



CITY COUNCIL WORK SESSION
Public Safety Bldg—Training Room, 825 41st Ave NE
Monday, June 05, 2023
6:00 PM (or Immediately Following EDA)

Mayor
Amada Márquez Simula
Councilmembers
Connie Buesgens
Kt Jacobs
Rachel James
Justice Spriggs
Interim City Manager
Kevin Hansen

AGENDA

ATTENDANCE INFORMATION FOR THE PUBLIC

Members of the public who wish to attend may do so in-person, by calling 1-312-626-6799 and entering meeting ID 861 4690 4172 or by Zoom at <https://us02web.zoom.us/j/86146904172>. For questions please call the Administration Department at 763-706-3610.

CALL TO ORDER/ROLL CALL

WORK SESSION ITEMS

- 1. Medtronic Development Proposal from LS Black. (30 Minutes)**
- 2. Police Department Budget Update. (20 Minutes)**
- 3. Emerald Ash Borer on Private Property Update. (15 Minutes)**
- 4. Adoption of Optional Appendices of the State Fire Code. (10 Minutes)**
- 5. Parks CIP - Update (45 Minutes)**
- 6. Centerpointe Franchise Agreement. (10 Minutes)**
- 7. Council Salary Adjustment. (10 Minutes)**
- 8. City Council. (25 Minutes)**
 - *Narcan**
 - *Sister Cities**
 - *Food Truck Fees**
 - *2023 Metro Cities Policy Committees**
 - *Community Forum**

ADJOURNMENT

Auxiliary aids or other accommodations for individuals with disabilities are available upon request when the request is made at least 72 hours in advance. Please contact Administration at 763-706-3610 to make arrangements.



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	JUNE 5, 2023

ITEM:	Medtronic Development Proposal from LS Black.	
DEPARTMENT:	Community Development	BY/DATE: CD Director/Assistant City Manager/June 02, 2023.
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>		
<input type="checkbox"/> Healthy and Safe Community <input checked="" type="checkbox"/> Thriving and Vibrant Destination Community		
<input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly <input type="checkbox"/> Strong Infrastructure and Public Services		
<input type="checkbox"/> Trusted and Engaged Leadership <input type="checkbox"/> Sustainable		

BACKGROUND:

In late 2022, staff were informed that Medtronic was making plans to vacate their Columbia Heights campus located at 800 53rd Avenue NE. The property was listed for sale in December of 2022, and staff collaborated with the listing broker to provide guidance on potential parameters for redevelopment of the site. Currently, the entire 11.74-acre site is zoned GB-General Business. This district allows for a variety of commercial uses but does not include provisions to allow residential development. Given the large size of the property and its desirable location, staff believe that a variety of uses could be considered at this location, including high-density residential. Despite the redevelopment potential for the site, there is no specific guidance in the City’s Comprehensive Plan to direct a different use of the property. The current plan simply guides the site for commercial use under the assumption that Medtronic will remain the primary user.

Following the listing of the property, staff received a handful of inquiries from redevelopers over the course of a few months. Staff advised interested developers that the City viewed the site as a prime prospect for redevelopment, but specific guidance for the site has not been developed at this time. Therefore, additional planning must be undertaken to start creating parameters for the potential rezoning/re-guiding of the site before redevelopment can occur.

One of the prospective developers that has expressed interest in the site is LS Black Development. LS Black currently has site control of the property and is in negotiations with Medtronic to purchase the property. They have executed a letter of intent that allows time for due diligence before moving forward with a formal purchase agreement. Staff advised LS Black that it would be necessary to present their concept plans to the Council to receive feedback before moving forward.

The current LS Black concept plans include the following base elements:

- Full redevelopment of the site including removal of the existing Medtronic building.
- 592+/- multi-family residential units including workforce housing and income restricted affordable housing.
- Three phases of development.

- Above grade and below grade structured parking.
- Trail connections to the City's existing trail/park network.

Staff from LS Black Development will be in attendance to introduce their team and present their plans for review and comment by the Council. In addition, to considering the base development concept, LS Black has indicated that they will need financial support from the City in the form of tax increment financing to make the project viable. Therefore, the City must consider two primary questions to guide LS Black in their pursuit of the site:

- Is the project concept appropriate for the site/are revisions desired?
- Does the City want to provide TIF to the project in its current form?

ATTACHMENT(S):

- Project Narrative and Concept Plans

800

53RD AVE NE HOUSING MASTER PLAN

CITY OF COLUMBIA HEIGHTS
CITY COUNCIL WORK SESSION:
JUNE 5, 2023

SUBMISSION DATE:
JUNE 1, 2023



DEVELOPMENT TEAM EXPERIENCE

ABOUT LS BLACK DEVELOPMENT



LS Black Development was founded in April 2020 by Sterling Black, Michael Hudson, and Willy Boulay to build, acquire, and own resident-focused, high quality affordable and workforce apartment communities. To date, the company has 3 projects totaling 540 units under construction/development, building off past experience of nearly 5,000 units and \$800 million of projects closed prior to starting the company. LS Black Development focuses on long-term ownership of its properties, planning to own them for a minimum of 15-20 years; because of this, the company takes a holistic view of design and construction and strives to build communities that stand the test of time.

ABOUT LOUCKS



Loucks is a premier, go-to multidisciplinary consulting firm that inspires clients to make the best use of their land. Since 1976, we've served as an industry leader and high-integrity resource, helping owners, developers and project teams create successful projects. We enjoy designing and building remarkable projects with clients and colleagues that we've often known and worked with for decades. Our collaborative approach, and continuous involvement throughout the life of the project, set us apart from our peers. Loucks' experience and rapport with municipalities, watersheds, and agencies adds value to every project and ultimately positions clients, stakeholders, project teams, and communities to grow and succeed together. After more than 45 years of building relationships and remarkable projects, we remain enthusiastic and grateful about doing the ground work that makes our clients' projects more remarkable.

ABOUT ESG



ESG is a national leader in the planning, design and development of award-winning residences and communities throughout the US. Our architects and designers base their work on timeless design principles. These principles include the integration of pedestrian-friendly streetscapes and landscaping, proximity to mass transit, generating density, and the incorporation of sustainable-design strategies and mixed-use commercial enterprises.





Aerial view looking south (Google Earth)



Aerial view looking northeast (Google Earth)

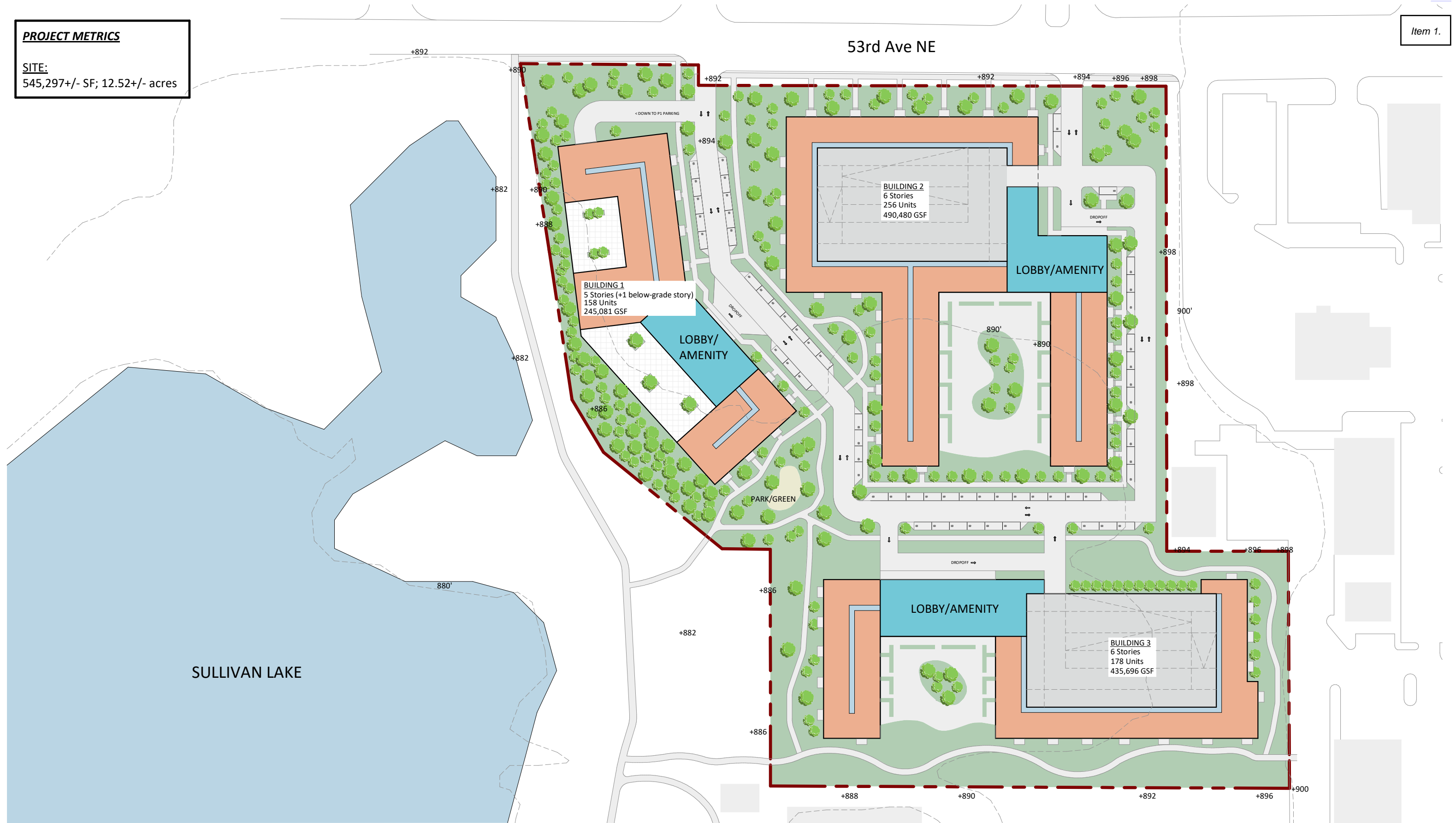


Aerial view looking northwest (Google Earth)

PROJECT METRICS

SITE:
545,297+/- SF; 12.52+/- acres

Item 1.



06.01.2023

SCALE: 1"=100'-0"



Project Overview

The proposed development is located at 800 53rd Avenue NE at the former Medtronic Sullivan Lake Campus. It will transform vacant office space and an existing, large surface parking lot into a vibrant community with three phases of housing of approximately 592+/- dwelling units for residents at various income levels. In addition to a substantial investment in Columbia Heights and increasing the community’s available housing, this project would maintain and enhance the natural features and access to and from Sullivan Lake and Sullivan Lake Park by improving the existing trails and providing additional access to these natural features as well as expanding the park with additional green space and features, benefiting the entire Columbia Heights community.

The site is currently zoned General Business District (GB) and guided Commercial in the 2040 Comprehensive Plan. The comprehensive plan states ‘any future growth will continue to occur through redevelopment and infill,’ and a key goal is to ‘preserve and enhance the existing viable commercial and industrial areas within the community.’ With the added residences, the project will not only provide additional support and customers for the existing hub of retail in the area, but it will also maximize the transit investment being made via the new Bus Rapid Transit (BRT) F Line. The new BRT line will have a stop immediately adjacent to the project’s frontage on 53rd Ave and will be one of many stops and connections to destinations and public transit throughout the region. The proposed project’s location makes it an ideal location for housing in pursuit of community building.

Site Design

The proposed site plan is organized into three housing buildings, responding to the natural features and characteristics as well as supporting movement throughout the site, fire access

and utility easements. Two buildings are designed as slab-on-grade, wrap-style buildings with interior, above-grade structured parking. These buildings are designed to maximize green space and enhance the pedestrian experience while providing adequate parking at no additional charge to the residents and their guests. The third building is proposed on the west side of the site and provides future residents beautiful views of Sullivan Lake. This building will also have structured parking, providing space for residents and their guests and reduces the need for surface parking while enhancing the pedestrian experience along the trailway from 53rd Ave to Sullivan Lake Park.

Building Design

Changes in massing via “wrap” and “wing” conditions help to appropriately scale the buildings for this site. The ground-floor residential lobbies will be well glazed to provide natural light within the space and transparency to the adjacent streets and buildings. All of the buildings will be designed to market-rate, durable quality and will include high-quality exterior materials. Balconies or patios will be provided on all units in order to maximize resident access to daylight, nature and fresh air. Each building will have a full suite of common amenities and large dwelling units with quality countertops, stainless-steel appliances, and in-unit washers/dryers included in rent.

Holistically the proposed development will increase access to green space and transit, enhance a regional retail hub, and provide a range of housing options along the spectrum of affordability --- all while drastically improving a vacant, underutilized site for current and future residents of the city. The development team is excited to present the conceptual site plan for feedback and input.

TEAM PRECEDENT

CANVAS, MINNEAPOLIS



DESCRIPTION: Six-story, mixed-use building with 160 dwelling units totaling approximately 271,100 SF (of this, 22,930 SF is production space). Includes 1-, 2- and 3-bedroom affordable units, 95 enclosed, residential parking stalls, and 74 surface parking spaces for residential and production use.

