



**REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
OCTOBER 22, 2019
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Pledge of Allegiance

Approval of the Minutes

Minutes of the: (1) City Council Work Session for October 8, 2019. (2) City Council Meeting Minutes for October 8, 2019

PRESENTATIONS

1. Southwest Suburban Cable Commission
2. Planning Commission Chair Presentation

COUNCIL DISCUSSION

3. Hats Off to Hometown Hits

AGENDA APPROVAL

4. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Continue a public hearing to consider approval of a final plat of the NOVO Addition to November 12, 2019.
Staff Report No. 126
 - B. Consider the adoption of a resolution designating polling places for 2020.
Staff Report No. 127
 - C. Consider the approval of a joint powers agreement for the storm water system between the cities of Edina and Richfield in Adams Hill Park. In conjunction with the agreement, also consider approval of the permanent and temporary easement for the area so construction can take place on the Yorktown Park Sanitary Sewer Trunk Pipe Extension.

Staff Report No. 128

- D. Consider the approval of the Hennepin County Sports Facilities Grant Resolution to submit a grant for the Universally Inclusive Playground at Augsburg Park and authorize staff to execute the grant agreement if awarded.

Staff Report No. 129

- E. Consider the adoption of a resolution granting a one-year extension of land use approvals for a Planned Unit Development at 2400 66th Street West (NOVO apartments).

Staff Report No. 130

- 5. Consideration of items, if any, removed from Consent Calendar

RESOLUTIONS

- 6. Consider the adoption of a resolution ordering the securing of a vacant building at 7100 Oliver Avenue South.

Staff Report No. 131

OTHER BUSINESS

- 7. Consider the approval of the Richfield Ice Arena Refrigeration Project that includes the renovation of the refrigeration system for both sheets of ice, HVAC system, roof improvements, ADA upgrades, and turf for dry-floor athletics with the use of existing city funds.

Staff Report No. 132

CITY MANAGER'S REPORT

- 8. City Manager's Report

CLAIMS AND PAYROLLS

- 9. Claims and Payrolls

- 10. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

City Council Work Session

October 8, 2019

CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 5:45 p.m. in the Bartholomew Room.

Council Members Present: Maria Regan Gonzalez, Mayor; Edwina Garcia; Mary Supple; Simon Trautmann; and Ben Whalen.

Staff Present: Katie Rodriguez, City Manager; Kristin Asher, Public Works Director; Neil Ruhland, Communication and Engagement Manager; Kelly Wynn, Senior Office Assistant; Blanca Martinez Gavina, Executive Analyst.

Others Present: Amber Blanchard, MnDOT Metro District Project Director; Andrew Lutaya, MnDOT Metro District West Area Engineer

Item #1	MNDOT'S ANALYSIS OF I-494 FREEWAY/INTERCHANGE ALTERNATIVES – PHASE 2
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Mayor Regan Gonzalez introduced City Manager Rodriguez.

City Manager Rodriguez gave an overview and introduced Amber Blanchard and Andrew Lutaya from the Minnesota Department of Transportation or MnDOT.

Mr. Lutaya, gave an overview of the overall project timeline for phase 1 screening process, mainline alternatives and other details within the phase 1 screening process.

Ms. Blanchard, reviewed phase 2 screening process, schedule, timelines, TAC (Technical Advisory Committee) meetings and PAC (Policy Advisory Committee) meetings. Additionally, she reviewed the responsibilities and scopes of these meetings and committees.

Mayor Regan Gonzalez wanted clarification as to the process of information within the PAC and TAC in addition to the scope.

Ms. Blanchard clarified that the scope encompasses the whole vision of the project which would be from Highway 169 to the river.

Director Asher asked for more clarification on the timeline which relates to the corridors of commerce and the preliminary design on the vision lay out.

Ms. Blanchard said that after the TAC meeting in November there will not be specific recommendations as it will be purely informational. Additionally, she reviewed the scoring methodology, incremental benefits costs, fiscal considerations and other aspects of Phase 2.

Council Member Trautmann asked about breakdown of regional vs local fiscal or economic impact within this project.

Ms. Blanchard responded that there is currently only a focus on travel time.

Council Member Whalen clarified the updated information in the presentation.

Mayor Regan Gonzalez asked about income equity and impact.

Ms. Blanchard stated that it will increase on the scoring of the passengers.

Council Member Supple inquired about regional transportation plans/ general purpose lanes, and whether there were other factors other than Minnpass which had inconsistencies.

Ms. Blanchard responded that reliability and four other factors are part of the criteria. She then continued to review phase 2 and Portland interchange types, reviewing each of these types.

Mr. Lutaya continued to review and explain the different types of interchanges, criteria, and fiscal considerations.

Director Asher wanted clarification on the roundabouts and other aspects of the regional planning process.

Mayor Regan Gonzalez wanted to know whether the City has been reviewing the different interchange options and provide feedback as to which one makes the most sense for the City.

Director Asher inquired about the different aspects of the interchanges asked questions to MnDOT representatives.

Council Member Whalen wanted to know if the joint grant with Bloomington would encompass this project.

City Manager Rodriguez, remarked on sharing information effectively to all affected parties.

Mayor Regan Gonzalez asked for clarification within local cost participation.

Ms. Blanchard clarified that the information on cost participation will be forthcoming.

Council Member Trautmann also wanted clarification about costs participation and understand what the expectations, timelines and where they will be getting the information.

Mayor Regan Gonzalez asked for clarification about the scope of municipal consent and cost participation. Additionally, she wanted to know if the previous contributions for cost participation will be considered.

Ms. Blanchard stated that they are still working on the details.

Council Member Supple inquired about access at Portland interchange, and other significant changes to 12th and Nicollet.

Ms. Blanchard stated that the entire area will be included in the review.

Council Member Whalen referenced the impacts on the right of way within the construction area.

Ms. Blanchard explained the next phase will contain all the details.

Director Asher inquired if the vision layout moves forward and the general purpose lane is the right way to go, what happened to the corridors of commerce money.

Ms. Blanchard said that they still do not know.

Mayor Regan Gonzalez asked about whether past costs could be considered as cost participation.

Mr. Lutaya stated that MnDOT does not take into account past participation as it is MNDOT policy.

Mayor Regan Gonzalez stated that there will be many efforts for the City's past participation to be considered.

Council Member Trautmann asked who sets the policy that past participation cannot be used as cost participation.

Ms. Blanchard stated that the Commissioner sets the policy and that changes to the policy are done with input from stakeholders like the City of Richfield.

Council Member Trautmann stated that it is devastating that past participation is not considered as cost participation.

City Manager Rodriguez inquired about the policy on cost participation policy and inquired whether there was an exception process.

Ms. Blanchard stated that there could be an exception to the cost participation policy.

Ms. Blanchard reviewed the cost estimation and broke down different aspects of the project.

Mayor Regan Gonzalez wanted to know who is expected for to participate within this project and how the gaps in funding are going to be filled.

Ms. Blanchard mentioned that a phasing will be taking place to manage funding gaps.

Mayor Regan Gonzalez asked who will be within the scope of cost participation.

Ms. Blanchard stated that all cities that are impacted by the construction project will be expected to be part of cost participation.

Mr. Lutaya clarified that of there any additional asks, like sidewalks, those aspects would have to be covered by local partners.

Council Member Garcia wanted to know about percentage of federal financial support.

Ms. Blanchard stated that they do not know yet. She also gave a review of the additional funding options.

Mr. Lutaya reviewed drainage aspects for the project and answered questions from Council Member Whalen about preliminary drainage options.

Mayor Regan Gonzalez stated that these are preliminary conversations and there will be future meetings with more details and an opportunity to engage deeper on the project.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:53 p.m.

Date Approved: October 22, 2019

Maria Regan Gonzalez
Mayor

Blanca Martinez Gavina
Executive Analyst

Katie Rodriguez
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

October 8, 2019

CALL TO ORDER

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

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Edwina Garcia; Simon Trautmann; and Ben Whalen.

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Neil Ruhland, Communications Manager; Blanca Martinez Gavina, Executive Analyst and Kelly Wynn, Senior Administrative Assistant.

OPEN FORUM

Jody Johnson, 7399 Pillsbury Ave S Richfield resident, spoke of the recent officer-involved shooting. Ms. Johnson requested that the City require mental health crisis training, body cameras for police officers, and for mental health professionals to be on staff.

Amber Allen, Minneapolis resident, shared comments about the mental health recovery of the officers involved in the recent shooting, and concern for them being back on the streets. Ms. Allen also stated disappointment in how the City is handling the incident.

Don Williams, Minnesota resident, expressed concern for what he believes is lack of transparency of the investigation. He would like the family to be able to retrieve their belongings from the police. Mr. Williams also suggested that the City should require body cams and provide assistance for the family of the victim.

Chara Blanch, Minnesota resident spoke in support of Brian Quinones and his family. Ms. Blanch made a request that all videos from police vehicles be released so the family is able to review them. She also spoke of Officer Carrol and would like all officers wearing body cams by January 1, 2020.

Badrdin Aden, brother of Isak Aden who was involved in an officer-involved shooting in Eagan, MN, and believes the family is not being supported. He believes the family is unable to grieve because they have to protest and ask for what he believes is public information.

Sumaya Aden, sister of Isak Aden, who was involved in an officer-involved shooting in Eagan, MN, and reiterated the need to support the family of Mr. Quinones and asked for the dash camera videos to be released.

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance.

ITEM #1	PRESENTATION OF MANAGING FIRE OFFICER PROGRAM CERTIFICATE TO FF SHEA CHWIALKOWSKI
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Fire Chief Kewitsch presented Firefighter Chwialkowski a certificate after completion of the Managing Fire Officer Program from the National Fire Academy.

Council Member Garcia wanted to recognize the firefighters and their families and she is very proud to have them in our community.

ITEM #2	PRESENTATION OF FIREFIGHTER AND FIRE LIEUTENANT BADGING CEREMONY
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Fire Chief Kewitsch presented Firefighter Keis and Lieutenant Nelson with their badges after completion of their probationary periods.

Council Member Supple and Council Member Garcia thanked all firefighters and their families for their service.

Mayor Regan Gonzalez spoke of the heroic work the firefighters do for the city and thanked them for all they do.

ITEM #3	PRESENTATION OF THE PROCLAMATION FOR INDIGENOUS PEOPLES DAY
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Mayor Regan Gonzalez welcomed community and read the Proclamation for Indigenous People’s Day. She also welcomed Sarah Jespersion and others to speak on the proclamation.

Sarah Jespersion shared facts about the growing population of American Indian/Native Americans. She also shared information about the events organized for Native American parents and the need for more community events to expose more of the community to native culture.

Council Member Whalen encouraged people to attend the event Monday, October 14th at the Community Center and take time to understand the historical context of Native American history.

Council Member Supple commended Sarah and all she does for the community.

Council Member Garcia appreciated the proclamation.

Council Member Trautmann is looking forward to celebrating Indigenous People.

Mayor Regan Gonzalez stated that there is always looking for ways to encourage community involvement. She spoke to specific websites, videos, documentaries, flags, and creating spaces to celebrate.

ITEM #4	PRESENTATION OF THE ANNUAL MEETING WITH THE TRANSPORTATION COMMISSION
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Council Member Supple called up the Transportation Commission Chair, Wes Dunser.

Wes Dunser commented on what the Transportation Commission does and how they engage with the community.

Council Member Supple pointed out how Richfield is a trend-setter and believes the Transportation Commission is a great asset.

Council Member Garcia called out how the Transportation Commission solicits feedback from the residents.

Council Member Trautmann appreciates the feedback that they gather from the public.

Mayor Regan Gonzalez expressed how proud she is of the Transportation Commission and Public Works Department improving the lives of all residents.

APPROVAL OF MINUTES

Minutes of the: (1) Concurrent City Council, HRA, Planning Commission Work Session for September 24, 2019. (2) City Council Meeting Minutes for September 24, 2019

M/Trautmann, S/Supple to approve the minutes

Motion carried 5-0.

