This City Council meeting is taking place virtually and at the Woodbury City Hall in the Council Chambers.

Members of the public may attend the meeting in person and may also join the meeting using a PC, Mac, iPad, iPhone, or Android device.

Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting.

Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. at 651-714-3524 or at council@woodburymn.gov. Questions received after 4:30 p.m. will be responded to in the next three to seven business days.

Please note that all agenda times are estimates.

1. Call to Order
2. Pledge to Flag
3. Roll Call
4. Special Order of Business - 7:02 p.m.
   No Items Scheduled
5. Open Forum - 7:02 p.m.

   The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting and give the sign-up sheet to any staff person, or may also submit a question or comment virtually via the Q&A chat feature on the right side of the live event screen. Please provide your name and address with your question for the official record. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

6. Consent Agenda - 7:07 p.m.

   All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.
6A. Approval of Minutes - May 11, 2022

6B. Approval of City of Woodbury 2022 Annual Action Plan

Staff recommends Council adopt RESOLUTION 22-117, a resolution approving the City of Woodbury 2022 Annual Action Plan.

6C. Cooperative Construction Agreement with the Minnesota Department of Transportation for Traffic Signal Modifications and Roadway Improvements; Approve Agreement

Staff recommends Council adopt RESOLUTION 22-118, a resolution approving the Cooperative Construction Agreement with Minnesota Department of Transportation for traffic signal modifications and roadway improvements at the Intersection of TH 95 and Hudson Road and authorizing the Mayor and City Administrator to sign the Agreement.

6D. Authorizing Acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District; Budget Amendment

Staff recommends Council:

1. Adopt RESOLUTION 22-119, a resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Eagle Valley Golf Course Irrigation Pond Lining project.
2. Adopt RESOLUTION 22-120, a resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Storm Water BMP Maintenance projects.
3. Adopt RESOLUTION 22-121, a resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Bailey Lake Lift Station upgrades.
5. Adopt RESOLUTION 22-123, a resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Salt Spreader Improvements.

6E. Authorizing Execution of the Intergovernmental Agreement with Washington Conservation District for E. coli Testing at Carver Lake Beach

Staff recommends Council adopt RESOLUTION 22-124, a resolution authorizing execution of the intergovernmental agreement with Washington Conservation District for E. coli testing at Carver Lake Beach.
6F. Authorizing Execution of the Agreement with The Metropolitan Council to Participate in the Citizen-Assisted Monitoring Program

Staff recommends Council adopt RESOLUTION 22-125, a resolution authorizing execution of the agreement with Metropolitan Council to participate in the Citizen-Assisted Monitoring Program.

6G. Authorizing Acceptance of Metropolitan Council Water Efficiency Grant and Approving Associated Budget Amendment

Staff recommends Council adopt RESOLUTION 22-126, a resolution accepting Metropolitan Council Water Efficiency Grant in the amount of $40,000 and approving the associated budget amendment.

6H. Lake Road 4-3 Lane Conversion Project; Award Contract; Amend Budget; Consultant Selection for Construction Administration Services

Staff recommends Council:

1. Adopt RESOLUTION 22-127, a resolution awarding the construction contract to McNamara Contracting, in the amount of $1,276,339.86 for the Lake Road 4-3 Lane Conversion Project and authorizing the Mayor and City Administrator to sign said resolution.
2. Adopt RESOLUTION 22-128, a resolution amending the Municipal State Aid Roadway Construction Fund Budget and associated transfers.
3. Adopt RESOLUTION 22-129, a resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with SEH, Inc., in the amount of $118,500 for construction administration services for the Lake Road 4-3 Lane Conversion Project.