LS BLACK PRECEDENT

THE BALSAM ON BROADWAY, ST. PAUL

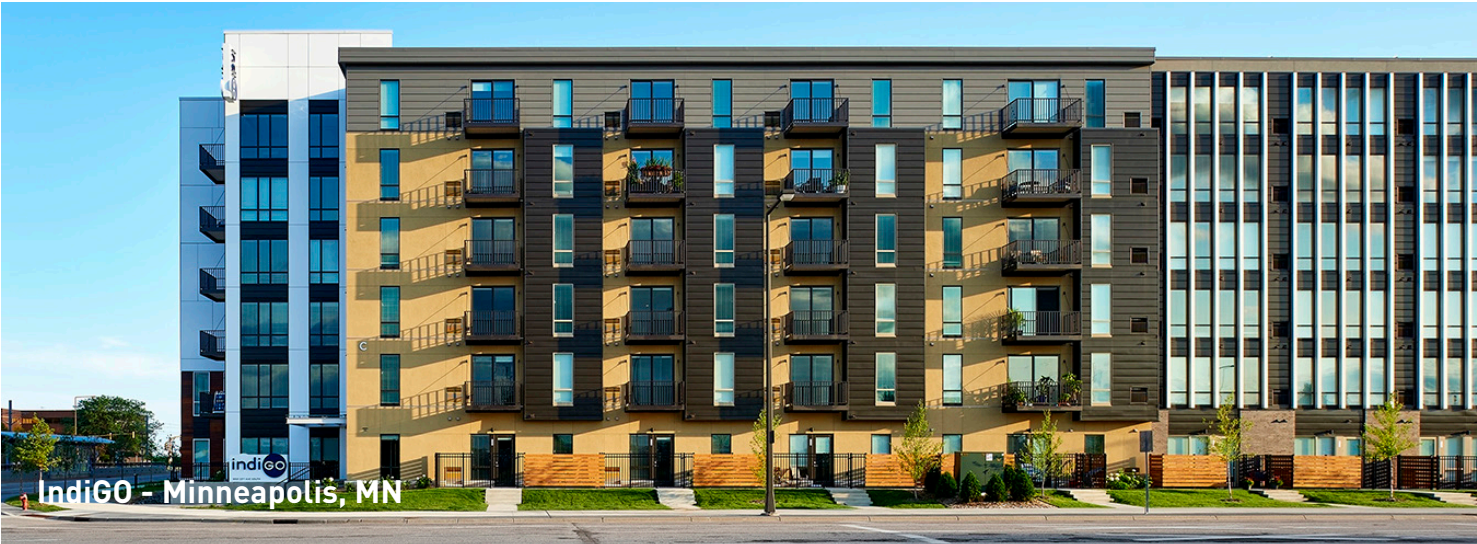


DESCRIPTION: The Balsam on Broadway, located at 540 Broadway Street, adjacent to Downtown St. Paul, will be a six-story, 227,000+ SF mixed-use apartment building with 128 studio, 1-, 2- and 3-bedroom apartment homes, 5,200 SF of office space that will be LS Black Development's future headquarters, and 134 interior parking stalls.

ESG PRECEDENT



The Fenley - Bloomington, MN



IndiGO - Minneapolis, MN

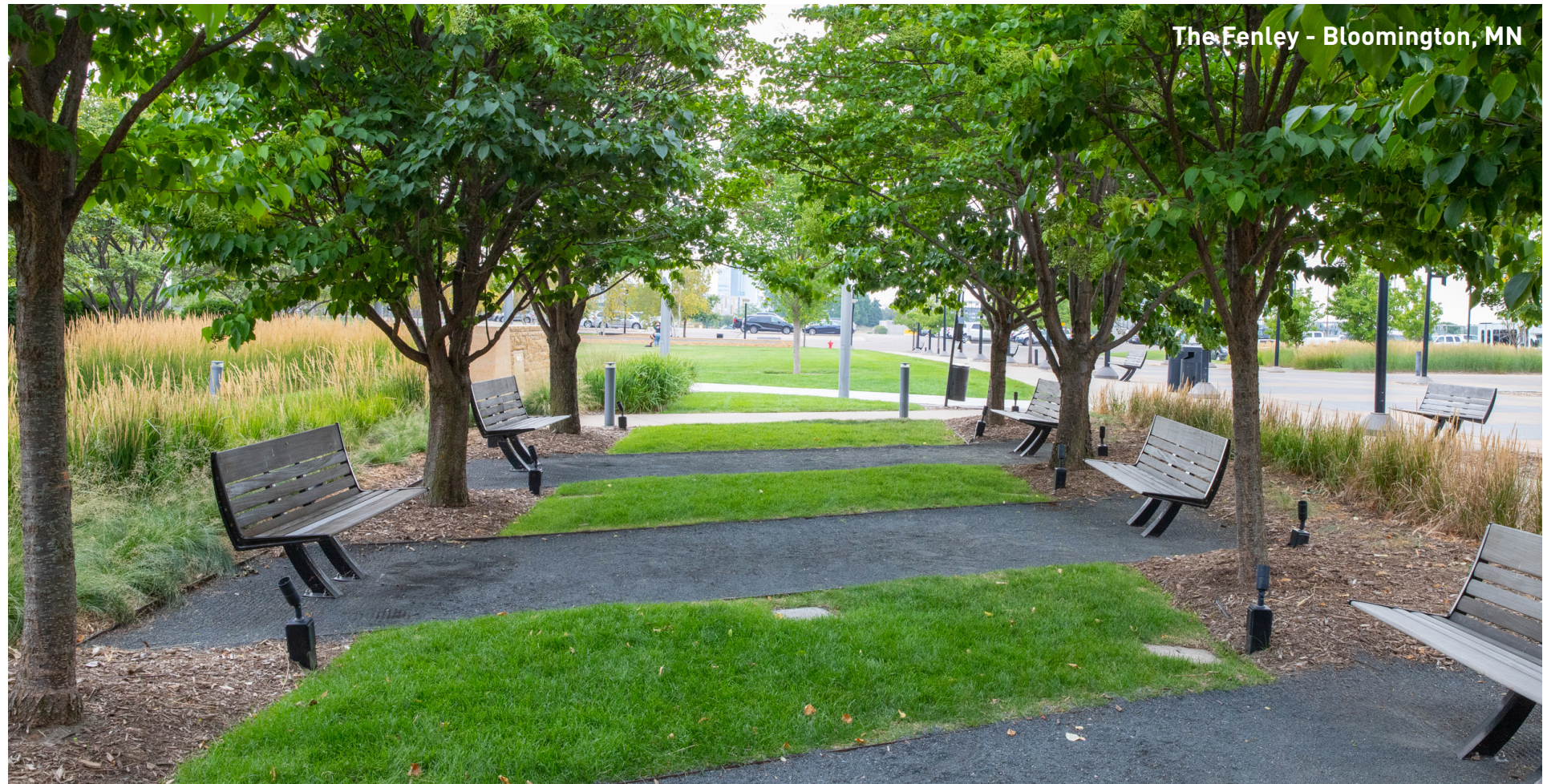


Elan Uptown - Minneapolis, MN



Vesi Apartments - Minneapolis, MN

ESG PRECEDENT



The Fenley - Bloomington, MN



The Fenley - Bloomington, MN



Vesi Apartments - Minneapolis, MN



Elan Uptown - Minneapolis, MN

800

53RD AVE NE HOUSING MASTER PLAN

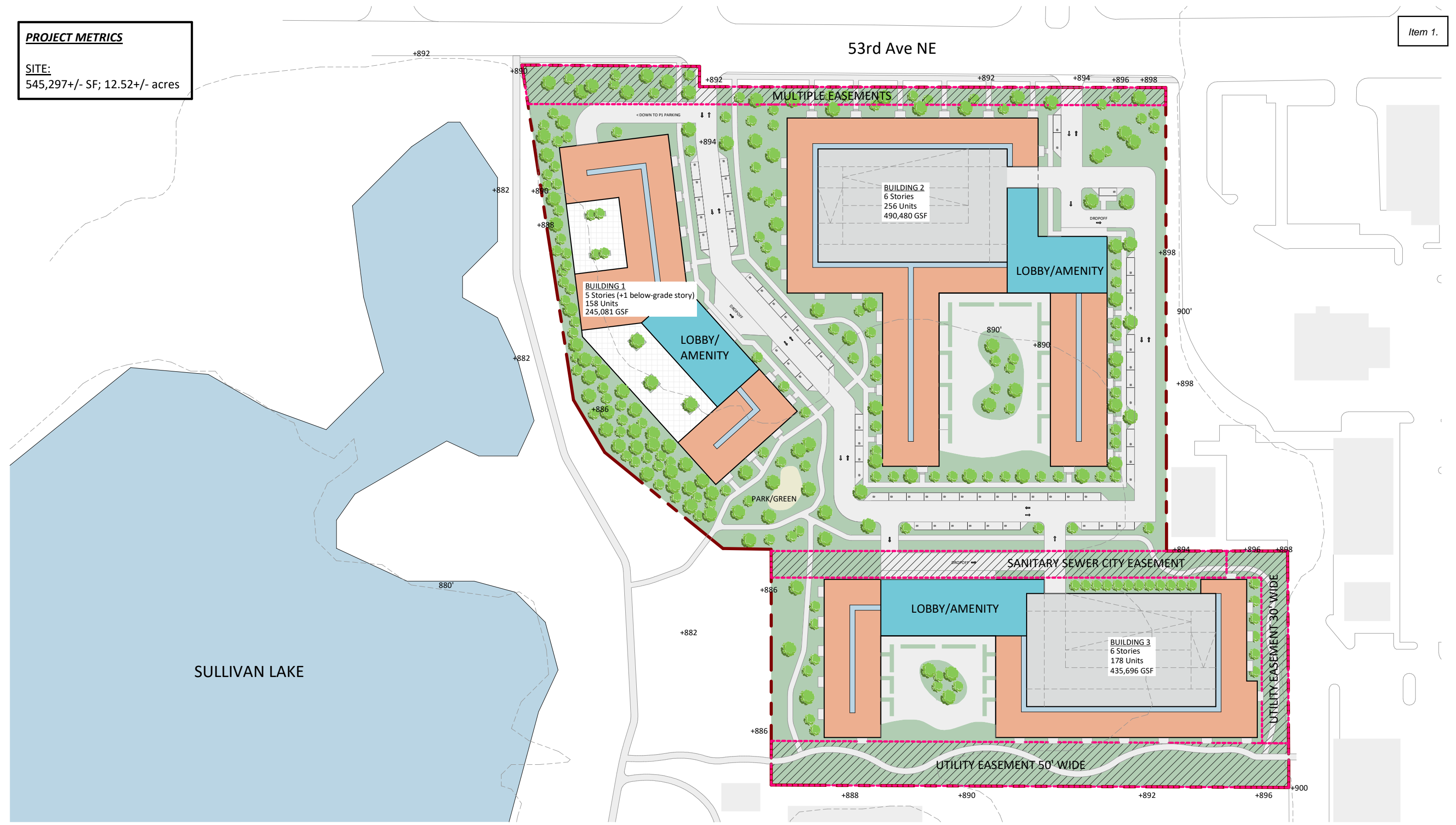
CITY OF COLUMBIA HEIGHTS
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PROJECT METRICS
SITE:
545,297+/- SF; 12.52+/- acres

53rd Ave NE



SCALE: 1"=100'-0"

06.01.2023



COLUMBIA HEIGHTS POLICE DEPARTMENT



Item 2.

MEMORANDUM

To: Mayor Amáda Márquez Simula
Members of the Columbia Heights City Council
Kevin Hansen, Acting City Manager

From: Lenny Austin, Chief of Police

Subject: Police Department Budget Update

Date: June 1, 2023

Enclosed you will find a staffing study conducted by Captain Matt Markham that he researched in December 2022, to increase staffing levels in the Columbia Heights Police Department's Investigations Unit in order to reduce the high volume of cases that our Investigators are assigned. Currently, Investigators carry about 125 cases each.

Since approximately 2008, the police department reduced its Investigations Division from three investigators to two. The reason for this was to address call volume in the city to include criminal activity, as well as the need to provide citizen police service to the community and implement a more robust community policing philosophy. This has proven to be very beneficial to the citizens of Columbia Heights. This position was never replaced, but the call volume has increased from 16,559 in 2008 to 24,909 in 2022. This increase in call volume has not allowed for the ability to bring on a third investigator with the current authorized strength of 29 officers.

In 2024, the CHPD will be recommending an increase to the authorized strength of officers from 29 officers to 30 officers. This position will increase the budget by approximately \$129,000 (wage + fringe). Currently, there is one vacant Records Technician position, which will be removed from the police department operating budget. This position would be budgeted at \$77,800 (wage + fringe). It is recommended the funding from this position be transferred to assist with the funding for the 30th officer.

The 2023 budget allows for an authorized strength of 29 sworn officers. We are currently staffed with 26 officers, with one officer starting on June 12th, another applicant starting in August, and the 29th person starting in December, once he has completed the Pathways program.

As you are aware, officer recruitment has been one of the biggest challenges that we have faced. Recruitment and retention will continue to be difficult for the next several years. The CHPD is fortunate to have an additional candidate who should be able to attend the Pathways program with the 29th officer candidate, starting in September, with the ability to start as a sworn officer in December 2023.

In 2024, it is anticipated that the CHPD will see at least one retirement in April 2024. Regardless of whether or not a 30th Officer is approved for the entire 2024 budget year, I am recommending that the police department move forward with this additional candidate and increase our staffing level to at least a temporary strength of 30 officers, effective in December 2023 through May 1, 2024, in order to plan for the replacement of the open position that will potentially open May 1, 2024.

Attachment (Captain Markham's "Increasing Staffing Levels in Investigations to Reduce High Caseloads")

INCREASING STAFFING LEVELS IN INVESTIGATIONS TO REDUCE HIGH
CASELOADS

MATTHEW MARKHAM
COLUMBIA HEIGHTS POLICE DEPARTMENT

A Staff Study Submitted to the
Northwestern University Center for Public Safety
School of Police Staff & Command
Class # 532
COLUMBIA HEIGHTS POLICE DEPARTMENT
DECEMBER 2, 2022

INCREASING STAFFING LEVELS IN INVESTIGATIONS TO REDUCE HIGH CASELOADS

Problem

The investigations unit currently consists of two investigators that carry a case load of about 75 plus cases each and are rarely able to catch up due to the volume of new cases coming in daily. This causes some solvable cases to not get worked, which has a direct impact on victim's and the community. The Anoka County Sheriff's Office Criminal Investigation Division does assist with some felony investigations, but many times the solvability rate is higher with Columbia Heights Police Department investigators due to established relationships and the priority the Columbia Heights Police Department puts on cases. This has been an issue for over a decade as other positional needs in the department have been prioritized. If this problem continues more cases will go unsolved, which will have a negative impact on the police department and community.

Assumptions

- Adding an investigator will reduce the caseload of each investigator.
- Solving more crimes will build trust with the community.
- Columbia Heights Police Department investigators are more invested in the community, which will make them better at solving Columbia Heights crimes than outside agency investigators.
- Adding an investigator will allow the Columbia Heights Police Department to retain more cases versus sending them to outside agencies to investigate.
- Three investigators will improve the continuity of operations when one or more investigator is on leave.