Item #5	COUNCIL DISCUSSION <ul style="list-style-type: none"> • Hats Off to Hometown Hits
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Council Member Garcia appreciated the School Board Forum and urged people to look at all the candidates.

Council Member Trautmann commented on the annual wine tasting event for the Richfield Foundation as well as the Nature Center Scavenger Hunt on October 27th.

Council Member Whalen thanked everyone who attended any of the Ice Arena Refrigeration Project sessions. He also mentioned the afterschool programs through the district, Beacons, YWCA and Boys and Girls Clubs and how they are a huge need in the community.

Council Member Supple extended a thank you to the Renovation Celebration staff and what a great event it was. She also spoke of the Great Pumpkin Giveaway on October 12th, Wood Lake family event on October 19th and the Nature Center Trunk or Treat on October 19th.

Mayor Regan Gonzalez encouraged people to get their flu shots and mentioned there are many clinics in the Richfield. She also extended a thank you to the service Ann Schultz provided the community before retiring as Chair of the Chamber of Commerce. Mayor Regan Gonzalez welcomed BJ Skoog as the new Chair.

Item #6	APPROVAL OF THE AGENDA
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M/Garcia, S/Trautmann to approve the agenda

Motion carried 5-0.

Item #7	CONSENT CALENDAR
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- A. Consider approval of the Master Grant Contract for Community Health Boards with the Minnesota Department of Health. This contract is effective January 1, 2020 - December 31, 2024. (Staff Report No. 116)
- B. Consider approval to purchase two (2) MT Trackless Tractors, with v-plow and snow blower attachments, from MacQueen Equipment Inc., in the amount of \$290,077. (Staff Report No. 117)

M/Trautmann, S/Supple to approve the consent calendar

Council Member Whalen thanked the Public Works Department for ensuring sidewalks were cleared and making it priority to keep areas cleared of snow, especially for residents without vehicles.

Motion carried 5-0.

Item #8	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #9	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY. STAFF REPORT NO. 118
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Council Member Trautmann introduced Staff Report No. 118 and opened up the public hearing.

M/Supple, S/Whalen to close the public hearing

Motion carried 5-0.

M/Trautmann, S/Whalen to adopt the resolution assessment for weed elimination from private property and removal or elimination of public health or safety hazards from private property

RESOLUTION NO. 11655

RESOLUTION ADOPTING ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY

Motion carried 5-0.

Item #10	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION TO ADOPT THE SPECIAL ASSESSMENT FOR UNPAID FALSE ALARM USER FEES AGAINST PRIVATE PROPERTY. STAFF REPORT NO. 119
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Council Member Whalen introduced Staff Report No. 119 and opened up the public hearing.

M/Mayor, S/Supple to close the public hearing

Motion carried 5-0

M/Whalen, S/Supple to adopt the resolution assessment for unpaid false alarm fees from private property

RESOLUTION NO. 11656

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

Motion carried 5-0.

Item #11	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION ADOPTING SPECIAL ASSESSMENTS FOR UNPAID VACANT PROPERTY REGISTRATION FEES AGAINST PRIVATE PROPERTY. STAFF REPORT NO. 120
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Council Member Supple introduced Staff Report No. 120 and opened up the public hearing.

M/Trautmann, S/Whalen to close the public hearing

Motion carried 5-0

M/Supple, S/Trautmann to adopt the resolution assessment for unpaid vacant property registration fees against private property

RESOLUTION NO. 11657

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID VACANT PROPERTY REGISTRATION FEES AGAINST PRIVATE PROPERTY

Motion carried 5-0.

Item #12	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION AUTHORIZING CERTIFICATION OF DELINQUENT UTILITY BILLS TO BE COLLECTED WITH PROPERTY TAXES. STAFF REPORT NO. 121
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Council Member Garcia introduced Staff Report No. 121 and opened up the public hearing.

M/Trautmann, S/Supple to close the public hearing

Motion carried 5-0

M/Garcia, S/Whalen to adopt the resolution assessment for unpaid vacant property registration fees against private property

RESOLUTION NO. 11658

RESOLUTION AUTHORIZING CERTIFICATION OF UNPAID WATER, SANITARY SEWER, STORM WATER, AND STREET LIGHT CHARGES TO THE COUNTY AUDITOR TO BE COLLECTED WITH OTHER TAXES ON SAID PROPERTIES

Motion carried 5-0.

Item #13	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED FROM JANUARY 1, 2018, THROUGH DECEMBER 31, 2018. STAFF REPORT NO. 122
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Council Member Trautmann introduced Staff Report No. 122 and opened up the public hearing.

M/Whalen, S/Supple to close the public hearing

Motion carried 5-0

M/Trautmann, S/Whalen to adopt the resolution assessment for the removal of diseased trees from private property for work ordered during January 1, 2018 through December 31, 2018.

RESOLUTION NO. 11659

RESOLUTION ADOPTING ASSESSMENT FOR THE REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED DURING JANUARY 1, 2018 THROUGH DECEMBER 31, 2018

Motion carried 5-0.

Item #14	PUBLIC HEARING AND CONSIDERATION OF RESOLUTIONS ADOPTING THE ANNUAL LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE DISTRICT ASSESSMENT AND PROPOSED WORK FOR 2020. STAFF REPORT NO. 123
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Mayor Regan Gonzalez introduced Staff Report No. 123 and opened up the public hearing.

M/Trautmann, S/Supple to close the public hearing

Motion carried 5-0

M/Mayor, S/Whalen to adopt the resolution assessment for the Lyndale/HUB/Nicollet (LHN) Maintenance for the period of January 1, 2018 to December 31, 2018

RESOLUTION NO. 11660

RESOLUTION ADOPTING ASSESSMENT FOR THE LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD JANUARY 1, 2018 TO DECEMBER 31, 2018

RESOLUTION NO. 11661

RESOLUTION ORDERING UNDERTAKING OF CURRENT SERVICE PROJECT LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD JANUARY 1, 2020 TO DECEMBER 31, 2020

Council Member Whalen commented that he is excited to be revisiting this project and taking a closer look at some alternatives.

Motion carried 5-0.

Item #15	PUBLIC HEARING AND CONSIDERATION OF RESOLUTIONS ADOPTING THE ANNUAL INTERSTATE/LYNDALE/NICOLLET (ILN) PROJECT AREA ASSESSMENT AND PROPOSED WORK FOR 2020. STAFF REPORT NO. 124
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Council Member Whalen introduced Staff Report No. 124 and opened up the public hearing.

M/Garcia, S/Supple to close the public hearing

Motion carried 5-0

M/Whalen, S/Garcia to adopt the resolution ordering undertaking of current service project Lyndale/HUB/Nicollet (LHN) Maintenance for the period of January 1, 2020 to December 31, 2020.

RESOLUTION NO. 11662

RESOLUTION ADOPTING ASSESSMENT ON INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA MAINTENANCE FOR THE PERIOD JANUARY 1, 2018 TO DECEMBER 31, 2018

RESOLUTION NO. 11663

RESOLUTION ORDERING THE UNDERTAKING OF CURRENT SERVICE PROJECT WITHIN THE INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2020 TO DECEMBER 31, 2020

Motion carried 5-0.

Item #16	RESOLUTION: VIOLATION HEARING AND CONSIDERATION OF A RESOLUTION REGARDING CIVIL ENFORCEMENT FOR ESTABLISHMENTS THAT RECENTLY UNDERWENT ALCOHOL COMPLIANCE CHECKS CONDUCTED BY RICHFIELD PUBLIC SAFETY STAFF, AND FAILED BY SELLING ALCOHOL TO UNDERAGE YOUTH. STAFF REPORT NO. 125
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Mayor Regan Gonzalez introduced Staff Report No. 125 and offered the floor to any of affected establishments.

Melissa Marcet, Manager of Davanni’s, spoke to their failure and how they will improve their training program. It is a priority for the business to pass going forward.

M/Mayor, S/Supple to adopt the resolution assessment for unpaid vacant property registration fees against private property

RESOLUTION NO. 11664

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR RICHFIELD MUNICIPAL LIQUOR STORE #2 d/b/a CEDAR LIQUOR STORE, 6600 CEDAR AVENUE SOUTH, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

RESOLUTION NO. 11665

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR DAVANNI’S INC. d/b/a/ DAVANNI’S PIZZA AND HOT HOAGIES, 6345 PENN AVENUE SOUTH AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

RESOLUTION NO. 11666

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR NORTHERN TIER RETAIL LLC. d/b/a/ SPEEDWAY #4188 7720 NICOLLET AVENUE SOUTH, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

RESOLUTION NO. 11667

RESOLUTION SUSPENDING THE LIQUOR LICENSE FOR NORTHERN TIER RETAIL LLC d/b/a/ SPEEDWAY #4615 826 WEST 66th STREET, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

Council Member Trautmann acknowledged that Davanni’s is in his ward and appreciates how seriously the business took the failure to verify age.

Council Member Garcia hopes that there will be zero violations moving forward. She also expressed how important it is to comply.

Motion carried 5-0.

Item #17	CITY MANAGER’S REPORT
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City Manager Rodriguez had nothing to report.

Item #18	CLAIMS AND PAYROLLS
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Council Member Garcia reviewed the claims and payroll and commended the staff.

M/Garcia, S/Trautmann that the following claims and payrolls be approved:

U.S. Bank	10/08/19
A/P Checks: 281265-281654	\$ 1,533,769.47
Payroll: 149160-149483 43066-43067	<u>640,510.29</u>
TOTAL	\$ 2,174,279.76

Motion carried 5-0.

Item #19	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:47 p.m.

Date Approved: October 22, 2019

Maria Regan Gonzalez
Mayor

Kelly Wynn
Senior Administrative Assistant

Katie Rodriguez
City Manager



STAFF REPORT NO. 126
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Matt Brillhart, Associate Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
10/15/2019

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
10/15/2019

ITEM FOR COUNCIL CONSIDERATION:

Continue a public hearing to consider approval of a final plat of the NOVO Addition to November 12, 2019.

EXECUTIVE SUMMARY:

City Council approved development plans for the NOVO apartments at 66th Street and Queen Avenue on December 11, 2018. The development site consists of eight (8) parcels of land and adjacent right-of-way. The City Council approved a preliminary plat to combine those properties into a single lot on June 11, 2019. The proposed final plat of NOVO is under review by the City Attorney's office and is expected to be completed in time for the November 12, 2019 meeting.

RECOMMENDED ACTION:

By motion: Continue a public hearing to consider approval of a final plat of the NOVO Addition to November 12, 2019.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The development area consists of seven (7) residential parcels, a remnant parcel subdivided from the adjacent CVS property at 6540 Penn Avenue, and Queen Avenue right-of-way between 65th 1/2 and 66th Streets, as well as a small portion of the Russell Avenue cul-de-sac right-of-way.
- The City Council approved final development plans for the project on December 11, 2018. The City Council approved a preliminary plat on June 11, 2019.
- More information on the NOVO project is available at www.richfieldmn.gov/redevelopment

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

All plats or subdivisions of land must be approved by City Council resolution, pursuant to the provisions of Minnesota State Statutes 462.357.

C. CRITICAL TIMING ISSUES:

- Per State Statute, the City has 120 days from the date of submittal of a complete application to issue a decision regarding a plat unless the applicant agrees to an extension.

- A complete application was received on September 9, 2019. The Council must render a decision by January 7, 2020.

D. **FINANCIAL IMPACT:**

None

E. **LEGAL CONSIDERATION:**

Notice of this public hearing was published in the *Sun Current* newspaper.

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None



STAFF REPORT NO. 127
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Kari Sinning, Deputy City Clerk

DEPARTMENT DIRECTOR REVIEW: Elizabeth VanHoose, City Clerk
 10/16/2019

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
 10/17/2019

ITEM FOR COUNCIL CONSIDERATION:

Consider the adoption of a resolution designating polling places for 2020.

