

**CITY OF FALCON HEIGHTS**  
City Council Workshop  
City Hall  
2077 West Larpenteur Avenue

**AGENDA**  
Wednesday, June 5, 2024  
6:30 P.M.

A. CALL TO ORDER:

B. ROLL CALL: GUSTAFSON\_\_\_ LEEHY\_\_\_  
MEYER\_\_\_ MIELKE\_\_\_ WASSENBERG\_\_\_

STAFF PRESENT: LINEHAN\_\_\_ VAN DER WERFF\_\_\_

C. POLICY ITEMS:

1. Rental Policies and Protections
2. Assessment Policy
3. Community Park Pricing
4. St. Anthony Village Policing Contract Discussions Update

D. ADJOURNMENT:

*DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to [mail@falconheights.org](mailto:mail@falconheights.org) prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.*

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## REQUEST FOR COUNCIL ACTION (RCA)

<b>Meeting Date</b>	June 5, 2024
<b>Agenda Item</b>	Policy C1
<b>Attachment(s)</b>	Ord 13-06, Ord 19-06, Rental Housing PPT
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Rental Policies and Protections
<b>Description</b>	<p>At the annual City Council retreat, the Council directed staff to include a discussion of renters’ protections and policies on future agenda items. To kick start the conversation, staff is providing background information on the current status of rental protections that are offered by the city, county and state.</p> <p>Fire Marshal AJ Neis will be in attendance at the workshop to help answer questions on our current rental property inspection process.</p>
<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Ordinance 13-06</li> <li>• Ordinance 19-06</li> <li>• Rental Housing PowerPoint</li> </ul>
<b>Action(s) Requested</b>	The City Council is requested to review the materials and provide staff direction on the next steps in reviewing our practices.

ORDINANCE NO. 13-06

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

AMENDING CHAPTER 105  
OF THE FALCON HEIGHTS CITY CODE  
CONCERNING RENTAL HOUSING

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Chapter 105, Article IV of the Falcon Heights City Code is amended to read as follows:

**Sec. 105-86. Purpose.**

It is the purpose of this article to protect the public health, safety and welfare of citizens of the city who have as their place of abode a living unit furnished to them for the payment of a rental charge to another by adopting licensing regulations for all rental dwellings in the city.

**Sec. 105-87. Definitions.**

For the purposes of this article, the terms defined in this section shall have the meanings given them as follows:

*Compliance official.* As used in this article, the term "compliance official" shall mean the city administrator or his or her designee.

*Operate.* As used in this article, the term "operate" means to charge a rental charge or other form of compensation for the use of a unit in a rental dwelling.

*Rental dwelling.* As used in this article, the term "rental dwelling" shall mean any single family dwelling, duplex dwelling or triplex dwelling, which is rented for more than four months in any calendar year. "Rental dwelling" does not include hotels, motels, hospitals, or homes for the aged.

**Sec. 105-88. License Required.**

No person, firm, partnership, corporation or other legal entity shall operate a rental dwelling in the city without first obtaining a license. The license is issued annually and is valid until the date of expiration.

**Sec. 105-89. Application for Licenses.**

Applications for licenses shall be made in writing on forms provided by the city and accompanied by the fee amounts as established in the City Code. Such application shall be submitted at least sixty (60) days prior to the expiration date of the license, and shall specify the following:

- (1) Name and address of the owner of the rental dwelling.
- (2) Name and address of any agent actively managing the rental dwelling. The agent must live within the Seven County Metropolitan area and must have a background check conducted by the police department.
- (3) Name and address of all partners if the registrant is a partnership.
- (4) Name and address of all officers of the corporation if the registrant is a corporation.
- (5) Name and address of the vendee if the rental dwelling is owned or being sold on a contract for deed.
- (6) Legal address of the rental dwelling.
- (7) Number and kind of units within the rental dwelling classified as dwelling units, tenement units, or rooming units or other.
- (8) Name and address of on site operating manager, if any.

**Sec. 105-90. License Approval.** The Compliance Official may either approve or deny the license, or may delay action for up to sixty (60) days to permit the city to complete any investigation of the application or the applicant as deemed necessary. If the Compliance Official approves the license, a license shall be issued to the applicant. If the Compliance Official denies the application, a notice of denial shall be sent to the applicant at the business address provided on the application along with the reasons for the denial. The notice shall also inform the applicant of their right to appeal the decision to the city council pursuant to the process set forth in this chapter.

**Sec. 105-91. License Renewal.**

Notwithstanding the application signature requirements, renewals of the license as required annually by this Code may be made by filling out the required renewal form furnished by the compliance official to the owner, operator or agent of a rental dwelling and mailing said form together with the required registration fee to the compliance official. Failure to file the completed application with the City at least sixty (60) days prior to the expiration of the license is a violation of this Article.

**Sec. 105-92. License Fees.**

The license fees shall be in the amount established in this Code. Failure to pay the license fee for renewal of a license is a violation of this Article.

**Sec. 105-93. Furnish License.**

Every registrant of a rental dwelling shall be given a copy of the license. The license shall contain a statement that the tenant or tenants may contact the attorney general for information regarding the rights and obligations of owners and tenants under state law. The statement shall include the telephone number and address of the attorney general.

**Sec. 105-94. City Inspections.**

(a) Rental units shall be inspected in their entirety every twenty four (24) months. An application and payment is required annually on a continuous basis. Rental units that fail their

first inspection will be subjected to additional inspections until an inspection certificate is given by the compliance official. Rental units that fail their first inspection will be subjected to an inspection the subsequent year.

(b) Pursuant to this section, the compliance official shall make inspections to determine the condition of rental dwellings located within the City for the purpose of enforcing the rental licensing standards. The compliance official or designated representative may enter, examine and survey at all reasonable times all rental dwellings and premises after obtaining consent from an occupant of the premises. In the event that an occupant of the premises does not consent to entry by the compliance official or designate representative, and if there is probable cause to believe that an inspection is warranted, then application may be made to the court for an administrative or other search warrant for the purpose of inspecting the premises.

(c) The owner's rental housing license may be suspended, revoked or denied renewal for failing to maintain the licensed building in compliance with the property maintenance code as set forth in chapter 105, article III of this Code or otherwise failing to comply with the requirements of the City Code or applicable state or federal law.

**Sec. 105-95. Maintenance Standards.**

(a) Every rental dwelling shall maintain the standards in chapter 105, article III, Housing Code and chapter 22, Blight, in addition to any other requirement of the ordinance of the city or special permits issued by the city, or the laws of the State of Minnesota.

(b) Any code violation noted by the city must be remedied in a timely fashion by the property owner and reinspected for compliance by the city.

**Sec. 105-96. Crime Free/Criminal Activity Lease Requirements.**

(a) All tenant leases, except for state licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following Crime Free/Criminal Activity language:

(1) **Drug Related Activity.**

- a. Resident, any members of the resident's household or a guest or other person affiliated with resident shall not engage in drug-related criminal activity, on or near the premises.
- b. Resident, any member of the resident's household or a guest or other person affiliated with resident shall not engage in any act intended to facilitate drug-related criminal activity on or near the premises.
- c. Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.
- d. Resident, any member of the resident's household or a guest, or other person affiliated with the resident shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations, whether on or near the premises or otherwise.

- e. Violation of the above provisions shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.

(2) **Criminal Activity.**

- a. Resident, members of the resident's household, guests, or other persons under the resident's control shall not engage in Criminal Activity, engage in any act intended to facilitate Criminal Activity, or permit the dwelling unit to be used for or facilitate Criminal Activity on or near the premises.
- b. Three (3) Criminal Activity violations involving the same tenancy within a continuous twelve (12) month period shall be a substantial and material violation of the lease and good cause for termination of the tenancy.
- c. Notwithstanding the above provision, Criminal Activity that jeopardizes the health, safety, and welfare of the Landlord, his or her agent, other residents, neighbors or other third party, or involving imminent or actual serious property damage shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.

(3) **Definitions.**

- a. The term "criminal activity" means the violation of the following:
  - 1) Minnesota Statutes §§ 609.75 through 609.76, which prohibit gambling;
  - 2) Minnesota Statutes §§ 609.321 through 609.324, which prohibit prostitution and acts relating thereto;
  - 3) Minnesota Statutes § 340A.401, which prohibit the unlawful sale of alcoholic beverages;
  - 4) Minnesota Statutes §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and § 930 of this code, which prohibit the unlawful possession, transportation, sale or use of a weapon;
  - 5) Minnesota Statutes §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;
  - 6) Minnesota Statutes §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;
  - 7) Minnesota Statutes §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct;
  - 8) Minnesota Statutes §§ 609.52 which prohibit theft;
  - 9) Minnesota Statutes §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;
  - 10) Minnesota Statutes § 609.582 which prohibit burglary;
  - 11) Minnesota Statutes § 609.595 which prohibit damage to property;
  - 12) Chapter 22, Article III of this Code, which prohibits nuisances;
  - 13) Minnesota Statutes § 609.72, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other

than the unit occupied by the person(s) committing the violation;  
and

14) Section 30-3 of the Falcon Heights City Code which prohibits the discharge of a firearm.

b. The term “drug related criminal activity” means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance or any substance represented to be drugs in violation of Minnesota Statutes §§ 152.01 through 152.025, and 152.027, subds. 1 and 2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802).

(4) **Non-Exclusive Remedies.** The Crime Free/ Criminal Activity provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.

(a) These lease provisions shall be incorporated into every new lease for a tenancy beginning January 1, 2009 and all renewed leases thereafter.

(b) Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used in violation of the Drug-Related Activity provision of Subsection (a)(1) or Criminal Activity provision of Subsection (a)(2)(c), the city shall cause notice to be made to the owner and property manager of the violation. The owner or property manager shall notify the tenant or tenants within ten (10) days of the notice of violation of the Crime Free/Criminal Activity lease language and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.

(c) Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used for Criminal Activity as set forth in Subsection (a)(2) herein, the city shall cause notice to be made to the owner and property manager of the violation and direct the owner and property manager to take steps to prevent further Criminal Activity violations.

(d) If a second Criminal Activity violation occurs within a continuous twelve (12) month period involving the same tenancy, the city shall cause notice to be made to the owner and property manager of the second violation. The owner or property manager shall respond in writing within ten (10) days of receipt of the notice with an action plan to prevent further Criminal Activity violations.

(e) If a third Criminal Activity violation occurs within a continuous twelve (12) month period involving the same tenancy, the city shall cause notice to be made to the owner and property manager of the third violation. The owner or property manager shall notify the tenant or tenants within ten (10) days of the violation of the Crime Free/Criminal Activity lease language within the lease and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.



(f) The provisions of Subsections (c), (d), (e), and (f) herein do not apply if the determination that the premises have been used in violation of the Crime Free/Criminal Activity provisions of Subsections (a)(1) and (a)(2) herein originates from a call from or at the request of one or more of the tenants occupying the premises for police or emergency assistance, or in the case of domestic abuse, from a call for assistance from any source. The term “domestic abuse” has the meaning given in Minn. Stat. § 518B.01, subd. 2.

### **Sec. 105-97. Revocation, Suspension, and Civil Fines.**

(a) **Violations.** The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this chapter shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant rental unit, or any units that become vacant during license injunction.

(b) **Basis for Sanctions.** The compliance official may revoke, suspend, deny or decline to renew any license issued under this chapter for part or all of a rental dwelling upon any of the following grounds:

- (1) **Leasing Without a License.** Leasing residential units without a license is subject to license suspension or revocation;
- (2) **Violation of Codes.** Violation of the city maintenance code, building code, or fire code;
- (3) **Hazardous or Uninhabitable Units.** Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
- (4) **Commission of a Felony.** Commission of a felony related to the licensed activity by the property owner or manager;
- (5) **Consideration of Suspension or Revocation.** At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
- (6) **Updated Application Requirement.** Failure to provide an updated application with current information within thirty (30) days of application renewal request from the city;
- (7) **False Statements.** False statements on any application or other information or report required by this chapter to be given by the applicant or licensee;
- (8) **Fees.** Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
- (9) **Correction of Deficiencies.** Failure to correct dwelling deficiencies in the time specified in a compliance order;
- (10) **Inspection.** Failure to schedule an inspection within ninety (90) days of application filed and/or allow an authorized inspection of a rental dwelling;

- (11) **Violation of Statute.** Violation of an owner's duties under Minnesota statutes sections 299C.66 to 299C.71 ("Kari Koskinen manager background check act");
- (12) **Delinquent Taxes or Fines.** Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines.

(c) **Penalties.**

- (1) **Revocation.** Any violation of this chapter may be grounds to revoke a license. Any civil penalty, revocation or combination thereof under this section does not preclude criminal prosecution under this chapter or Minnesota statutes. All fines are cumulative and revocation periods will run consecutively.
- (2) **Violation.** Any person that maintains a rental dwelling without having a property registered or after the registration for the property has been revoked or suspended or who permits new occupancy in violation is guilty of a misdemeanor and upon conviction is subject to a fine and imprisonment as prescribed by state law.
  - a. **First Violation**  
Compliance Official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.
  - b. **Second Violation**  
If a second violation occurs within sixty (60) days of a first violation the Compliance Official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.
  - c. **Third or More Violation**  
If another instance of violations occurs within sixty (60) days of the calendar year Compliance Official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations. If a fourth or subsequent violation occurs suspension of the license will be pending until a hearing.
- (3) **Suspension.** The city council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgment, the public health, safety, and welfare is endangered by the continuance of the licensed activity.
- (4) **Civil Fines.** The city council may impose civil fines in addition to revocation or suspension for violations of any provision of this chapter as follows:

<b>Within One Calendar Year</b>	<b>Fine Per Unit/Common Building</b>
First Violation	\$300.00
Second Violation	\$600.00
Third or more within a 12 month period	\$900.00
Renting without a license after 30 days' notice shall be subject to \$1,000.00 fine per unit and	

also be a misdemeanor offense

**Sec 105-98. Hearing on Penalties, Revocation, Violation, Suspension and Civil Fines.**

(a) **Hearing.** Following receipt of a notice of denial or nonrenewal issued by the Compliance Official or a notice of a violation and penalty issued under section 105-97 of this chapter, an applicant or license holder may request a hearing before the city council. A request for a hearing shall be made by the applicant or license holder in writing and filed with the Compliance Official or Compliance Official's designee within ten (10) days of the mailing of the notice of denial or alleged violation. Following receipt of a written request for hearing, the applicant or license holder shall be afforded an opportunity for a hearing before a committee consisting of the Compliance Official or Compliance Official's designees. After the committee conducts the hearing it shall report its findings and make a recommendation to the full city council.

(b) **Findings.** If after the hearing the applicant or license holder is found ineligible for a license, or in violation of this chapter, the council may affirm the denial, impose a civil penalty, suspend, or revoke a license or impose any combination thereof.

(c) **Default.** If the applicant or license holder has been provided written notice of the denial, nonrenewal, or violation and if no request for a hearing is filed within the ten (10) day period, then the denial or revocation take immediate effect by default. The Compliance Official or designee shall mail notice of the denial, fine, suspension, or revocation to the applicant or license holder. The Compliance Official shall investigate compliance with the denial or revocation.

(d) **Penalties For Default.** Failure to comply with all terms of this section during the term of revocation, suspension or nonrenewal is a misdemeanor and grounds for extension of the term of revocation, suspension or continuation of nonrenewal of the license.

(e) **Appeal.** Following receipt of a decision by the Compliance Official to deny, revoke, suspend, or not renew a license, the owner/licensee may request a hearing before the city council. The request must be made in writing to the Compliance Official within ten (10) days of the Compliance Official's decision.