Facts

- Modern day crimes are more complex due to digital evidence (Netting, 2019).
- The Columbia Heights Police Department has an authorized sworn strength of 29 officers with two officers assigned as investigators. (See Annex A for organization chart)
- Columbia Heights Police Department current caseload is increasing. (See Annex E)
- Smaller caseloads result in higher clearance rates.
- Higher felony arrest rates help reduce crime.
- The Columbia Heights Police Department has experienced a high employee turnover rate. (See Annex F)

- An additional investigator position will create another career enhancement position within the department, which will improve officer retention.
- The cost of adding a full-time police officer position in 2024 would cost between \$87,574 and \$110,766 annually. (See Annex G)

Discussion

Criminal investigations continue to be more complex and time consuming as digital evidence continues to increase (Netting, 2019). The Columbia Heights, Minnesota Police Department investigators are writing more search warrants and collecting digital evidence from surveillance video, phones, social media accounts, etc. more than in the past. Cybercrime is creating new ways for criminals to commit crime and is aiding criminals in doing old crimes (PERF, 2018). Prosecuting attorneys are requesting more follow up and monitoring of jail phone calls than in the past. These demands apply to all investigative units today, not just the Columbia Heights Police Department. More work that is required for each case equals more time that needs to be spent on each case.

The Columbia Heights Police Department has a sworn authorized strength of 29 officers and of those 29, only two are assigned to investigations (Annex A). The Columbia Heights Police Department has consistently operated with only two investigators for decades. The Anoka County Sheriff's Office Criminal Investigation Division also assists with felony cases, but they are not located in the city and are more removed from the community, and it's needs. The Columbia Heights Police Department is committed to active community partnerships to solve crime and involve community partners in policing efforts (Annex B, Annex C). Columbia Heights investigators know the residents better than their sheriff detective counterparts, which leads to trust and the ability to solve crimes (U.S. DOJ, 2015).

The Columbia Heights Investigation Division requires a continuity of operations due to the need for an investigator to be present Monday through Friday to handle patrol generated in custody cases. In custody cases require investigators to sign complaints sent to them by the prosecuting attorney and they must be signed in a timely manner. Investigators typically have other duties to fulfill as well such as training instruction, field training officers or working patrol shifts when staffing is low. Investigators like all employees are allowed to take leave for various reasons. In 2021 the two current Columbia Heights investigators used 554.5 hours of leave almost totaling 14 weeks (Annex D). In 2022 the same investigators used 373 hours of leave up to September 23, 2022, totaling approximately nine weeks with three months in the year remaining (Annex D).

In 2021 two investigators were assigned 593 cases per the records management system (Annex E), which averages out to be almost 25 new cases per month. Two investigators have been assigned 1070 cases in 2022 up to September 23, 2022 (Annex E), which averages out to be almost 44.6 cases per month. Considering the amount of work that is needed for modern day cases this monthly caseload is not sustainable, especially when factoring in employee leave. During those same time periods the Anoka County Sheriff's Office caseload for the City of Columbia Heights has been around 91 cases annually (Annex E).

When investigators keep taking on a high volume of cases daily it creates a backlog effect where person crimes are prioritized over property crimes and then some property crimes don't get investigated properly. In order to clear more cases, more investigators are needed (Belrose, 2020). Some studies have shown that lower caseloads involving serious crimes like homicides has shown to improve clearance rates (Kelly, Lowery, Rich, 2018). Increasing felony arrest rates has shown to reduce felony crimes as demonstrated in New York City in the 1990's (Francis, 2003).

The Columbia Heights Police Department has experienced a high turnover rate the past several years (Annex F). The newer generation of officers want career development opportunities, or they will leave the organization or career (Scism, 2022). More investigator positions would increase the number of career development positions within the Columbia Heights Police Department.

For the Columbia Heights Police Department to increase the number of investigators within the Investigation Division it has three choices. Those choices are to hire a new officer increasing authorized sworn strength to 30, restructure existing staff assignments or move a current school resource officer to an investigator position if the Columbia Heights School District does not renew its annual school resource officer contract with the police department.

- Hire New Officer
 - Increases the department authorized strength to 30 sworn.
 - Provides the most flexibility with adding an investigator.
 - Creates a new career development position within the department.
 - It does not affect other areas of department operations.
 - Will require future planning and budgeting approval for 2024 budget.
 - It will require city manager and city council approval.
 - It will cost between \$87,574 and \$110,766 to hire based on the new hire's experience level and starting pay (Annex G).

Restructure Existing Staff Assignments.

- If at full staff of 29 sworn, move one person out of patrol and assign to investigations.
 - Creates a new career development position within the department.
 - Position could be added almost immediately with some minor budget reallocation as CHPD runs on a bottom-line budget philosophy.
 - The new investigator position would short patrol and one team would have one less officer than other teams.
 - The position would require \$3000 annually for specialty assignment pay (Annex G).
- Reassign School Resource Officer (SRO) to Investigations if School Contract is Not Renewed.
 - The Columbia Heights School District Contract is renewed annually for two SRO positions and every year the contract faces increased scrutiny from the school board after the murder of George Floyd.
 - If the contract is not renewed, the Columbia Heights Police Department would lose funding for one police officer position.
 - One SRO should be assigned as investigator instead of eliminating the position and laying off an employee.
 - The reassignment would not increase the number of career development positions in the Columbia Heights Police Department.
 - The school district will pay the Columbia Heights Police Department \$110,110 for two SROs in 2022 (Annex H).
 - The reassignment would take council approval and an increased annual budget between \$87,574 and \$110,766 per year (Annex G).

Works Cited

Belrose, J., (2020) How to Increase Police Clearance Rates: 8 Key Areas, <https://www.shotspotter.com/blog/increase-police-clearance-rates/>, September 23, 2022.

Francis, D., (2003) What Reduced Crime in New York City, <https://www.nber.org/digest/jan03/what-reduced-crime-new-york-city>, September 23, 2022.

Kelly, K., Lowery, W., Rich, S. (2018) Murder with Impunity Buried Under Bodies Even With Murder Rates Falling, Big-City Detectives Face Daunting Caseloads, <https://www.washingtonpost.com/news/national/wp/2018/09/13/feature/even-with-murder-rates-falling-big-city-detectives-face-daunting-caseloads/>, September 22, 2022.

Netting, J., (2019) Why is it taking the police longer to investigate crimes? Crest's approach to quantifying complexity, <https://www.crestadvisory.com/post/crests-approach-to-quantifying-complexity>, September 22, 2022.

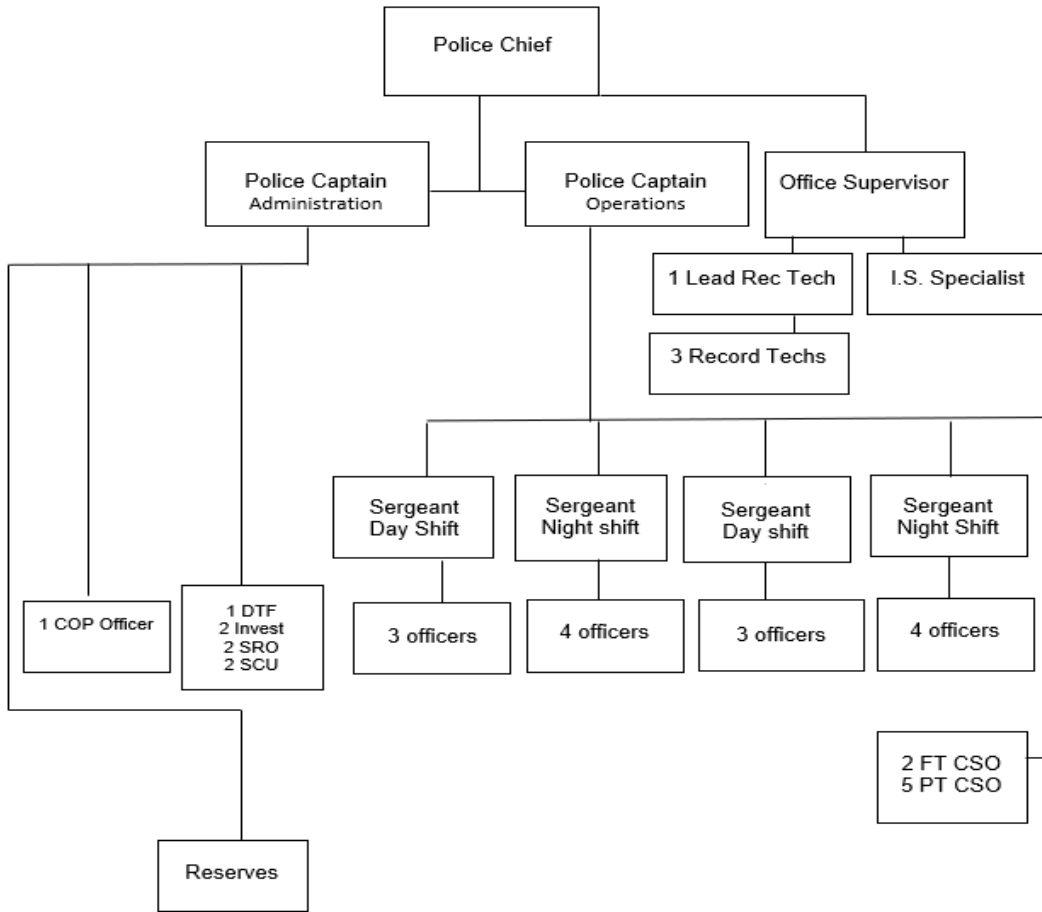
Police Executive Research Forum (PERF), (2018) Changing Nature of Crime, <https://www.policeforum.org/assets/ChangingNatureofCrime.pdf>, September 23, 2022.

Scism, R. (2022) Employee Retention: Preventing a “Great Resignation” in Your Public Safety Agency, <https://www.lexipol.com/resources/blog/employee-retention-preventing-a-great-resignation-in-your-public-safety-agency/>, September 22, 2022.

U.S. Department of Justice Community Relations Services Toolkit for Policing, (2015) Importance of Police-Community Relationships and Resources for Further Reading: Why Police-Community Relationships are Important, <https://www.justice.gov/file/1437336/download>, September 23, 2022.

ANNEX A

POLICE
City of Columbia Heights
2022



ANNEX B

Columbia Heights Police Department Mission Statement

1

Columbia Heights
Police Department
Strategic Plan
2022



Strategies and Action Plan

Mission Statement

The Columbia Heights Police Department is committed to active partnerships with the community in order to protect life and property, innovatively solve problems, and enhance the safety and quality of life in the communities we serve.

Updated 01/24/2022

ANNEX C

Strategy two of the Columbia Heights Police Department 2022 Strategic Plan

5

Committed Helpful Professional Dedicated

Strategy 2: Involve community partners in policing efforts in order to provide successful communication of information, problem solving, and sharing of responsibility for action and decision-making.

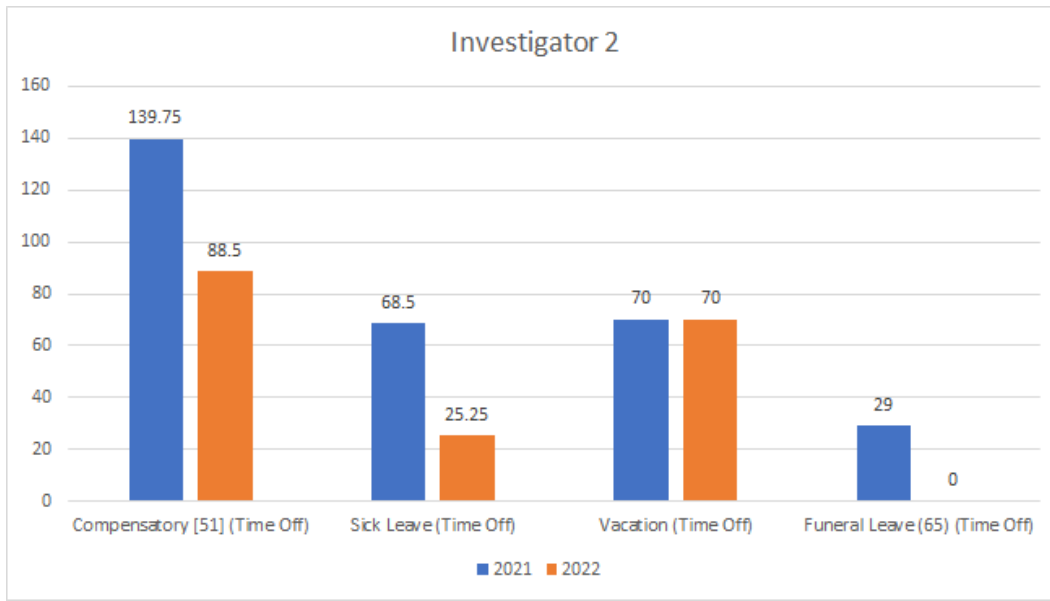
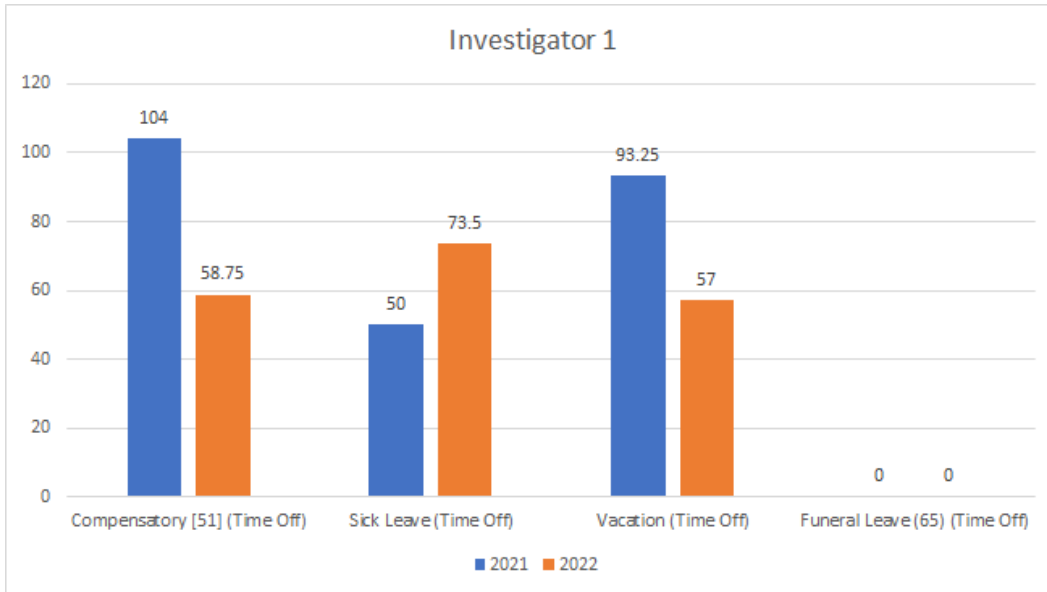
Objective: Forge collaborative community and regional responses to the City’s crime problems.