EXECUTIVE SUMMARY:

Minnesota Statute section 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year by December 31. The designated polling places (as identified in the attached resolution) have changed since the last election cycle due to construction.

RECOMMENDED ACTION:

By motion: Adopt a resolution designating polling places for 2020.

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT**

- This is an annual requirement that was passed in the 2017 legislative session.

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

- Minnesota Statute section 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year by December 31.

C. **CRITICAL TIMING ISSUES:**

- Must be approved by December 31.

D. **FINANCIAL IMPACT:**

- Financial impact will be assessed in the invoice from Hennepin county in early 2021. Hennepin county will be helping the City notify residents of their polling location changes for the 2020 elections by sending out notifications.

E. **LEGAL CONSIDERATION:**

- None

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
☐ Polling Place Designation Resolution	Resolution Letter

RESOLUTION NO.

RESOLUTION DESIGNATING POLLING PLACES FOR 2020

WHEREAS, Minnesota Statute 204B.16, subd 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year; and

WHEREAS, changes to the polling places locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

WHEREAS, changes to the polling place locations may be made in the case of an emergency when it is necessary to ensure a safe and secure location for voting; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Richfield hereby designates the following polling places for elections conducted in the city in 2020;

<u>Precinct No. 1</u> Ward 3	Mt. Calvary Education Building 6541 16th Avenue
<u>Precinct No. 2</u> Ward 2	St. Peter's Catholic Church 6730 Nicollet Avenue
* <u>Precinct No. 3</u> Ward 1	Church of Peace 6345 Xerxes Avenue
<u>Precinct No. 4</u> Ward 1	St. Richard's Catholic Church 7540 Penn Avenue
* <u>Precinct No. 5</u> Ward 1	Woodlake Lutheran Church 2120 West 76 th Street
<u>Precinct No. 6</u> Ward 2	Central School Building 7145 Harriet Avenue
<u>Precinct No. 7</u> Ward 2	Hope Presbyterian Education Facility 7132 Portland Avenue
* <u>Precinct No. 8</u> Ward 3	Richfield Dual Language School (RDLS) 7001 Elliot Avenue
* <u>Precinct No. 9</u> Ward 3	House of Prayer 7625 Chicago Avenue

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield that the nine locations listed above are the designated 2020 polling locations in Richfield.

Adopted by the City Council of the City of Richfield, Minnesota this 22nd day of October, 2019.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



STAFF REPORT NO. 128
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Amy Markle, Recreation Services Director, Kristin Asher, Public Works

DEPARTMENT DIRECTOR REVIEW: Amy Markle

OTHER DEPARTMENT REVIEW: Kristin Asher, Public Works

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
10/15/2019

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of a joint powers agreement for the storm water system between the cities of Edina and Richfield in Adams Hill Park. In conjunction with the agreement, also consider approval of the permanent and temporary easement for the area so construction can take place on the Yorktown Park Sanitary Sewer Trunk Pipe Extension.

EXECUTIVE SUMMARY:

The City of Edina would like to start construction on a sanitary sewer trunk pipe extension project that is partially in Edina and Richfield. It includes a section that is in Adams Hill Park in Richfield. The project is a continuation of a previous trunk sanitary sewer extension project along Xerxes Avenue in 2017. The City of Edina needs to increase the capacity of its sanitary sewer network due to current and projected future redevelopment in southeastern Edina. Beginning in November, the City of Edina's contractor will mobilize to the site and begin preparations for pipe installation that is anticipated to start in April of 2020. The City of Edina is seeking the following:

- Both temporary and permanent easements of the area over, across, on, under, and through the area legally described (see attachment), that the trunk line will pass through in Adams Hill Park in Richfield.
- The City of Edina will be responsible for any damages, restoration, and replacement resulting from the construction and maintenance of the temporary premises.
- The Joint Powers Agreement (JPA), consists of the Adams Hill Pond lift station in Richfield and approximately 180 linear feet of 16" ductile iron pipe forcemain in Richfield and approximately 2000 linear feet of 16" ductile iron force main in Edina.
- Under the JPA, each city is responsible for the operation, repair, and maintenance of the portion in their respective city.

RECOMMENDED ACTION:

By motion: Approve the joint powers agreement for the storm water system between the cities of Edina and Richfield, which includes Adams Hill Park. In conjunction with the agreement, this motion would also approve the permanent and temporary easement for the area so work can begin on the Yorktown Park Sanitary Sewer Trunk Pipe Extension.

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT**

None.

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

The City of Richfield is acting as a good neighbor in working with the City of Edina on their infrastructure needs.

C. CRITICAL TIMING ISSUES:

The City of Edina would like to start the construction of the sewer trunk pipe extension project in early November. A letter (see attachment) will be sent to 170 area homes to notify residents of an informational meeting to learn of the project details on October 23.

D. FINANCIAL IMPACT:

There is no financial impact on the City of Richfield for these agreements.

E. LEGAL CONSIDERATION:

The City Attorney has reviewed all documents.

ALTERNATIVE RECOMMENDATION(S):

None.

PRINCIPAL PARTIES EXPECTED AT MEETING:

ATTACHMENTS:

	Description	Type
▣	Easement Agreement between the Cities of Edina and Richfield	Cover Memo
▣	Joint Powers Agreement Storm Water System Cities of Edina and Richfield	Cover Memo
▣	Letter to Neighbors for Project Meeting	Cover Memo

(reserved for recording information)

**GRANT OF PERMANENT
AND TEMPORARY EASEMENTS**

CITY OF RICHFIELD, a Minnesota municipal corporation, hereinafter referred to as "Grantor", in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto the **CITY OF EDINA**, a Minnesota municipal corporation, the Grantee, hereinafter referred to as the "City", its successors and assigns,

1. A permanent easement for public sidewalk, drainage and utility purposes, over, across, on, under, and through land situated within the County of Hennepin, State of Minnesota, legally described on the attached Exhibit A and depicted on the attached Exhibit B, including the rights of the City, its contractors, agents, servants, and assigns, to enter upon the permanent easement premises at all reasonable times to construct, reconstruct, inspect, repair, and maintain said public sidewalk, drainage and utility systems over, across, on, under, and through the permanent easement premises, together with the right to grade, level, fill, drain, pave, and excavate the permanent easement premises, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said public sidewalk, drainage and utility systems.

2. A temporary construction easement over, across, on, under, and through the land situated in the County of Hennepin, State of Minnesota, as legally described on the attached

Exhibit A and depicted on the attached Exhibit B. To have and to hold the same, unto the City, its contractors, agents, servants and assigns, commencing upon the execution of this document and expiring July 1, 2020, together with the right of ingress to and egress from the temporary easement premises, for the purpose of constructing, reconstructing, inspecting, repairing, and maintaining the property of the City, at the will of the City, its successors and assigns. Grantor hereby grants the uses herein specified without divesting itself of the right to use and enjoy the above described temporary easement premises, subject only to the right of the City to use the same for the purposes herein expressed.

It is understood by the Grantor that the City shall be responsible for any restoration or replacement costs or damages resulting from the construction and maintenance of the temporary easement premises. It is further understood that vegetation will be removed, elevations will be altered and that excavation will occur on the temporary easement premises.

The above named Grantor, for itself, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee title of the above-described property, that it has the sole right to grant and convey the easements to the City, that there are no unrecorded interests in the property, and that it will indemnify and hold the City harmless for any breach of the foregoing covenants.

IN TESTIMONY WHEREOF, the Grantor hereto has signed this document this _____ day of _____, 2019.

*[Remainder of page intentionally left blank.
Signature page follows.]*

**EXHIBIT A
TO
GRANT OF PERMANENT & TEMPORARY EASEMENT**

PERMANENT EASEMENT DESCRIPTION:

A permanent easement for drainage and utility purposes over and across Outlot 1, Hippe's Lakeview Terrace, according to the recorded plat thereof, Hennepin County, Minnesota. Said easement is described below:

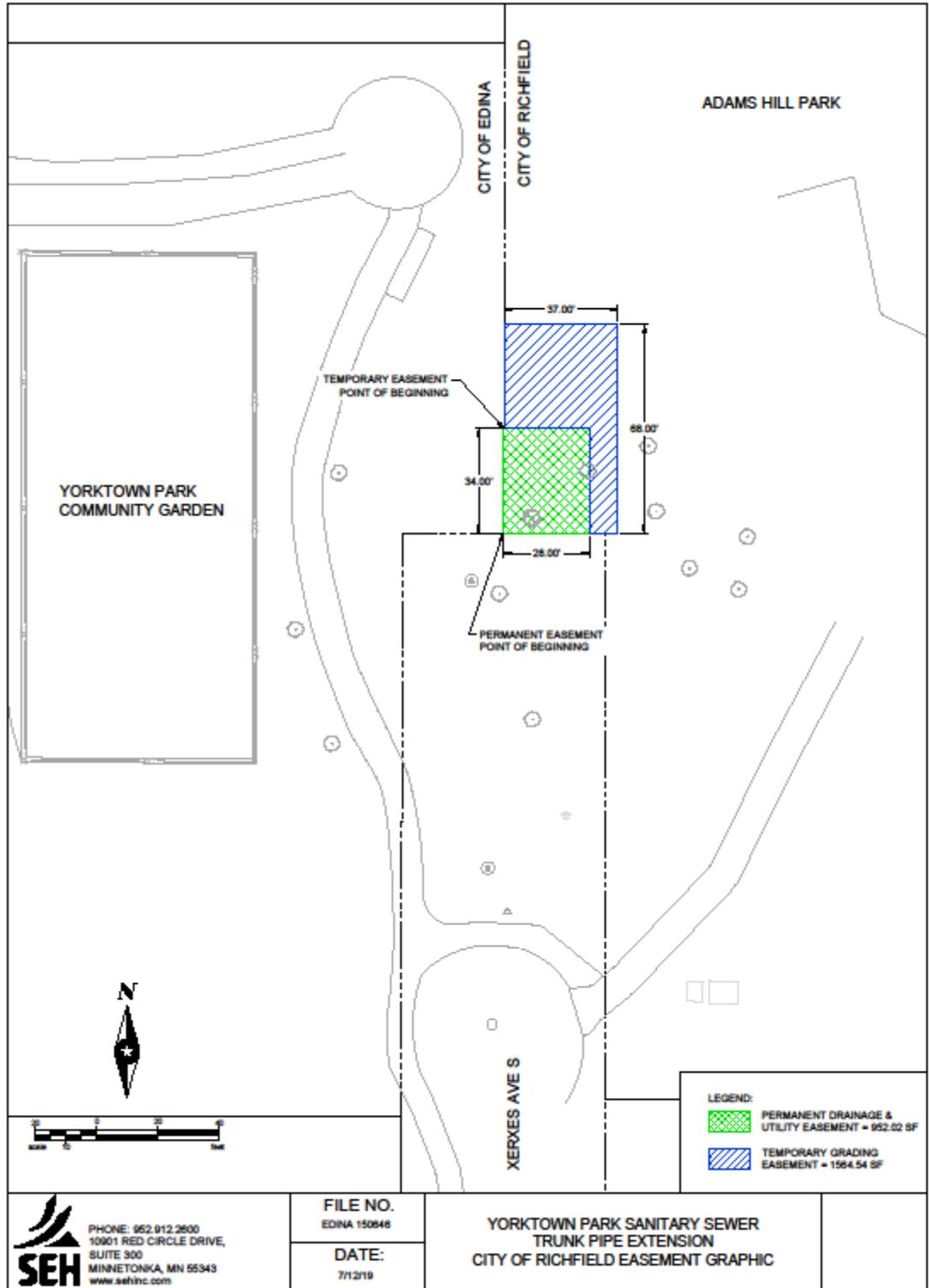
Point of beginning of permanent drainage and utility easement to be herein described; Commencing from the SW corner of Outlot 1 of Hippe's Lakeview Terrace north 0 degrees, 7 minutes, 37 seconds east, a distance of 34.00 feet; thence due east, a distance of 28.00 feet; thence south 0 degrees, 7 minutes, 37 seconds west, a distance of 34.00 feet; thence due west, a distance of 28.00 feet to point of beginning.

