help prevent potentially dangerous traffic backups on EB Hwy 36 due to traffic exiting Hwy 36 onto Fairview Avenue during peak shopping times at the Rosedale Mall.

The attached Cooperative Construction Agreement is an agreement between the City of Roseville, Ramsey County and MnDOT detailing the maintenance responsibilities and cost participation between the agencies for the final improvements.

According to the agreement, the City of Roseville is responsible for 20% of the cost of the improvements for the north ramps and 50% of the costs for the Rosedale entrance. The cost split is determined by the amount of signal legs at the intersection. The City is also responsible for the ongoing electrical costs and lighting of the signal system at the Rosedale signal. Roseville currently pays for these electric expenses on the existing signal system. The overall energy costs should be lower as all of the new signal indications, as well as all the new lighting, will use LED technology.

The project is scheduled for construction from June to August of 2023.

POLICY OBJECTIVE

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

BUDGET IMPLICATIONS

The overall cost of the project is \$4,000,000. MnDOT is paying for the majority of the improvements. Ramsey County is paying for their portion on the signal improvements, which is \$814,124.65. The total estimated cost to the City, including an 8% add-on for construction engineering costs, is estimated at \$305,014.14. City staff recommends using Municipal State Aid funds to cover this cost, which we are allowed to spend on trunk highway projects.

RACIAL EQUITY IMPACT SUMMARY

There should be no equity impacts associated with this project since it is an upgrade to infrastructure and should benefit everyone equally.

31 **STAFF RECOMMENDATION**
32 Staff recommends the Council adopt the attached resolution approving MnDOT Cooperative
33 Construction Agreement No. 1051804.

34 **REQUESTED COUNCIL ACTION**
35 Motion to adopt the attached resolution approving MnDOT Cooperative Construction Agreement
36 No. 1051804.

Prepared by: Jesse Freihammer, Public Works Director
Attachments: A: Resolution
B: Agreement
C: Location Map

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 13th day of February, 2023, at 6:00 p.m.

The following members were present: ; and the following were absent: .

Councilmember introduced the following resolution and moved its adoption:

RESOLUTION No.

RESOLUTION APPROVING MnDOT AGREEMENT NO. 1051804

WHEREAS, the Minnesota Department of Transportation is reconstructing the traffic control signal and associated work upon, along, and adjacent to TH 36 ramps at Fairview Avenue within Roseville Corporate City limits under State Project No. 6212-181; and

WHEREAS, elements of this project impact City of Roseville infrastructure and construct new components of City infrastructure; and

WHEREAS, the project will be funded with City of Roseville, Ramsey County and State funds; and

WHEREAS, it is necessary to enter into an agreement to provide for payment by the City to the State of the City's share of the project costs and long-term maintenance responsibilities of all parties on State Project No. 6212-181.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Roseville enter into MnDOT Agreement No. 1051804 with the State of Minnesota, Department of Transportation.

To provide for payment by the City to the State of the City's share of the costs of the signal system construction and other associated construction to be performed upon, along, and adjacent to TH 36 ramps at Fairview Avenue within the corporate City limits under State Project No. 6212-181.

AND BE IT FURTHER RESOLVED, that the Mayor and the City Manager are authorized to execute the Agreement and any amendments to the Agreement.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember and upon vote being taken thereon, the following voted in favor thereof: ; and the following voted against the same: .

30 WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 13th day of February, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 13th day of February, 2023.

Patrick Trudgeon, City Manager

(SEAL)

MnDOT Contract No.: 1051804City Contract No.: 2023-B

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
AND
CITY OF ROSEVILLE
AND
RAMSEY COUNTY
COOPERATIVE CONSTRUCTION
AGREEMENT**

State Project Number (SP):	<u>6212-181</u>	City Estimated Amount Receivable
Trunk Highway Number (TH):	<u>36=118</u>	<u>\$305,014.14</u>
State Aid Project Number (SAP):	<u>062-648-023</u>	
State Aid Project Number (SAP):	<u>160-020-047</u>	
City Project Number (CP):	<u>23-40</u>	County Estimated Amount Receivable
Federal Project Number (FP):	<u>NHPP 0036(318)</u>	<u>\$814,124.65</u>
Signal System "A" ID:	<u>4341684</u>	
Signal System "B" ID:	<u>4341683</u>	
Signal System "C" ID:	<u>4029787</u>	

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation (State), the City of Roseville, acting through its City Council (City), and Ramsey County, acting through its Board of Commissioners (County).

Recitals

1. The State will perform grading, bituminous surfacing, cast in place retaining wall, ADA improvements, signals, lighting, TMS, Bridge No. 62029, and Bridge No. 62030 construction and other associated construction upon, along, and adjacent to Trunk Highway No. 36 from Trunk Highway No. 35W to Snelling Avenue and County State Aid Highway (CSAH) No. 48 (Fairview Avenue) at Trunk Highway No. 36 according to State-prepared plans, specifications, and special provisions designated by the State as State Project No. 6212-181 (TH 36=118) (Project); and
2. The City wishes to participate in the costs of the signal system construction, State Furnished Materials, and associated construction engineering; and
3. The County wishes to participate in the costs of the storm sewer, sidewalk, signal system construction, State Furnished Materials, and associated construction engineering; and
4. State Furnished Materials cost for this Project are based on State Project No. 6212-181(EP) early procurement contract unit prices and current State rates. The State will collect the City and the County cost share for the State Furnished Materials through this Agreement; and
5. The City and the County will own and be responsible for Signal System "C" with no responsibility or cost to the State; and
6. Minnesota Statutes § 161.45, subdivision 2, allows for City-owned utility relocation to be included in a State construction contract, and payment by the City for such relocation according to applicable statutes and rules for utilities on trunk highways; and

7. Minnesota Statutes § 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining, and improving the trunk highway system.

Agreement

1. Term of Agreement; Survival of Terms; Plans; Incorporation of Exhibits

- 1.1. *Effective Date.*** This Agreement will be effective on the date the State obtains all signatures required by Minnesota Statutes § 16C.05, subdivision 2.
- 1.2. *Expiration Date.*** This Agreement will expire when all obligations have been satisfactorily fulfilled.
- 1.3. *Survival of Terms.*** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this Agreement, including, without limitation, the following clauses: 3. Maintenance by the City; 4. Maintenance by the County; 12. Liability; Worker Compensation Claims; 14. State Audits; 15. Government Data Practices; 17. Governing Law; Jurisdiction; Venue; and 19. Force Majeure. The terms and conditions set forth in Article 5. Signal Systems and EVP Systems Operation and Maintenance will survive the expiration of this Agreement but may be terminated by another Agreement between the parties.
- 1.4. *Plans, Specifications, and Special Provisions.*** Plans, specifications, and special provisions designated by the State as State Project No. 6212-181 (TH 36=118) are on file in the office of the Commissioner of Transportation at Saint Paul, Minnesota, and incorporated into this Agreement by reference (Project Plans).
- 1.5. *Exhibits.*** The Preliminary Schedule "I" is on file in the office of the City Assistant Public Works Director, in the office of the County Deputy Director, and attached and incorporated into this Agreement. Exhibit "A" - Future Release of Right-of-Way is attached and incorporated into this Agreement.

2. Construction by the State

- 2.1. *Contract Award.*** The State will advertise for bids and award a construction contract to the lowest responsible bidder according to the Project Plans.
- 2.2. *Direction, Supervision, and Inspection of Construction***
- A. *Supervision and Inspection by the State.*** The State will direct and supervise all construction activities performed under the construction contract and perform all construction engineering and inspection functions in connection with the contract construction. All contract construction will be performed according to the Project Plans.
- B. *Inspection by the City and the County.*** The City and the County participation construction covered under this Agreement will be open to inspection by the City and the County. If the City or the County believes the City or the County participation construction covered under this Agreement has not been properly performed or that the construction is defective, the City or the County will inform the State District Engineer's authorized representative in writing of those defects. Any recommendations made by the City or the County are not binding on the State. The State will have the exclusive right to determine whether the State's contractor has satisfactorily performed the City and the County participation construction covered under this Agreement.
- 2.3. *Plan Changes, Additional Construction, Etc.***
- A.** The State will make changes in the Project Plans and contract construction, which may include the City and the County participation construction covered under this Agreement and will enter into any

necessary addenda and change orders with the State's contractor that are necessary to cause the contract construction to be performed and completed in a satisfactory manner. The State District Engineer's authorized representative will inform the appropriate City and County officials of any proposed addenda and change orders to the construction contract that will affect the City and the County participation construction covered under this Agreement.