Action Steps	Person Responsible	Action Status	Target Date(s)
Partnering with apartment owners/managers	Capt. Markham COP Coordinator	<ul style="list-style-type: none"> Continuation of quarterly landlord meetings (include CHFD in meetings) Continuation of crime mitigation philosophies where indicated Continue to improve landlord attendance at trainings Continue to find effective partners/guest speakers and venues for trainings Research incentives for attendance Landlord training for Conduct on Licensed Premises, Calls for Service, and city ordinances pertaining to rental properties refreshers Landlord training on benefits and improvements provided by camera installation and monitoring, as well as their effect on crime solvability refreshers Partnering with Community Development to create a Handout to renters (Columbia Heights Information guide) 	Quarterly Meetings Ongoing TBD Ongoing
Neighborhood Watch/Community Outreach	COP Coordinator Captains Sergeants Patrol Non-sworn Staff Sgt. Noll COP Coordinator	Plan development to include: <ul style="list-style-type: none"> Increase participation and communication Update COP coordinator on current crime trends that can be communicated to block leaders Utilize Code Red and social media for communication Recruiting next generation block leaders Recruit block leaders with multi-cultural background Re-establish Neighborhood Watch officers meeting with every block leader Biennial party Increase NW participation in Circle Terrace and surrounding neighborhood Quarterly Block Watch Training Update NW Block Leader list 	Ongoing Ongoing 1 st Quarter Ongoing

Updated 01/24/2022

ANNEX D

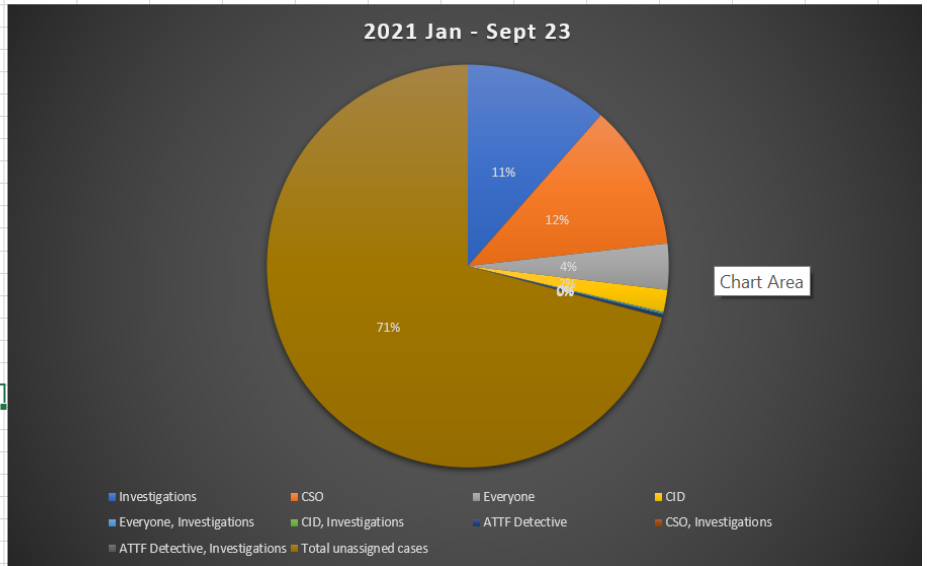
CHPD Investigators Leave Use for 2021 and 2022



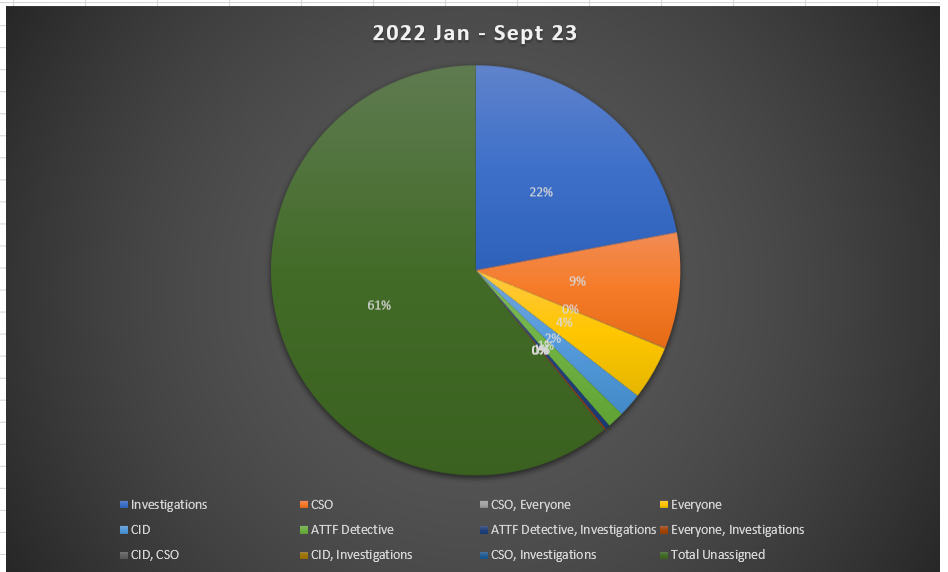
ANNEX E

Columbia Heights Police Department Records Management Systems Report

Division Assignment	
2021	
Investigations	593
CSO	602
Everyone	190
CID	92
Everyone, Investigations	6
CID, Investigations	3
ATTF Detective	12
CSO, Investigations	2
ATTF Detective, Investigations	1
Total unassigned cases	3649
total assigned	1501
total cases	5150



Division Assignment	
2022	
Investigations	1070
CSO	444
CSO, Everyone	2
Everyone	207
CID	91
ATTF Detective	64
ATTF Detective, Investigations	18
Everyone, Investigations	5
CID, CSO	1
CID, Investigations	1
CSO, Investigations	1
Total Unassigned	2952
Total Assigned	1904
Total Cases	4856



ANNEX F

Columbia Heights Police Department Employee Turnover Count

Turnover Statistics:

2012 through 2014:

Officers:

Non-Culpable: 2
Resignation-left for another agency: 2
Resignation in lieu of Potential Discipline: 1
Retirement: 2

Total number of officers from 2012 through 2014: 7

Civilian Staff (CSO's and techs):

Resignation: 1
Resignation-left for another agency: 3
Resignation in lieu of termination: 2
Termination: 1

Total number of civilian staff 2012 through 2014: 7

2015-current

Officers:

Non-Culpable: 3
Resignation-left for another department: 7
Resignation in lieu of termination: 2
Resignation/Termination in probationary year: 4
Resignation-other (job outside of LE): 5
Termination: 2
Retirement: 4

Total number of officers from 2015 to current: 27

Civilian Staff (CSO's and techs):

Resignation: 5
Resignation-left for another agency: 6
Resignation in lieu of termination: 2
Termination: 2
Retirement: 1

Total number of civilian staff 2015 to current: 16

ANNEX G

Columbia Heights Finance Department Report Per 2024 Union Contract

POSITION	EMPLOYEE NAME	Annual Hours	REGULAR EMPLOYEES	OVERTIME REGULAR EMPLOYEES	DEFERRED COMP OR CONTRIB	HOLIDAY	PREM HOLIDAY	SPECIAL ASSIGNMENT	LONGEVITY	WORKERS COMP	PERA	MOGE or FICA	ER HSA CONTRIBUTION	INS	FAMILY ADJ INS	TOTAL COMP & FRINGE	TOTAL SALARIES
Police Officer	Entry	2080	80,413		450	3,711		3,000		8,477	15,421	1,270	720	12,540	4,320	130,322	87,574
Police Officer	Top	2080	94,598		450	4,366		3,000	8,352	10,722	19,526	1,606	720	12,540	4,320	160,200	110,766

ANNEX H

**COST FACTOR BREAKDOWN
MIDDLE SCHOOL RESOURCE OFFICER PROGRAM**

2022

Base Wage – Middle School Resource Officer:

Patrol Top Wage	\$7,486.00/month	\$ 89,832.00/year
Resource Officer Premium	\$ 200.00/month	\$ 2,400.00/year
Longevity	\$ 130.19/month	\$ 1,562.00/year
Holiday pay		\$ 5,234.00/year
Deferred Compensation		\$ 450.00/year
Overtime Allocation		<u>\$ 6,120.00/year</u>
<i>Total Base Wage</i>		\$105,598.00/year

Compensation and Fringe:

F.I.C.A. (1.45%)		\$ 1,531.00/year
Workers Comp (3.45%)		\$ 3,643.00/year
P.E.R.A. (17.70%)		\$ 18,691.00/year
Employee Insurance		<u>\$ 11,460.00/year</u>
<i>Total Fringe Benefit Costs</i>		\$ 35,325.00/year

Miscellaneous Costs:

Training and equipment allowance		\$ 1,987.00/year
Vehicle related expense		<u>\$ 1,184.00/year</u>
<i>Total Miscellaneous Costs</i>		\$ 3,171.00/year

Total Yearly Costs **\$144,094.00/year**

To compute monthly total:
\$144,094.00 divided by 12 months = \$ 12,008.00

To compute school year total:
\$12,008.00 X 9 months (school yr) = \$108,072.00

To compute School District cost:
½ of 9/12 funding formula = \$ 54,036.00

***Total Cost to Columbia Heights Public Schools
For Middle School Officer for 2022:*** **\$ 54,036.00**

**COST FACTOR BREAKDOWN
HIGH SCHOOL RESOURCE OFFICER PROGRAM**

2022

Base Wage – High School Resource Officer:

Patrol Top Wage	\$7,486.00/month	\$ 89,832.00/year
Resource Officer Premium	\$ 200.00/month	\$ 2,400.00/year
Longevity	\$ 499.76/month	\$ 5,997.00/year
Holiday pay		\$ 5,234.00/year
Deferred Compensation		\$ 450.00/year
Overtime Allocation		<u>\$ 6,120.00/year</u>
Total Base Wage		\$110,033.00/year

Compensation and Fringe:

F.I.C.A. (1.45%)		\$ 1,595.00/year
Workers Comp (3.45%)		\$ 3,796.00/year
P.E.R.A. (17.70%)		\$ 19,476.00/year
Employee Insurance		<u>\$ 11,460.00/year</u>
Total Fringe Benefit Costs		\$ 36,327.00/year

Miscellaneous Costs:

Training and equipment allowance		\$ 1,987.00/year
Vehicle related expense		<u>\$ 1,184.00/year</u>
Total Miscellaneous Costs		\$ 3,171.00/year

Total Yearly Costs **\$149,531.00/year**

To compute monthly total:
\$149,531.00 divided by 12 months = \$ 12,461.00

To compute school year total:
\$12,461.00 X 9 months (school yr) = \$112,149.00

To compute School District cost:
½ of 9/12 funding formula = \$ 56,074.00

**Total Cost to Columbia Heights Public Schools
For High School Officer for 2022: \$ 56,074.00**

sent direct mail postcards advertising the treatment option and discount to all addresses in the City since 2021.

Though hundreds of residents have taken advantage of the treatment and removal options, a very large number of untreated, infested ash trees remain on private property in Columbia Heights. The City Forester completed a City-wide survey of all properties in Columbia Heights during the winter months of 2022-2023. During the survey, 1,057 ash trees were identified on private property. This number represents a minimum quantity of ash trees on private property, the total number could be as high as 1,500. The vast majority (90%+) of these ash trees are heavily infested with EAB and no longer candidates for treatment. Removal is the only option remaining for these trees; the trees are actively dying, and some are already dead—many of these trees will become public safety threats within the next 1-2 years if not removed.

Chapter 4, Article II, of the Columbia Heights City Code gives the City the authority to order the removal of diseased, dead, or hazardous trees on private property. The City Forester is given considerable latitude to determine when trees are ordered to be removed, as well as removal timeframes. Given limited resources and personnel, and the short timeframe of mass mortality, City staff will not be able to order the removal of all 1,000+ ash trees on private property. The City Forester proposes the ordering removals of ash trees on private property according to this schedule:

1. Send direct notification letters to property owners of all addresses identified in the City-wide survey. The letter will state that City staff have identified one or more ash trees on the property, and that property owners are responsible for management of all trees on their property. The treatment option will be presented, along with the appropriate caveats (very few remaining untreated trees are still candidates). The list of all licensed tree care contractors will be included in the letter, as well as the City Forester's contact information for inspections, consultations, identification, etc. Letters should be sent by mid-June, 2023. Letters will be sent in English, Somali, and Spanish.
2. Following the general notification letters, the first round of enforcement will target all diseased/dead ash trees on rental and commercial properties in the City, as well as any trees identified in the survey as imminent public safety threats. Enforcement will follow established procedures but will allow 45 days for the removal of trees. The City Forester will also grant time extensions in all cases where trees do not present a clear and present danger to public safety. Following the 45-day period, the City Forester will seek contractor bids for the removal of remaining ash trees, assign the removals to the low bid contractor, and property owners will be billed/assessed for the cost of removal and administrative fees. Enforcement action will begin in July for rental/commercial properties.
3. All remaining diseased/dead ash trees on private property that represent a future threat to public safety will be the next round of enforcement. Enforcement will begin following the tree planting season, likely in mid-November. Removals will be ordered following established procedures, and property owners will be given until June 1, 2024 to remove their trees. Property owners that receive enforcement letters after January 1, 2024 will be given 6 months to complete removals. Trees that are not removed by deadlines will be compiled into lists and sent to contractors for bid and awarded to the low bid contractor. Property owners will be billed/assessed for cost of abatement and applicable administrative fees.

SUMMARY OF CURRENT STATUS:

Columbia Heights has done a great job handling publicly owned ash trees. The next step in the EAB Management Plan is to mitigate diseased trees on privately owned property. The City Forester has surveyed the city and identified 1,057 ash trees currently infected on private property. Letters will be sent to inform residents and property owners of the condition of their tree and the possible enforcement of the removal if the tree is not removed. These letters will target commercial properties and high hazard trees first. City staff will be available for consultation and inspection, as well as to answer any questions about the process residents have.