(f) **Written Notice, Hearing.** A decision to revoke, suspend, deny, or not renew a license shall be preceded by written notice to the applicant or licensee of the alleged grounds therefor and the applicant or licensee will be given an opportunity for a hearing before the city council before final action to revoke, suspend, deny, or not renew a license. A hearing will be conducted before the city council at a public meeting, or the city council may retain an administrative hearing officer or other impartial third party to conduct the public hearing. The licensee shall have the right to be represented by counsel, the right to respond to the charged violations, and the right to present evidence through witnesses. The rules of evidence do not apply to the hearing and the city council may rely on all evidence it determines to be reasonably credible. The determination to suspend or revoke the license shall be made upon a preponderance of the evidence. It is not necessary that criminal charges be brought in order to support a suspension or revocation of a license violation nor does the dismissal or acquittal of such a criminal charge operate as a bar to suspension or revocation.

(g) **Decision Basis.** The council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply and shall issue a decision to deny, not renew, suspend or revoke a license only upon written findings.

(h) **Affected Facility.** The council may suspend or revoke a license or not renew a license for part or all of a facility.

(i) **Suspension.** Licenses may be suspended for up to ninety (90) days and may, after the period of suspension, be reinstated subject to compliance with this chapter and any conditions imposed by the city council at the time of suspension including, but not limited to, receivership or city obtaining control to manage the property temporarily.

(j) **Written Decision, Compliance.** A written decision to revoke, suspend, deny, or not renew a license or application shall specify the part or parts of the facility to which it applies. Thereafter, and until a license is reissued or reinstated, no rental units becoming vacant in such part or parts of the facility may be relet or occupied.

(k) **Continuing Obligations, Penalty.** Revocation, suspension or nonrenewal of a license shall not excuse the owner/licensee from compliance with all terms of this section, this code, and state laws for as long as any units in the facility are occupied. Failure to comply with all terms of this chapter during the term of revocation, suspension or nonrenewal is a misdemeanor and grounds for extension of the term of such revocation or suspension or continuation of nonrenewal, or for a decision not to reinstate the license, notwithstanding any limitations on the period of suspension, revocation or nonrenewal specified in the city council's written decision.

(l) **New Licenses Prohibited.** A person who has a rental license revoked may not receive a rental license for another property within the city for a period of one year from the date of revocation. The person may continue to operate other currently licensed rental properties if the properties are maintained in compliance with city codes and other applicable regulations.

#### **Sec. 105-99. Summary Action.**

(a) When the condition of the rental dwelling of any license holder or their agent, representative, employee or lessee is detrimental to the public health, safety and general welfare as to constitute a nuisance, fire hazard or other unsafe or dangerous condition and thus give rise to an emergency, the compliance official shall have the authority to summarily condemn or close off such area of the rental dwelling.

(b) Any person aggrieved by a decision of the compliance official to cease business or revoke or suspend the license or permit shall be entitled to appeal to the city council immediately, by filing a notice of appeal. The administrator shall schedule a date for hearing before the city council and notify the aggrieved person of the date.

(c) The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action.

(d) The decision of the compliance official shall not be voided by the filing of such appeal. Only after the city council has held its hearing will the decision of the compliance official be affected.

**Sec. 105-100. Applicable Laws.**

Licenses shall be subject to all of the ordinances of the city and the State of Minnesota relating to rental dwellings; and this article shall not be construed or interpreted to supersede or limit any other such applicable ordinance or law.

**Sec. 105-101. Multiple Suspensions.**

If the license of more than one dwelling unit in a licensed premises is suspended within 12 months, the period of suspension for the second and subsequent dwelling units licensed that are suspended may be doubled for the suspension period specified in section 105-96.

**SECTION 2. EFFECTIVE DATE:** This ordinance shall take effect from and after its passage.

**ADOPTED** this 11<sup>th</sup> day of December, 2013, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: Peter Lindstrom  
Peter Lindstrom, Mayor

ATTEST:

Bart Fisher  
Bart Fisher, City Administrator/Clerk

ORDINANCE NO. 19-06

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTERS 14 AND 105  
OF THE FALCON HEIGHTS CITY CODE

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1** Section 14-1 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~striketrough~~.

Sec. 14-1. - Business license requirements and regulations.

(a) *Business licenses* . No person shall operate a business within the city without obtaining and maintaining a business license as provided herein.

(b) *Licensing procedures and regulations* .

(1) *Issuance* . Each owner of a business to be located within the city shall complete an application for a business license on forms provided by the city clerk, containing such information as is requested on the form. Business licenses shall be issued upon receipt of the completed application and appropriate license fee (as established by city council), after review by city staff; provided that the operation of the business at the proposed location complies with this Code and other applicable laws (i.e., Uniform Fire Code and Uniform Building Code, the state fire and building codes), passes an inspection, and approval by the city council.

~~(2) *Revocation* . A business license may be revoked by the city council after a hearing at which the council finds that operation of the business is inconsistent with the information provided on the license application, operation of the business violates any part of this Code or state or federal law, and/or operation of the business has resulted in repeated violations of this Code or state or federal law. At least ten days prior to such a revocation hearing, notice shall be mailed to the owner of the business license, indicating the nature of the hearing. A majority vote of the council shall be sufficient to sustain revocation of a business license.~~

(~~3~~2) *Renewal* . Business licenses granted hereunder may be renewed upon submission to the city clerk of the appropriate license renewal fee and a completed renewal application, indicating any changes from the previous license application. Licenses will be renewed only if the business has been operated in compliance with all applicable laws, including this Code, during the preceding license term. All renewals must be approved by the city council.

(43) *Condition of premises* . Premises used in connection with any licenses business must be kept clean, in good repair, and free and clear of any trash, rubbish or debris.

(4) *Ownership changes*. Changes that result in a 25% change in ownership of a business requires a new license. The new owner(s) must submit an application for a new license

within thirty calendar days of acquiring the property. Businesses that are listed on a stock exchange are exempt from section 14-1(b)(4).

**SECTION 2** Section 14-2 is added as follows. Additions are shown with an underline.

Sec. 14-2 – Inspection requirements

- (a) Inspection required. A satisfactory pass of an inspection is a condition of approval for a business license.
- (b) Inspection scope. The city clerk or designated representative is authorized to inspect all buildings where a business is located. The inspection may include the building or structure, the land upon which it is located and accessory uses or structures. All inspections authorized by this chapter shall be limited to those which are done for the purpose of seeking compliance with applicable safety codes, and shall take place only at reasonable hours or as may otherwise be agreed upon by the owner and the city clerk or designated representative. An inspection is required every 24 months.
- (c) Notice of violations. The city clerk or designated representative shall give written notice to the owner, or any known interested parties, of any violations of the applicable safety codes which are discovered during any inspection. The violations must be remedied and pass a re-inspection as a condition of license approval.
- (d) Access and warrant. The city clerk or designated representative may enter, examine and survey at all reasonable times all businesses and premises after obtaining consent from an occupant of the premises. The city may also, upon receipt of a creditable third party complaint or a complaint by residents with reasonable concerns, require an inspection of a business. In the event that an occupant of the premises does not consent to entry by the city clerk or designate representative, and if there is probable cause to believe that an inspection is warranted, then application may be made to the court for an administrative or other search warrant for the purpose of inspecting the premises.
- (e) Inspection fees. The city council shall establish the fee for inspections and re-inspection related to issuing business licenses.

**SECTION 3** Section 14-3 is added as follows. Additions are shown with an underline.

Sec. 14-3. - Revocation, suspension, and civil fines.

- (a) Violations. The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this chapter shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant unit, or any units that become vacant during license injunction.
- (b) Basis for sanctions. The city council may revoke, suspend, deny or decline to renew any license issued under this chapter for part or all of a property upon any of the following grounds:

- (1) Leasing without a license. Leasing business units without a license is subject to license suspension or revocation;
  - (2) Violation of codes. Violation of the city maintenance code, building code, fire code, or state or federal law;
  - (3) Hazardous or uninhabitable units. Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
  - (4) Commission of a felony. Commission of a felony related to the licensed activity by the property owner or business owner;
  - (5) Consideration of suspension or revocation. At any time during a license period, if a property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
  - (6) Updated application requirement. Failure to provide an updated application with current information within 30 days of application renewal request from the city;
  - (7) False statements. False statements on any application or other information or report required by this chapter to be given by the applicant or licensee;
  - (8) Fees. Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
  - (9) Correction of deficiencies. Failure to correct dwelling deficiencies in the time specified in a compliance order;
  - (10) Inspection. Failure to schedule an inspection within 90 days of application filed and/or allow an authorized inspection;
  - (11) Delinquent taxes or fines. Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines.
- (c) Penalties.
- (1) Revocation. Any violation of this chapter may be grounds to revoke a license. Any civil penalty, revocation or combination thereof under this section does not preclude criminal prosecution under this chapter or Minnesota statutes. All fines are cumulative and revocation periods will run consecutively.
  - (2) Violation. Any person that maintains a business without having a property registered or after the registration for the property has been revoked or suspended or who permits new occupancy in violation is guilty of a misdemeanor and upon conviction is subject to a fine and imprisonment as prescribed by state law.
    - a. First violation: City clerk will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.



b. Second violation: If a second violation occurs within 60 days of a first violation the city clerk will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.

c. Third or more violation: If another instance of violations occurs within 60 days of the calendar year the city clerk will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations. If a fourth or subsequent violation occurs, suspension of the license will be pending until a hearing.

(3) Suspension. The city council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgment, the public health, safety, and welfare is endangered by the continuance of the licensed activity.

(4) Civil fines. The city council may impose civil fines in addition to revocation or suspension for violations of any provision of this chapter as follows:

<u>Within One Calendar Year</u>	<u>Fine Per Unit/Common Building</u>
<u>First Violation</u>	<u>\$300.00</u>
<u>Second Violation</u>	<u>600.00</u>
<u>Third or more within a 12-month period</u>	<u>900.00</u>
<u>Operating a business without a license after 30 days' notice shall be subject to \$1,000.00 fine per unit and also be a misdemeanor offense.</u>	

**SECTION 4** Section 14-4 is added as follows. Additions are shown with an underline.

Sec. 14-4. - Hearing on penalties, revocation, violation, suspension and civil fines.

(a) Hearing. Following receipt of a notice of denial or nonrenewal or a notice of a violation and penalty issued under section 14-3 of this chapter, an applicant or license holder may request a hearing before the city council. A request for a hearing shall be made by the applicant or license holder in writing and filed with the city clerk within ten days of the mailing of the notice of denial or alleged violation. Following receipt of a written request for hearing, the applicant or license holder shall be afforded an opportunity for a hearing before the city council. A hearing will be conducted before the city council at a public meeting, or the city council may retain an administrative hearing officer or other impartial third party to conduct the public hearing. The licensee shall have the right to be represented by counsel, the right to respond to the charged violations, and the right to present evidence through witnesses. The rules of evidence do not apply to the hearing and the city council may rely on all evidence it determines to be reasonably credible. The determination to suspend or revoke the license shall be made upon a preponderance of the evidence. It is not necessary that criminal charges be brought in order to support a suspension or revocation of a license violation nor does the dismissal or acquittal of such a criminal charge operate as a bar to suspension or revocation.

- (b) Decision basis. The council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply and shall issue a decision to deny, not renew, suspend or revoke a license only upon written findings.
- (c) Findings. If after the hearing the applicant or license holder is found ineligible for a license, or in violation of this chapter, the council may affirm the denial, impose a civil penalty, suspend, or revoke a license or impose any combination thereof.
- (d) Default. If the applicant or license holder has been provided written notice of the denial, nonrenewal, or violation and if no request for a hearing is filed within the ten-day period, then the denial or revocation take immediate effect by default. The city clerk shall mail notice of the denial, fine, suspension, or revocation to the applicant or license holder. The city clerk shall investigate compliance with the denial or revocation.
- (e) Penalties for default. Failure to comply with all terms of this section during the term of revocation, suspension or nonrenewal is a misdemeanor and grounds for extension of the term of revocation, suspension or continuation of nonrenewal of the license.
- (f) Affected facility. The council may suspend or revoke a license or not renew a license for part or all of a facility.
- (g) Suspension. Licenses may be suspended for up to 90 days and may, after the period of suspension, be reinstated subject to compliance with this chapter and any conditions imposed by the city council at the time of suspension including, but not limited to, receivership or city obtaining control to manage the property temporarily.
- (h) Written decision, compliance. A written decision to revoke, suspend, deny, or not renew a license or application shall specify the part or parts of the facility to which it applies. Thereafter, and until a license is reissued or reinstated, no units becoming vacant in such part or parts of the facility may be relet or occupied.
- (i) Continuing obligations, penalty. Revocation, suspension or nonrenewal of a license shall not excuse the owner/licensee from compliance with all terms of this chapter, this Code, and state or federal laws for as long as any units in the facility are occupied. Failure to comply with all terms of this chapter during the term of revocation, suspension or nonrenewal is a misdemeanor and grounds for extension of the term of such revocation or suspension or continuation of nonrenewal, or for a decision not to reinstate the license, notwithstanding any limitations on the period of suspension, revocation or nonrenewal specified in the city council's written decision.
- (j) New licenses prohibited. A person who has a business license revoked may not receive a business license for another property within the city for a period of one year from the date of revocation. The person may continue to operate other currently licensed properties if the properties are maintained in compliance with city codes and other applicable regulations.

**SECTION 5** Section 14-5 is added as follows. Additions are shown with an underline.

Sec. 14-5. - Summary action.

(a) When the condition of the property of any license holder or their agent, representative, employee or lessee is detrimental to the public health, safety and general welfare as to constitute a nuisance, fire hazard or other unsafe or dangerous condition and thus give rise to an emergency, the city clerk shall have the authority to summarily condemn or close off such area of the property.

(b) Any person aggrieved by a decision of the city clerk to cease business or revoke or suspend the license or permit shall be entitled to appeal to the city council immediately, by filing a notice of appeal. The city clerk shall schedule a date for hearing before the city council and notify the aggrieved person of the date.

(c) The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action.

(d) The decision of the city clerk shall not be voided by the filing of such appeal. Only after the city council has held its hearing will the decision of the compliance official be affected.

**SECTION 6** Section 14-6 is added as follows. Additions are shown with an underline.

Sec. 14-6. - Applicable laws.

Licenses shall be subject to all of the ordinances of the city and the State of Minnesota relating to businesses; and this chapter shall not be construed or interpreted to supersede or limit any other such applicable ordinance or law.

**SECTION 7** Section 14-7 is added as follows. Additions are shown with an underline.

Sec. 14-7. - Multiple suspensions.

If the license of more than one unit in a licensed premises is suspended within 12 months, the period of suspension for the second and subsequent dwelling units licensed that are suspended may be doubled for the suspension period specified in this chapter.

**SECTION 8** Sec. 14-2 - Contractors license requirements and regulations is renumbered to 14-8.

**SECTION 9** Sec. 105-86 is amended as follows. Additions are shown with an underline.

Sec. 105-86. - Purpose.

It is the purpose of this article to protect the public health, safety and welfare of citizens of the city who have as their place of abode a living unit furnished to them for the payment of a rental charge to another by adopting licensing regulations for all rental dwellings and multifamily rental dwellings in the city.

**SECTION 10** Sec. 105-87 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~strikethrough~~.

Sec. 105-87. - Definitions.

For the purposes of this article, the terms defined in this section shall have the meanings given them as follows:

*Compliance official* means the city administrator or his or her designee.

*Operate* means to charge a rental charge or other form of compensation for the use of a unit in a rental dwelling/multifamily rental dwelling.

*Rental dwelling* means any single-family dwelling, duplex dwelling or triplex dwelling, which is rented for more than four consecutive months in any calendar year. ~~"Rental dwelling" does not include hotels, motels, hospitals, or homes for the aged.~~ Rental dwelling does not include Minnesota Department of Health–licensed rest homes, convalescent care facilities, nursing homes, hotels, motels, managed home-owner associations, cooperatives, or on-campus college housing.

Multifamily rental dwelling means any building or portion thereof, including the real property upon which it is located and which surrounds it, that contains four or more dwelling units that may be attached side-by-side, stacked floor-to-ceiling, and/or have a common entrance and have a common owner that are being rented out. Multifamily rental dwelling does not include Minnesota Department of Health–licensed rest homes, convalescent care facilities, nursing homes, hotels, motels, managed home-owner associations, cooperatives, or on-campus college housing.