- B. The City or the County may request additional work or changes to the work in the plans as part of the construction contract. Such request will be made by an exchange of letter(s) with the State. If the State determines that the requested additional work or plan changes are necessary or desirable and can be accommodated without undue disruption to the Project, the State will cause the additional work or plan changes to be made.

2.4. Satisfactory Completion of Contract. The State will perform all other acts and functions necessary to cause the construction contract to be completed in a satisfactory manner.

2.5. Utility Permits. The City and the County will submit to the State's Utility Engineer an original permit application for all utilities owned by the City and the County, respectively, to be constructed hereunder that are upon and within the Trunk Highway Right-of-Way. Applications for permits will be made on State form "Application for Utility Permit on Trunk Highway Right-of-Way" (Form 2525).

2.6. Replacement of Castings. Adjustments to certain City and County-owned facilities, including but not limited to, valve boxes and frame and ring castings, may be performed by the State's contractor under the construction contract. The City and the County will furnish the contractor with new units and/or parts for those in place City and County-owned facilities when replacements are required and not covered by a contract pay item, without cost or expense to the State or the contractor, except for replacement of units and/or parts broken or damaged by the contractor.

3. Maintenance by the City

Upon completion of the Project, the City will provide the following without cost or expense to the State:

3.1. Sidewalks. Maintenance of any sidewalk construction, including stamped and colored concrete sidewalk (if any) and pedestrian ramps. Maintenance includes, but is not limited to, snow, ice and debris removal, patching, crack repair, panel replacement, cross-street pedestrian crosswalk markings, vegetation control of boulevards (if any), and any other maintenance activities necessary to perpetuate the sidewalks in a safe, useable, and aesthetically acceptable condition.

The State will maintain crosswalk markings on the trunk highway at ramps which intersect with City or County roads.

3.2. CSAH 48 (Fairview Avenue) Trail. Maintenance of the trail along CSAH 48 (Fairview Avenue) and under Bridge No. 62029 and No. 62030 construction. Maintenance includes, but is not limited to, snow and ice control/removal, sweeping and debris removal, patching, crack repair, pavement replacement, vegetation control, signing, pavement markings, and any other maintenance activities necessary to perpetuate the trail in a safe and usable condition.

3.3. Additional Drainage. No party to this Agreement will drain any additional drainage volume into the storm sewer facilities constructed under the construction contract that was not included in the drainage for which the storm sewer facilities were designed, without first obtaining written permission to do so from the owner of the storm sewer facilities.

4. Maintenance by the County

Upon completion of the Project, the County will provide the following without cost or expense to the State:

- 4.1. **Roadways.** Maintenance of CSAH 48 (Fairview Avenue). Maintenance includes, but is not limited to, snow, ice and debris removal, resurfacing, seal coating, and any other maintenance activities according to accepted County maintenance practices.
- 4.2. **Storm Sewers.** Routine maintenance of any storm sewer facilities construction. Routine maintenance includes, but is not limited to, removal of sediment, debris, vegetation, and ice from grates and catch basins, and any other maintenance activities necessary to preserve the facilities and to prevent conditions such as flooding, erosion, or sedimentation, this also includes informing the District Maintenance Engineer of any needed repairs.
- 4.3. **Retaining Walls.** Maintenance of any retaining wall construction. Maintenance includes graffiti removal and any other maintenance activities necessary to perpetuate the walls in a safe, usable, and aesthetically acceptable condition.
- 4.4. **Additional Drainage.** No party to this Agreement will drain any additional drainage volume into the storm sewer facilities constructed under the construction contract that was not included in the drainage for which the storm sewer facilities were designed, without first obtaining written permission to do so from the owner of the storm sewer facilities.
- 4.5. **Release and Conveyance of Roadways.** Upon completion of the Project construction including CSAH 48 (Fairview Avenue) construction, and through a future turnback agreement between the State and the County, the State will serve upon the County a "Notice of Release" placing roadway and right-of-way portions, and as shown in Exhibit "A" – Future Release of Right-of-Way, under the jurisdiction of the County; and subsequent thereto, after all required documents have been prepared and processed, the State will convey to the County all right, title, and interest of the State in that roadway and right-of-way portions. Upon receipt of that "Notice of Release," the County will become the road authority responsible for the roadway and right-of-way portions so released.

5. Signal Systems and EVP Systems Operation and Maintenance

Operation and maintenance responsibilities will be as follows for Signal System "A" and EVP System on the TH 36 south ramp at CSAH 48 (Fairview Avenue), Signal System "B" and EVP System on the TH 36 north ramp at CSAH 48 (Fairview Avenue) and for the Interconnect on CSAH 48 from the TH 36 south ramp to the TH 36 north ramp.

5.1. City and County Responsibilities.

- A. **County Power Responsibilities for Signal System "A" and "B".** The County will be responsible for the hook-up cost and application to secure an adequate power supply to the service pads or poles and will pay all monthly electrical service expenses necessary to operate the Signal Systems, EVP Systems, and Interconnect.
- B. **County Minor Maintenance for Signal System "A" and "B".** The County will provide for the following, without cost to the State.
 - i. Maintain the signal pole mounted LED luminaires, including replacing the luminaires when necessary. The LED luminaire must be replaced when it fails or when light levels drop below recommended AASHTO levels for the installation.

- ii. Replace the Signal System(s) LED indications. Replacing LED indications consists of replacing each LED indication when it reaches end of life per the MnDOT Traffic Engineering Manual or fails or no longer meets Institute of Traffic Engineers (ITE) standards for light output.
- iii. Clean the Signal Systems controller cabinet and service cabinet exteriors.
- iv. Clean the Signal Systems and luminaire mast arm extensions.
- v. Paint and maintain the cross-street pedestrian crosswalk markings.

5.2. State Responsibilities Signal System "A" and "B".

- A. Interconnect; Timing; Other Maintenance.** The State will maintain the Interconnect and signing, and perform all other Signal System, APS, and signal pole luminaire circuit maintenance without cost to the City or the County. All Signal System timing will be determined by the State, and no changes will be made without the State's approval.
- B. EVP Systems Operation.** The EVP Systems will be installed, operated, maintained, and removed according to the following conditions and requirements:
 - i. All maintenance of the EVP Systems must be done by State forces.
 - ii. Emitter units may be installed only on authorized emergency vehicles, as defined in Minnesota Statutes § 169.011, Subdivision 3. Authorized emergency vehicles may use emitter units only when responding to an emergency. The City and the County will provide the State's District Engineer or their designated representative a list of all vehicles with emitter units, if requested by the State.
 - iii. Malfunction of the EVP Systems must be reported to the State immediately.
 - iv. In the event the EVP Systems or its components are, in the opinion of the State, being misused or the conditions set forth in Paragraph ii. above are violated, and such misuse or violation continues after the City and the County receives written notice from the State, the State may remove the EVP Systems. Upon removal of the EVP Systems pursuant to this Paragraph, all of its parts and components become the property of the State.
 - v. All timing of the EVP Systems will be determined by the State.

5.3. Right-of-Way Access. Each party authorizes the other party to enter upon their respective public right-of-way to perform the maintenance activities described in this Agreement.

5.4. Related Agreements. This Agreement will supersede and terminate the signal system operation and maintenance terms of Agreement No. 62842, dated October 9, 1985, between the parties for the intersection of the TH 36 north and south ramps at CSAH 48 (Fairview Avenue).

6. Basis of City Cost

- 6.1. Schedule "I".** The Preliminary Schedule "I" includes anticipated City participation construction items, State Furnished Materials lump sum amounts, and the construction engineering cost share covered under this Agreement and is based on engineer's estimated unit prices.
- 6.2. City Participation Construction.** The City will participate in the following at the percentages indicated. The construction includes the City's proportionate share of item costs for Mobilization, Field Office, and Traffic Control.
 - A.** 20 Percent will be the City's rate of cost participation in all of the Signal System "B" and associated construction. The construction is included in the City's 100% cost participation under SAP 160-020-047 and is tabulated on Sheet No. 2 of the Preliminary Schedule "I".