TEMPORARY EASEMENT DESCRIPTION:

A temporary easement for grading purposes over and across Outlot 1, Hippe's Lakeview Terrace, according to the recorded plat thereof, Hennepin County, Minnesota. Said easement is described below:

Commencing from the SW corner of Outlot 1 of Hippe's Lakeview Terrace north 0 degrees, 7 minutes, 37 seconds east, a distance of 34.00 feet, to the temporary easement point of beginning; from the temporary easement point of beginning, commence north 0 degrees, 7 minutes, 37 seconds east, a distance of 34.00 feet; thence due east, a distance of 37.00 feet; thence south 0 degrees, 7 minutes, 37 seconds west, a distance of 68.00 feet; thence due west, a distance of 9.00 feet, thence north 0 degrees, 7 minutes, 37 seconds east, a distance of 34.00 feet, thence due west, a distance of 28.00 feet to point of beginning.

**EXHIBIT B TO
GRANT OF PERMANENT & TEMPORARY EASEMENT**



**JOINT POWERS AGREEMENT
STORM WATER SYSTEM
CITIES OF EDINA AND RICHFIELD**

This **JOINT POWERS AGREEMENT** (the “Agreement”) is entered into this _____ day of _____, 2019 by and between the **CITY OF EDINA** (“Edina”) and the **CITY OF RICHFIELD** (“Richfield”), both municipal corporations under the laws of Minnesota, pursuant to the provisions of Minnesota Statutes, Section 471.59 (the “Joint Powers Act” or “JPA”).

WITNESSETH:

WHEREAS, Edina and Richfield wish to provide for the continued maintenance of a storm water system as hereinafter more fully described (the “Project”); and

WHEREAS, the Project is partially in Edina and partially in Richfield; and

WHEREAS, the JPA authorizes political subdivisions of the state to enter into agreements for the joint exercise of powers common to each; and

WHEREAS, Edina and Richfield wish to enter into this Agreement for the purpose of specifying their respective obligations and responsibilities for the repair and maintenance of the Project.

NOW, THEREFORE, in consideration of the mutual undertakings herein expressed, the parties agree as follows:

1. The purpose of this JPA is to specify the duties and responsibilities of the parties regarding ownership, repair and maintenance of the Project. The Project consist generally of: (1) the Adams Hill Pond Lift Station in Richfield and approximately 180 linear feet of 16” ductile iron pipe forcemain in Richfield, (2) approximately 2000 linear feet of 16” ductile iron pipe forcemain in Edina.

2. Richfield is the owner of that portion of the Project located in Richfield and shall be shall be responsible for the operation, repair and maintenance of that portion of the Project in Richfield. Richfield shall promptly make any needed repairs to that portion of the Project in Richfield and shall notify Edina of any changes that Richfield makes to the Project in Richfield.

3. Edina is the owner of that portion of the Project located in Edina and shall be responsible for the operation repair and maintenance of that portion of the Project located in Edina. Edina shall promptly make any needed repairs to that portion of the Project in Edina and shall notify Richfield of any changes that Edina makes to the Project in Edina.

4. Each party shall be liable for the acts or omissions of its respective officers, agents and employees. Each party agrees to indemnify and hold harmless the other from any claims, losses, costs, expenses or damages, including reasonable attorney fees, resulting from the

acts or omissions of the respective officers, agents or employees of the indemnifying party to the extent such acts or omissions relate to activities conducted by the indemnifying party under this Agreement or in the construction of the Project. Nothing herein shall be deemed a waiver of any statutory or common law limitations on liability available to either of the parties. For the purposes of determining total liability, the parties shall be considered a single governmental unit and their total liability shall not exceed the limits for a single governmental unit as specified in Minnesota Statutes, Section 466.04.

5. For the purpose of delivery of any notice required by this Agreement, notice shall be effective if hand delivered or delivered by certified or registered United States mail, return receipt requested, postage prepaid or hand delivered to:

- a. As to Edina: City of Edina
4801 W. 50th Street
Edina, MN 55424-1330
Attn: Director of Engineering

- b. As to Richfield: City of Richfield
6700 Portland Ave.
Richfield, MN 55423-2560
Attn: City Engineer

6. Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all oral agreements and representations between the parties relating to the subject matter thereof. Any alteration, variation, modification or amendment of this Agreement shall be valid only if in writing and executed by both parties.

7. Data Practices. All documents regarding the Project shall be handled in accordance with the Minnesota Data Practices Act.

8. Governing Law. This Agreement shall be interpreted under the laws of Minnesota.

IN WITNESS WHEREOF, Edina and Richfield have caused this Agreement to be executed on their behalves on the date first written above.

CITY OF EDINA

By: _____
James Hovland, Mayor

And: _____
Scott Neal, City Manager

CITY OF RICHFIELD

By: _____
Maria Regan Gonzalez, Mayor

And: _____
Katie Rodriguez, City Manager



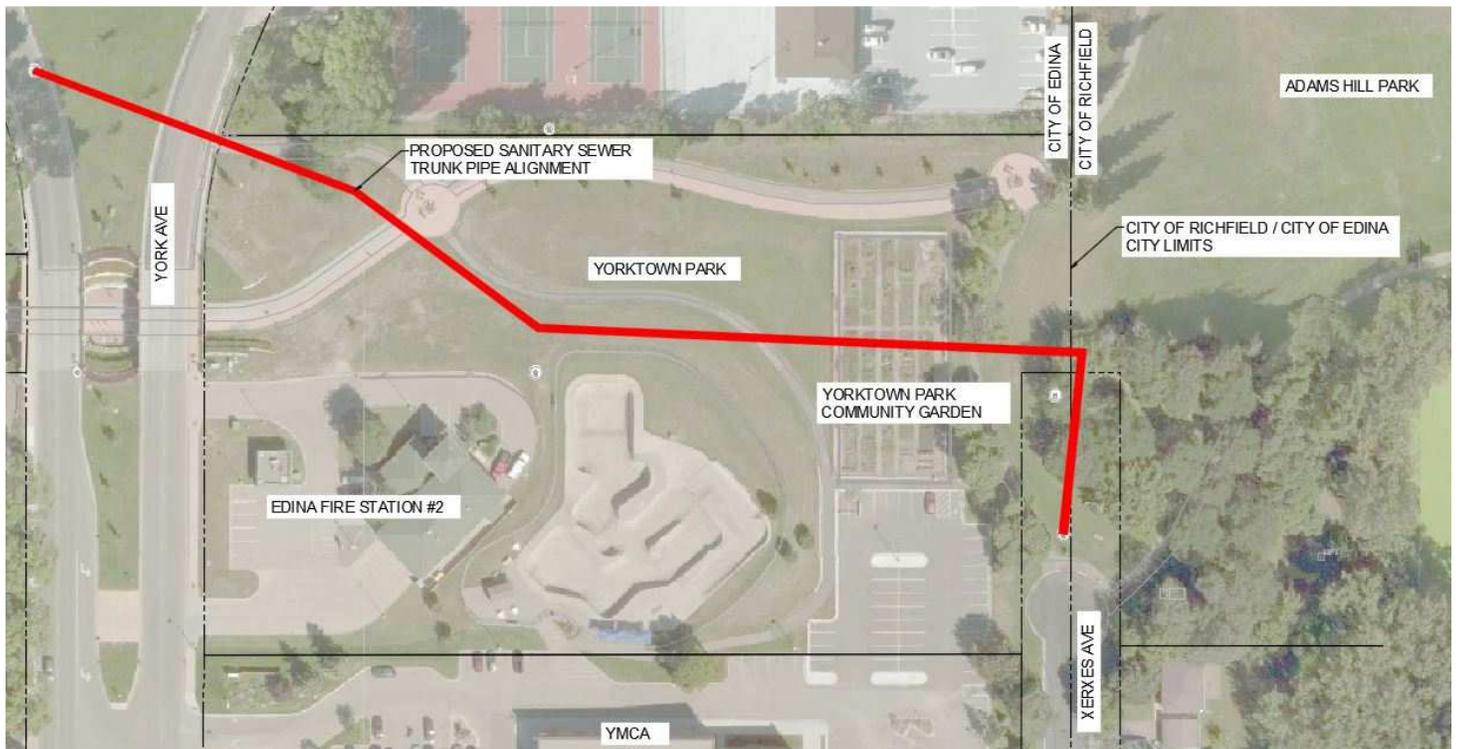
Yorktown Park Sanitary Sewer Trunk Pipe Extension

Yorktown Park between Xerxes Avenue South and York Avenue South

October 14, 2019

Dear Resident:

The City of Edina will soon start construction on a sanitary sewer trunk pipe extension project through Yorktown Park (Edina). A portion of the project impacts Adams Hill Park (Richfield). The project limits are shown in the location graphic below.



You are invited to attend a field meeting to learn details of the project. The field meeting is scheduled for:

When: October 23, 2019, 4:00-5:00 p.m.

Where: Xerxes Avenue cul-de-sac

Parking is available along the east side of Xerxes Avenue or in the adjacent Edina YMCA parking lot.

This project is a continuation of a previous trunk sanitary sewer extension project along Xerxes Avenue in 2017. The City needs to increase the capacity of its sanitary sewer network due to current and projected future redevelopment in southeastern Edina.

ENGINEERING DEPARTMENT

7450 Metro Boulevard • Edina, Minnesota 55439
EdinaMN.gov • 952-826-0371 • Fax 952-826-0392



Beginning in November, the City's contractor will mobilize to the site and begin installing erosion control measures, lowering the hill north of the Xerxes Avenue cul-de-sac and removing select trees. This work is in preparation for pipe installation that is anticipated to begin in April of 2020.

If you have any questions, please contact me at 952-826-0318 or cmillner@EdinaMN.gov, or the consulting field representative Kevin Manzke, at 952-912-2633 or kmanzke@sehinc.com. Kevin is with Short Elliott Hendrickson (SEH) and his company will assist staff with overseeing construction of the project.

Sincerely,

A handwritten signature in black ink that reads "Chad A. Millner".

Chad A. Millner, P.E.
Director of Engineering

ENGINEERING DEPARTMENT

7450 Metro Boulevard • Edina, Minnesota 55439
EdinaMN.gov • 952-826-0371 • Fax 952-826-0392



STAFF REPORT NO. 129
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Amy Markle, Recreation Services Director

DEPARTMENT DIRECTOR REVIEW: Amy Markle

OTHER DEPARTMENT REVIEW: None

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
 10/16/2019

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of the Hennepin County Sports Facilities Grant Resolution to submit a grant for the Universally Inclusive Playground at Augsburg Park and authorize staff to execute the grant agreement if awarded.

EXECUTIVE SUMMARY:

All Hennepin County Youth Sports Facilities Grant applicants are required to execute a resolution, which authorizes the filing of the application and pledges to execute final agreements with Hennepin County if a grant is awarded. The Recreation Department is applying for \$300,000 for the Universally Inclusive Playground at Augsburg Park. If awarded, the grant would significantly help us reach our financial goal so we can construct the playground in the coming year.

RECOMMENDED ACTION:

By Motion: Approve the resolution to submit a Hennepin County Youth Sports Facilities Grant and authorize the Recreation Services Director to execute the grant if awarded.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The Recreation Services Director and the Community Services Commission have approved a playground vendor and design for the Universally Inclusive Playground. The quote for the playground and fencing is approximately \$648,237. We are seeking a variety of funding sources, including budgeted CIP funds, grants, community support through the Richfield Liquor Stores Round-Up Program, and regional business sponsorship. The playground sub-committee has identified funding strategies and the Hennepin County Recreation Sports Facilities Grant is key to achieving our goal to construct the playground.

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

The attached resolution authorizes the City of Richfield to enter into necessary and required agreements with Hennepin County for the specific purpose of developing the Universally Inclusive Playground at Augsburg Park and managing its long-term operation.