**SECTION 11** Section 105-88 is amended as follows. Additions are shown with an underline.

Sec. 105-88. - License required.

No person, firm, partnership, corporation or other legal entity shall operate a rental dwelling or multifamily rental dwelling in the city without first obtaining a license. The license is issued annually and is valid until the date of expiration. Changes that result in a 25% change in ownership of a property requires a new license. The new owner(s) must submit an application for a new license within thirty calendar days of acquiring the property. Property owners that are listed on a stock exchange are exempt from section 105-88.

**SECTION 12** Section 105-89 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~striketrough~~.

Sec. 105-89. - Application for licenses.

Applications for licenses shall be made in writing on forms provided by the city and accompanied by the fee amounts as established ~~in the City Code by the City Council~~. Such application shall be submitted at least 60 days prior to the expiration date of the license, and shall specify the following:

- (1) Name and address of the owner of the rental dwelling/multifamily rental dwelling.
- (2) Name and address of any agent actively managing the rental dwelling/multifamily rental dwelling. The agent must live within the Seven County Metropolitan area and must have a background check conducted by the police department.
- (3) Name and address of all partners if the registrant is a partnership.
- (4) Name and address of all officers of the corporation if the registrant is a corporation.

- (5) Name and address of the vendee if the rental dwelling/multifamily rental dwelling is owned or being sold on a contract for deed.
- (6) Legal address of the rental dwelling/multifamily rental dwelling.
- (7) Number and kind of units within the rental dwelling/multifamily rental dwelling classified as dwelling units, tenement units, or rooming units or other.
- (8) Name and address of on-site operating manager, if any.

**SECTION 13** Section 105-91 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~striketrough~~.

Sec. 105-91. - License renewal.

Notwithstanding the application signature requirements, renewals of the license as required annually by this Code may be made by filling out the required renewal form ~~furnished~~ provided by the ~~compliance official~~ city to the owner, operator or agent of a rental dwelling/multifamily rental dwelling and mailing said form together with the required registration fee to the compliance official. Failure to file the completed application with the city at least 60 days prior to the expiration of the license is a violation of this article.

**SECTION 14** Section 105-92 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~striketrough~~.

Sec. 105-92. - License fees.

The license fees shall be in the amount established ~~in this Code~~ by the City Council. Failure to pay the license fee for renewal of a license is a violation of this article.

**SECTION 15** Section 105-93 is amended as follows. Additions are shown with an underline.

Sec. 105-93. - Furnish license.

Every registrant of a rental dwelling/multifamily rental dwelling shall be given a copy of the license. The license shall contain a statement that the tenant or tenants may contact the attorney general for information regarding the rights and obligations of owners and tenants under state law. The statement shall include the telephone number and address of the attorney general.

**SECTION 16** Section 105-94 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~striketrough~~.

Sec. 105-94. - City inspections.

- (a) Rental ~~units-dwellings~~ shall be inspected by the compliance official or designated representative in their entirety every 24 months. An application and payment is required annually on a continuous basis. Rental ~~units-dwellings~~ that fail their first inspection will be subjected to additional inspections until an inspection certificate is given by the compliance official. Rental ~~units-dwellings~~ that fail their first inspection will be subjected to an inspection the subsequent year.

- (b) Multifamily rental dwellings shall be inspected by the compliance official or designated representative every 24 months. An inspection will be made of the common areas of the property. An application and payment is required annually on a continuous basis. Multifamily rental dwellings that fail their first inspection will be subjected to additional inspections until an inspection certificate is given by the compliance official. Multifamily rental dwellings that fail their first inspection will be subjected to an inspection the subsequent year.
- (bc) Pursuant to this section, the compliance official shall make inspections to determine the condition of rental dwellings/multifamily rental dwellings located within the city for the purpose of enforcing the rental licensing standards. The compliance official or designated representative may enter, examine and survey at all reasonable times all rental dwellings/multifamily rental dwellings and premises after obtaining consent from an occupant of the premises. In the event that an occupant of the premises does not consent to entry by the compliance official or designate representative, and if there is probable cause to believe that an inspection is warranted, then application may be made to the court for an administrative or other search warrant for the purpose of inspecting the premises.
- (d) The city may, upon receipt of a creditable third party complaint or a complaint by residents with reasonable concerns, require an inspection of rental dwellings/multifamily rental dwellings. A complaint-based inspection may require individual dwelling units to be inspected.
- (de) The owner's rental housing license may be suspended, revoked or denied renewal for failing to maintain the licensed building in compliance with the property maintenance code as set forth in chapter 105, article III of this Code or otherwise failing to comply with the requirements of the City Code or applicable state or federal law.

**SECTION 17** Section 105-95 is amended as follows. Additions are shown with an underline.

Sec. 105-95. - Maintenance standards.

- (a) Every rental dwelling/multifamily rental dwelling shall maintain the standards in chapter 105, article III, housing code, and chapter 22, blight, in addition to any other requirement of the ordinance of the city or special permits issued by the city, or the laws of the State of Minnesota.
- (b) Any code violation noted by the city must be remedied in a timely fashion by the property owner and reinspected for compliance by the city.

**SECTION 18** Section 105-97 is amended as follows. Additions are shown with an underline.

Sec. 105-97. - Revocation, suspension, and civil fines.

- (a) *Violations.* The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the

conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this article shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant rental unit, or any units that become vacant during license injunction.

- (b) *Basis for sanctions.* The compliance official may revoke, suspend, deny or decline to renew any license issued under this article for part or all of a rental dwelling/multifamily rental dwelling upon any of the following grounds:
- (1) *Leasing without a license.* Leasing residential units without a license is subject to license suspension or revocation;
  - (2) *Violation of codes.* Violation of the city maintenance code, building code, or fire code;
  - (3) *Hazardous or uninhabitable units.* Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
  - (4) *Commission of a felony.* Commission of a felony related to the licensed activity by the property owner or manager;
  - (5) *Consideration of suspension or revocation.* At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
  - (6) *Updated application requirement.* Failure to provide an updated application with current information within 30 days of application renewal request from the city;
  - (7) *False statements.* False statements on any application or other information or report required by this article to be given by the applicant or licensee;
  - (8) *Fees.* Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
  - (9) *Correction of deficiencies.* Failure to correct dwelling deficiencies in the time specified in a compliance order;
  - (10) *Inspection.* Failure to schedule an inspection within 90 days of application filed and/or allow an authorized inspection of a rental dwelling/multifamily rental dwelling;
  - (11) *Violation of statute.* Violation of an owner's duties under Minn. Stats. §§ 299C.66 to 299C.71 ("Kari Koskinen Manager Background Check Act");
  - (12) *Delinquent taxes or fines.* Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines.
- (c) *Penalties.*

- (1) *Revocation.* Any violation of this article may be grounds to revoke a license. Any civil penalty, revocation or combination thereof under this section does not preclude criminal prosecution under this article or Minnesota statutes. All fines are cumulative and revocation periods will run consecutively.
- (2) *Violation.* Any person that maintains a rental dwelling/multifamily rental dwelling without having a property registered or after the registration for the property has been revoked or suspended or who permits new occupancy in violation is guilty of a misdemeanor and upon conviction is subject to a fine and imprisonment as prescribed by state law.
- a. *First violation:* Compliance official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.
  - b. *Second violation:* If a second violation occurs within 60 days of a first violation the compliance official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.
  - c. *Third or more violation:* If another instance of violations occurs within 60 days of the calendar year compliance official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations. If a fourth or subsequent violation occurs, suspension of the license will be pending until a hearing.
- (3) *Suspension.* The city council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgment, the public health, safety, and welfare is endangered by the continuance of the licensed activity.
- (4) *Civil fines.* The city council may impose civil fines in addition to revocation or suspension for violations of any provision of this article as follows:

Within One Calendar Year	Fine Per Unit/Common Building
First Violation	\$300.00
Second Violation	600.00
Third or more within a 12-month period	900.00
Renting without a license after 30 days' notice shall be subject to \$1,000.00 fine per unit and also be a misdemeanor offense	

**SECTION 19** Section 105-99 is amended as follows. Additions are shown with an underline.

Sec. 105-99. - Summary action.



- (a) When the condition of the rental dwelling/multifamily rental dwelling of any license holder or their agent, representative, employee or lessee is detrimental to the public health, safety and general welfare as to constitute a nuisance, fire hazard or other unsafe or dangerous condition and thus give rise to an emergency, the compliance official shall have the authority to summarily condemn or close off such area of the rental dwelling/multifamily rental dwelling.
- (b) Any person aggrieved by a decision of the compliance official to cease business or revoke or suspend the license or permit shall be entitled to appeal to the city council immediately, by filing a notice of appeal. The administrator shall schedule a date for hearing before the city council and notify the aggrieved person of the date.
- (c) The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action.
- (d) The decision of the compliance official shall not be voided by the filing of such appeal. Only after the city council has held its hearing will the decision of the compliance official be affected.

**SECTION 20** Section 105-100 is amended as follows. Additions are shown with an underline.

Sec. 105-100. - Applicable laws.

Licenses shall be subject to all of the ordinances of the city and the State of Minnesota relating to rental dwellings/multifamily rental dwellings; and this article shall not be construed or interpreted to supersede or limit any other such applicable ordinance or law.

**SECTION 21** This ordinance shall be effective upon its passage and a summary published in the official newspaper.

**ADOPTED** this 11th day of September, 2019, by the City Council of the City of Falcon Heights, Minnesota.

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Moved by:

Approved by: \_\_\_\_\_  
 Randall Gustafson  
 Mayor

GUSTAFSON            \_\_\_ In Favor  
 HARRIS  
 LEEHY  
 MIAZGA  
 Vacant                \_\_\_ Against

Attested by: \_\_\_\_\_  
 Sack Thongvanh  
 City Administrator



# Rental Housing: Regulations & Policies Intro

1

## Falcon Heights Rental Background Info

- ▶ 46% of properties in Falcon Heights are rental-occupied
- ▶ Ordinance 2013-06
  - ▶ Required rental properties to be licensed/inspected
- ▶ Ordinance 2019-06
  - ▶ Expanded regulations to multi-family
- ▶ 82 number of rental licenses in 2023
  - ▶ 82 number inspected in 2022/2023
  - ▶ 47 number required re-inspection
  - ▶ 3 complaints for Fire Marshal to inspect property in 2022/2023
    - ▶ 100% compliance upon inspection and work order issued by Fire Marshal

2

## Resources for Renters

- ▶ Attorney General's Handbook
- ▶ [New Resident Handbook](#)

## Considerations for the City

- ▶ Rental Ordinances need to be crafted carefully
  - ▶ [City of Morris, MN vs Sax \(2007\)](#)
- ▶ Self-Reporting Landlords
  - ▶ How to regulate those who do not self-report?
- ▶ Naturally Occurring Affordable Housing (NOAH)
  - ▶ Balancing regulations with keeping prices affordable

# Closing Remarks / Questions

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## REQUEST FOR COUNCIL ACTION (RCA)

<b>Meeting Date</b>	June 5, 2024
<b>Agenda Item</b>	Policy C2
<b>Attachment(s)</b>	Assessment Manual
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Assessment Policy Discussion
<b>Description</b>	<p>This is an opportunity to discuss the assessment policy and how assessments may be determined for the 2025 PMP project.</p> <p>The 2025 PMP project will include the full reconstruction of the streets within Falcon Woods, as well as a mill &amp; overlay for E/W streets in Northome and alleyways.</p> <p>As the Falcon Woods neighborhood is not a traditional grid system and has no thru-traffic, engineering and the City Council have recommended we consider adopting an equalized per parcel assessment rather than a lineal foot method. Under this model, all properties would be assessed the same amount within the project area rather than a basis of how many lineal foot each parcel has.</p> <p>To do this, the City Council would need to adopt a resolution amending the assessment policy to allow for either a lineal foot OR per lot basis depending on the improvement types.</p> <p>The City Council may also wish to discuss other amendments to the assessment policy or future changes as well.</p>
<b>Budget Impact</b>	TBD
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Assessment Manual</li> </ul>
<b>Action(s) Requested</b>	The City Council is requested to discuss possible amendments to the assessment policy.



City of Falcon Heights

Assessment Manual

Adopted June 13, 2007

The purpose of this assessment manual is to set forth a guide to be utilized by the City of Falcon Heights when preparing assessment rolls, so as to assure uniform and consistent treatment of the affected properties. It is the general policy of the City of Falcon Heights to assess all affected properties according to this policy without regard to funding source.

Minnesota state law, chapter 429.010 and 429.111 provides that a municipality shall have the power to make public improvements such as sanitary sewers, storm sewers, water source and distribution facilities, street improvements including grading, curb and gutter, surfacing, sidewalks, street lighting, landscaping, and recreational facilities, etc. The various procedures that the municipality must follow including reports, notices and public hearings are well defined within the law.

The statute further provides that the cost of any improvement may be assessed upon property benefited by the improvement based upon the benefits received whether or not the property abuts on the improvement and whether or not any part of the cost of the improvement is paid from other funding sources. The law is not specific on how these benefits are to be measured or how the costs are to be apportioned, but rather makes it incumbent upon the municipality to determine with assistance of the city engineer, city attorney, appraisers or other qualified personnel, a fair and equitable method of cost sharing among the properties involved. It is the intent of this policy that the maximum value of an assessment be based on the highest and best use of property.

Throughout this manual, the total cost of an improvement shall include the construction cost plus all associated overhead costs. The total cost of the associated overhead for a public improvement project would typically include city administration, engineering, fiscal, legal, capital interest, and contingencies. The actual overhead costs incurred will be tracked and charged to the project.

The initiation of public improvement projects may happen in two different methods. The first method is by a petition of the affected property owners. The petition must be signed by the owners of not less than 35 percent of the frontage of the real property abutting the proposed improvements. The second method is to initiate the proceedings by city council direction, in which case no petition is needed. An outline of the public improvement process is provided in the appendix.

Any reference to land zoning in this manual shall mean the most current approved city zoning map available at the time. It should be emphasized that the special assessment methods and policies summarized herein cannot be considered as all-inclusive and that unusual circumstances may at times justify special consideration. If the city should determine that the application of these policies results in an assessment amount greater than the increase in market value to any property, the city may limit the assessment to the increase in market value regardless of policy. Also, any fixed cost data and rates will be adjusted periodically so as to reflect current costs.

## I. Definitions

### A. Assessment Units

The following definitions refer to the assessment units to be used when determining various assessment rates as described in the remaining sections of this manual.

#### 1. Lot Unit

A lot unit is defined as a platted single family residential lot which, in accordance with Falcon Heights zoning and subdivision regulations, cannot be further subdivided.

#### 2. Gross Area

The total area, in acres or square feet, of a lot or parcel of land including any easements. The gross area of a lot or parcel of land does not include any of the abutting right-of-way.

#### 3. Front Footage

assessments

##### a. Single Frontage Lots

In platted areas, the front footage for purposes of front footage

shall be determined at the building setback line as described in the Falcon Heights zoning ordinance, and shall be measured parallel to the property line abutting the improvement.

##### b. Corner Lots

In the case of a street improvement project which abuts both sides of a corner lot, the lot shall be treated as an interior lot and the front footage shall be the long side of the lot. There will not be an additional assessment against corner lots for the side lot dimension. When the street improvement is only along the long side of the lot, the long side of the lot will be used for determination of assessable front footage. Projects along only the short side of the lot will not be assessed. If the property being assessed is a non-single family residential or tax-exempt parcel, both sides will be assessed.

For all other improvements such as sanitary sewer or water, the front footage shall be the footage established for the long side of the lot when both sides of the lot are being affected by the improvement. Where the proposed improvement project is only along the long side of a corner lot, the long side front footage shall be used for assessment purposes.

#### 4. Residential Equivalent Assessment Rate

The residential equivalent assessment rate shall be based on a portion of the cost of the street construction for a typical residential street section. This residential equivalent assessment rate shall be determined by the city council and based upon comparable project data available to the city.