- B. 50 Percent will be the City's rate of cost participation in all of the Signal System "C" and associated construction. The construction is included in the City's 100% cost participation and is tabulated on Sheet No. 2 of the Preliminary Schedule "I".

6.3. State Furnished Materials. The State, through early procurement Contract No. 220133, purchased Mast Arms and associated materials. The State will provide ATC Cabinet 350s, Gridsmart Cameras, PTZ Cameras, and Fiber (State Furnished Materials), for Signal System "B" and "C", according to the SP 6212-181(EP) Project Plans and SP 6212-181 Project Plans to operate the traffic control signal systems covered under this Agreement. The City's lump sum share for State Furnished Materials is **\$109,191.57**. The City's cost share for State Furnished Materials will be added to the City's total construction cost share as shown in the Schedule "I".

6.4. Construction Engineering Costs. The City will pay a construction engineering charge equal to 8 percent of the total City participation construction covered under this Agreement.

6.5. Plan Changes, Additional Construction, Etc. The City will share in the costs of construction contract addenda and change orders that are necessary to complete the City participation construction covered under this Agreement, including any City requested additional work and plan changes.

The State reserves the right to invoice the City for the cost of any additional City requested work and plan changes, construction contract addenda, change orders, and associated construction engineering before the completion of the contract construction.

6.6. Liquidated Damages. All liquidated damages assessed the State's contractor in connection with the construction contract will result in a credit shared by each party in the same proportion as their total construction cost share covered under this Agreement is to the total contract construction cost before any deduction for liquidated damages.

7. City Cost and Payment by the City

7.1. City Cost. \$305,014.14 is the City's estimated share of the costs of the contract construction, State Furnished Materials, and the construction engineering cost share as shown in the Preliminary Schedule "I". The Preliminary Schedule "I" was prepared using anticipated construction items and estimated quantities and unit prices and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised Schedule "I" based on construction contract construction items, quantities, and unit prices, which will replace and supersede the Preliminary Schedule "I" as part of this Agreement.

7.2. Conditions of Payment. The City will pay the State the City's total estimated construction and construction engineering cost share, as shown in the Revised Schedule "I", after the following conditions have been met:

- A. Execution of this Agreement and transmittal to the City, including a copy of the Revised Schedule "I".
- B. The City's receipt of a written request from the State for the advancement of funds.

7.3. Acceptance of the City's Cost and Completed Construction. The computation by the State of the amount due from the City will be final, binding, and conclusive. Acceptance by the State of the completed contract construction will be final, binding, and conclusive upon the City as to the satisfactory completion of the contract construction.

7.4. Final Payment by the City. Upon completion of all contract construction and upon computation of the final amount due the State's contractor, the State will prepare a Final Schedule "I" and submit a copy to the City. The Final Schedule "I" will be based on final quantities and include all City participation construction

items and the construction engineering cost share covered under this Agreement. If the final cost of the City participation construction exceeds the amount of funds advanced by the City, the City will pay the difference to the State without interest. If the final cost of the City participation construction is less than the amount of funds advanced by the City, the State will refund the difference to the City without interest.

The State and the City waive claims for any payments or refunds less than \$5.00 according to Minnesota Statutes § 15.415.

8. Basis of County Cost

- 8.1. *Schedule "I".*** The Preliminary Schedule "I" includes anticipated County participation construction items, State Furnished Materials lump sum amounts, and the construction engineering cost share covered under this Agreement and is based on engineer's estimated unit prices.
- 8.2. *County Participation Construction.*** The County will participate in the following at the percentages indicated. The construction includes the County's proportionate share of item costs for Mobilization, Field Office, Field Laboratory and Traffic Control.
- A.** 50% Percent will be the County's rate of cost participation in all of the Signal System "A" and associated construction. The construction is included in the County's 100% cost participation described in Article 8.2.D of this Agreement and is tabulated on Sheet No. 4 of the Preliminary Schedule "I".
 - B.** 40% Percent will be the County's rate of cost participation in all of the Signal System "B" and associated construction. The construction is included in the County's 100% cost participation described in Article 8.2.D of this Agreement and is tabulated on Sheet No. 4 of the Preliminary Schedule "I".
 - C.** 50% Percent will be the County's rate of cost participation in all of the Signal System "C" and associated construction. The construction is included in the County's 100% cost participation described in Article 8.2.D of this Agreement and is tabulated on Sheet No. 4 of the Preliminary Schedule "I".
 - D.** 100 Percent will be the County's rate of cost participation in all of the SAP 062-648-023 construction included, but is not limited to, those construction items tabulated on Sheet No. 4 of the Preliminary Schedule "I".
- 8.3. *State Furnished Materials.*** The State, through early procurement Contract No. 220133, purchased Mast Arms and associated materials. The State will provide ATC Cabinet 350s, an Iteris System, Gridsmart Cameras, PTZ Cameras, and Fiber (State Furnished Materials), for Signal System "A", "B", and "C", according to the SP 6212-181(EP) Project Plans and SP 6212-181 Project Plans to operate the traffic control signal systems covered under this Agreement. The City's lump sum share for State Furnished Materials is **\$255,321.68**. The City's cost share for State Furnished Materials will be added to the City's total construction cost share as shown in the Schedule "I".
- 8.4. *Construction Engineering Costs.*** The County will pay a construction engineering charge equal to 8 percent of the total County participation construction covered under this Agreement.
- 8.5. *Plan Changes, Additional Construction, Etc.*** The County will share in the costs of construction contract addenda and change orders that are necessary to complete the County participation construction covered under this Agreement, including any County requested additional work and plan changes.

The State reserves the right to invoice the County for the cost of any additional County requested work and plan changes, construction contract addenda, change orders, and associated construction engineering before the completion of the contract construction.

- 8.6. Liquidated Damages.** All liquidated damages assessed the State's contractor in connection with the construction contract will result in a credit shared by each party in the same proportion as their total construction cost share covered under this Agreement is to the total contract construction cost before any deduction for liquidated damages.

9. County Cost and Payment by the County

- 9.1. County Cost. \$814,124.65** is the County's estimated share of the costs of the contract construction, State Furnished Materials, and the construction engineering cost share as shown in the Preliminary Schedule "I". The Preliminary Schedule "I" was prepared using anticipated construction items and estimated quantities and unit prices and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised Schedule "I" based on construction contract construction items, quantities, and unit prices, which will replace and supersede the Preliminary Schedule "I" as part of this Agreement.
- 9.2. Conditions of Payment.** The County will pay the State the County's total estimated construction and construction engineering cost share, as shown in the Revised Schedule "I", after the following conditions have been met:
- A.** Execution of this Agreement and transmittal to the County, including a copy of the Revised Schedule "I".
 - B.** The County's receipt of a written request from the State for the advancement of funds.
- 9.3. Acceptance of the County's Cost and Completed Construction.** The computation by the State of the amount due from the County will be final, binding, and conclusive. Acceptance by the State of the completed contract construction will be final, binding, and conclusive upon the County as to the satisfactory completion of the contract construction.
- 9.4. Final Payment by the County.** Upon completion of all contract construction and upon computation of the final amount due the State's contractor, the State will prepare a Final Schedule "I" and submit a copy to the County. The Final Schedule "I" will be based on final quantities and include all County participation construction items and the construction engineering cost share covered under this Agreement. If the final cost of the County participation construction exceeds the amount of funds advanced by the County, the County will pay the difference to the State without interest. If the final cost of the County participation construction is less than the amount of funds advanced by the County, the State will refund the difference to the County without interest.

The State and the County waive claims for any payments or refunds less than \$5.00 according to Minnesota Statutes § 15.415.

10. Authorized Representatives

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required or permitted by this Agreement.