STAFF RECOMMENDATION:

Proceed with the outlined plan for private property ash tree remediation and enforcement.

RECOMMENDED MOTION(S): Informational Purposes Only
MOTION: No Motion – Information and Discussion

ATTACHMENT(S):

Notification of Private Ash Tree Letter.docx

May 23, 2023

Item 3.



City of Columbia Heights | *Public Works Department*

637 38th Avenue NE, Columbia Heights, MN 55421

Phone: (763) 706-3700 ▪ Email: publicworks@columbiaheightsmn.gov

www.columbiaheightsmn.gov

IMPORTANT NOTICE

Address
Address
Address
Address

Attn: Property Owner

RE: One or more ash trees have been located on your property at the address listed above.

Staff from the City of Columbia Heights Public Works Department completed a city-wide survey of ash trees located on private property during the winter months of 2022-2023. During the survey, one or more ash trees were identified on your property located at the address listed above.

The invasive Emerald Ash Borer (EAB) beetle was first positively identified in Columbia Heights in 2019 and is now killing ash trees throughout the city. All North American ash species are highly susceptible to EAB with mortality rates near 100%.

Property owners are responsible for the care, maintenance, and removal of all trees located on their property; the City of Columbia Heights urges them to act quickly to manage their ash trees. City of Columbia Heights Code Chapter 4, Article II, declares dead, diseased, and hazardous trees to be public nuisances and gives city staff the authority to order their removal. The City of Columbia Heights will be ordering the removal of all dead and hazardous ash trees on private property—act soon to avoid enforcement action.

Management options for EAB are limited to chemical treatment or removal of the tree. Chemical treatment can be highly effective but needs to be applied before trees have begun to decline. All ash trees that have not been treated are infested with EAB; most are no longer treatable and removal is the only remaining management option. The City Forester is available free of charge to assist residents with the identification of ash trees on their property, and for discussing management options.

The city has partnered with Rainbow Treecare to offer a discount to all residents for EAB treatment services. See the enclosed postcard for more information. For ash tree removal, property owners may complete the work themselves or hire a licensed contractor to complete the work. A list of licensed contractors and their contact information has been included with this letter. Residents are encouraged to get a minimum of 3 bids for any tree removals; the price of tree work can be highly variable. All contractors performing tree work in Columbia Heights are required to be licensed by the city.

Regards,

Liam Genter, City Forester

EAB Chemical Treatment

Licensed Tree Care Contractors



City of Columbia Heights | Public Works Department
637 38th Avenue NE, Columbia Heights, MN 55421
Phone: (763) 706-3700 ▪ Email: publicworks@columbiaheightsmn.gov
www.columbiaheightsmn.gov

IMPORTANT NOTICE

EMERALD ASH BORER PREVENTION
Injection Treatment Program

Treatment
LOW Cost
BIG Gain!
2 Year Protection
Treated

vs.

Removal
HIGH Cost
BIG Loss!
Untreated

RAINBOW TREECARE | **COLUMBIA HEIGHTS**

CITYWIDE RESIDENT DISCOUNT NOW AVAILABLE!

Due to the discovery of emerald ash borer (EAB), a citywide discount is being offered to Columbia Heights homeowners for trees on private property that are at least 10" in diameter and in good physical condition.

Rainbow Treecare will inspect your tree(s) at no cost to you to determine if treatment is the best option.



EAB larvae damage on ash tree.

Protecting your ash tree for 20 YEARS is LESS than the cost to remove it

As EAB continues to spread across the Twin Cities it's important to treat ash trees **before it's too late**. The citywide bulk discount provides homeowners with an affordable option for managing their ash trees for long-term protection.

Contact **Rainbow Treecare** today for the city-wide discount.

www.RainbowTreecare.com/Columbia-Heights
952.767.6920

RAINBOW TREECARE | **THE CITY OF COLUMBIA HEIGHTS**

We Saved This Tree!
This Tree is Protected from Emerald Ash Borer with How To Save Your Tree



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	6/5/2023

ITEM:	Adoption of optional Appendices of the State Fire Code	
DEPARTMENT:	Fire	BY/DATE: Zachery Picard / June 5, 2023
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <p> <input type="checkbox"/> Healthy and Safe Community <input type="checkbox"/> Thriving and Vibrant Destination Community <input type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly <input checked="" type="checkbox"/> Strong Infrastructure and Public Services <input type="checkbox"/> Trusted and Engaged Leadership <input type="checkbox"/> Sustainable </p>		

BACKGROUND:

Time approx.: 5 minutes.

In March of 2020, the State of Minnesota adopted the 2020 version of the State Fire Code. Columbia Heights City Code is structured to automatically adopt the State Fire Code by reference whenever the State adopts a new version. However, the Fire Code contains several appendices that municipalities may optionally adopt through a resolution. The adoptable optional appendices are:

- Appendix A Board of Appeals
- Appendix B Fire Flow Requirements for Buildings
- Appendix C Fire Hydrant Locations and Distributions
- Appendix D Fire Apparatus Access Roads
- Appendix E Hazard Categories
- Appendix F Hazard Rankings
- Appendix G Cryogenic Fluids – Weight and Volume Equivalents
- Appendix H Hazardous Materials Management Plan & Hazardous Materials Inventory Statement Instructions
- Appendix I Fire Protection Systems – Noncompliant Conditions
- Appendix J Building Information Sign
- Appendix K Construction Requirements for Existing Ambulatory Care Facilities
- Appendix L Requirements for Fire Fighter Air Replenishment Systems
- Appendix M High-rise Buildings – Retroactive Automatic Sprinkler Requirement
- Appendix N Indoor Trade Shows and Exhibitions
- Appendix O Fire and Barbecues on Balconies or Patios
- Appendix P Emergency Responder Radio Coverage

The appendices of the latest version of the State Fire Code were re-lettered and several additional appendices were added.

SUMMARY OF CURRENT STATUS:

The change in lettering of the optional appendices created an inconsistency with the appendices previously adopted by the Council. In the interest of housekeeping, the fire department is presenting an updated appendices list for adoption.

Additionally, the number of large new building construction projects and changes in building construction have driven a need to adopt the Emergency Responder Radio Coverage appendix to ensure the safety of our responders and community.

STAFF RECOMMENDATION:

Recommendation for moving item forward for approval on next available consent agenda.

RECOMMENDED MOTION(S):
MOTION: None. Informational for next consent agenda.

ATTACHMENT(S):

DRAFT 2023-06-05 Code Appendices Adoption Resolution

A resolution of the City Council for the City of Columbia Heights, Minnesota,

Whereas, on March 31, 2020 the State of Minnesota Adopted a new Minnesota State Fire Code with optional appendices, and

Whereas, Chapter 8, Article IV of the Columbia Heights City Code automatically adopts the most recent edition of the Minnesota State Fire Code and allows for the adoption of optional appendices through Council Resolution, and

Whereas, the adoptable Optional Appendices are:

- Appendix A Board of Appeals
- Appendix B Fire Flow Requirements for Buildings
- Appendix C Fire Hydrant Locations and Distributions
- Appendix D Fire Apparatus Access Roads
- Appendix E Hazard Categories
- Appendix F Hazard Rankings
- Appendix G Cryogenic Fluids – Weight and Volume Equivalents
- Appendix H Hazardous Materials Management Plan & Hazardous Materials Inventory Statement Instructions
- Appendix I Fire Protection Systems – Noncompliant Conditions
- Appendix J Building Information Sign
- Appendix K Construction Requirements for Existing Ambulatory Care Facilities
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- Appendix N Indoor Trade Shows and Exhibitions
- Appendix O Fire and Barbecues on Balconies or Patios
- Appendix P Emergency Responder Radio Coverage

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

The Fire Department has researched all the adoptable optional appendices and has found that Appendices' D, I, J, O, and P are relevant to the City of Columbia Heights and are hereby adopted.

This Resolution shall be effective immediately upon its enactment by the City Council.

ORDER OF COUNCIL

Passed this _____ day of _____, 2023

Offered by:

Seconded by:

Roll Call:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	JUNE 5, 2023

ITEM:	Parks CIP - update		
DEPARTMENT:	Administration	BY/DATE:	Kevin Hansen / June 1, 2023
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>			
_ Healthy and Safe Community		X Thriving and Vibrant Destination Community	
X Equitable, Diverse, Inclusive, and Friendly		_ Strong Infrastructure and Public Services	
_ Trusted and Engaged Leadership		_ Sustainable	

BACKGROUND:

Over the last fifteen years, the Park and Recreation Commission has completed the Master Planning of six 6 Parks, culminating in the reconstruction of each of these parks. The intent of a Master Plan process (initial concepts, public engagement, Commission recommendation, Council approval) is to provide an overall plan of the entire park to work from for design and construction. Therefore, it is the desire of the Park and Recreation Commission and City Staff to have a detailed working plan to rehabilitate or reconstruct elements of the park in phases, as funding becomes available. The Master Plan also provides cost estimates of each park element or amenity and provide an evaluation of financing options for the short and long term redevelopment plan. Master Plans and years developed are:

- 2003: Huset Park
- 2008: Sullivan Lake Park
- 2008: Silver Lake Beach
- 2011: Ramsdell Park
- 2012: Labelle Park
- 2014: Huset West (playground, shelter)
- 2015: Huset West (Splash Pad)
- 2016: Keyes Park
- 2018: Silver Lake Boat Landing
- 2019 - Current: Wargo Court

SUMMARY OF CURRENT STATUS:

For reference, the Master Planning leading to redevelopment at each park has resulted in investing \$450,000 to \$650,000 at *each* park.

In 2018 and 2019, the Park and Recreation Commission reviewed each park for updating the Parks CIP. Over the last 2-1/2 years, material and construction costs have experienced significant price increases. To provide the best information to evaluate funding alternatives, the consulting firm of WSB was contracted to review and provide updated cost estimates using the most recent Parks CIP updated by the Park & Recreation Commission in 2020, summary attached.

In April of 2023, the Park & Recreation Commission reviewed the WSB cost updates. Those cost updates (WSB) are also attached on a park by park basis.

One of the high priority goals established in the 2023 Strategic Planning and Goal Setting report was updating the Parks Master Plan and Parks financing plan. Traditional funding for parks improvements has been through the park redevelopment fund, general fund, and DNR or MWMO grants which have funded related development improvements such as storm water. The Park Development Fund is sourced through residential redevelopment activities. Grants funding large scale park redevelopment are limited. Staff will be engaging our Legislators to discuss funding through the State – but this funding, when available, is most often directed toward projects having regional significance or outside the Metro. Parks bonding is the more common funding tool used by Cities when funding large scale or multiple park projects. Recent examples are the Cities of Fridley and Coon Rapids. Fridley issued \$20 million in bonds for a \$30,000 Parks redevelopment program.

Options the Council may consider are:

- Do nothing
- Redevelop as funding becomes available through traditional methods.
- Redevelopment of specific parks (Partial system redevelopment)
- Redevelopment of all remaining parks (Complete system redevelopment)

STAFF RECOMMENDATION:

While doing nothing is always an option, the condition and needs of our park system is significant. Reinvestment in our Park System will require bonding. Considering other City needs that will also require bonding, such as facilities (Public Works and Murzyn Hall) and current and future infrastructure (37th Avenue, Water Meter replacement, Central Avenue, sidewalks), the Council may want to consider funding a phased approach. Choosing to redevelop smaller to medium parks could be accomplished in the near term. Delaying redevelopment of larger parks such as Huset would allow us to explore other funding sources such as State requests or other grant opportunities. It would also allow us to update the Master Plans for larger parks as the athletic field needs facilitated in these parks have changed (such as soccer fields or pickleball).

Staff has provided a suggested plan under this funding scenario, attached. This approach would redevelop identified parks in 2024 and 2025. I should also note that any park redevelopment authorized by the Council would include public engagement and communications with the community as established in the Council goals.

ATTACHMENT(S):

Updated Parks Capital Improvement Plan (CIP) Summary
Updated Parks Capital Improvement Plan (CIP) Park by Park
Phased funding scenario

Park Redevelopment
Phased Approach

2024:

Hilltop Park:	\$165,000
Labelle Park:	\$110,000
Prestemon Park:	\$825,000

2025:

Edgemoor Park:	\$165,000
Lomianki Park:	\$475,000
Keyes Park:	\$850,000
Wargo Court:	\$425,000

Total 2023 Bonding: \$3,025,000

Future Years:

Sullivan Lake Park:	\$600,000*
Ostrander Park:	\$550,000
McKenna Park:	\$1,350,000
Ramsdell Park:	\$800,000
Gauvitte Park:	\$1,675,000 (Storm water funding) \$250,000 (Parks)
Huset Park West	\$3,950,000
Huset Park East	\$3,750,000

Total Future Funding: \$12,925,000

* Medtronic Redevelopment (timing)