6I. Edgewood Avenue Culvert Replacement; Award Contract, Amend Budget

Staff recommends Council:

1. Adopt RESOLUTION 22-130, a resolution awarding the construction contract to McNamara Contracting for the Edgewood Avenue Culvert Replacement project and authorizing the Mayor and City Administrator to sign said contract.
2. Adopt RESOLUTION 22-131, a resolution amending the Street Reconstruction/Maintenance Fund and Storm Water Utility Fund Budgets for the Edgewood Avenue Culvert Replacement Project and authorization for additional use of funds from the Ramsey-Washington Metro Trunk Storm Sewer Fund.

6J. Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project; Authorizing Award of Contract and Budget Amendment

Staff recommends Council adopt RESOLUTION 22-132, a resolution authorizing the Mayor and City Administrator to award and execute a contract with Michels Corporation for the Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project with a net bid of $699,770.50 and approving a budget amendment for the additional expense to the Water and Sewer Utility Fund (Enterprise Fund) in the amount of $274,724.60.
6K. 2021 Roadway Rehabilitation Project; Rescind Resolution 22-100; Amend Assessment Roll; Authorize Execution of Settlement Agreement

Staff recommends Council adopt RESOLUTION 22-133, a resolution rescinding Resolution 22-100, amending the assessment roll for the 2021 Roadway Rehabilitation Project and authorizing the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

6L. Authorizing Acceptance of Communications and Public Engagement Plan for LTWTP Project Grant from Minnesota Pollution Control Agency and Approval of Budget Amendment to the Water and Sewer Utility Fund

Staff recommends Council adopt RESOLUTION 22-134, a resolution authorizing acceptance of up to $151,310 in grant funds from the MPCA to reimburse the City’s expenses for implementation of communications and public engagement plan for LTWTP project and approving a budget amendment to the Water and Sewer Utility Fund (Enterprise Fund).

6M. 2022 Parks Pavement and Asset Replacement Project; Contract Award; Budget Amendment

Staff recommends Council adopt RESOLUTION 22-135, a resolution awarding the contract for the 2022 Parks Pavement and Asset Replacement Project for Bid Items 1 through 5 and Bid Alternate 1 to Minnesota Roadways Company, with a net bid of $625,663, authorizing the Mayor and City Administrator to sign said contract, and approving a budget amendment for additional expenditure to the Parks and Trails Replacement Fund in the amount of $112,021.60.

6N. Public Works Wash Bay Improvement Project Award Contract

Staff recommends Council adopt RESOLUTION 22-136, a resolution awarding the construction contract to American Liberty Construction, Inc. in the amount of $417,500 for the Public Works Wash Bay Improvements Project and authorizing the Mayor and City Administrator to sign said contract.

6O. Certifying Delinquent Utility Bill/Curb Stop Repair for 7714 Somerset Road to the Washington County Auditor

Staff recommends Council adopt RESOLUTION 22-137, a resolution Certifying Delinquent Utility Bill/Curb Stop Repair for 7714 Somerset Road to the Washington County Auditor.
6P. Authorization to Participate in the Council on Local Results and Innovation's Performance Measurement Program

Staff recommends Council adopt RESOLUTION 22-138, a resolution authorizing to participate in the Performance Measurement Program established by the State of Minnesota and the Council on Local Results and Innovation.

6Q. Authorization of Settlement and Release Agreement between City of Woodbury and James Olsen

Staff recommends Council approve the attached Settlement and Release Agreement between City of Woodbury and James Olsen.

6R. Approval to Cancel and Reschedule Council Meetings in June and August of 2022

Staff recommends Council adopt a motion canceling and rescheduling regular and workshop meetings as outlined in Council Letter 22-167.

6S. Abstract of Bills

The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the Mayor and City Administrator are hereby approved.

Staff recommends approval of the abstract of bills for May 6, 2022 in the amount of $374,400.13 and May 13, 2022 in the amount of $2,407,652.19.