10.1. The State's Authorized Representative will be:

Name, Title: Malaki Ruranika, Cooperative Agreements Engineer (or successor)
Address: 395 John Ireland Boulevard, Mailstop 682, Saint Paul, MN 55155
Telephone: (651) 366-4634
Email: malaki.ruranika@state.mn.us

10.2. The City's Authorized Representative will be:

Name, Title: Jesse Freihammer, Assistant Public Works Director (or successor)
Address: 2660 Civic Center Drive, Roseville, MN 55113
Telephone: (651) 792-7042
Email: jesse.freihammer@cityofroseville.com

10.3. The County's Authorized Representative will be:

Name, Title: John Mazzitello, Deputy Director (or successor)
Address: 1425 Paul Kirkwood Drive, Arden Hills, MN 55112
Telephone: (651) 266-7105
Email: john.mazzitello@co.ramsey.mn.us

11. Assignment; Amendments; Waiver; Contract Complete

11.1. Assignment. No party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office. The foregoing does not prohibit the City or the County from contracting with a third-party to perform City or County maintenance responsibilities covered under this Agreement.

11.2. Amendments. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.

11.3. Waiver. If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.

11.4. Contract Complete. This Agreement contains all prior negotiations and agreements between the State, the City, and the County. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

12. Liability; Worker Compensation Claims

12.1. Each party is responsible for its own acts, omissions, and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others and the results thereof. Minnesota Statutes § 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of the City and the County.

12.2. Each party is responsible for its own employees for any claims arising under the Workers Compensation Act.

13. Nondiscrimination

Provisions of Minnesota Statutes § 181.59 and of any applicable law relating to civil rights and discrimination are considered part of this Agreement.

14. State Audits

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

15. Government Data Practices

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

16. Telecommunications Certification

By signing this Agreement, the City and the County certify that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (August 13, 2018), and 2 CFR 200.216, the City and the County 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. The City and the County will include this certification as a flow down clause in any contract related to this Agreement.

17. Governing Law; Jurisdiction; Venue

Minnesota law governs the validity, interpretation, and enforcement of this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

18. Termination; Suspension

18.1. *By Mutual Agreement.* This Agreement may be terminated by mutual agreement of the parties.

18.2. *Termination for Insufficient Funding.* The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the performance of contract construction under the Project. Termination must be by written or fax notice to the City and the County.

18.3. *Suspension.* In the event of a total or partial government shutdown, the State may suspend this Agreement and all work, activities, and performance of work authorized through this Agreement.

19. Force Majeure

No party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance) if such failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

(The remainder of this page has been intentionally left blank.)

CITY OF ROSEVILLE

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

INCLUDE COPY OF RESOLUTION APPROVING THE AGREEMENT AND AUTHORIZING ITS EXECUTION.

RAMSEY COUNTY

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions, or ordinances.

By: _____

Title: Ramsey County Manager

Date: _____

By: _____

Title: Ramsey County Engineer

Date: _____

Approved to as form:

By: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

By: _____

(District Engineer)

Date: _____

Approved:

By: _____

(State Design Engineer)

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____

(With Delegated Authority)

Date: _____

INCLUDE COPY OF THE COUNTY TIP APPROVING THE AGREEMENT AND AUTHORIZING ITS EXECUTION.

PRELIMINARY SCHEDULE "I"
Agreement No. 1051804
City of Roseville and Ramsey County

SP 6212-181 (36=118)

Preliminary: February 7, 2023

SAP 062-648-023

SAP 160-020-047

CP 23-40

FP NHPP 0036(318)

Grading, bituminous surfacing, cast in place retaining wall, ADA improvements, signals, lighting, TMS, Bridge No. 62029, and No. 62030 construction to start approximately June 2022 under

State Contract No. _____ with _____

located on Trunk Highway No. 36 from Trunk Highway No. 35W to Snelling Avenue

located on County State Aid Highway No. 48 (Fairview Avenue) at Trunk Highway No. 36

CITY COST PARTICIPATION

SAP 160-020-047 Work Items From Sheet No. 2	45,556.00
City Funded Work Items From Sheet No. 2	127,672.93
(1) State Furnished Materials (Signal System "B" and "C")	109,191.57
Subtotal (Construction Costs + State Furnished Materials)	\$282,420.50
Construction Engineering 8%	\$22,593.64
(2) Total City Cost	\$305,014.14

COUNTY COST PARTICIPATION

SAP 062-648-023 Work Items From Sheet No. 2	498,497.44
(1) State Furnished Materials (Signal System "A", "B", and "C")	\$255,321.68
Subtotal (Construction Costs + State Furnished Materials)	\$753,819.12
Construction Engineering 8%	\$60,305.53
(3) Total County Cost	\$814,124.65

(1) State Furnished Materials costs are based on SP 6212-181(EP) Early Procurement Contract No. 220133 and current State rates

(2) Amount of advance payment by the City as described in Article 7 of the Agreement (estimated amount)

(3) Amount of advance payment by the County as described in Article 9 of the Agreement (estimated amount)

(1) 100% CITY (STATE AID FUNDS)

1051804

ITEM NUMBER	SAP 160-020-047 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (1)
2021.501	MOBILIZATION	LUMP SUM	0.01	225,000.00	2,250.00
2031.502	FIELD OFFICE	EACH	0.01	40,000.00	400.00
2563.601	TRAFFIC CONTROL	LUMP SUM	0.01	93,000.00	930.00
2565.501	EMERGENCY VEHICLE PREEMPTION SYSTEM B	LUMP SUM	0.20	11,020.00	2,204.00
2565.516	TRAFFIC CONTROL SIGNAL SYSTEM B	SYSTEM	0.20	198,860.00	39,772.00
				TOTAL	\$45,556.00
	(1) 100% CITY COST	\$45,556.00			

(2) 100% CITY (CITY FUNDS)

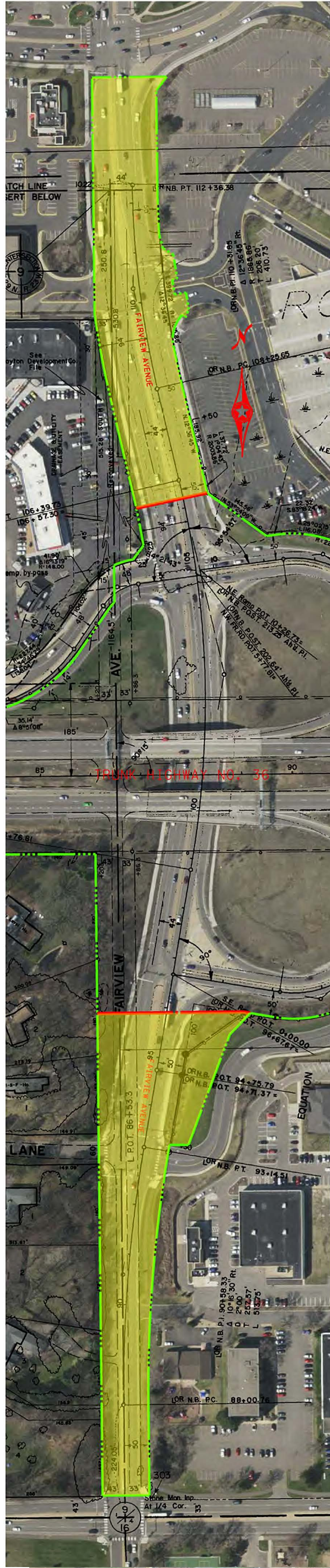
ITEM NUMBER	CITY FUNDS WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (2)
2021.501	MOBILIZATION	LUMP SUM	0.03	225,000.00	6,750.00
2031.502	FIELD OFFICE	EACH	0.03	40,000.00	1,200.00
2104.601	HAUL SALVAGED MATERIAL	LUMP SUM	0.50	2,294.69	1,147.35
2506.502	ADJUST FRAME AND RING CASTING	EACH	1.00	2,330.08	2,330.08
2563.601	TRAFFIC CONTROL	LUMP SUM	0.03	93,000.00	2,790.00
2565.501	EMERGENCY VEHICLE PREEMPTION SYSTEM C	LUMP SUM	0.50	9,692.00	4,846.00
2565.516	TRAFFIC CONTROL SIGNAL SYSTEM C	SYSTEM	0.50	217,219.00	108,609.50
				TOTAL	\$127,672.93
	(2) 100% CITY COST	\$127,672.93			