C. CRITICAL TIMING ISSUES:

The Hennepin County Youth Sports Facilities Grant is due November 4. All grant submissions need approval by City Council at the October 22 Council meeting.

D. FINANCIAL IMPACT:

The Hennepin County Youth Sports Grant can fund both new and existing recreation facilities up to \$300,000. If awarded full or partial funding, the grant would provide tremendous financial support for the Universally Inclusive Playground which will cost approximately \$648,237.

E. LEGAL CONSIDERATION:

There are no legal considerations for this item.

ALTERNATIVE RECOMMENDATION(S):

Reject the resolution and potentially miss an opportunity for funds to support the Universally Inclusive Playground at Augsburg Park.

PRINCIPAL PARTIES EXPECTED AT MEETING:

ATTACHMENTS:

Description	Type
☐ Hennepin County Sports Facilities Grant Resolution	Cover Memo

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING CITY STAFF TO FILE AN APPLICATION AND EXECUTE AGREEMENTS WITH HENNEPIN YOUTH SPORTS PROGRAM TO DEVELOP A UNIVERSALLY INCLUSIVE PLAYGROUND

WHEREAS, the Hennepin County Board of Commissioners, via the Hennepin Youth Sports Program, provides for capital funds to assist local government units of Hennepin County for the development of sports or recreational facilities, and;

WHEREAS, the City of Richfield (local government unit, hereinafter “LGU”) desires to develop a Universally Inclusive Playground (“PROJECT”).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota, the authorizing entity of the LGU, that:

1. The estimate of the total cost of developing PROJECT shall be \$648,237. The LGU is requesting \$300,000 from the Hennepin Youth Sports Program and will assume responsibility for providing matching funds of \$348,237.
2. LGU is the owner of the property where the PROJECT is located. The LGU will own the property where PROJECT is located for at least the functional life of the facility, which is estimated to be 20 years. The PROJECT may not be converted to non-public or non-recreational uses within this time period without the approval of Hennepin County.
3. LGU agrees to assume one hundred (100) percent of operational and maintenance costs for PROJECT. LGU will operate PROJECT for its intended purpose as stated in the PROJECT application for the functional life of the facility.
4. LGU agrees to enter into necessary and required agreements with Hennepin County for the specific purpose of developing PROJECT and managing its long-term operation.
5. Amy Markle, Recreational Services Director for the LGU, is authorized and directed to execute the application for the Hennepin Youth Sports Program grant.

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Adopted by the City Council of the City of Richfield, Minnesota this 22nd day of October, 2019.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of the resolution presented to and adopted by the City Council of the City of Richfield, Minnesota at a duly authorized meeting thereof held on the 22nd day of October, 2019, as shown by the minutes of said meeting in my possession.

Elizabeth VanHoose, City Clerk



STAFF REPORT NO. 130
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Matt Brillhart, Associate Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
10/15/2019

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
10/15/2019

ITEM FOR COUNCIL CONSIDERATION:

Consider the adoption of a resolution granting a one-year extension of land use approvals for a Planned Unit Development at 2400 66th Street West (NOVO apartments).

EXECUTIVE SUMMARY:

On December 11, 2018, the City Council approved development plans for the NOVO apartments at 66th Street and Queen Avenue. Land use approvals expire one year after being issued unless substantial work on the project has begun, or the Applicant requests an extension. Trident Development (Applicant) submitted the attached letter requesting an extension of land use approvals related to this project. The Applicant anticipates submitting Building Permit applications to the Inspections Division in late 2019 and beginning substantial work on the project shortly after that.

If an extension is not granted, the Applicant would have to begin the land use approval process anew; however, applicable land use regulations remain unchanged from the time of approval.

RECOMMENDED ACTION:

By motion: Adopt a resolution granting a one-year extension of a Conditional Use Permit and Final Development Plan for a Planned Unit Development at 2400 66th Street West.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

Historically, land-use approval extensions have been approved unless some aspect of the project has changed significantly, City ordinances/regulations have been changed or the applicant has already sought a prior extension; none of those issues are pertinent in this case.

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

The term of City approvals is one year. If a project for which approvals have been granted is not substantially underway within one year, the applicant must request an extension from the City Council. The City Council may grant an extension of up to one year. If the extension is not granted, the applicant would have to begin the land use approval process anew.

C. CRITICAL TIMING ISSUES:

The land use approvals for this project are scheduled to expire on December 11, 2019.

D. FINANCIAL IMPACT:

The required processing fee has been paid.

E. LEGAL CONSIDERATION:

None

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

Patrick Brama, Trident Development

ATTACHMENTS:

Description	Type
▣ Resolution	Resolution Letter
▣ Extension request letter	Backup Material
▣ Resolution No. 11577 (2018 project approval)	Backup Material

RESOLUTION NO. _____

**RESOLUTION GRANTING AN EXTENSION OF
A FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT
FOR A PLANNED UNIT DEVELOPMENT AT
2400 66TH STREET WEST**

WHEREAS, by Resolution No. 11577, adopted on December 11, 2018, the City Council approved a final development plan and conditional use permit for a planned unit development to allow construction of the NOVO apartments at 2400 66th Street West; and

WHEREAS, Subsection 547.09, Subdivision 9 of the Richfield City Code requires that substantial construction be completed within one year of approval, less the approval expire or the applicant requests and is granted an extension; and

WHEREAS, City staff has received a request from Trident Development, LLC (the "Applicant") for a one-year extension; and

WHEREAS, the City Council wishes to provide the additional time requested.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, as follows:

1. The City Council extends the approvals granted by Resolution No. 11577 for a period not to exceed one year.
2. The deadline for "substantial construction" is hereby extended to December 11, 2020.

Adopted by the City Council of the City of Richfield, Minnesota this 22nd day of October, 2019.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



3601 18th Street South • Suite # 103 • St. Cloud, MN 56301
Phone: 320.258.4438 • 320.252.3603

September 7, 2019

Matt Brillhart, Associate Planner
City of Richfield
6700 Portland Avenue
Richfield, MN 55423

RE: NOVO APARTMENTS (NOVO, LLC) EXTENSION REQUEST for PREVIOUS CITY APPROVALS

Mr. Brillhart:

On December 11, 2018, the NOVO Apartments apartment project, located at the intersection of 66th St/ Queen Ave, received various land use approvals from the Richfield City Council. Progress continues to be made on this project. Construction is anticipated to begin in the coming months. The developer (NOVO, LLC) is formally requesting the following:

- Consideration for extending City Resolution #11577 deadlines by 1-year (includes: PUD, Final Development Plan, Conditional Use Permit); and any other relevant project approval resolutions
- Enclosed is the required \$250.00 application fee
NOTE: NOVO, LLC includes Broadway Investors, LLC

Extension of the land use deadlines is required to meet the developers updated construction schedule.

Your consideration is appreciated. We are available to answer questions.

Respectfully,

A handwritten signature in blue ink that reads "Patrick E. Brama".

Patrick E. Brama
Trident Development, LLC

(763) 412-7609, patrickb@tridentdevelopmentmn.com

CC: David Lundy, Broadway Investors
Erik Winegarden, Broadway Investors
Todd Olin, Sambatek
Dan O'Brien, DSO Architecture
Chris Dahn, Bogart & Pederson

RESOLUTION NO. 11577

RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT

WHEREAS, an application has been filed with the City of Richfield which requests approval of a final development plan and conditional use permit for a planned unit development to include 183 apartments, on land that is legally described in the attached Exhibit A; and

WHEREAS, the Planning Commission of the City of Richfield held a public hearing and recommended approval of the requested final development plan and conditional use permit at its November 26, 2018 meeting; and

WHEREAS, notice of the public hearing was published in the Sun-Current and mailed to properties within 500 feet of the subject property on November 13, 2018; and

WHEREAS, the requested final development plan and conditional use permit meets those requirements necessary for approving a planned unit development as specified in Richfield's Zoning Code, Section 542.09, Subd. 3 and as detailed in City Council Staff Report No. 221; and

WHEREAS, the request meets those requirements necessary for approving a conditional use permit as specified in Richfield's Zoning Code, Section 547.09, Subd. 6 and as detailed in City Council Staff Report No. 221; and

WHEREAS, the City has fully considered the request for approval of a planned unit development, final development plan and conditional use permit; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
2. A planned unit development, final development plan and conditional use permit are approved for a multi-family residential development as described in City Council Report No. 221.
3. The approved planned unit development, final development plan and conditional use permit are subject to the following conditions:
 - A recorded copy of this approved resolution must be submitted to the City prior to the issuance of a building permit.
 - A preliminary plat must be approved prior to the issuance of a building permit
 - A final plat must be approved and recorded prior to the issuance of a certificate of occupancy.
 - This approval does not constitute approval of specific signs. Sign permits are required and must be applied for separately.

- Final lighting plans must be submitted to and approved by the Community Development and Public Works Directors. Pedestrian scale lighting shall highlight building entrances.
 - Final landscaping plans noting the species, quantity, and sizes of trees and shrubs must be submitted to and approved by the Community Development Director. Additional landscaping and/or public art are required in areas where a significant amount of underground parking structure is visible from public right-of-way. The property owner is responsible for the ongoing maintenance and tending of all landscaping in accordance with approved plans.
 - Final plans for sidewalks and improvements in and along the right-of-way must be submitted to and approved by the Community Development and Public Works Directors.
 - Final stormwater management plans must be submitted to and approved by the Public Works Director. All applicable stormwater fees must be paid to the Public Works Department.
 - Final utility plans must be submitted to and approved by the Public Works Director. All new utilities must be underground.
 - A maintenance agreement related to sidewalks and landscaping must be executed prior to issuance of a Certificate of Occupancy.
 - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report, and compliance with all other applicable City and State regulations.
 - Prior to the issuance of a Certificate of Occupancy, the Developer must submit a surety equal to 125% of the value of any improvements not yet complete.
 - As-builts or \$7,500 cash escrow must be submitted to the Public Works Department prior to issuance of a final certificate of occupancy.
 - Prior to construction, the applicant shall hire an independent firm to conduct pre-construction condition surveys of properties abutting Russell Avenue between 65th Street and 66th Street, and properties abutting 65th 1/2 Street between Queen and Russell Avenues.
 - During construction, the applicant shall work to minimize parking and traffic impacts on public streets related to worker/construction vehicles. Solutions could include parking worker vehicles off-site and shuttling workers to the construction site.
4. The approved planned unit development, final development plan and conditional use permit shall expire one year from issuance unless the use for which the permit was granted has commenced, substantial work has been completed or upon written request by the Developer, the Council extends the expiration date for an additional period of up to one year, as required by the Zoning Ordinance, Section 547.09, Subd. 9.
 5. The approved planned unit development, final development plan and conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of December, 2018.



Pat Elliott, Mayor

ATTEST:



Elizabeth VanHoose, City Clerk

EXHIBIT A

LEGAL DESCRIPTIONS

Blocks 2 and 3, Harry Tickner's Subdivision of Lot 15, Richfield Gardens, according to the plat thereof, Hennepin County Minnesota.

That part of Lot 1, Block 1, Richfield Gardens 2nd Addition, according to the plat thereof, Hennepin County, Minnesota, described as lying westerly of the following described line; Commencing at the Southwest Corner of said Lot 1, Block 1, thence South 89 degrees 45 minutes 12 seconds East, assumed bearing along the south line of said Lot 1, Block 1, a distance of 125.10 feet, to the Point of Beginning of the line to be described; thence North 00 degrees 14 minutes 25 seconds West, parallel with the west line of said Lot 1, Block 1, a distance of 70.00 feet more or less, to the angle point on the westerly line of said Lot 1, Block 1 and there terminating.



STAFF REPORT NO. 131
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Public Safety Director/Chief of Police
10/15/2019

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
10/16/2019

ITEM FOR COUNCIL CONSIDERATION:

Consider the adoption of a resolution ordering the securing of a vacant building at 7100 Oliver Avenue South.