7. Public Hearings - 7:12 p.m.

7A. CEC Entertainment, LLC dba Chuck E. Cheeses #792; 445 Commerce Drive, On Sale Wine and Beer Liquor License

1. Open Hearing
2. Close Hearing
3. Staff recommends Council approve an On Sale Wine and Beer Liquor License to CEC Entertainment, LLC dba Chuck E. Cheeses #792 located at 445 Commerce Drive.

7B. Hazelwood Food and Drink, LLC; 9240 Hudson Road; On Sale Intoxicating Liquor License including Sunday and Patio Sales

1. Open Hearing
2. Close Hearing
3. Staff recommends Council approve an On Sale Intoxicating Liquor License including Sunday and Patio Sales to Hazelwood Food and Drink, LLC located at 9240 Hudson Road.
7C. I-94 Logistics Center; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 01-2022-00486 and Wooddale Heights Final Plat; Project No. 01-2022-00488

1. Open Hearing
2. Close Hearing
3. Staff recommends Council
   a. Approve the Conditional Use Permit (CUP) via RESOLUTION 22-139, a resolution adopting findings of fact; and
   b. Adopt a motion approving the Preliminary Plat and Site and Building Plan Project No. 01-2022-00486 subject to the conditions as outlined in Council Letter 22-170; and
   c. Adopt a motion approving the Final Plat for Wooddale Heights and authorizing the City Administrator and Mayor to execute the Development Agreement/Builder Agreement, Project No. 01-2022-00488 subject to the Final Plat conditions as outlined in Council Letter 22-170.

7D. Royal Gateway; Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 01-2022-00491

1. Open Hearing
2. Close Hearing
3. Staff recommends Council:
   a. Approve the Conditional Use Permit (CUP) via RESOLUTION 22-140, a resolution adopting findings of fact; and
   b. Adopt a motion approving the Planned Unit Development, Preliminary Plat and Site and Building Plan Project No. 01-2022-00491 subject to the conditions as outlined in Council Letter 22-171.

8. Discussion - 7:45 p.m.

8A. Parks and Natural Resources Commission Recommendation to Elevate Environmental Stewardship as a Strategic Initiative

Staff recommends that the City Council receive and review the letter from the Parks and Natural Resources Commission.

9. Staff Reports - 8:15 p.m.

9A. Transportation Report (2nd meeting of the month – May through October)

9B. City Administrator’s Report

10. Adjournment - 8:20 p.m.

The City of Woodbury is subject to Title II of the Americans with Disabilities Act which prohibits discrimination on the basis of disability by public entities. The City is committed to full implementation of the Act to our services, programs, and activities. Information regarding the provision of the Americans with Disabilities Act is available from the City Administrator’s office at 651-714-3523. Auxiliary aids for disabled persons are available upon request at least 72 hours in advance of an event. Please call the ADA Coordinator, Clinton P. Gridley at 651-714-3523 (TDD 714-3568) to make arrangements.
Pursuant to the due call and notice thereof, a regular meeting was duly held virtually and at the Woodbury City Hall, 8301 Valley Creek Road, on the 11th day of May 2022.

Call to Order

Mayor Anne Burt called the meeting to order at 7:00 p.m.

Mayor Burt welcomed those listening and attending. She said members of the public may attend the meeting but will be required to comply with social distancing parameters as determined by the City. Members of the public may also join the meeting using a PC, Mac, iPad, iPhone or Android device. Public comments will be accepted during the meeting both in person and by using the link to the virtual meeting to join the meeting and then submit your questions via the online Q&A feature within the meeting. Questions regarding the meeting will also be taken between the hours of 8:00 a.m. to 4:30 p.m. via email council@woodburymn.gov or call 651-714-3524 and leaving a voicemail message.

Pledge to Flag

Audience, staff, and Council pledged allegiance to the flag of the United States of America.