ITEM NUMBER	SAP 062-648-023 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (3)
2021.501	MOBILIZATION	LUMP SUM	0.11	225,000.00	24,750.00
2031.502	FIELD OFFICE	EACH	0.11	40,000.00	4,400.00
2101.502	CLEARING	EACH	1.00	227.02	227.02
2101.502	GRUBBING	EACH	1.00	188.07	188.07
2104.502	REMOVE CASTING	EACH	2.00	185.21	370.42
2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	558.00	1.53	853.74
2104.503	REMOVE SEWER PIPE (STORM)	LIN FT	32.00	18.13	580.16
2104.503	REMOVE CURB AND GUTTER	LIN FT	389.00	4.67	1,816.63
2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	684.00	5.20	3,556.80
2104.518	REMOVE CONCRETE WALK	SQ FT	2,122.00	1.32	2,801.04
2104.601	HAUL SALVAGED MATERIAL	LUMP SUM	0.50	2,294.69	1,147.35
2211.507	AGGREGATE BASE (CV) CLASS 5	CU YD	130.00	34.23	4,449.90
2232.618	MILL AND PATCH BITUMINOUS PAVEMENT	SQ FT	2,436.00	7.75	18,879.00
2331.603	JOINT ADHESIVE	LIN FT	217.00	0.42	91.14
2360.509	TYPE SP 12.5 NON WEARING COURSE MIXTURE (4,B)	TON	90.00	68.00	6,120.00
2360.509	TYPE SP 12.5 WEARING COURSE MIXTURE (4,C)	TON	120.00	96.24	11,548.80
2503.503	12" RC PIPE SEWER DESIGN 3006	LIN FT	48.00	71.61	3,437.28
2503.503	15" RC PIPE SEWER DESIGN 3006	LIN FT	26.00	69.58	1,809.08
2503.602	CONNECT TO EXISTING STORM SEWER	EACH	7.00	1,110.80	7,775.60
2503.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EACH	1.00	1,344.06	1,344.06
2503.603	LINING SEWER PIPE 12"	LIN FT	134.00	117.63	15,762.42
2503.603	LINING SEWER PIPE 24"	LIN FT	17.00	105.80	1,798.60
2506.502	CASTING ASSEMBLY	EACH	13.00	855.33	11,119.29
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN SD-48	LIN FT	14.00	587.00	8,218.00
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN SD-60	LIN FT	4.00	1,018.99	4,075.96
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	LIN FT	18.00	584.15	10,514.70
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 60-4020	LIN FT	7.00	724.52	5,071.64
2521.518	6" CONCRETE WALK	SQ FT	1,504.00	10.32	15,521.28
2521.602	DRILL AND GROUT REINFORCEMENT BAR (EPOXY COATED)	EACH	180.00	13.02	2,343.60
2521.618	CONCRETE CURB RAMP WALK	SQ FT	712.00	11.75	8,366.00
2531.603	CONCRETE CURB AND GUTTER	LIN FT	600.00	33.06	19,836.00
2531.618	TRUNCATED DOMES	SQ FT	136.00	51.77	7,040.72
2563.601	TRAFFIC CONTROL	LUMP SUM	0.11	93,000.00	10,230.00
2563.601	ALTERNATE PEDESTRIAN ROUTE	LUMP SUM	0.20	13,439.01	2,687.80

ITEM NUMBER	SAP 062-648-023 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (3)
2565.501	EMERGENCY VEHICLE PREEMPTION SYSTEM A	LUMP SUM	0.50	8,504.00	4,252.00
2565.501	EMERGENCY VEHICLE PREEMPTION SYSTEM B	LUMP SUM	0.40	11,020.00	4,408.00
2565.501	EMERGENCY VEHICLE PREEMPTION SYSTEM C	LUMP SUM	0.50	9,692.00	4,846.00
2565.516	TRAFFIC CONTROL SIGNAL SYSTEM A	SYSTEM	0.50	131,642.00	65,821.00
2565.516	TRAFFIC CONTROL SIGNAL SYSTEM B	SYSTEM	0.40	198,860.00	79,544.00
2565.516	TRAFFIC CONTROL SIGNAL SYSTEM C	SYSTEM	0.50	217,219.00	108,609.50
2572.503	TEMPORARY FENCE	LIN FT	89.00	3.05	271.45
2573.501	STABILIZED CONSTRUCTION EXIT	LUMP SUM	0.10	9,000.00	900.00
2573.502	STORM DRAIN INLET PROTECTION	EACH	9.00	184.29	1,658.61
2574.505	SUBSOILING	ACRE	0.10	252.39	25.24
2574.505	SOIL BED PREPARATION	ACRE	0.10	150.48	15.05
2574.508	FERTILIZER TYPE 3	POUND	10.00	0.62	6.20
2575.504	ROLLED EROSION PREVENTION CATEGORY 20	SQ YD	139.00	1.40	194.60
2575.505	SEEDING	ACRE	0.10	186.46	18.65
2575.505	WEED SPRAYING	ACRE	0.10	269.50	26.95
2575.506	WEED SPRAY MIXTURE	GALLON	0.10	91.00	9.10
2575.508	SEED MIXTURE 25-131	POUND	6.00	3.69	22.14
2582.503	6" SOLID LINE MULTI-COMPONENT GROUND IN (WR)	LIN FT	100.00	0.73	73.00
2582.503	6" SOLID LINE PREFORM TAPE GROUND IN (WR)	LIN FT	65.00	10.00	650.00
2582.503	10" SOLID LINE PREFORM TAPE GROUND IN (WR)	LIN FT	163.00	11.00	1,793.00
2582.503	24" SOLID LINE PREFORM TAPE GROUND IN (WR)	LIN FT	40.00	24.65	986.00
2582.518	PAVEMENT MESSAGE PREFORM THERMO IN ENHANCED SKID RESISTANCE	SQ FT	62.00	29.83	1,849.46
2582.518	CROSSWALK PREFORM THERMO GROUND IN ENHANCED SKID RESISTANCE	SQ FT	270.00	14.02	3,785.40
				TOTAL	\$498,497.44
	(3) 100% COUNTY COST	\$498,497.44			

ITEM NUMBER	STATE FURNISHED MATERIALS	UNIT	QUANTITY	UNIT PRICE	COST (4)
2565.601	EARLY PROCUREMENT TRAFFIC CONTROL SIGNAL SYSTEM MATERIAL A	LUMP SUM	1.00	126,625.00	126,625.00
	ATC CABINET 350	LUMP SUM	1.00	39,425.64	39,425.64
	ITERIS SYSTEM	LUMP SUM	1.00	23,166.12	23,166.12
	PTZ CAMERA	LUMP SUM	1.00	4,740.74	4,740.74
	FIBER	LUMP SUM	1.00	919.57	919.57
				TOTAL	\$194,877.07
		50% STATE COST	\$97,438.54		
		50% COUNTY COST	\$97,438.54		
2565.601	EARLY PROCUREMENT TRAFFIC CONTROL SIGNAL SYSTEM MATERIAL B	LUMP SUM	1.00	170,000.00	170,000.00
	ATC CABINET 350	LUMP SUM	1.00	39,425.64	39,425.64
	GRIDSMA RT (INCLUDES ONE CAMERA)	LUMP SUM	1.00	22,633.64	22,633.64
	ADDITIONAL GRIDSMA RT CAMERA	LUMP SUM	1.00	5,738.28	5,738.28
	PTZ CAMERA	LUMP SUM	1.00	4,740.74	4,740.74
	FIBER	LUMP SUM	1.00	919.57	919.57
				TOTAL	\$243,457.87
		40% STATE COST	\$97,383.15		
		20% CITY COST	\$48,691.57		
		40% COUNTY COST	\$97,383.15		
2565.601	EARLY PROCUREMENT TRAFFIC CONTROL SIGNAL SYSTEM MATERIAL C	LUMP SUM	1.00	121,000.00	121,000.00
				TOTAL	\$121,000.00
		50% CITY COST	\$60,500.00		
		50% COUNTY COST	\$60,500.00		
	TOTAL CITY COST FOR STATE FURNISHED MATERIALS	\$109,191.57			
	TOTAL COUNTY COST FOR STATE FURNISHED MATERIALS	\$255,321.68			

EXHIBIT "A" - FUTURE RELEASE
OF RIGHT OF WAY



CITY OF ROSEVILLE

RESOLUTION

IT IS RESOLVED that the City of Roseville enter into MnDOT Agreement No. 1051804 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the City to the State of the City's share of the costs of the signal system construction, State Furnished Materials, and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 36 from Trunk Highway No. 35W to Snelling Avenue and County State Aid Highway (CSAH) No. 48 (Fairview Avenue) at Trunk Highway No. 36 within the corporate City limits under State Project No. 6212-181 (TH 36=118).