B. General

1. Petition

Petition shall mean a written document presented to the city council for purposes of initiating a public improvement project. All signatures shall be accompanied by the address of each signator, the date of the signature and a printing of each signator's name. Only one signature per property is allowed. An example of the usual form of petition is included in the appendix.

2. Total Project Cost

Total project cost shall mean the final construction cost plus all associated overhead costs. Overhead costs shall include but not be limited to city administration, engineering, legal, fiscal, interest during construction, and land acquisition.

3. Assessment Period

The length of payment period on various types of improvement projects shall be as follows:

Sanitary sewer	10-15 years
Storm sewer	5-10 years
Street reconstruction	10-15 years
Street mill and overlay	5-7 years

In the case where several of the improvements listed above are included in the same project, the assessment period may be 10-15 years. In no event shall an assessment period exceed 15 years.

4. Assessment Interest Rate

The interest rate charged on assessments shall be set by the city council. Typically, the rate is set at about 2% over the general obligation bond rate used to fund the project. If no bond is issued for the improvement, the rate will be set at 2% over the projected general obligation rate as determined in consultation with the city's financial advisors.

5. Municipal State Aid (MSA) Streets

Municipal state aid streets are routes designated by the city council and approved by the commissioner of transportation for inclusion in the city's state aid system. All routes included begin and end on another municipal state aid road, county state aid road, or trunk highway and are eligible for the use of MSA construction funds.

6. Municipal State Aid Construction Funds

Municipal state aid construction funds are monies apportioned to the city from the state to be used for the construction of routes designated on the municipal state

aid system. All construction funded with these monies must be done in accordance with the MnDOT office of state aid design criteria.

7. Pending Assessment  
An assessment is pending against a particular property if the city has determined that the property is benefited by a public improvement project which has been ordered or constructed, but for which an assessment has not yet been levied against the property.
8. Federal and State Highways  
These streets are classified as expressways, freeways, and major arterials constructed and maintained by the Minnesota Department of Transportation. They carry large volumes of traffic at peak loading times. In Falcon Heights, Snelling Avenue is in this category. Assessments levied by the City of Falcon Heights will be based upon a residential equivalent assessment rate.
9. County State Aid Highways (CSAH)/County Road  
These streets are classified as major and minor arterials and collectors constructed and maintained by the Ramsey County public works department. These streets typically carry high volumes of traffic at peak loading times. In Falcon Heights the streets in this category include Larpenteur Avenue, Hamline Avenue (north of Larpenteur), Fairview Avenue, Cleveland Avenue and Fulham Street (north of Larpenteur). Assessments levied by the City of Falcon Heights will be based upon a residential equivalent assessment rate.
10. Deleted and incorporated into #5
11. Collector Streets  
Collector streets are those streets generally considered to collect traffic from specific areas of the city and convey it to arterial routes.
12. Residential Streets  
This is the minimum street design acceptable as a public street within new subdivisions or developments. They carry relatively small volumes of local neighborhood traffic. The typical urban residential street is 30 feet wide with concrete curb and gutter and a 7-ton design. If the street is to be designated as a municipal state aid street, it must meet applicable MnDOT standards.
13. Alley  
These are narrow paved surfaced driving areas constructed within city rights-of-way. They provide a means of ingress and egress to the rear of property. They are typically constructed to in accordance with current MnDOT standards.
14. Appurtenances

- A. Pathways  
Pathways (also known as sidewalks or trails) are pedestrian and bicycle facilities running along the sides of streets.
- B. Street Lighting  
Street lights are provided to create a safer environment by reducing the amount of dark areas in a neighborhood. They can also be installed to create a more aesthetically pleasing, consistent theme in a neighborhood. Costs for installing non-standard streetlights shall be 100% assessed to benefiting property owners.
- C. Boulevard Trees  
Boulevard trees are planted along roadways to provide shade and create an aesthetically pleasing appearance. The city is responsible for pruning and removing trees located in the rights-of-way, while individual property owners are responsible for trees located on private property.
- D. Seeding/sodding  
Boulevard restoration by seeding/sodding is included in the construction costs as part of street improvement projects.

## **II. Assessment policy by project type**

- A. Sealcoating  
Sealcoating involves applying a thin coat of oil on the street and then laying gravel on top. Current city practice calls for this project to be performed every seven years. This type of project is considered routine maintenance and is funded without assessing benefiting property owners.
- B. Mill and Overlay  
Mill and overlay projects involve grinding the top few inches of roadway off and replacing it with a layer of asphalt. This type of repair can typically extend the life of the roadway by 15 years. Project costs will be calculated on a per-foot basis and assessments will be applied based on the property's front footage in the following manner:
  - 1. Residential properties – 40% of the per foot cost multiplied by the total front footage
  - 2. Commercial properties – 60% of the per foot cost multiplied by the total front footage
  - 3. Tax-Exempt properties – 100% of the per foot cost multiplied by the total front footage
- C. Roadway Reconstruction  
Reconstruction projects are typically more comprehensive and performed every 30 years. This type of project involves totally removing the existing roadway, replacing the base

materials, and oftentimes performing utility work (water, sewer, etc.) at the same time. Project costs will be calculated on a per-foot basis and assessments will be applied based on the property's front footage in the following manner:

1. Residential properties – 40% of the per foot cost multiplied by the total front footage
2. Commercial properties – 60% of the per foot cost multiplied by the total front footage
3. Tax-Exempt properties – 100% of the per foot cost multiplied by the total front footage

D. Alleys

For the most part, alleys in the City of Falcon Heights serve a private residential purpose. As such, maintenance and repair of the alleys are the responsibility of the property owners. Project costs will be calculated on a per-foot basis and assessments will be applied based on the property's front footage in the following manner:

1. Residential properties – 90% of the per foot cost multiplied by the total front footage

For alleys which also serve non-residential purposes, a traffic study will be performed to determine the amount of traffic created by the non-residential users and the assessment amounts will be altered to reflect estimated usage. It is the intent of this policy to set the assessment amount as fairly as possible, using best engineering practices, for all benefiting property owners.

E. Sanitary Sewers

Periodically sanitary sewer systems need to be replaced or have major repairs conducted. Usually these repairs are coordinated to occur at the same time as road reconstruction projects to eliminate redundant road repairs. Sanitary sewer project costs will be calculated on a per-foot basis and assessments will be applied based on the property's front footage in the following manner:

1. Residential properties – 40% of the per foot cost multiplied by the total front footage
2. Commercial properties – 60% of the per foot cost multiplied by the total front footage
3. Tax-Exempt properties – 100% of the per foot cost multiplied by the total front footage

The City of Falcon Heights (or its contractors) will only conduct work in the public right-of-way. At the discretion of the city, work on private property may be performed but only after receiving a written request from the property owner and the entire cost of the private repair will be assessed to the benefiting property owner.

If a project is being completed on a public street, property owners on private streets receive a benefit of the improvement without having front footage on the public street. A traffic study may be performed to determine the amount of traffic created by the private

street users and the assessment amounts will be altered to reflect estimated usage. It is the intent of this policy to set the assessment amount as fairly as possible, using best engineering practices, for all benefiting property owners.

F. Storm Sewers

1. Definitions

A. Storm Sewer Trunk Facilities

Ponds

A basin or wetland constructed or naturally located within a permanent easement for the purpose of containing storm runoff. May be either a retention (permanent) pond, detention (temporary) pond, or a combination of both.

Pipe Network

A network of pipes ranging in size generally from 30 inches through 60 inches. The trunk pipe networks are designed to collect storm run-off from an area generally larger than 10 acres.

Channels

An open ditch conveyance network constructed within permanent easements for the purposes of transporting storm run-off.

B. Storm Sewer Lateral Facilities

A network of pipes ranging in size generally from 12 inches to 27 inches designed to collect storm run-off from a specified small area to a trunk facility. The lateral facilities also include street overland flow and inlet structures such as catch basins, manholes and flared end sections.

2. Determining Storm Sewer Assessment Rates

A. Storm Sewer Trunk Rates

Design and estimate of the total improvement cost of the ultimate trunk system needed to provide complete service to each property in the Service District considered.

B. Determine the base assessment rate by dividing the ultimate system cost previously described by the sum total of the following to determine the cost per square foot of the project:

- Gross area of Single Family residential properties.



- Gross area of multi-unit residential properties
- Gross area of commercial properties
- Gross area of tax-exempt properties

C. The assessment rate would be set as follows.

- Residential properties- 40% of the per square foot cost multiplied by the area of the parcel
- Multi-Unit residential and commercial properties- 60% of the per square foot cost multiplied by the area of the parcel
- Tax exempt properties- 100% of the per square foot cost multiplied by the area of the parcel

G. Sidewalks, trails and pathways

Off-street facilities provide a safe walking alternative for pedestrians. As such, the City of Falcon Heights recognizes the importance of these facilities and will construct them when possible. Project costs will be calculated on a per-foot basis and assessments will be applied based on the property's front footage in the following manner:

1. Residential properties – 25% of the per foot cost multiplied by the total front footage
2. Commercial properties – 40% of the per foot cost multiplied by the total front footage
3. Tax-Exempt properties – 100% of the per foot cost multiplied by the total front footage

VI. HARDSHIP DEFERRAL OF ASSESSMENTS

**CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION**

July 25, 2007

No. 07-09

-----  
**A RESOLUTION APPROVING A SPECIAL ASSESSMENT DEFERRAL POLICY**

**WHEREAS**, the City of Falcon Heights uses special assessments in order to construct public infrastructure, such as streets, sewers, sidewalks, and other public facilities; and

**WHEREAS**, these assessments can sometimes cause a financial hardship to those on fixed incomes; and

**WHEREAS**, State of Minnesota Statute 435.19 allows cities to adopt policies allowing for the deferral of special assessments in certain circumstances; and

**WHEREAS**, the City of Falcon Heights currently has a policy but desires to amend it;

**NOW, THEREFORE BE IT RESOLVED** that the City of Falcon Heights hereby establish the standards and guidelines for determining the eligibility for special assessment deferrals:

1. In order to request a deferral of an assessment, the homeowner must request a deferment before the close of the public hearing adopting the special assessment roll. The request must be made on the form on file with the City of Falcon Heights; and
2. The deferral procedure shall apply only to property owned and occupied by persons 65 years of age or older, or retired by virtue of a permanent and total disability for whom it would be a hardship to make payments. Permanent and total disability shall have the same definition for purposes of assessment deferral as is used for social security purposes; and
3. The property must be the applicant's principal place of domicile and classified on the real estate tax rolls as the applicant's homestead; and
4. The applicant must submit federal income tax returns from the year prior to the assessment to verify that all sources of income do not exceed the low income limits (currently 80% of median income based on household size) for Ramsey County as established by the Department of Housing and Urban Development; and
5. No special assessment shall be deferred for a period longer than the time set by the City Council; and

6. Interest on deferred assessments shall be subject to and charged at the interest rate set by the city council on its resolution adopting the special assessment, and such interest shall accrue on said principal until the special assessment is paid in full; and
7. The option of the homeowner to defer the payment of special assessments shall terminate and all amounts accumulated and interest shall become due and payable upon the occurrence of any of the following events:
  - a. The sale, transfer, or subdivision of the property or any part thereof, or the property is in any way conveyed to another person;
  - b. The subject property loses its homestead status for any reason;
  - c. The death of the owner qualified for the deferral status unless a surviving spouse is eligible for benefits hereunder; or
  - d. If for any reason the City Council determines that there would be no hardship to require an immediate or partial payment of the deferred special assessment.

Moved by:

Approved by: \_\_\_\_\_  
 Susan L. Gehrz, Mayor  
 July 25, 2007

GEHRZ            4    In Favor  
 KUETTEL  
 HARRIS         0    Against  
 LINDSTROM  
 TALBOT - absent

Attested by: \_\_\_\_\_  
 Justin Miller  
 City Administrator  
 July 25, 2007

## *Appendix Index*

1. Typical Minnesota Statute 429 Improvement Project Process
2. Typical Petition Forms
3. Sample Resolutions
4. Deferral Forms

## TYPICAL MINNESOTA STATUTE 429

### IMPROVEMENT PROJECT PROCESS

1. Project Initiation
  - a. Petition of more than 35 percent of affected property owners.
  - b. City Council action.
2. Resolution ordering preparation of report on improvement and declaring adequacy of petition if appropriate.

Note: This resolution should be published in the official newspaper after adoption. Unless there is a challenge to the determination of adequacy within 30 days, the determination cannot be challenged in the future.

3. Engineer's Report
  - a. Feasibility of proposed improvement.
  - b. Whether improvements should be made as proposed or with other improvements.
  - c. Cost of improvement as recommended.
  - d. Need for improvements.
4. Resolution receiving the feasibility report and calling for hearing on the improvement.

Note: If 100% of affected property owners petition for the improvement, they may also waive their rights to this public hearing.
5. Notice of Public Hearing
  - a. Time and place of hearing
  - b. General nature of improvement
  - c. Estimated cost of improvement/assessment
  - d. Proposed area to be assessed.
  - e. Notice must be published twice (one week apart) in the official newspaper; three days must elapse between the last publication date and the hearing.
  - f. Notice must be mailed to owner of each parcel within the area to be assessed not less than ten days prior to the hearing.
6. Resolution ordering the improvement and preparation of plans and specifications.

Note: This action may be taken any time within 6 months after the public hearing. Beyond that a new public hearing must be held. If the project was initiated by petition of the owners of less than 35 percent of the frontage, this resolution must be adopted by at least a 4/5 vote.
7. Resolution approving the plans and specifications and ordering the advertisement for bids.

Note: If the estimated construction cost is under \$100,000 at least ten days must elapse

between the first advertisement and the bid opening. Over \$100,000 at least three weeks (21 days) must elapse.

8. Resolution accepting the bids and directing the Mayor and City Administrator to enter into a contract with the lowest responsible bidder must be done within one year of resolution ordering improvement.

9. Contractor/City paperwork prior to commencing construction.

- a. Issue Notice of Award and Contract
- b. Contractor resubmits signed notice of award, contract, performance bond and insurance documents.
- c. Pre-Construction Meeting
  - Discuss scheduling of construction
  - Staking
  - Conflicts with utilities
- d. Issue Notice to Proceed
- e. Contractor resubmits signed Notice to Proceed
- f. Construction begins

10. During construction phase, partial pay estimates and change orders are presented to the City Council for action.

11. Resolution determining cost to be assessed and ordering the preparation of proposed assessment roll.

12. City staff and City Engineer prepare and file assessment roll.

13. Notice of hearing on proposed assessment.

Note: Notice must be published one or more times in the official newspaper at least two weeks prior to the meeting. Notice must contain the following items:

- a. Date, time and place of hearing.
- b. General nature of the improvements.
- c. Area proposed to be assessed.
- d. Total amount of the proposed assessment.
- e. That the proposed assessment roll is on file with the Clerk.
- f. That written and oral objections will be considered.
- g. That no appeal of the amount of any assessment may be made unless a written objection signed by property owners is filed with the Clerk prior to the hearing or presented to the presiding officer at the hearing.
- h. That an appeal to district court may be made by serving notice upon the Mayor or Clerk within 30 days of the adoption of the assessment roll and filing such notice with the district court within 10 days after service upon the Mayor and Clerk.
- i. Whether the City has adopted any deferment ordinance or resolution and its basic substance.

j. Substance of Minnesota Statute 435.193 through 435.195.

Notice must be mailed to each parcel owner described on the Assessment roll not less than two weeks prior to the hearing.

14. In addition to the items listed above, the mailed notice must include the following:

- a. Amount to be assessed against the particular parcel.
- b. That the assessment amount may be prepaid and to whom.
- c. Whether partial prepayment has been authorized by ordinance.
- d. Time within which prepayment may be made without interest.
- e. Rate of interest to be accrued if assessment is not prepaid.

14. Public hearing and resolution adopting assessment roll.

15. Appeals to District Court.

Note: In order to appeal to district court, the property owner must serve notice upon the Mayor or City Clerk within 30 days of adoption of the assessment roll. They can only do this after having filed a written signed objection prior to the assessment hearing or having presented same to the presiding officer at the hearing. The notice of appeal must be filed with the Clerk of the district court within ten (10) days after service on the City.