EXECUTIVE SUMMARY:

In January 2018, 7100 Oliver Ave South sustained fire damage. Staff have made multiple attempts to contact the home owner over the past year and although there has been some communication, there has been insufficient progress on the home to bring it up to code. Additionally, staff recently had to administratively register the house as vacant. As is, the structure is unsafe in its current condition.

RECOMMENDED ACTION:

By Motion: Approve the adoption of the resolution ordering the securing of a vacant building located at 7100 Oliver Avenue South.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

In January 2018, 7100 Oliver Avenue South sustained fire damage making the home inhabitable. Over the past two years, neighborhood complaints have been received regarding the condition of the home. City staff have made multiple attempts to communicate with the home owner regarding the home being unsecured and open to the elements, creating significant safety concerns.

Multiple attempts have also been made by the City to have the property registered as vacant as required by City Code. Communication with the owner in 2019 is as follows:

- A visit to the home on February 25, 2019 revealed the home was unsecured. Owner advised she would lock up and re-board.
- A visit to the home on April 24, 2019 revealed the home was unsecured. Owner was advised via email and USPS mail to secure the property.
- A neighborhood complaint was received on May 22, 2019 regarding the condition of the property. Owner advised she was working with the insurance company. City staff advised owner to secure the property.
- A visit to the home on July 11, 2019 revealed the home and garage were unsecured. City staff advised owner to secure the property. The owner advised city staff that rehab on the house would begin "any day".

- A visit to the house on September 23, 2019 revealed the home was unsecured. City staff boarded up the rear entry and locked the front door.
- A visit to the property on October 2, 2019 revealed the home was unsecured. Owner advised via email and USPS mail to secure the property.
- Additionally, the City recently took action to have the home administratively registered as vacant because of the lack of response by the owner.

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

Richfield City Code Section 925.02, subd. 3, adopts Minn. Stat. 463.251 by reference authorizing the City of Richfield to order the securing of a vacant building.

Richfield City Code Section 400.04 Building Code Subd. 4 Completion of Exterior Work.

If a building is damaged by fire or by other casualty or cause and the roof or exterior finishes are damaged or destroyed, the damaged materials shall be completely restored or replaced with exterior building materials permitted by the Minnesota State building code and this code as soon as reasonably possible, and in any event within 12 months after the damage or destruction. To date, the home owner is one year past the time frame provided in the Richfield Building Code.

C. CRITICAL TIMING ISSUES:

With winter approaching, it would be beneficial to have the house secured before inclement weather causes more damage to the structure.

D. FINANCIAL IMPACT:

An estimate from a local contractor to secure the property is \$3,900. That amount would be assessed to the property.

E. LEGAL CONSIDERATION:

The City Attorney has reviewed this process with staff and agrees on the recommended course of action.

ALTERNATIVE RECOMMENDATION(S):

The City Council could choose not to adopt the resolution ordering to secure a vacant building. The structure would remain out of compliance with City Code and a source of blight in the neighborhood.

PRINCIPAL PARTIES EXPECTED AT MEETING:

ATTACHMENTS:

Description	Type
□ Resolution	Cover Memo
□ photos	Cover Memo
□ Estimate for abatement	Cover Memo

RESOLUTION NO. _____

**RESOLUTION ORDERING THE SECURING OF A VACANT BUILDING AT 7100
OLIVER AVENUE SOUTH**

WHEREAS, the City Council of Richfield finds that the building located at 7100 Oliver Avenue South, Richfield MN, 55423 (“Property”) is vacant and hazardous because it is open to trespass and has not been secured based on the following circumstances:

- a. A visit to the home on February 25, 2019 revealed the home was unsecure. Owner advised she would lock up and re-board.
- b. A visit to the home on April 24, 2019 revealed the home was unsecure. Owner was advised to secure property.
- c. A neighborhood complaint was received on May 22, 2019 regarding the condition of the property. Owner advised she was working with the insurance company. City staff advised owner to secure the property.
- d. A visit to the home on July 11, 2019 revealed the home and garage were unsecure. City staff advised owner to secure the property. The owner advised city staff that rehab on the house would begin “any day”.
- e. A visit to the home on September 23, 2019 revealed the home was unsecure. City staff boarded up the rear entry and locked the front door.
- f. A visit to the property on October 2, 2019 revealed the home was unsecured. Owner advised to secure the property.
- g. The vacant structure was administratively registered as vacant by city staff on October 4, 2019. To date, the owner has not responded.

WHEREAS, the conditions listed above are more fully documented in the photos prepared by Jennifer Grinde, Housing Inspector, on October 3, 2019, a copy of which is attached as Exhibit A.

WHEREAS, City staff have been in contact with the owner of the Property between February 25, 2019 and September 25, 2019, who has failed to secure the building;

WHEREAS, the owner has failed to provide a property plan to secure and maintain the building as required by Richfield City Code subsection 925.02 and this action is therefore necessary to take steps to secure the building;

WHEREAS, Richfield City Code subsection 925.02, subd. 3, adopts Minn. Stat. § 463.251 by reference;

WHEREAS, pursuant to Minn. Stat. § 463.251, the City Council of Richfield finds that securing the building will address public safety concerns associated with its ongoing vacancy and lack of maintenance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. Pursuant to the foregoing findings and in accordance with Minn. Stat. § 463.251, the Council orders the owner of the Property to properly secure the building by taking the following actions:
 - a. Secure rear door to prevent access without a key.
 - b. Repair hole in roof to be reasonably water tight.
 - c. Repair damaged walls, soffits, gable end vents, and windows to be rodent proof and reasonably water tight. This repair could be plywood painted to match.
 - d. Remove all garbage from the exterior.

2. The owner, the owner's agent, or the holder of the sheriff's certificate of sale (if applicable) must do one of the following within **six (6) days after this Order is served on them**:
 - a. Comply with this order and take the steps to secure the building as described in paragraph 1.
 - b. Provide the City with a reasonable plan and schedule to comply with this Order. The plan must be in writing and received by City of Richfield Support Services Supervisor Jennifer Anderson.
 - c. Request a hearing before the Council challenging the determination that the Property is vacant and hazardous and in need of securing. The request must be in writing and received by City of Richfield Support Services Supervisor Jennifer Anderson.

3. If the owner, the owner's agent, or the holder of the sheriff's certificate fails to comply with options outlined in paragraph 2, the City will take action to secure the building on the Property.

4. All work must be completed in compliance with all applicable codes and regulations, pursuant to proper permits from the City.

5. The holder of any sheriff's certificate has a duty under Minn. Stat. § 582.031, subd. 1(b) to enter the premises to protect it from waste and trespass if this Order is not challenged or set aside and there is prima facie evidence of abandonment of the Property as described in Minn. Stat. § 582.032, subd. 7.

6. If the City must take actions to enforce this Order, the City will specially assess all enforcement costs against the Property in accordance with Minn. Stat. §§ 463.251, 463.21, and 463.151.

7. The city attorney is authorized to serve this Order upon the owner of the Property, the holder of the sheriff's certificate of sale, and all lien holders of record.

Adopted by the City Council of the City of Richfield, Minnesota this ____ day of _____, 2019.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk













Giertsen Company of Minnesota

Client: City of Richfield
Property: 7100 Oliver Ave S.
Minneapolis, MN 55423

Operator: ROBERTN

Estimator: Robert Newton
Position: Estimator
Company: Giertsen Company of MN, Inc.
Business: 8385 10th ave N.
Golden Valley, MN 55427

Cellular: (763) 238-0513
E-mail: robertn@giertsenco.com

Type of Estimate: Other
Date Entered: 10/14/2019 Date Assigned:

Price List: MNMN8X_OCT19
Labor Efficiency: Restoration/Service/Remodel
Estimate: RICHFIELD_7100OLIVER



RICHFIELD_7100OLIVER

RICHFIELD_7100OLIVER

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
1. Temporary Repairs - per hour	32.00 HR	0.00	70.14	0.00	2,244.48
2. Sheathing - plywood - 1/2" - treated	320.00 SF	0.00	2.08	30.10	695.70
3. Roofing - Labor Minimum	1.00 EA	0.00	676.28	0.00	676.28
4. Paint the surface area - one coat	320.00 SF	0.00	0.61	2.65	197.85
Total: RICHFIELD_7100OLIVER				32.75	3,814.31

Labor Minimums Applied

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
5. Painting labor minimum	1.00 EA	0.00	50.28	0.00	50.28
Totals: Labor Minimums Applied				0.00	50.28

Line Item Totals: RICHFIELD_7100OLIVER **32.75** **3,864.59**



Giertsen Company of Minnesota
8385 104 Avenue North Golden Valley, MN 55427
Phone (763) 546-1300 Fax (763) 277-4428

Giertsen Company of Minnesota

Summary

Line Item Total	3,831.84
Matl Sales Tax Reimb	32.75
Replacement Cost Value	\$3,864.59
Net Claim	\$3,864.59

Robert Newtonson
Estimator



Giertsen Company of Minnesota
8385 104 Avenue North Golden Valley, MN 55427
Phone (763) 546-1300 Fax (763) 277-4428

Giertsen Company of Minnesota

Recap by Category

Items	Total	%
FRAMING & ROUGH CARPENTRY	665.60	17.22%
PAINTING	245.48	6.35%
ROOFING	676.28	17.50%
TEMPORARY REPAIRS	2,244.48	58.08%
Subtotal	3,831.84	99.15%
Matl Sales Tax Reimb	32.75	0.85%
Total	3,864.59	100.00%



STAFF REPORT NO. 132
CITY COUNCIL MEETING
10/22/2019

REPORT PREPARED BY: Amy Markle, Recreation Services Director

DEPARTMENT DIRECTOR REVIEW: Amy Markle
10/16/2019

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
10/15/2019

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of the Richfield Ice Arena Refrigeration Project that includes the renovation of the refrigeration system for both sheets of ice, HVAC system, roof improvements, ADA upgrades, and turf for dry-floor athletics with the use of existing city funds.

EXECUTIVE SUMMARY:

The Richfield Ice Arena was built with one sheet of ice in 1971, and an additional ice sheet was added in 1999. Both utilize R-22 chemical as the refrigerant to keep the ice cool. R-22 is being phased out of production at the end of 2019, so future costs are predicted to increase sharply as quantity diminishes. The financial and environmental risks associated with an R-22 leak are significant. It is responsible at this time to seek another refrigeration system to ensure the longevity of the Richfield Ice Arena. Also, we have original mechanics to the facility that are 48 years old, many of which are no longer produced, so repairing the old system has become quite challenging and costly in recent years. For the renovation project, we would like to complete the following work:

- New refrigeration system that utilizes ammonia vs. R-22
- ADA upgrades
- Roof improvements
- HVAC system to protect wood
- Dry-floor turf

The ice arena is a heavily utilized community facility, with over 500,000 guest visits annually from Richfield and the greater region. We are home to numerous organizations, including:

- Minnesota Magicians
- Minnesota Recreation Youth Hockey
- Adult Hockey Association
- Richfield Rocks (curling)
- Bloomington Kennedy Richfield Hockey
- DinoMights
- St. Paul Figure Skating Club (FSC)
- Richfield High School Hockey
- Academy of Holy Angels Stars Hockey
- ETS Performance

The Arena also host over a dozen large hockey tournaments a year and a major regional figure skating championship. Richfield has had a strong history of hockey, and has produced several NHL players.

The Richfield Ice Arena provides important benefits to the community. It is a facility where both youth and adults participate in programming and all Richfield Public School fourth graders learn to skate. It provides a needed space for people to recreate and increase fitness. Also, the arena is able to draw regional guests that bring money into the community at retail shops, restaurants, and hotels. With the potential of dry-floor capabilities, the facility will be able to do a much larger diversity of athletic and entertainment programming for the city and greater region.