IT IS FURTHER RESOLVED that the Mayor and the _____
(Title)
are authorized to execute the Agreement and any amendments to the Agreement.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of Roseville at an authorized meeting held on the _____ day of _____, 2023, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to me this
_____ day of _____, 2023

Notary Public _____

My Commission Expires _____

(Signature)

(Type or Print Name)

(Title)



Board of Commissioners
Resolution
B2021-040

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

Sponsor: Public Works

Meeting Date: 2/16/2021

Title: 2021 - 2025 Transportation Improvement Program

File Number: 2021-037

Background and Rationale:

In order to qualify for state and federal funding and to proceed with construction projects, the Ramsey County Board of Commissioners must approve the Public Works 5-year Transportation Improvement Program (TIP). The TIP is a planning document and funding estimates identified in the TIP are reflected in the County's Capital Improvements Program Budget. Similar programs have been developed each year since 1988.

The Public Works Department, annually, prepares the TIP using a collaborative process whereby the County solicits projects and input from area municipalities. Project inclusion in the TIP is based on a cooperative dialogue with municipal and state partners, along with technical analysis and consideration of funding opportunities. While funding limits will continue to challenge program delivery, communication and engagement with municipal partners ensures local needs and priorities are examined and addressed to the extent possible.

Projects included in the TIP are also looked at through the lens of the Ramsey County All Abilities Transportation Network (AATN) policy, which prioritizes the most vulnerable users (i.e. pedestrians, bicyclists, people with disabilities) first.

The design, construction and right of way costs identified in the TIP are estimates based on best practices in the industry. The funding landscape for transportation projects can be volatile and the ultimate delivery of the TIP is dependent on future funding levels. Partnering on projects with area communities, bordering counties, the Minnesota Department of Transportation and other state agencies will continue to be a critical way for Ramsey County to get the most from our available funds.

Recommendation:

The Ramsey County Board of Commissioners resolved to:

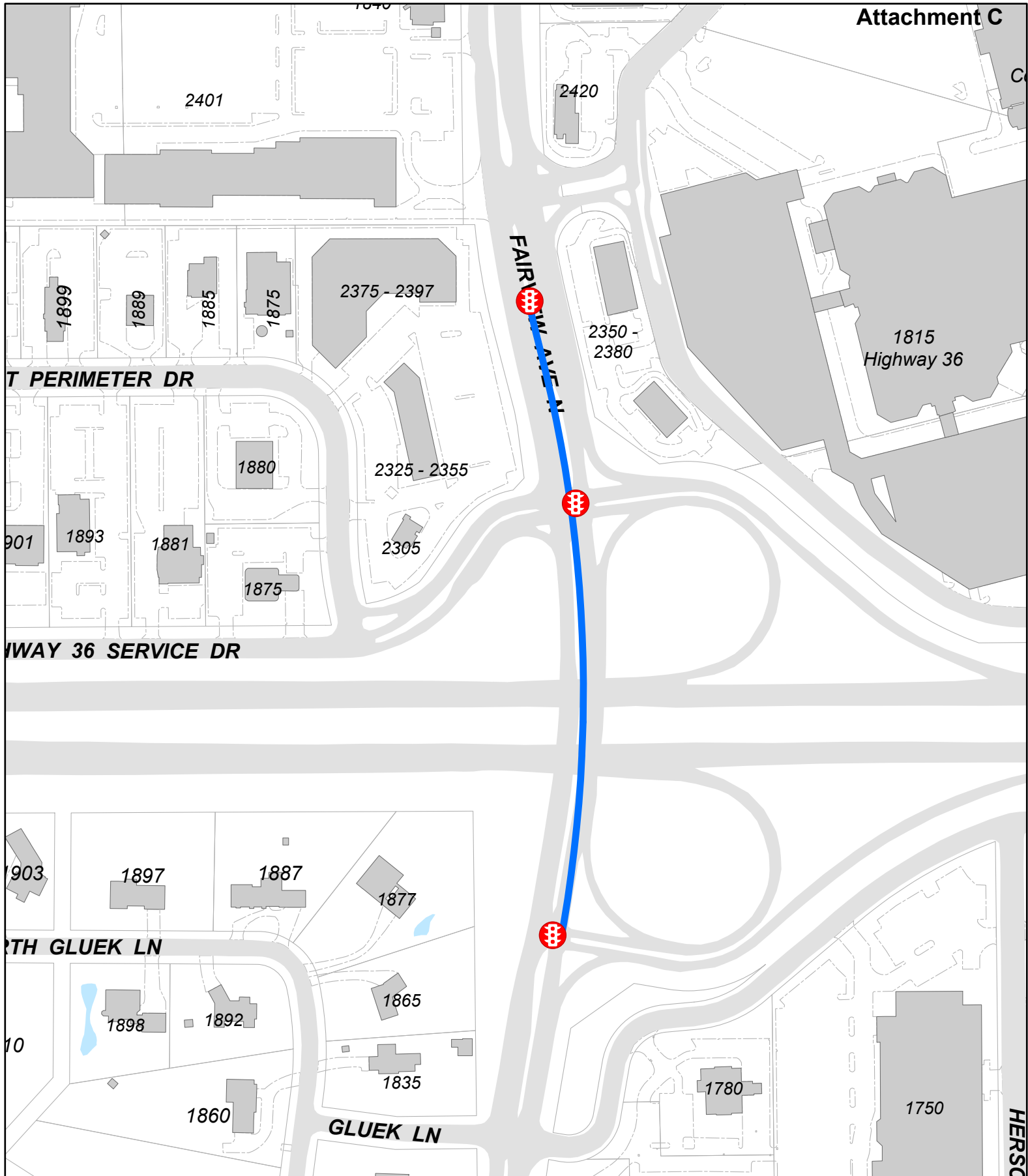
1. Adopt the 2021-2025 Public Works Transportation Improvement Program (TIP).
2. Authorize the County Engineer to prepare plans and agreements for all projects identified in the TIP, and to issue solicitations in accordance with County policies and procedures and the Minnesota Department of Transportation's list of "Pre-Qualified Vendors by Work Type".
3. Authorize the County Engineer to execute Right of Way Plats and Certificate of Surveys for Highway projects that require the determination of existing right of way for the delineation and /or acquisition of property, for planning studies or disposition of excess County property.
4. Authorize the County Manager to enter into contracts and agreements, and execute change orders and amendments to contracts, supplemental agreements, and agreements related to the expenditure of TIP Project Funds utilizing County State Aid, Federal, and participating funding associated with the construction of the approved projects in the 2021-2025 or a previously approved TIP in accordance with the County's procurement policies and procedures.
5. Authorize the County Engineer and County Attorney to acquire temporary easements, permanent easements, fee title, and enter into Limited Use Permits with the State of Minnesota for projects in the 2021-2025 TIP, or previously approved TIP, by negotiation or condemnation.
6. Authorize the County Engineer to approve negotiated settlements for up to \$100,000 over the County's appraised value per parcel for temporary and permanent easements and fee title.
7. Authorize the County Manager to approve and execute purchase agreements, settlements, closing documents, Limited Use Permits, and other related real estate documentation associated with County Board approved acquisitions of real property.
8. Authorize the County Manager to approve and execute cooperative agreements and maintenance agreements with cities, counties, the State, and other governmental agencies for their participation in projects listed in the 2021-2025 Public Works TIP or previously approved TIP.
9. Authorize temporary cash loans from the County General Fund to the Road and Bridge Capital Improvement Program fund and the Wheelage Tax fund for costs of projects listed in the 2021-2025 Public Works Transportation Program, or previously approved TIP, and for maintenance project expenditures occurring before bond or wheelage tax proceeds are received pending receipt of Federal, County State Aid Highway, State, participating funds.

A motion to approve was made by Commissioner McGuire, seconded by Commissioner MatasCastillo.

Motion passed.