## PETITION FOR LOCAL IMPROVEMENT

City of Falcon Heights, Minnesota \_\_\_\_\_, 20\_\_\_\_

To the City Council of Falcon Heights, Minnesota:

We, the undersigned, owners of not less than 35 percent in frontage of the real property abutting on \_\_\_\_\_ Street, between the \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street hereby petition that such street is improved by \_\_\_\_\_ pursuant to Minnesota Statutes, Chapter 429.

Only one signature is allowed per household.

DATE	SIGNATURE OF OWNER	PRINT NAME OF OWNER
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

\_\_\_\_\_  
City Clerk



***CITY OF FALCON HEIGHTS***  
**RESOLUTION NO. 2008-01**  
September 28, 2008

**RESOLUTION ORDERING PREPARATION OF FEASIBILITY REPORTS  
FOR XYZ STREET RECONSTRUCTION PROJECT**

WHEREAS, the Council has reviewed the street construction needs of XYZ Avenue in the City and has tentatively selected the segment of XYZ between Snelling and Hamline Avenues for reconstruction in 2006; and

WHEREAS, it is proposed to improve this section of City of Falcon Heights street system as described above by completing the following work: sidewalk construction, bituminous paving, concrete curb and gutter, storm sewer, and necessary appurtenances, and to assess the benefited property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Section 429.011 to 429.111:

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

1. The segment of XYZ Avenue between Snelling Avenue and Hamline Avenue is hereby approved for consideration of reconstruction.
2. The proposed improvements are referred to the City Engineer for study and she is instructed to report to the Council with all convenient speed, advising the Council in a preliminary way as to whether they should best be made as proposed or in connection with some other improvements, and the estimated cost of the improvements as recommended.

Whereupon said resolution was declared duly passed and adopted.

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**CITY OF FALCON HEIGHTS**  
**RESOLUTION NO. 07-02**  
**March 8, 2007**

---

**RESOLUTION RECEIVING FEASIBILITY REPORT ON XYZ AVENUE  
RECONSTRUCTION PROJECT AND ORDERING PUBLIC HEARINGS**

**BE IT RESOLVED by the Council of the City of Falcon Heights as follows:**

1. By resolution adopted January 25, 2006, the Council directed the City Engineer to prepare preliminary reports as to the feasibility of the proposed improvements:

XYZ Avenue (between Snelling and Hamline Avenues)

2. The City Engineer was also directed to include in the report the estimated cost of the proposed improvements. The preliminary report and cost estimates have been submitted and considered by the Council and are hereby approved and directed to be placed on file in the office of the City Administrator. The improvements proposed to be made in the general manner set forth in the report are designated as XYZ Drive Reconstruction.
  3. The Council shall meet at the City Hall, 2077 West Larpenteur Avenue, in said City, on April 26, 2006 at 7:00 p.m. for the purpose of holding a public hearing on the proposed improvements under and pursuant to the provisions of Minnesota Statutes, Chapter 429, and the Administrator is hereby authorized and directed to cause notice of the time, place, and purpose of that meeting to be published twice in the official newspaper, *Roseville Review*, which publications shall be a week apart, and the second publication shall be not less than three days before the date of the hearing.
  4. The general nature, estimated cost and area proposed to be assessed for XYZ Avenue and Snelling Drive Reconstruction are determined to be as stated in the foregoing notice, as fully as though the same were separately set forth and resolved herein.
-

NOTICE OF HEARING ON ASSESSMENTS  
FOR XYZ AVENUE  
CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the Council of the City of Falcon Heights, Minnesota, will meet in the Council Chambers of the City Hall, 2077 Larpenteur Avenue, in said City on Wednesday, February 28, 2007 at 7:00 o'clock p.m. to hear, consider, and pass upon any and all written or oral objections which may be offered with respect to the proposed special assessments for sanitary sewer service repairs completed as a part of the XYZ Reconstruction Project. The Council may adopt the proposed assessment at the hearing.

The proposed assessment roll is now on file and open to public inspection by all persons interested in the office of the City Administrator. The entire amount assessed against each parcel of land will be payable, unless prepaid, in ten (10) equal consecutive annual installments, the first of such installments to be payable with general taxes levied in 2007, collectible with such taxes during the year of 2008. The first installment will be payable with interest at the rate of 6.25 percent per annum on the entire assessment from the date of the resolution levying the same to December 31, 2007, and each subsequent installment will be payable with one year's interest at said rate on all unpaid installments, except that no interest will be charged if the entire assessment as to any parcel is paid at the office of the Treasurer within thirty (30) days from the date of adoption of the assessment roll.

The general nature of the XYZ Avenue Reconstruction Project now being assessed is for the reconstruction of private sanitary sewer services and necessary appurtenances.

The total cost of the improvement to be assessed is \$12,290.20

THE FOLLOWING PROPERTY IDENTIFICATION NUMBERS ARE PROPOSED TO BE ASSESSED:

000111000222	1397 XYZ
000222000333	1403 XYZ
000333000444	1405 XYZ
000444000555	1415 XYZ
000555000666	1443 XYZ

Oral or written objections by any property owner will be considered at the hearing.

An owner may appeal an assessment to district court pursuant to Minnesota Statute  429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten (10) days after service upon the Mayor and Administrator. No appeal may be taken as to the amount of any assessment adopted unless a written objection signed by the affected property owners is filed with the City Administrator prior to the assessment hearing or presented to the presiding officer

at the hearing.

Pursuant to Minnesota Statute Section 435.193 to 435.195, the Council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest becomes due. Any assessed property owner meeting the requirements of that law and the resolution adopted under it may, within 30 days of the confirmation of the assessment, or upon reaching the age to become eligible for the deferment, apply to the City Administrator on the prescribed form for such deferment of payment of this special assessment on his property.

Dated: January 24, 2007

BY ORDER OF THE CITY COUNCIL

City Administrator

**CITY OF FALCON HEIGHTS  
RESOLUTION NO. 07-03**

**RESOLUTION ORDERING THE RECONSTRUCTION OF  
XYZ AVENUE**

WHEREAS, the City Council of Falcon Heights received the Feasibility report on December 14, 2005 and ordered a public hearing for the reconstruction of XYZ Avenue between Snelling Avenue and Hamline Avenue, and;

WHEREAS, ten days mailed notice and two weeks published notice was given;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Roseville, Minnesota, that in accordance with the provisions of Minnesota Statutes, Chapter 429, as amended, the Council held a public hearing on January 25, 2006, to consider the proposed reconstruction of XYZ Avenue, consisting of the installation of bituminous paving, concrete curb and gutter, sanitary sewer service repair, drainage facilities, and necessary appurtenances on all that property abutting:

PID	Address
000111000222	1910 XYZ Avenue
000222000333	1444 XYZ Avenue
000444000555	1912 XYZ Avenue
000555000666	1913 XYZ Avenue

as described in the Notice of Hearings at a cost presently estimated at \$1,131,996.54 and substantially in accordance with the preliminary report as to the feasibility thereof which is now on file in the office of the City Manager; at which all persons desiring to be heard were given an opportunity to be heard thereon, and having considered the views of all interested persons, the Council does hereby determine and order that said improvement shall be constructed and financed and that all streets be constructed substantially as recommended in the feasibility report. The City Engineer for the project is directed to prepare and submit to the Council the final plans and specifications for the improvement.

**CITY OF FALCON HEIGHTS  
RESOLUTION 07-04**

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
AND ORDERING ADVERTISEMENT FOR BIDS  
FOR XYZ AVENUE RECONSTRUCTION**

WHEREAS, pursuant to resolution passed by the City Council, the City Engineer has prepared plans and specifications for the reconstruction of XYZ Avenue between Snelling Avenue and Hamline Avenue, and has presented such plans and specifications to the Council for approval:

THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota:

1. Such plans and specifications, copies of which are attached hereto, and made a part hereof, are hereby approved.
  
2. The City Administrator shall prepare and cause to be inserted in the *Roseville Review*, the official newspaper, and in the *Construction Bulletin*, an advertisement for bids upon the making of such approved plans and specifications. The advertisement for bids for XYZ Avenue Reconstruction shall be published as required by law, shall specify the work to be done, shall call the bids on the basis of cash payment for such work, shall state the date and time that the bids will be received by the City Administrator and City Engineer at which time they will be publicly opened in the City Hall by the City Engineer and subsequently be considered by the Council; and that no bids will be considered unless sealed and filed with the Administrator and accompanied by a cash deposit, certified check or bid bond payable to the City of Falcon Heights for ten percent of the amount of such bid.

**CITY OF FALCON HEIGHTS**  
**RESOLUTION No: 2007-05**  
**April 12, 2006**

**AWARDING BIDS FOR XYZ AVE RECONSTRUCTION**

WHEREAS, pursuant to advertisement for bids for the improvement, according to the plans and specifications thereof on file in the office of the Administrator of said City, said bids were received on Wednesday, March 22, 2006, at 3:00 p.m., opened and tabulated according to law and the following bids were received complying with the advertisement:

BIDDER	AMOUNT
Contractor A	\$837,872.05
Contractor B	\$856,341.41
Contractor C	\$862,949.65
Contractor D	\$992,212.92
Contractor E	\$1,055,872.81

WHEREAS, it appears that Contractor A is the lowest responsible bidder at the tabulated price of \$837,872.05 and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota:

1. The Mayor and Administrator are hereby authorized and directed to enter into a contract with Contractor A, for \$837,872.05 in the name of the City of Falcon Heights for the above improvements according to the plans and specifications thereof heretofore approved by the City Council and on file in the office of the City Administrator.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids except the deposits of the successful bidder and the next lowest bidder shall be retained until contracts have been signed.

**CITY OF FALCON HEIGHTS  
RESOLUTION NO. 2007-06**

**RESOLUTION DECLARING COST TO BE ASSESSED  
RECEIVING PROPOSED SPECIAL  
ASSESSMENT ROLL AND PROVIDING FOR HEARINGS  
FOR THE HAMLINE/ HOYT RECONSTRUCTION PROJECT**

WHEREAS, contracts have been let and costs have been determined for the XYZ Avenue Reconstruction project on all that property adjacent to the road for the reconstruction of the street by the installation of bituminous paving, concrete curb and gutter, storm sewer, landscaping, utility repair, and necessary appurtenances; and

WHEREAS, the forgoing is in the area described in the legal notice relating to the original hearing on the improvements and the resolutions relating thereto, and the City will pay \$572,639.80 as its share of the cost. The cost to be specifically assessed is hereby declared to be \$16,819.82; and

BE IT RESOLVED by the Council of the City of Falcon Heights, that the proposed 2006 assessment roll for the XYZ Avenue reconstruction project now on file and open to public inspection in the office of the City Administrator is approved, and the Administrator is directed to publish and mail notices stating that the Council will meet to consider the proposed assessments on November 8, 2006, at the City Hall, 2077 Larpenteur Avenue W, in the City of Falcon Heights at 7:00 o'clock p.m.

The notices shall state the date, time, and place of the meeting, the general nature of said improvement, the area proposed to be assessed, the total amount of the proposed assessment, that the proposed assessment roll is on file with the Administrator, that written or oral objections thereto by any property owner will be considered, and shall contain such other provisions as may be required by law. The first installment will be payable with interest at the rate of 6.25 percent per annum on the entire assessment from the date of the resolution levying the same to December 31, 2006, and each subsequent installment will be payable with one year's interest at said rate on all unpaid installments, except that no interest will be charged if the entire assessment as to any parcel is paid at the office of the Treasurer within 30 days from the adoption of the assessment roll.

It shall be published in the official newspaper of the City at least once, and shall be mailed to the owner of each parcel described in the assessment roll, not less than two weeks prior to the date of said meeting. For the purpose of such mailed notice, owners of said parcels shall be those shown as such on the records of the County Treasurer. Every property owner whose name does not appear on such records (other than owners of property which is tax exempt or is taxed on a gross earning basis) shall be deemed to have waived such mailed notice unless he had requested in writing that the County Treasurer include his name on the records for this purpose.



**APPLICATION FOR DEFERMENT OF SPECIAL ASSESSMENTS**

To the City Council of the City of Falcon Heights, Ramsey County, Minnesota.

\_\_\_\_\_ (Applicant) being first duly sworn  
deposes and states:

1. That Applicant is the owner of the following described real estate located in the City of Falcon Heights, Ramsey County, Minnesota:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

2. Pursuant to Minn. Stat. S435.193, et. seq. and Falcon Heights Council Resolution 2007-09, Applicant requests deferral of the payment of special assessment for the \_\_\_\_\_ improvement.

3. In support of this request, Applicant represents as follows:

- a. Applicant is over 65 years of age;
- b. Applicant is permanently and totally disabled as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

c. Applicant's annual gross income plus tax-exempt income is \$ \_\_\_\_\_.

4. Applicant declares that the foregoing information is true and correct and agreed to immediately inform the Falcon Heights City Administrator should any of the foregoing information change, and agrees that if the deferral is granted, Applicant will immediately upon termination of the deferral pay to the City the deferred assessment with interest.

Dated: \_\_\_\_\_

\_\_\_\_\_ Applicant

**CITY OF FALCON HEIGHTS  
RESOLUTION NO. 2007-06**

**A RESOLUTION OF THE CITY OF FALCON HEIGHTS  
APPROVING DEFERRED ASSESSMENTS**

WHEREAS, the Applicant has presented to the City Council an application for deferral special assessments pursuant to law; and

WHEREAS, the Applicant is over age 65, totally and permanently disabled and meets the other requirements for deferral of special assessments;

NOW, THERFORE, BE IT RESOLVED, by the City Council of the City of Falcon Heights, Minnesota as follows:

1. \_\_\_\_\_ (the Applicant) is hereby granted deferral of payment of special for the \_\_\_\_\_ Improvement on parcel number \_\_\_\_\_ on the following conditions:

2. That the conditions described in the application for deferral continue to exist.

3. This deferral shall terminate after a period of \_\_\_\_\_ years.

4. This deferral shall terminate upon:

a. Applicants death, provided that the spouse is otherwise not eligible for the benefits hereunder;

b. The sale, transfer or subdivision of the property or any part thereof;

c. If the property should, for any reason, lose its homestead status;

d. If for any reason the City Council determines that there would be no hardship to require immediate or partial payment.

2. Those sums otherwise due and payable for the special assessments shall accrue interest at the rate of \_\_\_\_\_%, which interest shall be paid with property taxes during the deferral period.

Done at a \_\_\_\_\_ meeting of the City Council of the City of Falcon Heights this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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## REQUEST FOR COUNCIL ACTION (RCA)

<b>Meeting Date</b>	June 5, 2024
<b>Agenda Item</b>	Policy C3
<b>Attachment(s)</b>	Kraus-Anderson Overall Budget and Construction Estimate
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Community Park Construction Pricing								
<b>Description</b>	<p>WSB and HCM Architects provided their plans and pricing sets to Kraus-Anderson who then reviewed them to determine the project’s overall budget and construction estimates for the Community Park renovation.</p> <p>Based on Kraus-Anderson’s work, the total estimate for all phases of the project would be:</p> <table border="1" style="margin-left: 20px; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Item</th> <th style="width: 50%;">Cost</th> </tr> </thead> <tbody> <tr> <td>Park with <u>all alternates</u></td> <td style="text-align: right;">\$3,680,785</td> </tr> <tr> <td>Soft costs (design / CM / permitting/misc.)</td> <td style="text-align: right;">\$1,000,000</td> </tr> <tr> <td><b>Total:</b></td> <td style="text-align: right;"><b>\$4,680,785</b></td> </tr> </tbody> </table> <p>The City budgeted \$3.5M for FY24 that included \$2M in cash and \$1.5M in abatement bond funds.</p> <p>This is an opportunity to now discuss the overall budget and construction estimates received from Kraus-Anderson for the renovation at Community Park. This will be an opportunity to prioritize areas of the project that are critical immediately, and to consider whether to cut portions of the project or increase the budget.</p>	Item	Cost	Park with <u>all alternates</u>	\$3,680,785	Soft costs (design / CM / permitting/misc.)	\$1,000,000	<b>Total:</b>	<b>\$4,680,785</b>
Item	Cost								
Park with <u>all alternates</u>	\$3,680,785								
Soft costs (design / CM / permitting/misc.)	\$1,000,000								
<b>Total:</b>	<b>\$4,680,785</b>								
<b>Budget Impact</b>	TBD								
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Construction Estimate</li> </ul>								
<b>Action(s) Requested</b>	The City Council is requested to review the overall budget and cost estimate provided by Kraus-Anderson for the renovation at Community Park.								