**2023-2028 Capital Improvement Plan
Parks Department
412-5200**

Project	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	Total Cost	Notes
Huset Park **												
Implement Master Plan including:								\$3,000,000			\$3,000,000	Master Plan includes east and west
Site Grading, EC, landscaping and restoration											\$400,000	
Contaminated soils (export - landfill)											\$225,000	1990 report
Pinwheel Ballfields (west), fencing and irrigation											\$800,000	3 or 4 fields in a pinwheel design
Remove block garage / Install concession & restroom bldg											\$825,000	and storage
Remove Jefferson bld & new picnic shelter											\$215,000	
Install Baseball and Soccer Fields (East)											\$400,000	1 each
Playground Replacement (east)											\$135,000	
JPM Parking lot and access drive Mill to Huset Prkwy					\$475,000						\$475,000	Recon of lower JPM lot, add access dr
Gauvitte Park							\$1,045,000				\$1,045,000	Cost share MWMO - TBD
Develop Master Plan / SWIA					\$25,000						\$25,000	MWMO funded
Construct storm water infiltration area (SWIA) *											\$400,000	MWMO watershed funding (tbd)
Purchase property for pipe access to (SWIA)											\$250,000	MWMO watershed funding (tbd)
Replace playground equipment											\$115,000	
Building demolition / new picnic shelter											\$145,000	
Site Grading, EC, landscaping and restoration											\$135,000	Eval for soccer field
McKenna Park						\$640,000					\$640,000	
Develop Master Plan					\$18,000						\$18,000	
Remove wading pool											\$25,000	maintain only 2 water features
Remodel parkhouse											\$225,000	
Reconstruct Athletic Fields											\$175,000	(?) Maintain 1 or 2 fields
Site Grading, Parking lot, EC, landscaping and restoration											\$215,000	new parking lot off 48th Ave
Sullivan Park **										\$450,000	\$450,000	
Rehab park storage building											\$50,000	Masonry, Doors, windows, locks
Reconstruct tennis courts											\$275,000	full reconstruction, poor soils
Inclusive Play area											\$125,000	Add to existing play area
53rd & Central												
Construct entrance sign to city - yr TBD					\$40,000						\$40,000	~\$10k from former CH chamber
Ramsdall Park **									\$525,000		\$525,000	
Remove wading pool / construct splash pad											\$415,000	smaller than Huset SP
Complete trail (shown in Master Plan)											\$25,000	City Staff
Trail Lighting											\$85,000	LED ~ 10 lights
Skate Park (Johnson & 49th Ave - ISD 13 property)											\$165,000	evaluate need (not in budget), cost can vary
Hilltop Park												
Replace playground equipment						\$75,000					\$75,000	no Master Plan - equip only
Silver Lake Park **												
Construct pathway from Stinson Blvd to Benjamin St									\$165,000		\$165,000	difficult install - ADA issues, reevaluate need
Keyes Park **											\$550,000	
Reconstruction based on Master Plan	\$550,000										\$0	completed
Building remodel / addition								\$400,000			\$400,000	Remodel interior / add covered picnic area
North Sidewalk (46th and Reservoir)									\$125,000		\$125,000	

Opinion of Probable Cost

Hilltop Park					
Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
2	REMOVE AMENITIES	LS	1	\$1,500	\$1,500
4	4" THICK STANDARD CONCRETE WALK	SF	400	\$15	\$6,000
5	SITE AMENITIES	LS	1	\$10,000	\$10,000
6	PLAY AREA	LS	1	\$125,000	\$125,000
7	EROSION CONTROL	LS	2	\$1,000	\$2,000
8	SEED RESTORATION AND PLANTING	LS	1	\$5,000	\$5,000
SUBTOTAL					\$149,500
CONSTRUCTION ESTIMATE TOTAL					\$149,500
Contingency (10%)					\$14,950
PROJECT TOTAL					\$164,450

Opinion of Probable Cost

Keyes Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$15,000	\$15,000
2	EARTHWORK	LS	1	\$45,000	\$45,000
3	6' CONCRETE WALK	SF	13800	\$15	\$207,000
4	SITE AMENITIES	LS	1	\$25,000	\$25,000
5	RESTROOM RENOVATION /	LS	1	\$450,000	\$450,000
6	EROSION CONTROL	LS	1	\$10,000	\$10,000
7	SEED RESTORATION AND LANDSCAPING	LS	1	\$20,000	\$20,000
SUBTOTAL					\$772,000
CONTINGENCY (10%)					\$77,200
CONSTRUCTION ESTIMATE TOTAL					\$849,200
PROJECT TOTAL					\$850,000

Opinion of Probable Cost					
La Belle Park					
Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$5,000	\$5,000
2	UPGRADE LIGHTS TO LED	EA	8	\$2,500	\$20,000
3	NEW LIGHTS	EA	8	\$9,000	\$72,000
SUBTOTAL					\$97,000
CONTINGENCY (10%)					\$9,700
CONSTRUCTION ESTIMATE TOTAL					\$106,700
PROJECT TOTAL					\$110,000

Opinion of Probable Cost

Ostrander Park

Item No.	Description	Unit	Estimated Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LS	1	\$24,410	\$24,410
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$10,000	\$10,000
3	REMOVE CONCRETE	SY	120	\$12	\$1,440
4	REMOVE BITUMINOUS PAVEMENT	SY	650	\$10	\$6,500
5	REMOVE PLAY AREA	LS	1	\$15,000	\$15,000
6	EARTHWORK	LS	1	\$50,000	\$50,000
7	4" THICK STANDARD CONCRETE	SF	150	\$15	\$2,250
8	BITUMINOUS W/AGGREGATE BASE	SY	2600	\$30	\$78,000
9	SITE FURNISHINGS	LS	1	\$25,000	\$25,000
10	24'x24' SHELTER	EA	1	\$100,000	\$100,000
11	PLAY AREA	LS	1	\$150,000	\$150,000
12	PLANTINGS	LS	1	\$10,000	\$10,000
13	EROSION CONTROL	LS	1	\$5,000	\$5,000
14	SEED RESTORATION AND LANDSCAPING	LS	1	\$20,000	\$20,000
SUBTOTAL					\$497,600
CONTINGENCY (10%)					\$49,760
CONSTRUCTION ESTIMATE TOTAL					\$547,360
PROJECT TOTAL					\$550,000

Opinion of Probable Cost					
Huset West Park West					
Item No.	Description	Unit	Estimated Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LS	1	\$95,000	\$95,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$25,000	\$25,000
3	REMOVE CURB	LF	1,575	\$12	\$18,900
4	REMOVE/REPLACE CONTAMINATED	LS	1	\$250,000	\$250,000
7	REMOVE BITUMINOUS PAVEMENT	SY	8,950	\$10	\$89,500
8	REMOVE BLOCK SHED	LS	1	\$22,500	\$22,500
9	REMOVE BALLFIELDS	LS	4	\$15,000	\$60,000
10	ELECTRICAL IMPROVEMENTS	LS	1	\$95,000	\$95,000
11	WATER IMPROVEMENTS	LS	1	\$50,000	\$50,000
12	SANITARY IMPROVEMENTS	LS	1	\$40,000	\$40,000
13	STORMWATER IMPROVEMENTS	LS	1	\$50,000	\$50,000
14	EARTHWORK	LS	1	\$300,000	\$300,000
15	CURB AND GUTTER	LF	1,080	\$30	\$32,400
16	4" THICK STANDARD CONCRETE WALK	SF	4500	\$15	\$67,500
17	BITUMINOUS TRAIL W/AGGREGATE BASE	SY	3850	\$30	\$115,500
18	PARKING LOT 100 SPACES	LS	1	\$345,000	\$345,000
19	SOFTBALL FIELD, IRRIGATION, FENCING	LS	3	\$300,000	\$900,000
20	SITE FURNISHINGS	LS	1	\$50,000	\$50,000
21	RESTROOM/ CONCESSIONS	LS	1	\$850,000	\$850,000
22	EROSION CONTROL	LS	1	\$12,000	\$12,000
23	SEED RESTORATION AND LANDSCAPING	LS	1.00	\$120,000	\$120,000
SUBTOTAL					\$3,588,300
CONTINGENCY (10%)					\$358,830
CONSTRUCTION ESTIMATE TOTAL					\$3,947,130
PROJECT TOTAL					\$3,950,000

Opinion of Probable Cost

McKenna Park

Item No.	Description	Unit	Estimated Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LS	1	\$15,000	\$15,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$10,000	\$10,000
3	REMOVE BITUMINOUS PAVEMENT	SY	2,850	\$10	\$28,500
4	REMOVE PARK BUILDING	LS	1	\$20,000	\$20,000
5	REMOVE WADING POOL/BLDG	LS	1	\$15,000	\$15,000
6	STORMWATER IMPROVEMENTS	LS	1	\$95,000	\$95,000
7	EARTHWORK	LS	1	\$110,000	\$110,000
8	CURB AND GUTTER	LF	800	\$30	\$24,000
9	4" THICK STANDARD CONCRETE WALK	SF	3000	\$15	\$45,000
10	BITUMINOUS W/AGGREGATE BASE (NEW	SY	1800	\$30	\$54,000
11	BITUMINOUS W/AGGREGATE BASE	SY	2100	\$30	\$63,000
12	BITUMINOUS TRAIL W/AGGREGATE BASE	SY	2500	\$30	\$75,000
13	PARKING LOT 35 SPACES	LS	1	\$225,000	\$225,000
14	SOCCER FIELD, IRRIGATION	LS	1	\$75,000	\$75,000
15	SOFTBALL FIELD, BACKSTOP FENCING,	LS	1	\$150,000	\$150,000
16	SITE FURNISHINGS	LS	1	\$30,000	\$30,000
17	24'x24' SHELTER	EA	1	\$100,000	\$100,000
18	IRRIGATION	LS	1	\$50,000	\$50,000
19	SILT FENCE	LS	1	\$8,000	\$8,000
20	SEED RESTORATION & PLANTINGS	LS	1	\$35,000	\$35,000
SUBTOTAL					\$1,227,500
Contingency (10%)					\$122,750
CONSTRUCTION ESTIMATE TOTAL					\$1,350,250
PROJECT TOTAL					\$1,350,000

Opinion of Probable Cost					
Huset Park East & Huset Parkway					
Item No.	Description	Unit	Estimated Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LS	1	\$95,000	\$95,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$25,000	\$25,000
3	REMOVE CURB	LF	3,200	\$12	\$38,400
7	REMOVE BITUMINOUS	SY	14,200	\$10	\$142,000
8	REMOVE/REPLACE CONTAMINATED SOILS	LS	1	\$250,000	\$250,000
9	REMOVE BASKETBALL COURTS & VOLLEYBALL AREA	LS	1	\$20,000	\$20,000
10	REMOVE BALLFIELD	LS	1	\$15,000	\$15,000
11	REMOVE Huset BUILDING	LS	1	\$17,500	\$17,500
12	ELECTRICAL IMPROVEMENTS	LS	1	\$75,000	\$75,000
13	WATER IMPROVEMENTS	LS	1	\$15,000	\$15,000
14	STORMWATER IMPROVEMENTS	LS	1	\$100,000	\$100,000
15	EARTHWORK	LS	1	\$300,000	\$300,000
16	CURB AND GUTTER	LF	1,400	\$30	\$42,000
17	BITUMINOUS DRIVE	SY	22,800	\$35	\$798,000
18	4" THICK STANDARD CONCRETE WALK	SF	10500	\$15	\$157,500
19	BITUMINOUS TRAIL W/AGGREGATE BASE	SY	3400	\$30	\$102,000
20	PARKING LOT (40 SPACES)	LS	1	\$125,000	\$125,000
21	SOCCER FIELD W/ IRRIGATION	LS	1	\$100,000	\$100,000
22	BASEBALL FIELD, IRRIGATION, FENCING, LIGHTING, DUGOUT CANOPIES	LS	1	\$500,000	\$500,000
23	SITE FURNISHINGS	LS	1	\$50,000	\$50,000
24	SHELTER	LS	1	\$150,000	\$150,000
25	PLAY AREA	LS	1	\$150,000	\$150,000
26	EROSION CONTROL	LF	1	\$12,000	\$12,000
27	SEED RESTORATION/ LANDSCAPE	LS	1.00	\$125,000	\$125,000
SUBTOTAL					\$3,404,400
CONTINGENCY (10%)					\$340,440
CONSTRUCTION ESTIMATE TOTAL					\$3,744,840
PROJECT TOTAL					\$3,750,000

Opinion of Probable Cost

Item 5.

Gauvitte Park

Item No.	Description	Unit	Estimated Quantity	Estimated Unit Price	Estimated Total Cost
Park Improvements					
1	MOBILIZATION	LS	1	\$10,000	\$10,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$2,500	\$2,500
3	REMOVE HOCKEY RINK	LS	1	\$3,000	\$3,000
4	EARTHWORK	LS	1	\$35,000	\$35,000
5	BITUMINOUS TRAILS (SOUTH) W/AGGREGATE BASE	SY	1600	\$30	\$48,000
6	SOCCER FIELD, GRADING, LANDSCAPING	LS	1	\$50,000	\$50,000
7	AMENITIES (INCLUDING DISC GOLF)	LS	1	\$15,000	\$15,000
8	EROSION CONTROL	LS	1	\$4,000	\$4,000
9	PLANTINGS	LS	1	\$10,000	\$10,000
10	SITE RESTORATION	LS	1	\$50,000	\$50,000
SUBTOTAL					\$227,500
CONTINGENCY (10%)					\$22,750
CONSTRUCTION ESTIMATE					\$250,250
PROJECT TOTAL (PARK)					\$250,000

Item No.	Description	Unit	Estimated Quantity	Estimated Unit Price	Estimated Total Cost
Stormwater Improvements					
1	MOBILIZATION	LS	1	\$50,000	\$50,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$10,000	\$10,000
3	REMOVE CURB	LF	400	\$12	\$4,800
4	REMOVE BITUMINOUS PAVEMENT	SY	835	\$8	\$6,680
5	REMOVE BASKETBALL COURTS	LS	1	\$2,500	\$250,000
6	REMOVE AMENITIES	LS	1	\$5,000	\$5,000
7	REMOVE BUILDING	LS	1	\$25,000	\$25,000
8	STORMWATER IMPROVEMENTS (INF BASIN / POND)	LS	1	\$435,000	\$435,000
9	STORMWATER IMPROVEMENTS (LAND PURCHASE)	LS	1	\$350,000	\$350,000
10	EARTHWORK	LS	1	\$40,000	\$40,000
11	CURB AND GUTTER	LF	900	\$30	\$27,000
12	4" THICK STANDARD CONCRETE	SF	3000	\$15	\$45,000
13	BITUMINOUS W/AGG BASE (N. TRAILS / PARKING)	SY	3100	\$30	\$93,000
14	PARKING LOT STRIPING	LS	1	\$2,000	\$2,000
15	BASKETBALL COURT	LS	1	\$70,000	\$70,000
16	AMENITIES	LS	1	\$25,000	\$25,000
17	PORTABLE RESTROOM & ENCLOSURE	LS	1	\$10,000	\$10,000
18	24'x24' SHELTER	EA	1	\$100,000	\$100,000
19	PLAY AREA	LS	1	\$125,000	\$125,000
20	EROSION CONTROL	LS	1	\$3,500	\$3,500
21	PLANTINGS	LS	1	\$35,000	\$35,000
22	SITE RESTORATION	LS	1	\$45,000	\$45,000
SUBTOTAL					\$1,756,980
CONTINGENCY (10%)					\$175,698
CONSTRUCTION ESTIMATE TOTAL					\$1,932,678
PROJECT TOTAL					\$1,675,000