A considerable outreach effort was made to invite the community to the Richfield Ice Arena Refrigeration Project Engagement Sessions. We reached the community through the following methods: emailed all participants of the ice arena programs and ice rentals, articles and a notice in the Sun Current Newspaper, multiple social media posts, personal invites from staff to community members and arena guests, information on the city website and calendar, and announcements at commission and Tourism Board meetings. We hosted a series of five engagement sessions that were on a variety of dates and times to help accommodate as many people as possible. Each session was held at the ice arena and included a presentation, tour of the facility and current refrigeration system, fact sheet, and time for questions. Every participant was asked to fill out a project feedback card (see attachment), to communicate thoughts about the project to Richfield City Council. The following comments highlight feedback from the community:

- "I've never been able to utilize the ice arena, so to get my community value, let's make the swing seasons available for Pickleball."
- "This project is positive for the City of Richfield. It gives lots of kids some place to be and stay active. I would like to see both craft and antique events."
- "Keep ice activities going for Richfield, make events happen to bring people here. Make it a viable space for craft shows, fundraising, etc. Thank you for letting us know more about the project and give feedback."
- "I would like to see the dry floor space utilized for a Farmers Market."
- "There is a high demand for ice already and we need to ensure there is enough ice sheets in the future. Would love to see lacrosse."
- "Would like to see indoor soccer."
- "Minneapolis Hockey buys 80 hours of ice. Keep it open, I would like to use the dry-floor space for dry land training."
- "Utilize dry floor events for whatever makes money, but keep skating activities here in city."
- "Getting rid of R-22 is important and environmentally friendly."
- "Continue viability of the arena, bring traffic to Richfield, a cat show would be a way to utilize dry-floor space."
- "This project will bring more events to Richfield and more revenue for Richfield restaurants and hotels. Craft shows and dog shows would bring non-Richfielders here."
- "The project is good for family activities and fitness."
- "Continue to bring in people for the many events this facility can support, and do it in an environmentally-friendly way. Wine events and drone racing would be neat to see in the dry-floor space."
- "I don't currently use the ice arena, but upgrades are always needed. I would like to see wine events, and have an indoor space that complements outdoor events like 4th of July."

Overall, the engagement sessions were positive, participants asked great questions, and we got a lot of positive feedback for the project and valuable opinions on the use of the dry-floor space.

RECOMMENDED ACTION:

By motion: Approve the Richfield Ice Arena Refrigeration Project utilizing existing funds, for renovation work to commence in 2020.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The Ice Arena was constructed in 1971, the second sheet of ice was added in 1999. Both sheets of ice

run on a R-22 refrigeration system which is being phased out at the end of 2019. The arena is a popular city and regional attraction, hosting over 500,000 people a year. It provides positive opportunities for wellness, social interactions, and special events that center around ice sports (hockey, figure skating, ice-skating, and curling).

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

- Under the U.S. Clean Air Act and the Montreal Protocol on Substances that Deplete the Ozone Layer, the United States is phasing out the production and import of hydrochlorofluorocarbons (HCFCs) in order to protect the stratospheric ozone layer. By phasing out the production of ozone-depleting substances (ODS) like HCFCs, we are reducing the risk of skin cancer caused by exposure to UV radiation. In addition, many of these ozone-depleting substances, as well as their substitutes, are greenhouse gases that contribute to climate change. No Immediate Change Is Required HCFC-22 is used as a refrigerant in many applications, including ice rinks. Starting on January 1, 2020, U.S. production and import of HCFC-22 will end (see attachment).

C. CRITICAL TIMING ISSUES:

Every year the project is put on hold, the cost increase is estimated at a minimum of \$100,000. The elimination of R-22 production will put the cost at the demand of the market. Every year, we are leaking R-22 and have to add roughly 500 pounds to keep our system operating efficiently, which is expensive. There will be an increase in maintenance of the current refrigeration system as parts continue to become obsolete. Also, timing of this project will be competitively bid by many arena contractors.

D. FINANCIAL IMPACT:

The Richfield Ice Arena Refrigeration Project will cost approximately \$3.4 million for the refrigeration component, and an additional \$280,000 in building improvements (HVAC system, ADA upgrades, roof improvements, and dry-floor turf). The total for the whole project is estimated at \$3.68 million. We would like to fund the project in 2020 with golf course sale monies and additional funds that were budgeted in past years for this project.

The renovation will annually save the following amounts:

- \$30,000 on utilities
- \$5,000 on chemicals
- \$10-15,000 on maintenance costs

If the arena was to experience a major R-22 leak, it would cost over \$160,000 per rink to equalize the system again by purchasing reclaimed R-22. We can't afford to risk those types of accidents from happening, as they are expensive both financially and environmentally.

With the updated renovation timeline (see attachment), there should be limited impacts on keeping one sheet of ice available throughout the construction for rent and programming.

Sources/Uses
Ice Arena Refrigeration Project

SOURCES

Internal Funding (Golf Course Funds)	\$3,400,000
Special Revenue Funds	\$280,000
Total Sources	\$3,680,000

USES

Construction	\$3,680,000
Total Uses	\$3,680,000

Excess(Deficiency)Sources over Uses

\$0

E. LEGAL CONSIDERATION:

N/A

ALTERNATIVE RECOMMENDATION(S):

- Replace one refrigeration plant now and defer the second ice sheet to a future time.
- Keep our current system and incur the risks associated with it (environmental, financial, and social).

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
☐ EPA Ice Rinks and R-22 Phaseout Information	Cover Memo
☐ Updated Timeline for Ice Arena Refrigeration Renovation	Cover Memo
☐ Engagement Session Feedback Card	Cover Memo
☐ Richfield Ice Arena Presentation from Work Session	Cover Memo
☐ Quote for Refrigeration Renovation	Cover Memo

Ice Rinks and the Phaseout of HCFC-22

What You Need to Know



What Is the HCFC Phaseout?

Under the U.S. Clean Air Act and the *Montreal Protocol on Substances that Deplete the Ozone Layer*, the United States is phasing out the production and import of hydrochlorofluorocarbons (HCFCs) in order to protect the stratospheric ozone layer. By phasing out the production of ozone-depleting substances (ODS) like HCFCs, we are reducing the risk of skin cancer caused by exposure to UV radiation. In addition, many of these ozone-depleting substances, as well as their substitutes, are greenhouse gases that contribute to climate change.

No Immediate Change Is Required

HCFC-22 is used as a refrigerant in many applications, including ice rinks. Starting on January 1, 2020, U.S. production and import of HCFC-22 will end. This does not mean that use of HCFC-22 must stop at that time. Since a significant inventory of virgin HCFC-22 exists, and recovered and reclaimed material will be available, the U.S. Environmental Protection Agency (EPA) expects use of HCFC-22 to continue well into the future.

Planning for the Future Is Important

Even though there is no immediate need for change, supply of HCFC-22 will decline over the next few years, and prices may rise. For existing HCFC-22 systems, this makes tightening leaks and performing preventive maintenance even more important to keep refrigerant emissions down and reduce the need to purchase additional HCFC-22. When the time does come to replace or retrofit an existing system, there are many alternatives available that are safer for the environment. EPA has listed several examples of alternatives in the table on the next page.

What Alternatives Can Be Used Instead of HCFC-22?

Many alternatives that are safer for the environment than HCFC-22 are available for use both in new rinks and in existing systems that require retrofit. See the table on the next page for a list of some acceptable non-ozone-depleting alternatives under EPA's Significant New Alternatives Policy (SNAP) Program. Some of these alternatives are listed for use in retrofitted HCFC-22 systems, and others are only listed for new ice rink refrigeration systems. A full list of acceptable alternatives under SNAP is available at www.epa.gov/ozone/snap/refrigerants/lists/icerinks.html.



Acceptable Non-Ozone-Depleting Alternatives to HCFC-22 Under EPA's SNAP Program

Chemical	GWP	Ozone Depleting?	Retrofit	New
Ammonia	0	No		X
THR-03	918	No		X
R-134a	1,430	No	X	X
RS-24 (2002 formulation)	1,505	No	X	X
R-426A	1,508	No	X	X
R-407C	1,774	No	X	X
R-407F	1,825	No	X	X
R-442A	1,888	No	X	
R-410A	2,088	No		X
R-407A	2,107	No	X	X

GWP = Global Warming Potential. GWP is a measure of how much a given mass of greenhouse gas is estimated to contribute to global warming relative to the same mass of carbon dioxide.

When considering an alternative for retrofitting a system, be sure to follow the manufacturer's suggested handling and installation guidelines and to consider possible effects on the system's energy consumption.

Are There Other Refrigerant Regulations Affecting Ice Rinks?

Ice rinks are subject to refrigerant management regulations under section 608 of the Clean Air Act, specifically the requirement to keep leak rates below 15% for comfort cooling appliances and below 35% for refrigeration equipment. In addition, it is illegal to knowingly vent refrigerant—both ozone-depleting refrigerants and the alternatives¹—during servicing, maintaining or disposing of a refrigeration or air conditioning system.

For Further Information

- Phaseout of Ozone-Depleting Substances: www.epa.gov/ozone/title6/phaseout
- Leak Repair Requirements for HCFC-22 Systems: www.epa.gov/ozone/title6/608/leak.html
- Leak Prevention and Retrofit Guidelines: www2.epa.gov/greenchill/reports-guidelines-and-tools

Other EPA Resources for Ice Rink Managers

- Indoor Air Quality and Ice Rinks: www.epa.gov/iaq/icearenas.html
- ENERGY STAR for Buildings and Plants: www.energystar.gov/buildings



FOR MORE INFORMATION Visit www.epa.gov/ozone/title6/phaseout/classtwo.html or contact David Donaldson at (202) 343-9086 or donaldson.david@epa.gov.

¹Several alternatives have been exempted from the venting prohibition. Examples include ammonia in commercial or industrial process refrigeration or in absorption units, and carbon dioxide, nitrogen or water in any application. A complete list is available in the U.S. Code of Federal Regulations at <http://go.usa.gov/kAhQ>.



Updated Timeline of Richfield Ice Arena Refrigeration Renovation Timeline

A. Milestone Dates in the following table:

Anticipated Contract Award by City Council	February 1 st 2020
Phase 1 – Start Work / Rink 2 Ice System Shut-down	March 23 rd 2020
Phase 1 - Substantial Completion	July 15 th 2020
Phase 1 - Rink 2 Dasher Board Install by Owner	July 27 th -31 st 2020
Phase 1 - Owner make ice on Rink 2	August 3 rd -7 th 2020
Phase 2 – Start Work / Rink 1 Ice System Shut-down	May 25 th 2020
Phase 2 - Substantial Completion	August 15 th 2020
Phase 2 - Rink 1 Dasher Board Install by Owner	August 24 th -28 th 2020
Phase 2 - Owner Make Ice on Rink 1	September 1 st -4 th 2020

ICE ARENA REFRIGERATION PROJECT FEEDBACK CARD

Please provide your feedback below. Thanks!

How do you utilize the ice arena currently?

How do you see this project benefiting Richfield and the surrounding region?

What kind of activities would you like to see the dry-floor space utilized for?

What questions and/or comments do you have regarding the project?



Thank you for your feedback; we will compile the information into a report for Richfield City Council to hear from the community regarding the project.

ICE ARENA REFRIGERATION PROJECT FEEDBACK CARD

Please provide your feedback below. Thanks!

How do you utilize the ice arena currently?

How do you see this project benefiting Richfield and the surrounding region?

What kind of activities would you like to see the dry-floor space utilized for?

What questions and/or comments do you have regarding the project?



Thank you for your feedback; we will compile the information into a report for Richfield City Council to hear from the community regarding the project.

Richfield Ice Arena Refrigeration Renovation Plan



Work Session

Goals:

- Raise awareness of the Ice Arena project.
- Explain the history of the facility and it's connection to the community.
- Introduce groups that will be effected from the project.
- Explain the project including costs.
- Go through project timeline and next steps.

Richfield Ice Arena History and Rich Hockey Tradition

- Rink 1 was built in 1971 with a direct R-22 refrigeration system.
- Rink 2 was built in 1999 with a another direct R-22 refrigeration system.
- We have over 500,000 visitor's come through our doors every year.
- We are the home to many current and former NHL players.