Client: City of Falcon Heights  
 Architect: WSB  
 Location: Falcon Heights, MN

Falcon Heights Community Park  
 2,704 SF Park Building

Date:  
 Project Start:  
 Document Date: 05-10-2024  
 Schematic Design

Item Description	QTY	UOM	Unit Price	Total
EXISTING CONDITIONS	2,704	GSF	\$32.24	\$87,176
SITework/BUILDING Earthwork	2,704	GSF	\$294.16	\$795,398
FOUNDATION / SOG	2,704	GSF	\$53.60	\$144,937
BUILDING STRUCTURE	2,704	GSF	\$91.78	\$248,165
EXTERIOR ENCLOSURE	2,704	GSF	\$162.09	\$438,289
ROOF	2,704	GSF	\$25.54	\$69,060
INTERIOR CONSTRUCTION	2,704	GSF	\$152.11	\$411,305
EQUIPMENT FURNITURE	2,704	GSF	\$176.49	\$477,225
FIRE PROTECTION	2,704	GSF	\$12.30	\$33,266
PLUMBING	2,704	GSF	\$40.68	\$110,000
HVAC	2,704	GSF	\$188.25	\$509,020
ELECTRICAL	2,704	GSF	\$107.16	\$289,774
AUDIO / VISUAL	2,704	GSF	\$0.80	\$2,163
ELECTRONIC SAFETY & SECURITY	2,704	GSF	\$4.80	\$12,979
GENERAL REQUIREMENTS	2,704	GSF	\$0.75	\$2,028
ALLOWANCE	2,704	GSF	\$18.49	\$50,000
<b>Subtotal</b>	<b>2,704</b>	<b>GSF</b>	<b>\$1,361.24</b>	<b>\$3,680,785</b>

Item Description	QTY	UOM	Unit Price	Total
<b>01 Site</b>	<b>96,344</b>	<b>SF</b>	<b>8.80</b>	<b>\$847,721</b>
EXISTING CONDITIONS	96,344	SF	0.90	\$87,176
SITWORK/BUILDING EARTHWORK	96,344	SF	7.52	\$724,546
EQUIPMENT FURNITURE	96,344	SF		
ELECTRICAL	96,344	SF	0.37	\$36,000
<b>02 Park Building</b>	<b>2,704</b>	<b>GSF</b>	<b>784.64</b>	<b>\$2,121,658</b>
SITWORK/BUILDING EARTHWORK	2,704	GSF	5.81	\$15,720
FOUNDATION / SOG	2,704	GSF	48.57	\$131,328
BUILDING STRUCTURE	2,704	GSF	66.95	\$181,021
EXTERIOR ENCLOSURE	2,704	GSF	143.86	\$389,007
ROOF	2,704	GSF	18.81	\$50,850
INTERIOR CONSTRUCTION	2,704	GSF	152.11	\$411,305
EQUIPMENT FURNITURE	2,704	GSF	10.07	\$27,225
FIRE PROTECTION	2,704	GSF	12.30	\$33,266
PLUMBING	2,704	GSF	40.68	\$110,000
HVAC	2,704	GSF	188.25	\$509,020
ELECTRICAL	2,704	GSF	72.39	\$195,744
AUDIO / VISUAL	2,704	GSF	0.80	\$2,163
ELECTRONIC SAFETY & SECURITY	2,704	GSF	4.80	\$12,979
GENERAL REQUIREMENTS	2,704	GSF	0.75	\$2,028
ALLOWANCE	2,704	GSF	18.49	\$50,000
<b>03 Park Shelter</b>	<b>1,173</b>	<b>SF</b>	<b>173.73</b>	<b>\$203,786</b>
SITWORK/BUILDING EARTHWORK	1,173	SF	26.65	\$31,262
FOUNDATION / SOG	1,173	SF	11.60	\$13,609
BUILDING STRUCTURE	1,173	SF	57.24	\$67,144
EXTERIOR ENCLOSURE	1,173	SF	42.01	\$49,281
ROOF	1,173	SF	15.52	\$18,210
FIRE PROTECTION	1,173	SF		
ELECTRICAL	1,173	SF	20.70	\$24,280
<b>04 Splash Pad</b>	<b>1,085</b>	<b>SF</b>	<b>114.17</b>	<b>\$123,870</b>
SITWORK/BUILDING EARTHWORK	1,085	SF	22.00	\$23,870



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Item Description	QTY	UOM	Unit Price	Total
<b>EQUIPMENT FURNITURE</b>	<b>1,085</b>	<b>SF</b>	<b>92.17</b>	<b>\$100,000</b>
<b>05 Solar</b>				<b>\$33,750</b>
<b>ELECTRICAL</b>				<b>\$33,750</b>
<b>06 Playground</b>	<b>7,265</b>		<b>48.18</b>	<b>\$350,000</b>
<b>EQUIPMENT FURNITURE</b>	<b>7,265</b>		<b>48.18</b>	<b>\$350,000</b>
<b>Subtotal</b>	<b>2,704</b>	<b>GSF</b>	<b>1,361.24</b>	<b>\$3,680,785</b>

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<b>1</b>	<b>01 Site</b>				
<b>2</b>	<b>01 EC - EXISTING CONDITIONS</b>				
<b>3</b>	<b>31 A - Site Clearing &amp; Earthwork</b>				
4	Mass Building Demolition (Typically \$0.30-\$0.75/CF building volume)	40,390.00	CF	\$0.50	\$20,195
5	Demo Curb & Gutter	151.00	LF	\$15.00	\$2,265
6	Demo Bit. Paving	23,995.00	SF	\$1.00	\$23,995
7	Demo Concrete Paving	3,975.00	SF	\$3.50	\$13,913
8	Remove Aggregate Walks	3,479.00	SF	\$2.00	\$6,958
9	Remove Trees	22.00	EA	\$700.00	\$15,400
10	Tree Protection	14.00	EA	\$200.00	\$2,800
11	Demo Signs	1.00	EA	\$150.00	\$150
12	Demo Existing Lighting	6.00	EA	\$250.00	\$1,500
<b>13</b>	<b>Site Clearing &amp; Earthwork Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.90</b>	<b>\$87,176</b>
<b>14</b>	<b>EXISTING CONDITIONS Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.90</b>	<b>\$87,176</b>
<b>15</b>	<b>02 SW - SITEWORK/BUILDING EARTHWORK</b>				
<b>16</b>	<b>31 A - Site Clearing &amp; Earthwork</b>				
17	Site Grading	96,344.00	SF	\$0.50	\$48,172
18	Strip & Stockpile Topsoil	523.00	CY	\$5.50	\$2,877
19	Finish Grade Topsoil	523.00	CY	\$5.50	\$2,877
20	Crushed Limestone Walk	78.00	CY	\$55.00	\$4,290
21	Silt Fence	801.00	LF	\$3.50	\$2,804
22	Biolog	283.00	LF	\$5.00	\$1,415
23	Inlet Protection Devices	4.00	EA	\$200.00	\$800
24	Rock Construction Entrance	1.00	ALW	\$5,000.00	\$5,000
25	Maintain Rock Entrance	1.00	ALW	\$3,000.00	\$3,000
26	Remove Rock Entrance	1.00	ALW	\$2,500.00	\$2,500
27	Street Cleaning	1.00	ALW	\$3,500.00	\$3,500
<b>28</b>	<b>Site Clearing &amp; Earthwork Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.80</b>	<b>\$77,234</b>
<b>29</b>	<b>32 A - Asphalt Paving</b>				
30	Mill and Overlay, 2" Mill, Tack Coat, 2" overlay	2,173.00	SY	\$18.00	\$39,114
31	Striping/Stall	53.00	EA	\$15.00	\$795
32	Striping/Crosshatch Area	774.00	SF	\$2.00	\$1,548
<b>33</b>	<b>Asphalt Paving Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.43</b>	<b>\$41,457</b>
<b>34</b>	<b>32 B - Concrete Paving</b>				
35	Site Concrete Paving 6"	9,731.00	SF	\$22.00	\$214,082
36	Concrete Curb & Gutter	218.00	LF	\$30.00	\$6,540
37	9" Play Curb	379.00	LF	\$35.00	\$13,265
38	Aggregate Subbase - 8" CL 5	1,081.22	SY	\$15.00	\$16,218
39	Add for Truncated Domes at Walks	307.00	SF	\$50.00	\$15,350
<b>40</b>	<b>Concrete Paving Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$2.76</b>	<b>\$265,455</b>
<b>41</b>	<b>32 D - Fence Package</b>				



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Row #	Item Description	QTY	UOM	Unit Price	Total
42	Ornamental Fence	447.00	LF	\$200.00	\$89,400
<b>43</b>	<b>Fence Package Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.93</b>	<b>\$89,400</b>
<b>44</b>	<b>32 F - Landscape &amp; Irrigation</b>				
45	Seed - Turf	1.50	AC	\$13,854.91	\$20,782
46	Trees - Deciduous Shade Trees	14.00	EA	\$929.86	\$13,018
47	Trees - Ornamental	6.00	EA	\$743.89	\$4,463
48	Shrubs - Coniferous	20.00	EA	\$139.48	\$2,790
49	Perennials/Grasses - Plugs	34.00	EA	\$6.51	\$221
50	Perennials, #1 Pots	59.00	EA	\$33.47	\$1,975
51	Wood Mulch, 3" Depth	11.00	CY	\$120.88	\$1,330
52	Weed Barrier.Landscape Fabric	1,131.00	SF	\$0.37	\$421
<b>53</b>	<b>Landscape &amp; Irrigation Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.47</b>	<b>\$45,000</b>
<b>54</b>	<b>33 A - Site Utilities Package</b>				
55	Water - 08" DIP Pipe	155.00	LF	\$100.00	\$15,500
56	Water - Wet Tap	1.00	EA	\$5,000.00	\$5,000
57	Water - Hydrant/Gate Valve Assembly	1.00	EA	\$4,500.00	\$4,500
58	Sanitary - 04" PVC	155.00	LF	\$100.00	\$15,500
59	Storm - 06" PVC	155.00	LF	\$100.00	\$15,500
60	Stormwater Pond Allowance	1.00	ALW	\$150,000.00	\$150,000
	<b>Priced per CF of retention volume</b>				
<b>61</b>	<b>Site Utilities Package Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$2.14</b>	<b>\$206,000</b>
<b>62</b>	<b>SITWORK/BUILDING EARTHWORK Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$7.52</b>	<b>\$724,546</b>
<b>63</b>	<b>08 EF - EQUIPMENT FURNITURE</b>				
<b>64</b>	<b>12 G1 - Site Furnishings</b>				
65	Site Furnishings By Owner	1.00	EX		
<b>66</b>	<b>Site Furnishings Total</b>	<b>96,344.00</b>	<b>SF</b>		
<b>67</b>	<b>EQUIPMENT FURNITURE Total</b>	<b>96,344.00</b>	<b>SF</b>		
<b>68</b>	<b>15 E - ELECTRICAL</b>				
<b>69</b>	<b>26 A - Electrical</b>				
70	Site Lighting	6.00	EA	\$6,000.00	\$36,000
<b>71</b>	<b>Electrical Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.37</b>	<b>\$36,000</b>
<b>72</b>	<b>ELECTRICAL Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$0.37</b>	<b>\$36,000</b>
<b>73</b>	<b>01 Site Total</b>	<b>96,344.00</b>	<b>SF</b>	<b>\$8.80</b>	<b>\$847,721</b>

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Row #	Item Description	QTY	UOM	Unit Price	Total
<b>75</b>	<b>02 Park Building</b>				
<b>76</b>	<b>02 SW - SITEWORK/BUILDING EARTHWORK</b>				
<b>77</b>	<b>31 A - Site Clearing &amp; Earthwork</b>				
78	Footing/Foundation Excavation (Per SF of Footprint)	2,704.00	SF	\$2.50	\$6,760
79	Perimeter/Exterior Footing Excavation	230.00	LF	\$22.00	\$5,060
80	Pad Footing Excavation	7.00	EA	\$350.00	\$2,450
81	Import & Place Sand Subbase at Slabs on Grade (6" Typ)	58.00	CYIP	\$25.00	\$1,450
<b>82</b>	<b>Site Clearing &amp; Earthwork Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$5.81</b>	<b>\$15,720</b>
<b>83</b>	<b>SITEWORK/BUILDING EARTHWORK Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$5.81</b>	<b>\$15,720</b>
<b>84</b>	<b>03 FS - FOUNDATION / SOG</b>				
<b>85</b>	<b>03 A - Concrete</b>				
86	Slab on Grade 5"	2,490.00	SF	\$10.33	\$25,726
87	Column Footings - 6' Sq x 18" (8 Ea)	16.00	CY	\$1,005.74	\$16,092
88	Piers - 2' Sq x 4' (4 Ea)	3.00	CY	\$2,194.34	\$6,583
89	Wall Footings - 2'x12" (315 LF)	23.00	CY	\$822.88	\$18,926
90	Wall Footings - 2'x12" at Stoop (40 LF)	3.00	CY	\$822.88	\$2,469
91	Wall Footings - 2'x12" at Canopy (17 LF)	1.00	CY	\$822.88	\$823
92	Foundation Walls - 8" x 4' at Stoop (158 SF)	4.00	CY	\$1,462.89	\$5,852
93	Foundation Walls - 8" x 7'-4" at Canopy (108 SF)	3.00	CY	\$1,462.89	\$4,389
94	Foundation Walls - 12" x 4' (907 SF)	34.00	CY	\$1,462.89	\$49,738
95	4" Service Pad	1.00	CY	\$731.45	\$731
<b>96</b>	<b>Concrete Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$48.57</b>	<b>\$131,328</b>
<b>97</b>	<b>FOUNDATION / SOG Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$48.57</b>	<b>\$131,328</b>
<b>98</b>	<b>04 BS - BUILDING STRUCTURE</b>				
<b>99</b>	<b>05 A - Structural Steel Material</b>				
100	Structural Steel Roof Framing	1.18	TN	\$3,500.00	\$4,130
101	Add for Misc. Connections/Plates/Bolts	0.12	TN	\$3,500.00	\$413
102	Add for Galvanizing (30%)	1.30	TN	\$1,000.00	\$1,300
<b>103</b>	<b>Structural Steel Material Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.16</b>	<b>\$5,843</b>
<b>104</b>	<b>05 B - Structure Steel Erection</b>				
105	Roof Framing Erection	1.30	TN	\$2,000.00	\$2,600
<b>106</b>	<b>Structure Steel Erection Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.96</b>	<b>\$2,600</b>
<b>107</b>	<b>06 B - Wood Framing</b>				
108	Exterior Wall Framing [Materials only]	2,374.00	SF	\$5.00	\$11,870
109	Exterior Wall Framing [Labor only]	2,374.00	SF	\$15.00	\$35,610
110	Exterior Wall Sheathing [Material Only]	2,374.00	SF	\$2.00	\$4,748
111	Exterior Wall Sheathing [Labor only]	2,374.00	SF	\$5.00	\$11,870
112	Roof Sheathing [Materials only]	3,390.00	SF	\$2.00	\$6,780
113	Roof Sheathing [Labor only]	3,390.00	SF	\$5.00	\$16,950
114	Roof Framing/Trusses [Materials Only]	3,217.00	SF	\$10.00	\$32,170