Aye: - 7: Carter, Frethem, MatasCastillo, McDonough, McGuire, Ortega, and Reinhardt

By: 
Janet Guthrie



Fairview & Highway 36 Project



Prepared by: Engineering Department
2/8/2023

Data Sources and Contacts:
* Ramsey County GIS Base Map (2/01/23)
* City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department,
2660 Civic Center Drive, Roseville MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) data used to prepare this map are error free, and the City does not represent that the GIS data can be used for navigational, tracking or any other purpose requiring existing measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-762-3075. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by user, its employees or agents, or third parties which arise out of the user's access or use of data provided.

- Signal Project
- Roadway Maintenance Project



Fairview&Hwy36



ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.g

Department Approval



City Manager Approval



Item Description: Approve Encroachment Agreement at 931 County Road B2

BACKGROUND

The property owner at 931 CB B2 applied for building permits to install a driveway to their detached garage at the back of their lot. During the permit review it was discovered that the driveway would be located over a sanitary sewer easement for a sewer line. Staff met with the property owner to discuss the site and the impacts to the existing sewer. The property owner is willing to enter an encroachment agreement (Attachment A) for the driveway encroachment over the sewer.

Staff supports approving the encroachment agreement since the driveway will provide better access to the City sewer main running mid-block. This sewer main has already been lined so there is minimal risk of it needing to be replaced in the near future. There are no services on this line. The encroachment protects the City should we need to repair the pipe, which would likely only be in the case of an emergency. The City would not be responsible for any impacts to the driveway should we need to dig up the sewer pipe.

The previous City Attorney had drafted the Encroachment Agreement. If approved, this would be recorded against the property.

POLICY OBJECTIVE

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

BUDGET IMPLICATIONS

There are no costs to the City for this agreement.

RACIAL EQUITY IMPACT SUMMARY

There should be no equity impacts associated with this agreement.

STAFF RECOMMENDATION

Staff recommends the City Council approve the Encroachment Agreement at 931 CR B2.

REQUESTED COUNCIL ACTION

Motion to approve Encroachment Agreement at 931 CR B2.

Prepared by: Jesse Freidhammer, Public Works Director
Attachments: A: Encroachment Agreement
B: Encroachment Agreement Exhibit

ENCROACHMENT AGREEMENT

THIS ENCROACHMENT AGREEMENT (“Agreement”) is made this ____ day of _____, 2023, by and between Joseph P. Johnston, a single person (the “Owners”), and the City of Roseville, a Minnesota municipal corporation (the “City”).

WITNESSETH THAT:

WHEREAS, the Owners are the owners of real property located in Roseville, Minnesota, legally described as follows, to wit: see attached **Exhibit A** (the “Owners’ Property”); and

WHEREAS, the City is the owner of a certain Sanitary Sewer Easement on Owners’ Property, of even date herewith, a portion of which easement lies within an area legally described as follows, to wit: see attached **Exhibit B** (the “Easement Area”), and

WHEREAS, the Owners desire to construct and maintain a driveway encroaching over a portion of the Easement Area as shown in **Exhibit C** attached hereto (the “Improvements”) for the benefit of the Owners’ Property;

NOW THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the parties agree as follows:

1. The Owners shall have the right to construct, maintain and repair the Improvements, subject to the terms and conditions of this Agreement.

2. The Improvements shall be constructed, maintained and repaired by the Owners at the Owners' sole cost and expense, holding the City free and clear of same. The Owners shall maintain the Improvements in a neat, clean and safe condition.

3. The Owners shall be responsible for obtaining and paying for all permits, variances, approvals, costs, fees and other expenses necessary to construct, maintain and repair the Improvements. The Owners shall construct, maintain and repair the Improvements in compliance with all laws, rules, regulations, codes and ordinances imposed by all governmental authorities which have jurisdiction over the Easement Area.

4. The Owners hereby covenant and agree to release, indemnify, defend and hold the City, and its mayor, council, officers, employees and agents, harmless from and against any and all claims, losses, liabilities, demands, actions, judgments, damages, penalties, fines, costs and expenses (including attorney's fees incurred by the City) arising out of or related to: (a) the construction, maintenance and repair of the Improvements; (b) the existence of the Improvements on the Easement Area; (c) use of the Improvements and the Easement Area by the Owners, their licensees, heirs, successors and assigns; and (d) any breach by the Owners of the covenants and agreements in this Agreement.

5. In the event that the Improvements are substantially damaged or totally destroyed, are removed from the Easement Area, or the Owners fail to comply with any of the Owners' material obligations under this Agreement, the Owners shall remove any remaining portions of the Improvements which are located within the Easement Area and the Owners' right to construct, maintain and repair the Improvements in the Easement Area shall terminate. The Owners agree to complete such removal at their own cost and in accordance with all applicable laws, codes and regulations pertaining thereto. In the event that the Improvements are not removed, the City shall

have the right, upon giving the Owners thirty (30) days prior written notice, to remove the Improvements in which case the Owners shall be responsible for the costs thereof. Any amounts due hereunder shall be fully paid within thirty (30) days following the delivery of written demand therefor upon the Owners. If payment is not timely received, the City shall have the right to assess the Owners' Property for the costs over a five (5) year period with interest.

6. The Owners hereby waive all rights they have by virtue of Minnesota Statutes Chapter 429 to a public hearing before the City Council, any appeal of the assessment in court or otherwise to challenge the amount or validity of the assessment or the procedures used by the City in levying the assessments, and hereby release the City, its mayor, councilmembers, employees, agents, and contractors, from any and all liability related to or arising out of the levying of any assessment amount.

6. The covenants and agreement contained herein shall be binding upon and inure to the benefit of the parties hereto, and their successors and assigns, and shall run with the land.

7. Except for the Owners' right to construct, maintain and repair the Improvements as provided herein, the City shall continue to have all of the rights and privileges which have been granted to the City by the easement referenced above.

8. Any notice to be given by either party upon the other under this Agreement shall be properly given if mailed to the other by United States registered or certified mail, return receipt

requested, postage prepaid, addressed in the manner set forth below, or if given to a nationally recognized, reputable overnight courier for overnight delivery to the other addressed as follows:

If to the City:	City of Roseville Roseville City Hall 2660 Civic Center Drive Roseville, MN 55113 Attn: City Manager
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If to the Owners:	To the Taxpayer Name and Address of Record per the Ramsey County Tax Assessor's Office
-------------------	---

(Signatures Follow)

IN WITNESS WHEREOF, the undersigned parties have signed this Agreement as of the date set forth above.

OWNERS

Joseph P. Johnston

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Joseph P. Johnston, a single person, as the Owners.

Notary Public

CITY

City of Roseville, a Minnesota municipal corporation

By: _____
Mayor

By: _____
City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by _____ and _____ the Mayor and City Manager, respectfully, of the City of Roseville, a Minnesota municipal corporation, on behalf of said corporation.

Notary Public

This Document Was Drafted By:

Erickson, Bell, Beckman & Quinn, P.A.
Attorneys-at-Law
1700 West Highway 36
Suite 110
Roseville, MN 55113
Telephone: 651-223-4999

EXHIBIT A

**Owners' Property
Legal Description**

Lots 1 and 2, Block 1, Bradshaw-Edstrom Addition, Ramsey County, Minnesota.

EXHIBIT B

**Easement Area
Legal Description**

An easement for sanitary sewer purposes over, under and across the following described tract:

The Easterly 20 feet of the Southerly 167 feet of the northerly 187 feet of the NW $\frac{1}{4}$ of
Section 11, Town 29, Range 23, except the south 33 feet for highway purposes.

All in Ramsey County, Minnesota.