Opinion of Probable Cost

Lomianki Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$20,000	\$20,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$5,000	\$5,000
3	REMOVE CONCRETE	SF	250	\$12	\$3,000
4	REMOVE BUILDING	LS	1	\$15,000	\$15,000
5	REMOVE AMENITIES	LS	1	\$12,500	\$12,500
6	ELECTRICAL IMPROVEMENTS	LS	1	\$5,000	\$5,000
7	WATER IMPROVEMENTS	LS	1	\$10,000	\$10,000
8	EARTHWORK	LS	1	\$30,000	\$30,000
9	4" THICK STANDARD CONCRETE	SF	150	\$15	\$2,250
10	BITUMINOUS TRAIL W/AGGREGATE BASE	SY	800	\$30	\$24,000
11	PARKING LOT (6-8 STALLS)	LS	1	\$25,000	\$25,000
12	SITE AMENITIES	LS	1	\$15,000	\$15,000
13	PORTABLE RESTROOM ENCLOSURE	LS	1	\$10,000	\$10,000
14	SHED	LS	1	\$10,000	\$10,000
15	24'x24' SHELTER	EA	1	\$100,000	\$100,000
16	PLAY AREA	LS	1	\$125,000	\$125,000
17	EROSION CONTROL	LS	1	\$2,500	\$2,500
18	SEED RESTORATION AND EROSION CONTROL	LS	1	\$17,500	\$17,500
SUBTOTAL					\$431,750
CONTINGENCY (10%)					\$43,175
CONSTRUCTION ESTIMATE TOTAL					\$474,925
PROJECT TOTAL					\$475,000

Opinion of Probable Cost

Ramsdell Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$15,000	\$15,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$4,500	\$4,500
3	Remove wading pool and pool bldg	LS	1	\$12,500	\$12,500
4	EARTHWORK	LS	1	\$22,500	\$22,500
5	BITUMINOUS TRAIL	SY	1,525	\$35	\$53,375
6	Trail Lighting	EA	6	\$7500	\$45,000
7	Splash Pad (2,500 SF), w/ control building, Fencing	EA	1	\$550000	\$550,000
8	PLANTINGS	LS	1	\$15,000	\$15,000
9	SITE RESTORATION / EROSION CONTROL	LS	1	\$10,000	\$10,000
SUBTOTAL					\$727,875
CONTINGENCY (10%)					\$72,788
CONSTRUCTION ESTIMATE TOTAL					\$800,663
PROJECT TOTAL					\$800,000

SKATE PARK (Grant Funded)

A	REMOVE BITUMINOUS PAVEMENT	SY	450	\$10	\$4,500
B	SKATE PARK	LS	1	\$475,000	\$475,000
C	BITUMINOUS W/AGGREGATE BASE	SY	450	\$35	\$15,750
D	SITE AMENITIES (Skate Park)	LS	1	\$25,000	\$25,000
SUBTOTAL					\$520,250
CONTINGENCY (10%)					\$52,025
CONSTRUCTION ESTIMATE TOTAL					\$572,275
PROJECT TOTAL					\$575,000

Opinion of Probable Cost

Prestemon Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$25,000	\$25,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$20,000	\$20,000
3	REMOVE BITUMINOUS PAVEMENT	SY	4,700	\$10	\$47,000
4	REMOVE BUILDING	LS	1	\$15,000	\$15,000
5	REMOVE PLAY AREA	LS	1	\$15,000	\$15,000
6	EARTHWORK	LS	1	\$20,000	\$20,000
7	BITUMINOUS W/AGGREGATE BASE	SY	2,000	\$35	\$70,000
8	BITUMINOUS TRAIL	SY	2,700	\$35	\$94,500
9	PARKING LOT STRIPING	LS	1	\$5,000	\$5,000
10	COLOR COATING BASKETBALL COURT	LS	1	\$8,500	\$8,500
11	DOG PARK (0.8 - 1 ACRE)	LS	1	\$75,000	\$75,000
12	PLAY AREA	LS	1	\$150,000	\$150,000
13	SITE AMENITIES	LS	1	\$10,000	\$10,000
14	24'x24' SHELTER	EA	1	\$125,000	\$125,000
15	EROSION CONTROL	LS	1	\$10,000	\$10,000
16	PLANTINGS	LS	1	\$10,000	\$10,000
17	SITE RESTORATION	LS	1	\$50,000	\$50,000
				SUBTOTAL	\$750,000
				CONTINGENCY (10%)	\$75,000
CONSTRUCTION ESTIMATE TOTAL					\$825,000
PROJECT TOTAL					\$825,000

Opinion of Probable Cost

Wargo Court Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$15,000	\$15,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$5,000	\$5,000
3	REMOVE CONCRETE	SY	390	\$12	\$4,680
4	REMOVE AMENITIES	LS	1	\$6,000.00	\$6,000
5	WATER FEATURE	LS	1	\$125,000	\$125,000
6	EARTHWORK	LS	1	\$15,000	\$15,000
7	4" THICK STANDARD CONCRETE	SF	2000	\$15	\$30,000
8	SITE AMENITIES	LS	1	\$25,000	\$25,000
9	GATEWAY MONUMENT	LS	1	\$50,000	\$50,000
10	SILT FENCE	LS	1	\$5,000	\$5,000
11	SITE LANDSCAPING	LS	1	\$50,000	\$50,000
12	SEED RESTORATION AND PLANTING	LS	1	\$50,000	\$50,000
SUBTOTAL					\$380,680
CONTINGENCY (10%)					\$40,000
CONSTRUCTION ESTIMATE TOTAL					\$420,680
PROJECT TOTAL					\$425,000

Opinion of Probable Cost

Edgemoor Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	REMOVE AMENITIES	LS	1	\$1,500	\$1,500
2	4" THICK STANDARD CONCRETE WALK	SF	400	\$15	\$6,000
3	SITE AMENITIES	LS	1	\$10,000	\$10,000
4	PLAY AREA	LS	1	\$125,000	\$125,000
5	EROSION CONTROL	LS	2	\$1,000	\$2,000
6	SEED RESTORATION AND PLANTING	LS	1	\$5,000	\$5,000
SUBTOTAL					\$149,500
CONSTRUCTION ESTIMATE TOTAL					\$149,500
Contingency (10%)					\$14,950
PROJECT TOTAL					\$164,450

Opinion of Probable Cost

Sullivan Lake Park

Item No.	Description	Unit	Estimated	Estimated Unit	Estimated Total
1	MOBILIZATION	LS	1	\$20,000	\$20,000
2	REMOVE AND GRUB TREES/STUMPS	LS	1	\$5,000	\$5,000
3	REMOVE CONCRETE	SF	200	\$12	\$2,400
4	REMOVE TENNIS COURT	LS	1	\$15,000	\$15,000
5	REMOVE AMENITIES	LS	1	\$5,000	\$5,000
6	ELECTRICAL IMPROVEMENTS	LS	1	\$5,000	\$5,000
7	EARTHWORK / SOIL CORRECTIONS	LS	1	\$45,000	\$45,000
8	4" THICK STANDARD CONCRETE	SF	250	\$15	\$3,750
9	BITUMINOUS TRAIL W/AGGREGATE BASE	SY	1100	\$30	\$33,000
10	TENNIS COURTS, FENCING, NETS,	EA	2	\$125,000	\$250,000
11	INCLUSIVE PLAY AREA	LS	1	\$145,000	\$145,000
12	PLANTINGS	LS	1	\$5,000	\$5,000
13	SEED RESTORATION AND EROSION	LS	1	\$10,000	\$10,000
SUBTOTAL					\$544,150
CONTINGENCY (10%)					\$54,415
CONSTRUCTION ESTIMATE TOTAL					\$598,565
PROJECT TOTAL					\$600,000



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	JUNE 5, 2023

ITEM:	Centerpointe Franchise Agreement							
DEPARTMENT:	Administration	BY/DATE: Kevin Hansen / June 1, 2023						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input checked="" type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input checked="" type="checkbox"/> Thriving and Vibrant Destination Community	<input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input checked="" type="checkbox"/> Thriving and Vibrant Destination Community							
<input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND:

City staff and representatives from CenterPoint Energy have been discussing and reviewing updating our existing gas franchise agreement. The current gas franchise agreement with CenterPoint Energy expires in 2023. The renewal of a new franchise agreement grants CenterPoint Energy the authority to import, distribute and sell gas for public and private use within the City’s borders. The franchise agreement has been reviewed by the City Attorney and City staff and is recommended for approval. Approval of the proposed franchise agreement is in ordinance format and requires two readings at regular City Council meetings, becoming effective 30 days after the second reading.

SUMMARY OF CURRENT STATUS:

The City of Columbia Heights gas franchise agreement with CenterPoint Energy expires this year. Public Works has developed a new franchise agreement for the City Council’s review. The new ordinance is based on a model ordinance created by the League of Minnesota Cities (LMC). The model ordinance was developed to assist local governments in creating a uniform agreement for natural gas service. I would highlight the following specifics of the ordinance before the council:

- Provides additional definitions of terms and entities used in the agreement.
- Provides for a twenty (20) year agreement.
- This agreement is consistent with the permit and restoration standards that the gas company must follow in the City’s existing Right-of-Way Ordinance and Minnesota Rule 7819.
- Provides for proper notice of proposed public improvements by the City to CenterPoint.
- An indemnity clause has also been included to protect the City from potential problems that may arise due to construction, maintenance, operation, repair, inspection or removal of gas service lines within the City of Columbia Heights.
- The proposed ordinance preserves the right of the City to implement a franchise fee that can be enacted over the life of the contract. The proposed ordinance **does not enact** the franchise fee at this time.

The City Attorney and City staff have also reviewed the proposed ordinance and those comments are

incorporated into this document.

STAFF RECOMMENDATION:

Review / discussion of Centerpoint Franchise Agreement - Renewal

ATTACHMENT(S):

CenterPoint Energy Franchise Agreement

CenterPoint Energy Gas Franchise Ordinance

ORDINANCE NO. _____

CITY OF _____, _____ COUNTY, MINNESOTA

AN ORDINANCE GRANTING CENTERPOINT ENERGY RESOURCES CORP. d/b/a CENTERPOINT ENERGY MINNESOTA GAS (“CENTERPOINT ENERGY”), ITS SUCCESSORS AND ASSIGNS, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN FACILITIES AND EQUIPMENT FOR THE TRANSPORTATION, DISTRIBUTION, MANUFACTURE AND SALE OF GAS ENERGY FOR PUBLIC AND PRIVATE USE AND TO USE THE PUBLIC WAYS AND GROUNDS OF THE CITY OF _____, _____ COUNTY, MINNESOTA, FOR SUCH PURPOSE; AND, PRESCRIBING CERTAIN TERMS AND CONDITIONS THEREOF

THE CITY COUNCIL OF THE CITY OF _____, _____ COUNTY, MINNESOTA, ORDAINS:

SECTION 1. DEFINITIONS

For purposes of this Ordinance, the following capitalized terms listed in alphabetical order shall have the following meanings:

City. The City of _____, County of _____, State of Minnesota.

City Utility System. Facilities used for providing public utility service owned or operated by City or agency thereof, including sewer, storm sewer, water service, street lighting and traffic signals, but excluding facilities for providing heating, lighting, or other forms of energy.

Commission. The Minnesota Public Utilities Commission, or any successor agency or agencies, including an agency of the federal government, which preempts all or part of the authority to regulate gas retail rates now vested in the Minnesota Public Utilities Commission.

Company. CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas its successors and assigns including all successors or assigns that own or operate any part or parts of the Gas Facilities subject to this Franchise.

Gas Energy. Gas Energy includes both retail and wholesale natural, manufactured or mixed gas.

Gas Facilities. Gas transmission and distribution pipes, lines, ducts, fixtures and all necessary equipment and appurtenances owned or operated by the Company for the purpose of providing Gas Energy for retail or wholesale use.

Notice. A writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to CenterPoint Energy, Minnesota Division Vice President, 505 Nicollet Mall, Minneapolis, Minnesota, 55402. Notice to the City shall be mailed to _____ . Any party may change its respective address for the purpose of this Ordinance by written Notice to the other parties.

Ordinance. This gas franchise ordinance, also referred to as the Franchise.

Public Way. Any highway, street, alley or other public right-of-way within the City.

Public Ground. Land owned or otherwise controlled by the City for utility easements, park, trail, walkway, open space or other public property, which is held for use in common by the public or for public benefit.

SECTION 2. ADOPTION OF FRANCHISE

2.1 **Grant of Franchise.** City hereby grants Company, for a period of ____ (_____) years from the date this Ordinance is passed and approved by the City, the right to import, manufacture, distribute and sell Gas Energy for public and private use within and through the limits of the City as its boundaries now exist or as they may be extended in the future and also the right to transport Gas Energy through the limits of the City for use outside of the City limits. For these purposes, Company may construct, operate, repair and maintain Gas Facilities in, on, over, under and across the Public Ways and Public Grounds, subject to the provisions of this Ordinance. Company may do all reasonable things necessary or customary to accomplish these purposes, subject, however, to such reasonable regulations as may be imposed by the City pursuant to a public right-of-way ordinance or permit requirements adopted consistent with state law.

2.2 **Effective Date; Written Acceptance.** This Franchise shall be in force and effect from and after the passage of this Ordinance and publication as required by law and its acceptance in writing by Company.

2.3. **Service and Gas Rates.** The terms and conditions of service and the rates to be charged by Company for Gas Energy in City are subject to the exclusive jurisdiction of the Commission.

2.4. **Publication Expense.** Company shall pay the expense of publication of this Ordinance.

2.5. **Dispute Resolution.** If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within thirty (30) days of the written Notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within thirty (30) days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this Franchise or for such other relief as may be permitted by law or equity.

2.6. **Continuation of Franchise.** If the City and the Company are unable to agree on the terms of a new franchise by the time this Franchise expires, this Franchise will remain in effect until a new franchise is agreed upon, or until ninety (90) days after the City or the Company serves written Notice to the other party of its intention to allow Franchise to expire.

SECTION 3. LOCATION, OTHER REGULATIONS

3.1. **Location of Facilities.** Gas Facilities shall be located, constructed, and maintained so as not to interfere with the safety and convenience of ordinary travel along and over Public Ways and so as not to disrupt normal operation of any City Utility System. Gas Facilities may be located on Public Grounds in a location to be mutually agreed by the City and the Company. The location and relocation of Gas Facilities shall be subject to reasonable regulations of the City consistent with authority granted the City to manage its Public Ways and Public Grounds under state law, to the extent not inconsistent with a specific term of this Franchise.