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115	Roof Framing/Trusses [Labor Only]	3,217.00	SF	\$15.00	\$48,255
116	Roof Framing/Trusses at Canopy [Materials Only]	173.00	SF	\$10.00	\$1,730
117	Roof Framing/Trusses at Canopy [Labor Only]	173.00	SF	\$15.00	\$2,595
<b>118</b>	<b>Wood Framing Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$63.82</b>	<b>\$172,578</b>
<b>119</b>	<b>BUILDING STRUCTURE Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$66.95</b>	<b>\$181,021</b>
<b>120</b>	<b>05 EE - EXTERIOR ENCLOSURE</b>				
<b>121</b>	<b>04 A - Masonry</b>				
122	Brick Veneers - Modular Brick	1,179.00	SF	\$73.14	\$86,237
123	Brick Veneers - Modular Brick at Canopy	101.00	SF	\$73.14	\$7,388
124	Rigid Cavity Insulation behind Brick	1,179.00	SF	\$3.66	\$4,312
<b>125</b>	<b>Masonry Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$36.22</b>	<b>\$97,937</b>
<b>126</b>	<b>04 B - Exterior Stone</b>				
127	Limestone Caps	134.00	LF	\$55.02	\$7,373
<b>128</b>	<b>Exterior Stone Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.73</b>	<b>\$7,373</b>
<b>129</b>	<b>06 A - Carpentry Package</b>				
130	Window/Door Perimeter Blocking/Bucks	488.00	LF	\$12.90	\$6,295
<b>131</b>	<b>Carpentry Package Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.33</b>	<b>\$6,295</b>
<b>132</b>	<b>06 B - Wood Framing</b>				
133	Window Wrap / Tape / Tyvek	2,374.00	SF	\$1.00	\$2,374
<b>134</b>	<b>Wood Framing Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.88</b>	<b>\$2,374</b>
<b>135</b>	<b>07 B - Insulation</b>				
136	Blown In Insulation	3,217.00	SF	\$4.00	\$12,868
137	Batt Insulation	2,374.00	SF	\$5.00	\$11,870
<b>138</b>	<b>Insulation Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$9.15</b>	<b>\$24,738</b>
<b>139</b>	<b>07 D - Exterior Weather Barrier</b>				
140	Weather Barrier (Spray Applied)	101.00	SF	\$5.25	\$530
<b>141</b>	<b>Exterior Weather Barrier Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.20</b>	<b>\$530</b>
<b>142</b>	<b>07 F - Metal Panel/Roof</b>				
143	MP-1 Wood Look Soffit	1,065.00	SF	\$69.00	\$73,485
<b>144</b>	<b>Metal Panel/Roof Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$27.18</b>	<b>\$73,485</b>
<b>145</b>	<b>07 G - Siding</b>				
146	Fiber Cement Lap Siding	1,195.00	SF	\$45.00	\$53,775
147	Fiber Cement Trim Board Fascia	474.00	LF	\$45.00	\$21,330
148	Add for 3" Continuous Insulation behind panels by this work scope	1,195.00	SF	\$5.00	\$5,975
<b>149</b>	<b>Siding Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$29.99</b>	<b>\$81,080</b>
<b>150</b>	<b>08 A - Door/Frame/Hardware Package</b>				
151	HM Frames (Galv.)	4.00	EA	\$558.00	\$2,232
152	HM Doors (Galv.)	4.00	EA	\$909.00	\$3,636
153	Door Hardware	4.00	EA	\$1,350.00	\$5,400
154	Doors/Frames/Hardware Installation	4.00	EA	\$1,200.00	\$4,800
<b>155</b>	<b>Door/Frame/Hardware Package Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$5.94</b>	<b>\$16,068</b>

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Falcon Heights Community Park  
 2,704 SF Park Building

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 Document Date: 05-10-2024  
 Schematic Design

Row #	Item Description	QTY	UOM	Unit Price	Total
<b>156</b>	<b>08 F - Entrances/Storefront/Curtainwall</b>				
157	Aluminum Storefronts	93.00	SF	\$90.00	\$8,370
158	Exterior Aluminum Single Doors	3.00	EA	\$7,500.00	\$22,500
<b>159</b>	<b>Entrances/Storefront/Curtainwall Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$11.42</b>	<b>\$30,870</b>
<b>160</b>	<b>08 G - Automatic Entrances</b>				
161	Automatic Door Operators	2.00	EA	\$4,000.00	\$8,000
<b>162</b>	<b>Automatic Entrances Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.96</b>	<b>\$8,000</b>
<b>163</b>	<b>08 I - Windows</b>				
164	Metal Clad Wood Windows - (22 Ea)	639.00	SF	\$52.00	\$33,228
165	Metal Clad Wood Windows - (22 Ea) - Install	639.00	SF	\$11.00	\$7,029
<b>166</b>	<b>Windows Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$14.89</b>	<b>\$40,257</b>
<b>167</b>	<b>EXTERIOR ENCLOSURE Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$143.86</b>	<b>\$389,007</b>
<b>168</b>	<b>06 R - ROOF</b>				
<b>169</b>	<b>07 E - Shingle Roof</b>				
170	Roof Shingles	3,217.00	SF	\$15.00	\$48,255
171	Roof Shingles at Canopy	173.00	SF	\$15.00	\$2,595
172	Ice & Water Sheild - Included in above	3,390.00	EX		
<b>173</b>	<b>Shingle Roof Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$18.81</b>	<b>\$50,850</b>
<b>174</b>	<b>ROOF Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$18.81</b>	<b>\$50,850</b>
<b>175</b>	<b>07 IC - INTERIOR CONSTRUCTION</b>				
<b>176</b>	<b>04 A - Masonry</b>				
177	8" Non-Bearing CMU Partitions	659.00	SF	\$58.52	\$38,562
<b>178</b>	<b>Masonry Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$14.26</b>	<b>\$38,562</b>
<b>179</b>	<b>06 A - Carpentry Package</b>				
180	Interior Blocking & Backing	2,704.00	GSF	\$1.00	\$2,704
181	Blocking @ Misc. Wall Mounted Accessories (Toilet Accys, Markerboards, Etc.)	40.00	EA	\$11.70	\$468
	<b>Assumes 2 LF/Accy</b>				
182	Blocking @ Casework Lowers	15.00	LF	\$11.70	\$176
	<b>Assumes 2 Rows/LF of Casework</b>				
<b>183</b>	<b>Carpentry Package Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$1.24</b>	<b>\$3,348</b>
<b>184</b>	<b>06 B - Wood Framing</b>				
185	Interior Wall Framing [Materials only]	3,194.00	SF	\$5.00	\$15,970
186	Interior Wall Framing [Labor only]	3,194.00	SF	\$12.00	\$38,328
<b>187</b>	<b>Wood Framing Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$20.08</b>	<b>\$54,298</b>
<b>188</b>	<b>06 C - Finish Carpentry</b>				
189	Wood Casing at Windows - Materials Only	488.00	LF	\$10.00	\$4,880
190	Wood Casing at Windows - Labor Only	488.00	LF	\$15.00	\$7,320
<b>191</b>	<b>Finish Carpentry Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$4.51</b>	<b>\$12,200</b>
<b>192</b>	<b>06 E - Plastic Fabrication</b>				
193	FRP	140.00	SF	\$15.00	\$2,100
<b>194</b>	<b>Plastic Fabrication Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.78</b>	<b>\$2,100</b>

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<b>195</b>	<b>07 F - Metal Panel/Roof</b>				
196	MP-1 Wood Look Ceiling	348.00	SF	\$69.00	\$24,012
<b>197</b>	<b>Metal Panel/Roof Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$8.88</b>	<b>\$24,012</b>
<b>198</b>	<b>07 K - Joint Sealant</b>				
199	Joint Sealants	2,704.00	GSF	\$1.00	\$2,704
<b>200</b>	<b>Joint Sealant Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$1.00</b>	<b>\$2,704</b>
<b>201</b>	<b>08 A - Door/Frame/Hardware Package</b>				
202	HM Frames	9.00	EA	\$504.00	\$4,536
203	HM Framed Sidelites/Borrow lite Frames	2.00	EA	\$450.00	\$900
	<b>See 08 F for glazing in HM Frames</b>				
204	HM Doors	2.00	EA	\$819.00	\$1,638
205	Wood Doors	7.00	EA	\$650.00	\$4,550
206	Door Hardware	9.00	EA	\$1,350.00	\$12,150
207	Doors/Frames/Hardware Installation	11.00	EA	\$1,200.00	\$13,200
<b>208</b>	<b>Door/Frame/Hardware Package Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$13.67</b>	<b>\$36,974</b>
<b>209</b>	<b>08 G - Automatic Entrances</b>				
210	Automatic Door Operators	2.00	EA	\$4,000.00	\$8,000
<b>211</b>	<b>Automatic Entrances Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.96</b>	<b>\$8,000</b>
<b>212</b>	<b>08 I - Windows</b>				
213	Kitchen Pass Through Window	1.00	EA	\$750.00	\$750
<b>214</b>	<b>Windows Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.28</b>	<b>\$750</b>
<b>215</b>	<b>08 K - Interior Glass</b>				
216	Interior Glass (In Borrowed Lite Frame)	133.00	SF	\$55.00	\$7,315
<b>217</b>	<b>Interior Glass Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.71</b>	<b>\$7,315</b>
<b>218</b>	<b>09 A - Drywall</b>				
219	5/8" Type X	2,374.00	SF	\$6.00	\$14,244
220	5/8" Type X, Mineral Wool Insulation, 5/8" Type X	2,337.00	SF	\$17.00	\$39,729
221	5/8" Type X, Batt Insulation, 5/8" Type X	857.00	SF	\$10.00	\$8,570
222	Suspended Drywall Ceilings (w/Framing)	185.00	SF	\$20.00	\$3,700
<b>223</b>	<b>Drywall Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$24.50</b>	<b>\$66,243</b>
<b>224</b>	<b>09 B - Tile</b>				
225	6x8 Porcelain Tile Base (Group 1 Colors)	117.00	LF	\$22.00	\$2,574
226	12x24 Porcelain Floor Tile	295.00	SF	\$22.00	\$6,490
227	CWT-1 Ceramic Wall Tile	406.00	SF	\$21.00	\$8,526
228	CWT-2 Ceramic Wall Tile	74.00	SF	\$24.00	\$1,776
229	CWT-3 Ceramic Wall Tile	226.00	SF	\$24.00	\$5,424
230	Add for Metal Trim (Anodized Aluminum) @ Wall Tile	28.00	LF	\$10.00	\$280
<b>231</b>	<b>Tile Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$9.27</b>	<b>\$25,070</b>
<b>232</b>	<b>09 C - Ceiling &amp; Acoustical Treatment</b>				
233	ACT-1 2x2 Ultima	656.00	SF	\$6.70	\$4,395
234	ACT-2 2x4 Ultima	726.00	SF	\$8.25	\$5,990
<b>235</b>	<b>Ceiling &amp; Acoustical Treatment Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$3.84</b>	<b>\$10,385</b>

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<b>236</b>	<b>09 D - Flooring</b>				
237	Rubber (Nora or Sim.)	656.00	SF	\$13.00	\$8,528
238	Resilient Base & Accessories	337.00	LF	\$3.58	\$1,206
239	CPT-1 Carpet Tile	12.00	SY	\$99.00	\$1,188
240	CPT-2 Carpet Tile	87.00	SY	\$99.00	\$8,613
<b>241</b>	<b>Flooring Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$7.22</b>	<b>\$19,535</b>
<b>242</b>	<b>09 H - Fluid Applied</b>				
243	EPX-1 Epoxy Flooring	493.00	SF	\$65.00	\$32,045
244	Add Epoxy Cove Base	195.00	LF	\$21.00	\$4,095
<b>245</b>	<b>Fluid Applied Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$13.37</b>	<b>\$36,140</b>
<b>246</b>	<b>09 K - Painting &amp; Wall Covering</b>				
247	Painting	2,704.00	GSF	\$2.95	\$7,977
248	Vinyl Wall Covering Allowance	1.00	ALW	\$5,000.00	\$5,000
<b>249</b>	<b>Painting &amp; Wall Covering Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$4.80</b>	<b>\$12,977</b>
<b>250</b>	<b>10 A - Information Specialties</b>				
251	Forbo TackBoards	1.00	ALW	\$1,500.00	\$1,500
252	Wood Display Boxes	3.00	EA	\$2,500.00	\$7,500
<b>253</b>	<b>Information Specialties Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$3.33</b>	<b>\$9,000</b>
<b>254</b>	<b>10 B - Signage</b>				
255	Signage	14.00	EA	\$200.00	\$2,800
256	Signage Installation	14.00	EA	\$50.00	\$700
<b>257</b>	<b>Signage Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$1.29</b>	<b>\$3,500</b>
<b>258</b>	<b>10 F - Wall/Door Protection</b>				
259	Construction Specialties SM-20, 3" Odd Degree Corner Guard, 10'-0" Tall, Aluminum Retainer, Standard Solid Colors	4.00	EA	\$272.80	\$1,091
260	Add Freight for Material Over 8' in Length	1.00	EA	\$500.00	\$500
261	Wall and Door Protection Installation	4.00	EA	\$100.00	\$400
<b>262</b>	<b>Wall/Door Protection Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.74</b>	<b>\$1,991</b>
<b>263</b>	<b>10 G - Toilet/Bath/Laundry Accessories</b>				
264	Koala BK200 Surface Mounted Baby Changing Station	2.00	EA	\$295.00	\$590
265	Adult Changing Stations	2.00	EA	\$12,000.00	\$24,000
266	Bobrick S.S. Surface Mounted Multi-Roll Toilet Paper Dispenser B-4288	4.00	EA	\$127.00	\$508
267	Bobrick S.S. Surface Mounted Soap Dispenser B-4112	4.00	EA	\$73.00	\$292
268	Bobrick S.S. Surface Mounted Sanitary Napkin Disposer B-270	4.00	EA	\$36.00	\$144
269	Bobrick B76717 Coat Hook	4.00	EA	\$12.00	\$48
270	Bobrick S.S. Grab Bar 18" B-6806	4.00	EA	\$33.00	\$132
271	Bobrick S.S. Grab Bar 36" B-6806	4.00	EA	\$40.00	\$160
272	Bobrick S.S. Grab Bar 42" B-6806	4.00	EA	\$42.00	\$168
273	Bobrick S.S. Surface Mounted Paper Towel Dispenser w/ Waste Receptacle - Large B-43949	4.00	EA	\$1,038.00	\$4,152

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274	Bobrick B165 24"x36" Channel Frame Mirror	4.00	EA	\$87.00	\$348
275	Bobrick B239x34" Mop & Broom Holder With Shelf	1.00	EA	\$317.00	\$317
276	Installation - Small Accessories (Sim. Robe Hooks, Grab Bars, Soap Dispensers, Toilet Paper Holder)	37.00	EA	\$75.00	\$2,775
277	Installation - Large Accessories (Sim. Shower Seats, Paper Towel/Waste Combo, Diaper Changers)	4.00	EA	\$150.00	\$600
<b>278</b>	<b>Toilet/Bath/Laundry Accessories Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$12.66</b>	<b>\$34,234</b>
<b>279</b>	<b>10 I - Safety &amp; Fire Protection</b>				
280	Fire Extinguisher Cabinet, Steel Semi-Recessed, Full Glass, 20 lbs	4.00	EA	\$190.00	\$760
281	ABC Dry Chemical Extinguisher, 20 lbs	4.00	EA	\$164.00	\$656
282	Fire Protection Specialties Installation	4.00	EA	\$138.00	\$552
<b>283</b>	<b>Safety &amp; Fire Protection Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.73</b>	<b>\$1,968</b>
<b>284</b>	<b>INTERIOR CONSTRUCTION Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$152.11</b>	<b>\$411,305</b>
<b>285</b>	<b>08 EF - EQUIPMENT FURNITURE</b>				
<b>286</b>	<b>11 E - Residential</b>				
287	Refrigerator	1.00	EX		
288	Freezer	1.00	EX		
<b>289</b>	<b>Residential Total</b>	<b>2,704.00</b>	<b>GSF</b>		
<b>290</b>	<b>11 H - Audio/Visual (Screens)</b>				
291	Ceiling Mounted Motorized Projection Screen	1.00	EA	\$7,500.00	\$7,500
<b>292</b>	<b>Audio/Visual (Screens) Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$2.77</b>	<b>\$7,500</b>
<b>293</b>	<b>12 B - Window Treatment</b>				
294	Window Treatment Package	639.00	SF	\$25.00	\$15,975
<b>295</b>	<b>Window Treatment Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$5.91</b>	<b>\$15,975</b>
<b>296</b>	<b>12 D - Countertop</b>				
297	Stainless Steel Counter Tops	30.00	SF	\$125.00	\$3,750
<b>298</b>	<b>Countertop Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$1.39</b>	<b>\$3,750</b>
<b>299</b>	<b>12 E - Furnishings &amp; Accessories</b>				
300	Building Furnishings By Owner	1.00	EX		
<b>301</b>	<b>Furnishings &amp; Accessories Total</b>	<b>2,704.00</b>	<b>GSF</b>		
<b>302</b>	<b>EQUIPMENT FURNITURE Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$10.07</b>	<b>\$27,225</b>
<b>303</b>	<b>11 FP - FIRE PROTECTION</b>				
<b>304</b>	<b>21 A - Fire Protection</b>				
305	Fire Protection Package - Wet	2,704.00	GSF	\$8.00	\$21,632
306	Fire Protection Package - Dry/Pre-Action	831.00	GSF	\$14.00	\$11,634
<b>307</b>	<b>Fire Protection Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$12.30</b>	<b>\$33,266</b>
<b>308</b>	<b>FIRE PROTECTION Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$12.30</b>	<b>\$33,266</b>
<b>309</b>	<b>12 P - PLUMBING</b>				
<b>310</b>	<b>22 A - Plumbing</b>				
311	Plumbing Package - Fixtures	11.00	FX	\$10,000.00	\$110,000