EXHIBIT C

Improvement Plans



931 County Rd B2 Encroachment



Prepared by: Engineering Department
10/18/2022

- Encroachment
- Sanitary Manhole
- ➔ Sanitary Pipe
- Parcel

Data Sources
 * Ramsey County GIS (9/7/2022)
 * City of Roseville Community Development
 * City of Roseville Finance Department

DISCLAIMER
 This map is neither a legally recorded map nor a survey and is not intended to be used as such. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map is error free, and the City does not guarantee that the GIS Data will be used for any other purpose. No liability is accepted by the City for any errors or omissions in the map, and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



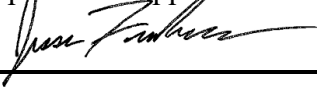
931CtyRdB2



ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: February 13, 2023
Item No.: 10.h

Department Approval



City Manager Approval



Item Description: Approve Resolution Authorizing Revocation and Designation of Municipal State Aid Roads

BACKGROUND

The City of Roseville is part of the State's Municipal State Aid Street system. As part of being a Municipal State Aid (MSA) city, each city can designate up to 20% of its roadway mileage to the MSA system. Each year, the City of Roseville has an opportunity to re-designate which roads are MSA roads and which are local roads. In order to be an MSA road, the following criteria must be met:

- Projected to carry a relatively heavier traffic volume or are functionally classified as collector or arterial streets.
- Connect the points of major traffic interest within an urbanized municipality.
- Provide an integrated street system.
- Connect roadways which are MSAS streets, County State Aid Highways or Trunk Highways.

To correct some gaps in the system and to put mileage on higher traffic roadways to collect additional MSA funds, staff recommends these changes to provide the best long-term use of MSA funds. In order to designate the additional mileage to the MSA system, the following changes are recommended:

- Revoke – MSAS 228 – Oakcrest Avenue, from Fairview Avenue to W Snelling Service Road (0.48 existing miles)
- Designation – MSAS 266 – W Snelling Service Road, from Roselawn Avenue to County Road B (0.50 new miles)

MnDOT has confirmed the new MSA designations meet MSA standards.

POLICY OBJECTIVE

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

BUDGET IMPLICATIONS

There are no direct budget impacts. The system revisions result in 0.02 more miles of MSA designated roads which will increase the MSA needs slightly for the City.

RACIAL EQUITY IMPACT SUMMARY

There should be no equity impacts associated with this changes to MSA routes.

29 **STAFF RECOMMENDATION**

30 Staff recommends Council adopt the attached resolution approving the revocation and designation of
31 municipal state aid roads.

32 **REQUESTED COUNCIL ACTION**

33 Consider approval of a resolution approving the revocation and designation of municipal state aid
34 roads.

Prepared by: Jesse Freihammer, Public Works Director
Attachments: A: Resolution
B: System Revision Map

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

1 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of
2 Roseville, County of Ramsey, Minnesota, was duly held on the 13th day of February, 2023, at
3 6:00 p.m.

4 The following members were present: ; and and the following members were absent:

5 Councilmember introduced the following resolution and moved its adoption:

6 **RESOLUTION NO.**
7 **APPROVING THE REVOCATION AND DESIGNATION OF MUNICIPAL STATE**
8 **AID (MSA) ROADS**

9 WHEREAS, the City Council of the City of Roseville is the official governing body of the City
10 of Roseville; and

11 WHEREAS, it appears to the City Council of the City of Roseville that revisions hereinafter
12 described shall be made to the City's Municipal State Aid Streets system under the provisions of
13 Minnesota Laws;

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville,
15 Minnesota:

16 1. That the roads described as follows be, and hereby are, revoked as Municipal State Aid Streets
17 of the City of Roseville subject to the approval of the Commissioner of Transportation of the
18 State of Minnesota:

19 a. MSAS 228 – Oakcrest Avenue, from Fairview Avenue to W Snelling Service
20 Road (0.48 existing miles)

21 2. That the roads described as follows be, and hereby are, designated as Municipal State Aid
22 Streets of the City of Roseville subject to the approval of the Commissioner of Transportation
23 of the State of Minnesota:

24 a. MSAS 266 – W Snelling Service Road, from Roselawn Avenue to County
25 Road B (0.50 new miles)

26 3. That the City Manager is hereby authorized and directed to forward two certified copies of
27 this resolution to the Commissioner of Transportation for the Commissioner's consideration.

28 The motion was duly seconded by Councilmember and upon vote being taken thereon, the
29 following voted in favor thereof: ; and and the following voted against:

30 WHEREUPON said resolution was declared duly passed and adopted.

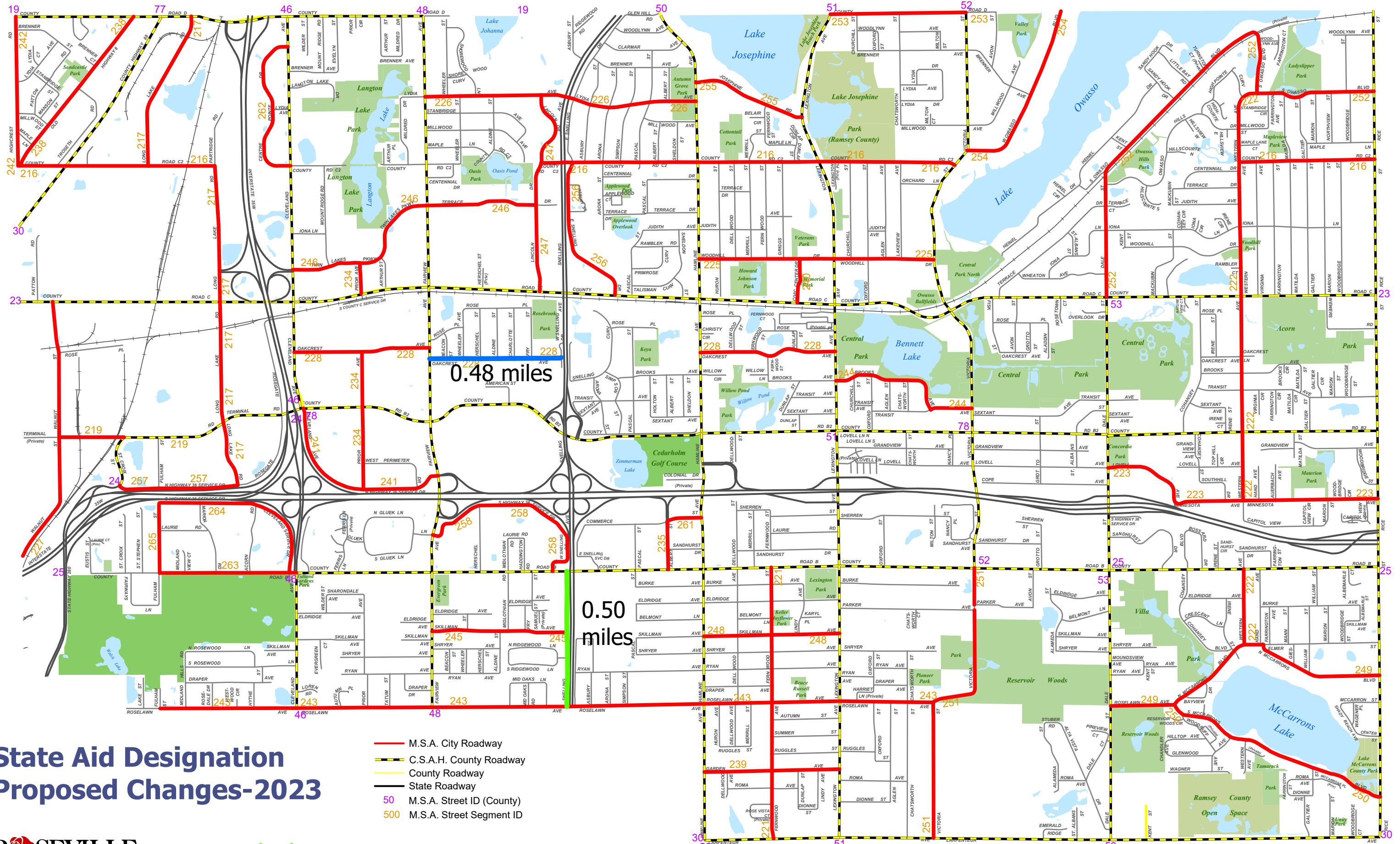
STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 13th day of February, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 13th day of February, 2023.

Patrick Trudgeon, City Manager

(SEAL)



Prepared by: Engineering Department
 2/8/2023



Proposed New MSA Streets (0.497 miles)



Proposed Revoked MSA Streets (0.484 miles)

Data Sources

* Ramsey County GIS (2/1/2023)
 * City of Roseville Community Development
 * City of Roseville Finance Department

0 700 1000 2000 3000 Feet

StateAidDesignationChanges2023