3.2. **Street Openings.** Company shall not open or disturb the surface of any Public Way or Public Ground for any purpose without first having obtained a permit from the City, if required by a separate ordinance, for which the City may impose a reasonable fee, unless the City is receiving a franchise fee pursuant to this Ordinance, in which case all permit fees will be waived. Permit conditions imposed on Company shall not be more burdensome than those imposed on other public right-of-way users for similar facilities or work. Company may, however, open and disturb the surface of any Public Way or Public Ground without a permit if (i) an emergency exists requiring the immediate repair of Gas Facilities and (ii) Company gives telephone, email or similar Notice to the City before commencement of the emergency repair, if reasonably possible. Within two (2) business days after commencing the repair, Company shall apply for any required permits and pay any required fees.

3.3. **Restoration.** After undertaking any work requiring the opening of any Public Way or Public Ground, the Company shall restore the Public Ways or Public Grounds in accordance with Minnesota Rules, 7819.1100. Company shall restore the Public Ground to as good a condition as formerly existed, and shall maintain the surface in good condition for six (6) months thereafter. All work shall be completed as promptly as weather permits, and if Company shall not promptly perform and complete the work, remove all dirt, rubbish, equipment and material, and put the Public Ground in the said condition, the City shall have, after demand to Company to cure and the passage of a reasonable period of time following the demand, but not to exceed five (5) days, the right to make the restoration of the Public Ways or Public Grounds at the expense of Company. Company shall pay to the City the cost of such work done for or performed by the City. The Company shall not be required to post a construction performance bond.

3.4. **Avoid Damage to Gas Facilities.** The Company must take reasonable measures to prevent the Gas Facilities from causing damage to persons or property. The Company must take reasonable measures to protect the Gas Facilities from damage that could be inflicted on the Gas Facilities by persons, property or the elements. Per Minnesota Statute § 216D.05, the City must take protective measures when it performs work near the Gas Facilities.

3.5. **Notice of Improvements to Streets.** The City will give Company reasonable written Notice of plans for improvements to Public Ways and Public Grounds where the City has reason to believe that Gas Facilities may affect or be affected by the improvement. The Notice will contain: (i) the nature and character of the improvements, (ii) the Public Ways or Public Grounds upon which the improvements are to be made, (iii) the extent of the improvements, (iv) the time when the City will start the work, and (v) if more than one Public Way or Public Grounds is involved, the order in which the work is to proceed. The Notice will be given to Company a sufficient length of time, considering seasonal working conditions, in advance of the actual commencement of the work to permit Company to make any additions, alterations or repairs to its Gas Facilities Company deems necessary.

3.6 **Mapping Information.** If requested by City, Company must promptly provide complete and accurate mapping information for any of its Gas Facilities in accordance with the requirements of Minnesota Rules 7819.4000 and 7819.4100.

3.7. **Emergency Response.** As emergency first responders, when a public safety concern exists both the City and Company shall respond to gas emergencies within the City without additional direct fee or expense to either City or Company.

SECTION 4. RELOCATIONS

4.1. **Relocation in Public Ways.** The Company and City shall comply with the provisions of Minnesota Rules 7819.3100 with respect to requests for the Company to relocate Gas Facilities located in Public Ways.

4.2 **Relocation in Public Grounds.** City may require Company at Company's expense to relocate or remove its Gas Facilities from Public Grounds upon a finding by City that the Gas Facilities have become or will become a substantial impairment to the existing or proposed public use of the Public Grounds. Nothing in this Section 4.2 shall be construed so as to invalidate or impair any existing company easements in Public Grounds. If Company is required to relocate from an existing easement, City shall provide an equivalent easement for the relocated facilities.

4.3. **Projects with Federal Funding.** Relocation, removal or rearrangement of any Company Gas Facilities made necessary because of the extension into or through City of a federally aided highway project shall be governed by the provisions of Minnesota Statutes §§ 161.45 and 161.46.

SECTION 5. INDEMNIFICATION

5.1. **Indemnity of City.** Company shall indemnify and hold the City harmless from any and all liability, on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, inspection, the issuance of permits or the operation of the Gas Facilities located in the Public Ways and Public Grounds. The City shall not be indemnified for losses or claims occasioned through its own negligence or otherwise wrongful act or omission except for losses or claims arising out of or alleging the City's negligence as to the issuance of permits for, or inspection of, Company's plans or work.

5.2. **Defense of City.** In the event a suit is brought against the City under circumstances where this agreement to indemnify applies, Company at its sole cost and expense shall defend the City in such suit if written Notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such Notice. If Company is required to indemnify and defend, it will thereafter have control of such litigation, but Company may not settle such litigation without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City. The Company, in defending any action on behalf of the City, shall be entitled to assert in any action every defense or immunity that the City could assert in its own behalf. This Franchise agreement shall not be interpreted to constitute a waiver by the City of any of its defenses of immunity or limitations on liability under Minnesota Statutes, Chapter 466.

SECTION 6. VACATION OF PUBLIC WAYS AND PUBLIC GROUNDS

The City shall give Company at least two weeks prior written Notice of a proposed vacation of a Public Ways or Public Grounds. The City and the Company shall comply with Minnesota Rules 7819.3100 and 7819.3200 with respect to any request for vacation.

SECTION 7. CHANGE IN FORM OF GOVERNMENT

Any change in the form of government of the City shall not affect the validity of this Ordinance. Any governmental unit succeeding the City shall, without the consent of Company, succeed to all of the rights and obligations of the City provided in this Ordinance.

SECTION 8. FRANCHISE FEE

8.1. **Form.** During the term of the franchise hereby granted, the City may charge the Company a franchise fee. The Company will administer the collection and payment of franchise fees to City in lieu of permit fees or other fees that may otherwise be imposed on the Company in relation to its operations as a public utility in the City. The franchise fee will be collected on a flat fee basis, or by some other method that is mutually acceptable to both City and Company for each retail customer account within the corporate limits of the City. The amount of the fee collected may differ for each customer class. The City will use a formula that provides a stable and predictable amount of fees, without placing the Company at a competitive disadvantage. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City and be consistent with the Minnesota Public Utility Commission's March 23, 2011, Order establishing franchise fee filing requirements in Docket No. E,G999/CI-09-970. If the Company claims that the City required fee formula is discriminatory or otherwise places the Company at a competitive disadvantage, the Company will provide a formula that will produce a substantially similar fee amount to the City. If the City and Company are unable to agree, the disagreement shall be subject to the Dispute Resolution provisions of this Ordinance.

8.2. **Separate Ordinance.** The franchise fee shall be imposed by separate ordinance duly adopted by the City Council. The effective date of the franchise fee ordinance shall be no less than ninety (90) days after written Notice enclosing a copy of the duly adopted and approved ordinance has been served upon the Company by Certified mail. The Company is not required to collect a

franchise fee if the terms of the fee agreement are inconsistent with this franchise or state law, provided the Company notifies the City Council of the same within the ninety (90) day period.

8.3. **Condition of Fee.** The separate ordinance imposing the fee shall not be effective against the Company unless it lawfully imposes a fee of the same or substantially similar amount on the sale of energy within the City by any other energy supplier, provided that, as to such supplier, the City has the authority or contractual right to require a franchise fee or similar fee through an agreed-upon franchise.

8.4. **Collection of Fee.** The franchise fee shall be payable not less than quarterly during complete billing months of the period for which payment is to be made. The franchise fee formula may be changed from time to time, however, the change shall meet the same Notice and acceptance requirements and the fee may not be changed more often than annually. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City and be consistent with Minnesota Public Utility Commission's March 23, 2011, Order establishing franchise fee filing requirements in Docket No. E,G999/CI-09-970. Such fee is subject to subsequent reductions to account for uncollectibles and customer refunds incurred by the Company. The Company shall not be responsible to pay City fees that Company is unable to collect under Commission rules or order. Company agrees to make available for inspection by City at reasonable times all records necessary to audit Company's determination of the franchise fee payments.

8.5. **Continuation of Franchise Fee.** If this franchise expires and the City and the Company are unable to agree upon terms of a new franchise, the franchise fee, if any being imposed by the City at the time this franchise expires, will remain in effect until a new franchise is agreed upon. However, the franchise fee will not remain in effect for more than one (1) year after the franchise expires as stated in Section 2.6 of this Franchise. If for any reason the franchise terminates, the franchise fee will terminate at the same time.

SECTION 9. ABANDONED FACILITIES

The Company shall comply with Minnesota Rules, Part 7819.3300, as it may be amended from time to time with respect to abandoned facilities in Public Ways. The Company shall maintain records describing the exact location of all abandoned and retired Gas Facilities within the Public Ways and Public Grounds, produce such records at the City's request and comply with the location requirements of Minnesota Statutes § 216D.04 with respect to all Gas Facilities located in Public Ways and Public Grounds.

SECTION 10. PROVISIONS OF ORDINANCE

10.1. **Severability.** Every section, provision or part of this Ordinance is declared separate from every other section, provision or part; and if any section, provision or part shall be held invalid, it shall not affect any other section, provision or part. Where a provision of any other City ordinance is inconsistent with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.

10.2. **Limitation on Applicability.** This Ordinance constitutes a franchise agreement between City and Company as the only parties. No provisions herein shall in any way inure to the

benefit of any third person (including the public at large) so as to constitute any such person as a third-party beneficiary of this Ordinance or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

SECTION 11. AMENDMENT-PROCEDURE

Either party may propose at any time that this Franchise Ordinance be amended. Franchise Ordinance may be amended at any time by the City passing a subsequent ordinance declaring the provisions of the amendment, which amendatory ordinance shall become effective upon the filing of Company’s written consent thereto with the City Clerk within ninety (90) days after the effective date of the amendatory ordinance.

Passed and approved: _____, 20__

Mayor of the City of _____, Minnesota

Attest:

City Clerk, _____, Minnesota



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	JUNE 5, 2023

ITEM:	Council Salary Adjustment		
DEPARTMENT:	Administration	BY/DATE:	Kevin Hansen / June 1, 2023
CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>			
<input type="checkbox"/> Healthy and Safe Community		<input type="checkbox"/> Thriving and Vibrant Destination Community	
<input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly		<input type="checkbox"/> Strong Infrastructure and Public Services	
<input type="checkbox"/> Trusted and Engaged Leadership		<input checked="" type="checkbox"/> Sustainable	

BACKGROUND:

At the last two Council Work Session meetings, the Council discussed Mayor and Council member salaries and the process for adjusting their salaries. Chapter 2 of the City Charter, Section 13 states: "The mayor and council members shall by ordinance fix their own salaries in such amount as they deem reasonable. No change in salary shall take effect until after the next succeeding municipal election."

The current mayor and council annual salaries are \$13,800 and \$7,800, respectively. Ordinance 1545 changed the mayor's salary, but left council member's salary's unchanged in 2008. A basis for consideration would be to apply COLA's provided to City staff in 2023 (2.5%) and 2024 (3.25%) would result in new salaries of \$14,605 and \$8,255 for the mayor and council. This salary is right at the average of Metro mayor's salaries (\$14,609) presented at the April work session, but below the average council member salary of \$10,767.

STAFF RECOMMENDATION:

Establish the Mayor's annual salary of \$_____ and the Council salary of \$_____. Staff will prepare the ordinance for first reading at the June 12 regular meeting.



CITY COUNCIL WORK SESSION MEETING

AGENDA SECTION	WORK SESSION ITEM
MEETING DATE	JUNE 5, 2023

ITEM:	Narcan							
DEPARTMENT:	Administration	BY/DATE: Kevin Hansen / June 1, 2023						
<p>CORE CITY STRATEGIES: <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i></p> <table> <tr> <td><input type="checkbox"/> Healthy and Safe Community</td> <td><input checked="" type="checkbox"/> Thriving and Vibrant Destination Community</td> </tr> <tr> <td><input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly</td> <td><input type="checkbox"/> Strong Infrastructure and Public Services</td> </tr> <tr> <td><input type="checkbox"/> Trusted and Engaged Leadership</td> <td><input type="checkbox"/> Sustainable</td> </tr> </table>			<input type="checkbox"/> Healthy and Safe Community	<input checked="" type="checkbox"/> Thriving and Vibrant Destination Community	<input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services	<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable
<input type="checkbox"/> Healthy and Safe Community	<input checked="" type="checkbox"/> Thriving and Vibrant Destination Community							
<input checked="" type="checkbox"/> Equitable, Diverse, Inclusive, and Friendly	<input type="checkbox"/> Strong Infrastructure and Public Services							
<input type="checkbox"/> Trusted and Engaged Leadership	<input type="checkbox"/> Sustainable							

BACKGROUND:

Both Council members Spriggs and Buesgens recently had questions regarding the use of Narcan at the Library and possibly other City facilities. I reviewed how the City currently utilizes and deploys Narcan with The Fire Chief, Police Chief and Assistant Fire Chief providing the following comments -

- The Fire Department response is typically 3-4 minutes to get to a call anywhere in the City.
- Narcotics are respiratory system depressants, slowing or stopping a person’s breathing.
- Every fire apparatus is stocked with Narcan, and respiratory support equipment; oxygen, airways, bag-valve masks, etc.
- Based on their training - respiratory support is always their first priority and, if an overdose is suspected, Narcan is administered in incremental doses (not all at once) to rouse the patient to the point where they can breathe on their own.
- Charlie indicated the reasoning behind incremental dosing is to allow additional staff to respond because 80-90% of the individuals dosed with Narcan, wake up angry or violent. Having additional trained staff there is often necessary for the safety of responders and the patient.
- Patients receiving respiratory support are highly unlikely to die of the overdose, even if Narcan is not administered or delayed.
- Narcan has an expense and, like all medications, expires. Additionally, there is the expense of the staff-time for the ordering, deploying, monitoring, and maintenance of the medication.

The Police do not carry Narcan in their vehicles. This is largely due to the response and administering that the Fire Department does. *(Note - 2023 legislative change pertaining to Police)*

Due to several factors, including quick response of trained personnel who carry the medication and the logistics and expense of the medication, I do not recommend keeping a supply of Narcan at the Library or other City Facilities.