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<b>312</b>	<b>Plumbing Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$40.68</b>	<b>\$110,000</b>
<b>313</b>	<b>PLUMBING Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$40.68</b>	<b>\$110,000</b>
<b>314</b>	<b>13 M - HVAC</b>				
<b>315</b>	<b>23 A - HVAC</b>				
316	HVAC Package -Ductwork & Equipment	2,704.00	GSF	\$100.00	\$270,400
317	HVAC Package - Piping & Equipment	2,704.00	GSF	\$18.00	\$48,672
318	HVAC Package - Temp Contols	2,704.00	GSF	\$12.00	\$32,448
319	Ground Source Geothermal Wells	12.50	TN	\$12,600.00	\$157,500
<b>320</b>	<b>HVAC Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$188.25</b>	<b>\$509,020</b>
<b>321</b>	<b>HVAC Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$188.25</b>	<b>\$509,020</b>
<b>322</b>	<b>15 E - ELECTRICAL</b>				
<b>323</b>	<b>26 A - Electrical</b>				
324	Main Electrical Distribution	2,704.00	GSF	\$12.00	\$32,448
325	Lighting & Controls	3,244.00	GSF	\$32.00	\$103,808
326	Power Distribution	2,704.00	GSF	\$12.00	\$32,448
327	Power To Mechanical Equipment	2,704.00	GSF	\$10.00	\$27,040
<b>328</b>	<b>Electrical Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$72.39</b>	<b>\$195,744</b>
<b>329</b>	<b>ELECTRICAL Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$72.39</b>	<b>\$195,744</b>
<b>330</b>	<b>16 EAV - AUDIO / VISUAL</b>				
<b>331</b>	<b>27 A - Communications</b>				
332	Voice & Data Rough-In Only	2,704.00	GSF	\$0.80	\$2,163
<b>333</b>	<b>Communications Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.80</b>	<b>\$2,163</b>
<b>334</b>	<b>AUDIO / VISUAL Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.80</b>	<b>\$2,163</b>
<b>335</b>	<b>17 ESS - ELECTRONIC SAFETY &amp; SECURITY</b>				
<b>336</b>	<b>28 A - Electronic Safety &amp; Security</b>				
337	Electronic Safety and Security - Card Access Rough-In Only	2,704.00	GSF	\$0.80	\$2,163
338	Electronic Safety and Security - Fire Alarm	2,704.00	GSF	\$4.00	\$10,816
<b>339</b>	<b>Electronic Safety &amp; Security Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$4.80</b>	<b>\$12,979</b>
<b>340</b>	<b>ELECTRONIC SAFETY &amp; SECURITY Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$4.80</b>	<b>\$12,979</b>
<b>341</b>	<b>18 GR - GENERAL REQUIREMENTS</b>				
<b>342</b>	<b>01 J - Final Clean</b>				
343	Final Clean	2,704.00	GSF	\$0.75	\$2,028
<b>344</b>	<b>Final Clean Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.75</b>	<b>\$2,028</b>
<b>345</b>	<b>GENERAL REQUIREMENTS Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$0.75</b>	<b>\$2,028</b>
<b>346</b>	<b>28 ALLOW - ALLOWANCE</b>				
<b>347</b>	<b>92 ALLOW - Allowance</b>				
348	Allowance	1.00	ALW	\$50,000.00	\$50,000
<b>349</b>	<b>Allowance Total</b>	<b>2,704.00</b>	<b>GSF</b>	<b>\$18.49</b>	<b>\$50,000</b>





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350	ALLOWANCE Total	2,704.00	GSF	\$18.49	\$50,000
351	02 Park Building Total	2,704.00	GSF	\$784.64	\$2,121,658

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<b>353</b>	<b>03 Park Shelter</b>				
<b>354</b>	<b>02 SW - SITEWORK/BUILDING EARTHWORK</b>				
<b>355</b>	<b>32 B - Concrete Paving</b>				
356	Site Concrete Paving 6"	1,421.00	SF	\$22.00	\$31,262
<b>357</b>	<b>Concrete Paving Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$26.65</b>	<b>\$31,262</b>
<b>358</b>	<b>SITEWORK/BUILDING EARTHWORK Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$26.65</b>	<b>\$31,262</b>
<b>359</b>	<b>03 FS - FOUNDATION / SOG</b>				
<b>360</b>	<b>03 A - Concrete</b>				
361	Wall Footings - 2'x12" (37 LF)	3.00	CY	\$1,346.04	\$4,038
362	Foundation Walls - 8" x 4' (147 SF)	4.00	CY	\$2,392.78	\$9,571
<b>363</b>	<b>Concrete Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$11.60</b>	<b>\$13,609</b>
<b>364</b>	<b>FOUNDATION / SOG Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$11.60</b>	<b>\$13,609</b>
<b>365</b>	<b>04 BS - BUILDING STRUCTURE</b>				
<b>366</b>	<b>03 A - Concrete</b>				
367	Concrete Wall 8"x3'	3.00	CY	\$2,392.78	\$7,178
<b>368</b>	<b>Concrete Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$6.12</b>	<b>\$7,178</b>
<b>369</b>	<b>05 A - Structural Steel Material</b>				
370	Structural Steel Roof Framing - 5#/SF	3.04	TN	\$3,500.00	\$10,623
371	Add for Galvanizing (30%)	3.25	TN	\$1,000.00	\$3,250
372	Add for Misc. Connections/Plates/Bolts	0.21	TN	\$3,500.00	\$745
<b>373</b>	<b>Structural Steel Material Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$12.46</b>	<b>\$14,617</b>
<b>374</b>	<b>05 B - Structure Steel Erection</b>				
375	Roof Framing Erection	3.25	TN	\$2,000.00	\$6,500
<b>376</b>	<b>Structure Steel Erection Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$5.54</b>	<b>\$6,500</b>
<b>377</b>	<b>06 B - Wood Framing</b>				
378	Roof Sheathing [Materials only]	1,214.00	SF	\$2.00	\$2,428
379	Roof Sheathing [Labor only]	1,214.00	SF	\$5.00	\$6,070
380	Roof Framing/Trusses [Materials Only]	1,214.00	SF	\$10.00	\$12,140
381	Roof Framing/Trusses [Labor Only]	1,214.00	SF	\$15.00	\$18,210
<b>382</b>	<b>Wood Framing Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$33.12</b>	<b>\$38,848</b>
<b>383</b>	<b>BUILDING STRUCTURE Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$57.24</b>	<b>\$67,144</b>
<b>384</b>	<b>05 EE - EXTERIOR ENCLOSURE</b>				
<b>385</b>	<b>04 A - Masonry</b>				
386	Brick Veneers - Modular Brick	305.00	SF	\$122.66	\$37,413
<b>387</b>	<b>Masonry Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$31.89</b>	<b>\$37,413</b>
<b>388</b>	<b>04 B - Exterior Stone</b>				
389	Limestone Caps	20.00	LF	\$89.99	\$1,800
<b>390</b>	<b>Exterior Stone Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$1.53</b>	<b>\$1,800</b>
<b>391</b>	<b>06 A - Carpentry Package</b>				
392	Blocking at Column Bases	17.00	LF	\$15.00	\$255

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Falcon Heights Community Park  
 2,704 SF Park Building

Date:  
 Project Start:  
 Document Date:05-10-2024  
 Schematic Design

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<b>393</b>	<b>Carpentry Package Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$0.22</b>	<b>\$255</b>
<b>394</b>	<b>07 D - Exterior Weather Barrier</b>				
395	Weather Barrier (Spray Applied)	305.00	SF	\$8.00	\$2,440
<b>396</b>	<b>Exterior Weather Barrier Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$2.08</b>	<b>\$2,440</b>
<b>397</b>	<b>07 F - Metal Panel/Roof</b>				
398	Metal Ridge Cap at Columns	26.00	SF	\$69.00	\$1,794
<b>399</b>	<b>Metal Panel/Roof Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$1.53</b>	<b>\$1,794</b>
<b>400</b>	<b>07 G - Siding</b>				
401	Fiber Cement Trim Board Fascia	124.00	LF	\$45.00	\$5,580
<b>402</b>	<b>Siding Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$4.76</b>	<b>\$5,580</b>
<b>403</b>	<b>EXTERIOR ENCLOSURE Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$42.01</b>	<b>\$49,281</b>
<b>404</b>	<b>06 R - ROOF</b>				
<b>405</b>	<b>07 E - Shingle Roof</b>				
406	Roof Shingles	1,214.00	SF	\$15.00	\$18,210
407	Ice & Water Sheild - Included in above	1,214.00	EX		
<b>408</b>	<b>Shingle Roof Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$15.52</b>	<b>\$18,210</b>
<b>409</b>	<b>ROOF Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$15.52</b>	<b>\$18,210</b>
<b>410</b>	<b>11 FP - FIRE PROTECTION</b>				
<b>411</b>	<b>21 A - Fire Protection</b>				
412	Fire Protection Package - Dry/Pre-Action	1.00	EX		
<b>413</b>	<b>Fire Protection Total</b>	<b>1,173.00</b>	<b>SF</b>		
<b>414</b>	<b>FIRE PROTECTION Total</b>	<b>1,173.00</b>	<b>SF</b>		
<b>415</b>	<b>15 E - ELECTRICAL</b>				
<b>416</b>	<b>26 A - Electrical</b>				
417	Lighting & Controls	1,214.00	GSF	\$20.00	\$24,280
<b>418</b>	<b>Electrical Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$20.70</b>	<b>\$24,280</b>
<b>419</b>	<b>ELECTRICAL Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$20.70</b>	<b>\$24,280</b>
<b>420</b>	<b>03 Park Shelter Total</b>	<b>1,173.00</b>	<b>SF</b>	<b>\$173.73</b>	<b>\$203,786</b>

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 Schematic Design

Row #	Item Description	QTY	UOM	Unit Price	Total
<b>422</b>	<b>04 Splash Pad</b>				
<b>423</b>	<b>02 SW - SITEWORK/BUILDING EARTHWORK</b>				
<b>424</b>	<b>32 B - Concrete Paving</b>				
425	Site Concrete Paving 6"	1,085.00	SF	\$22.00	\$23,870
<b>426</b>	<b>Concrete Paving Total</b>	<b>1,085.00</b>	<b>SF</b>	<b>\$22.00</b>	<b>\$23,870</b>
<b>427</b>	<b>SITEWORK/BUILDING EARTHWORK Total</b>	<b>1,085.00</b>	<b>SF</b>	<b>\$22.00</b>	<b>\$23,870</b>
<b>428</b>	<b>08 EF - EQUIPMENT FURNITURE</b>				
<b>429</b>	<b>12 G1 - Site Furnishings</b>				
430	Splash Pad	1.00	ALW	\$100,000.00	\$100,000
<b>431</b>	<b>Site Furnishings Total</b>	<b>1,085.00</b>	<b>SF</b>	<b>\$92.17</b>	<b>\$100,000</b>
<b>432</b>	<b>EQUIPMENT FURNITURE Total</b>	<b>1,085.00</b>	<b>SF</b>	<b>\$92.17</b>	<b>\$100,000</b>
<b>433</b>	<b>04 Splash Pad Total</b>	<b>1,085.00</b>	<b>SF</b>	<b>\$114.17</b>	<b>\$123,870</b>



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 Schematic Design

Row #	Item Description	QTY	UOM	Unit Price	Total
<b>435</b>	<b>05 Solar</b>				
<b>436</b>	<b>15 E - ELECTRICAL</b>				
<b>437</b>	<b>26 A - Electrical</b>				
438	Roof Mounted PV Solar Panels	7.50	KW	\$4,500.00	\$33,750
<b>439</b>	<b>Electrical Total</b>				<b>\$33,750</b>
<b>440</b>	<b>ELECTRICAL Total</b>				<b>\$33,750</b>
<b>441</b>	<b>05 Solar Total</b>				<b>\$33,750</b>



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 Schematic Design

Row #	Item Description	QTY	UOM	Unit Price	Total
443	<b>06 Playground</b>				
444	<b>08 EF - EQUIPMENT FURNITURE</b>				
445	<b>12 G1 - Site Furnishings</b>				
446	Playground Equipment/Surfacing	1.00	ALW	\$350,000.00	\$350,000
447	<b>Site Furnishings Total</b>	<b>7,265.00</b>		<b>\$48.18</b>	<b>\$350,000</b>
448	<b>EQUIPMENT FURNITURE Total</b>	<b>7,265.00</b>		<b>\$48.18</b>	<b>\$350,000</b>
449	<b>06 Playground Total</b>	<b>7,265.00</b>		<b>\$48.18</b>	<b>\$350,000</b>



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Row #	Item Description	QTY	UOM	Unit Price	Total
451					
	Subtotal	2,704.00	GSF	\$1,361.24	\$3,680,785

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## REQUEST FOR COUNCIL ACTION (RCA)

<b>Meeting Date</b>	June 5, 2024
<b>Agenda Item</b>	Policy C4
<b>Attachment(s)</b>	N/A
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	St. Anthony Village Police Partnership Update
<b>Description</b>	<p>On April 23<sup>rd</sup> and April 24<sup>th</sup>, the City Councils of St. Anthony Village and Falcon Heights both approved entering the next phase of contract discussions. As part of the approval, staff was directed to work together to develop a draft contract and answer remaining questions.</p> <p>Staff has worked on a draft contract that is being reviewed by the City Attorney and the League of MN Cities Insurance Trust for liability review. To date, all sides feel they are mutually close but want to continue to refine the language.</p> <p>The St. Anthony Village City Council discussed the work to date at their May 28<sup>th</sup> workshop. <a href="#">In their cover memo</a>, they detailed three primary lessons learned/areas of concern to mitigate which included:</p> <ul style="list-style-type: none"> <li>• Ensure participating City Councils foster an effective partner relationship</li> <li>• Clearly defined service expectations, chain of command, and authority over policing strategies</li> <li>• Appropriate sharing financial impact of extraordinary incidents</li> </ul> <p>Additionally, Chief Spiess, at the request of the SAV City Council, performed a potential SWOT (Strengths, Weaknesses, Opportunities, and Risks) assessment of the possibility of SAPD taking on Falcon Height’s contract. The results were as follows:</p>

# SA/FH ANALYSIS

CHIEF JEFF SPIESS



Staff will continue to work with the staff at SAV as well as with attorneys on the draft contract.

<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	N/A
<b>Action(s) Requested</b>	The City Council is requested to receive the update and provide feedback to staff.