We are the home to many organizations



MN Magicians and the NAHL

- The Minnesota Magicians starting playing here in 2013 and just finished their sixth season.
- We have an estimated 15-25 college and pro scouts attend each game.
- They gain us a national spotlight for our facility and give us other ice rental opportunities.
- Average attendance per game is around 800 and they typically have 28 home games from September thru April.
- Over 30 division 1 commitments and over 20 division 3 commitments.



Magicians Local Richfield Sponsorship

- Sheraton Four Points
- Local Roots
- My Burger
- Fireside
- Chipotle
- Domino's
- Giordano's
- Vinocopia



How does the Ice Arena benefit the city?

- Diversifying the use of the facility (i.e. Curling and Broomball) increases usage and exposure from youth to adults.
- Provide schools with field trip opportunities for ice skating or curling.
- Youth programs and tournaments from surrounding communities and outstate, all bring money into the community, restaurants, hotels and retail.
- Dry floor events or turf can add to the facility, creating a flexibility of usage.
- Expanding recreational opportunities and city wellness programs Richfield has to offer.
- One of the few facilities in our city that can generate high economic impact for the community.



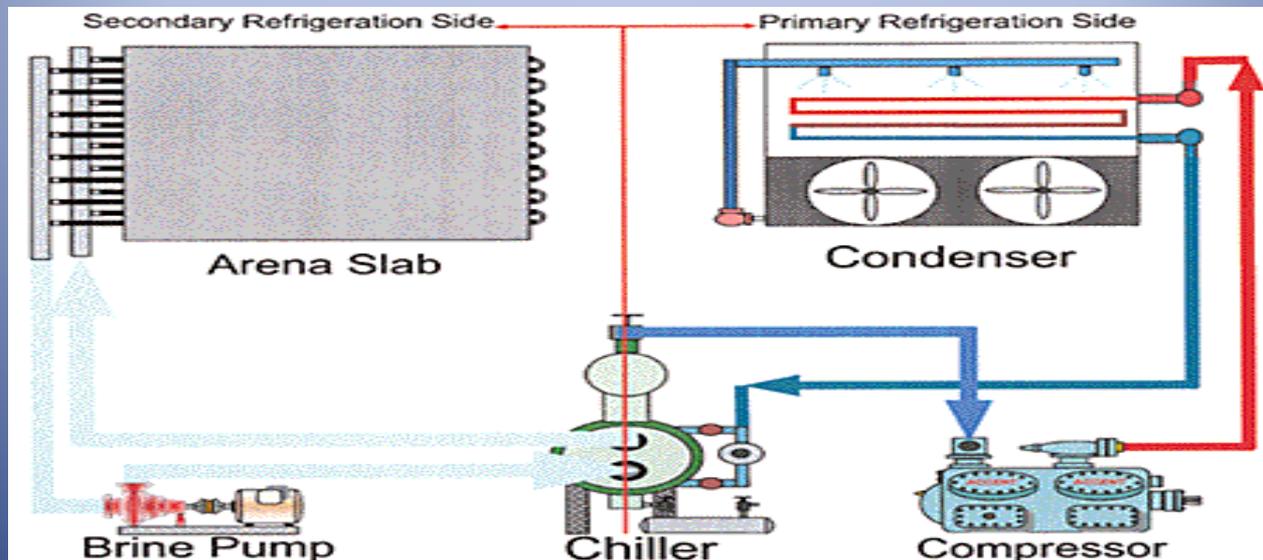
Why do we need to replace our refrigeration systems?

- Our current system is 48 years old and most of the piping is original to our building.
- They will no longer manufacture R-22 as of January 1st 2020
- The cost of used R-22 will rise over \$40 per pound in the coming years.
- We currently have over 7,000 pounds of R-22 in our two direct systems.
- Certain compressor parts are no longer made and costly modifications will need to be made.



What would happen if we had a major R-22 leak?

- It would cost over \$160,000 per ice sheet to equalize the system again by purchasing reclaimed R-22.
- We would pollute the environment with hazardous ozone depleting gas.
- Lose existing ice sheet revenue for weeks and potentially customers.
- Locating the leak is difficult, time consuming and costly.



Why is it important for us to renovate both ice sheets?

- We host 12-13 hockey tournaments a year. The company's and associations would no longer use our location because it would affect their profits.
- We would no longer be able to host major figure skating events or support curling.
- We will be using an environment friendly refrigerant to replace R-22.
- We will be able to use rink 1 and rink 2 for dry floor events such as craft shows, bean bag tournaments, wine tastings, 4th of July events, indoor soccer and lacrosse.
- Allows for skating and dry floor events simultaneously



Examples of Dry floor events



How much will the renovation save us in energy and chemicals yearly?

- We will save roughly \$30,000 per year on utilities each year.
- We will save roughly \$5,000 on chemicals each year.
- The new ammonia ice plant will save \$10,000-\$15,000 on maintenance costs compared to the old R-22 system.
- The new desiccant HVAC system will keep our facility clear of mold and provide a better ice service.



Projected cost of project

- 2020 construction cost 3.4 million + \$430,000 in improvements (HVAC system, ADA compliant bathrooms, roof, dry-floor turf, and additional ADA improvements as funding allows)
- 2021 estimated cost 3.5 million + improvements
- 2022 estimated cost 3.6 million + improvements
- Variety of potential funding scenarios:
 - Fully funded in the 2020 budget with golf course sale monies and planned Ice Arena capital improvements.
 - Will seek additional funding sources including: Mighty Ducks grant and private partnerships.

Sense of urgency for the Project

- Cost of replacing one ice sheet vs two, the second sheet only adds about \$700,000 varying with construction labor wages yearly.
- Cost of total project for materials escalates every year by a minimum of 4%.
- The elimination of R-22 production will put the cost at the demand of the market.
- Every year we are losing/leaking R-22 and have to add roughly 500lbs to keep our system operating efficiently.
- We are already seeing mechanical failures of pieces of equipment.
- Our prime location we continue to be in high demand for our ice time and facility.
- Timing of this project will be competitively bid by many arena contractors.



The Next Step

- Plan public engagement opportunities in late August, September, and October at the facility (open-houses at the arena, presentations, tours, and opportunity for discussion).
- Bring community feedback to the Council in early October.
- Ask Council to vote on October 22 to secure the quote for the work to be completed in 2020.

What are our options going forward?

***Option #1-Staff Recommendation**

We replace both ice sheets and use one new ammonia refrigeration system.

- Less disruptive to our customer base and affects one summer of ice rental.
- We will see a significant energy savings on a yearly basis.
- We will no longer be using a refrigerant that's harmful to the environment.
- We will become a more versatile facility by being able to host dry floor events.

Option#2

We replace one refrigeration plant now and defer the second ice sheet to a future time

- We would have to find a safe location to store the used R-22 from the old system.
- We would not be able to save on energy costs.
- We would still have a hard time finding replacement parts for the older plant.
- Not able to do dry floor events.
- Cost to do one refrigeration plant and ice sheet is 2.6 million. You would save on initial construction costs of \$750-900,000.

Option #3

We keep current system

- Risk inflating costs of used R-22 replacement refrigerant.
- Continued higher energy costs.
- The replacement parts for the compressors and pumps are no longer being manufactured.
- We risk long periods of down time do to equipment failure.

Item	Units	Qty	Unit Price	Total
DIVISION 01, GENERAL CONDITIONS				
1 Building Permit	LS	1		TBD
			Subtotal	\$0
DIVISION 02 - 12, BUILDING SYSTEMS				
2 Roofing	LS	1	\$7,500	\$7,500
3 Modifications to condenser remote sump tank	LS	1	\$5,000	\$5,000
4 Piping chase in lobby	LS	1	\$2,500	\$2,500
5 Structural penetrations for ME equipment and ice system mains	LS	1	\$10,000	\$10,000
6 Doors and Hardware	LS	1	\$10,000	\$10,000
7 Condenser Screen Wall	LS	1	\$50,000	\$50,000
			Subtotal	\$85,000
DIVISION 13, SPECIAL CONSTRUCTION				
8 Salvage and reinstall Rink 2 dasher boards	LS	1	\$35,000	\$35,000
9 Salvage and reinstall Rink 1 dasher boards	LS	1	\$40,000	\$40,000
10 Concrete demolition for underground mains trenches	LS	1	\$25,000	\$25,000
11 Demolish existing concrete ice rink floor (Rink 2)	LS	1	\$75,000	\$75,000
12 Demolish existing sand ice rink floor (Rink 1)	LS	1	\$35,000	\$35,000
13 Demolish existing refrigeration equipment (Rink 2)	LS	1	\$25,000	\$25,000
14 Demolish existing refrigeration equipment (Rink 1)	LS	1	\$25,000	\$25,000
15 New combined ammonia refrigeration system with screw compressors, computer controls and basic heat recovery (subfloor & snowmelt)	LS	1	\$1,200,000	\$1,200,000
16 8" transmission mains (rink 1 floor)	LS	1	\$50,000	\$50,000
17 3" transmission mains (rink 1 subfloor)	LS	1	\$30,000	\$30,000
18 New stainless steel snowmelt coil (Rink 2)	LS	1	\$20,000	\$20,000
19 New stainless steel snowmelt coil (Rink 1)	LS	1	\$20,000	\$20,000
20 Waste heat recovery to existing heat pump system in Rink 1 boiler room (incl. heat exchanger, pump, transmission mains)	LS	1	\$85,000	\$85,000
21 Concrete ice rink floor, poly rink piping and subfloor heat (Rink 2)	LS	1	\$550,000	\$550,000
22 Concrete ice rink floor, poly rink piping and subfloor heat (Rink 1)	LS	1	\$570,000	\$570,000
23 New concrete for underground mains trenches	LS	1	\$25,000	\$25,000
24 New resilient flooring for Rink 1 mains trench	LS	1	\$10,000	\$10,000
			Subtotal	\$2,820,000
DIVISION 20 - 23, MECHANICAL SYSTEMS				
25 Demolition	LS	1	\$2,500	\$2,500
26 New occupancy & emergency ventilation system for ice equipment room	LS	1	\$45,000	\$45,000
27 New 1" water line to remote sump	LS	1	\$2,500	\$2,500
28 Relocate floor drain in ice equipment room	each	1	\$4,000	\$4,000
29 New floor drains in ice equipment room	each	1	\$4,000	\$4,000
30 Combination eyewash / shower	each	2	\$5,000	\$10,000
31 Controls for ME equipment	LS	1	\$12,000	\$12,000
32 1" gas line to existing gas meter	LS	1	\$7,500	\$7,500
33 Fire Protection	LS	1	\$500	\$500
			Subtotal	\$88,000
DIVISION 26, ELECTRICAL				
34 Demolition	LS	1	\$4,000	\$4,000
35 New electrical feeder for ice equipment MCC	LS	1	\$85,000	\$85,000
36 Lighting and receptacle modifications in ice equipment room	LS	1	\$2,000	\$2,000
37 Electrical and controls for ME equipment	LS	1	\$2,500	\$2,500
			Subtotal	\$93,500
DIVISION 32 - EXTERIOR IMPROVEMENTS				
38 Remove existing chain link fence	LS	1	\$500	\$500
39 Erosion control, site work and restoration for condenser screen wall	LS	1	\$5,000	\$5,000
			Subtotal	\$5,500
Subtotal				\$3,092,000
10% Contingency				\$309,200
Total Estimated 2019 Construction Cost (excluding design and construction administration)				\$3,401,000
Total Estimated 2020 Construction Cost (excluding design and construction administration) (4% escalation applied)				\$3,538,000
Total Estimated 2021 Construction Cost (excluding design and construction administration) (4% escalation applied)				\$3,680,000

Questions?



Opinion of Probable Construction Costs - UPDATED
Richfield Ice Arena
Richfield, Minnesota

5/23/2019
 File No. 900-16-273



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