Roll Call

Upon roll call the following were present: Mayor Anne Burt, Councilmembers: Kim Wilson, Andrea Date, Steve Morris, and Jennifer Santini. Absent: None

Others Present: Kimberlee K. Blaeser, City Clerk; Pam Whitmore, City Attorney; Clinton Gridley, City Administrator; Janelle Schmitz, Community Development Director; Chris Hartzell, Engineering Director; Mike Hejna, Principal Engineer and Eric Searles, Assistant Community Development Director/City Planner.

Special Order of Business

A. 2022 Emergency Medical Services Week Proclamation

Mayor Burt read in full a Proclamation declaring May 15-21, 2022 as Emergency Medical Services Week in the City of Woodbury.

Open Forum

The Open Forum is a portion of the Council meeting where a maximum of three persons will be allowed to address the Council on subjects, which are not a part of the meeting agenda. Persons wishing to speak must complete a sign-up sheet prior to the start of the meeting. Give the sign-up sheet to any staff person. Speakers are limited to two minutes each. The Council will listen attentively to comments but, in most instances, will not respond at the meeting. Typically, replies to the concerns expressed will be made via letter or phone call within a week.

Myles Ross, 2790 Mallard Drive, stated there are many large electrical boxes around the Valley Creek Road/Radio Drive area that would be a great place for painted murals. He added there is a similar project in Minneapolis, with public art commissioned by local artists. He noted there could be an easy approval process that would attract good local artists to participate in a public art project.

Consent Agenda

All items listed under the consent agenda are considered to be routine by the City Council and will be enacted by one motion and an affirmative vote by roll call of a majority of the members present. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event, the items will be removed from the consent agenda and considered a separate subject of discussion by the Council.

Councilmember Wilson requested that Item 6C be moved to the Regular Agenda.

Item A Approval of Council Minutes – April 27, 2022
Item B  To adopt a motion to approve Copper Hills, Final Plat, Project No. 33-2022-00485; and to authorize the Mayor and City Administrator to execute the Development Agreement with all approvals subject to the conditions as outlined in Council Letter 22-132:

1. All conditions of Planned Unit Development and Preliminary Plat approval shall remain in full force and effect.
2. The Final Plat shall include all necessary easements to match the utility plans being prepared by the City’s consultant engineer.
3. The final street names shall be reviewed and approved by the Chief Building Official.
4. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code.
5. Prior to the release of the Final Plat, a Development Agreement shall be executed.
6. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property. These charges are identified in a preliminary report prepared for the project and shall be in the Development Agreement.
7. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney’s plat opinion.
8. Prior to the release of the Final Plat, all permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements within the plat boundary shall be granted to the City at no cost or paid for by the Developer.
9. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.
10. The Final Plat shall be recorded prior to issuance of a building permit.
11. Park dedication shall be paid via a combination of cash in lieu of land dedication and land dedication. Payment shall be made prior to the release of the Final Plat.

Item C  Lake Road Trail Rehabilitation; Award Contract; Budget Amendment. This item was pulled from the Consent Agenda and moved to discussion.

Item D  To adopt the following resolution

Resolution 22-99

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services agreement with Bolton & Menk, Inc., for construction administration services for the Waypointe of Woodbury Addition Utility & Street Improvements Project (Private Construction).

Item E  To adopt the following resolution

Resolution 22-100

Resolution of the City of Woodbury, Washington County, Minnesota amending the assessment roll for the 2021 Roadway Rehabilitation project and authorizing the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

Item F  To adopt the following resolution

Resolution 22-101

Resolution of the City of Woodbury, Washington County, Minnesota approving the Cooperative Agreement between the City of Woodbury and Washington County for Construction Cost of CSAH 19 (Woodbury Drive) and Local Road Landscaping Project.

To adopt the following resolution

Resolution 22-102

Resolution of the City of Woodbury, Washington County, Minnesota approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the maintenance of CSAH 19 (Woodbury Drive) and Local Roads Capacity and Safety Improvement Project.

Item G  To adopt the following resolution

Resolution 22-103

Resolution of the City of Woodbury, Washington County, Minnesota approving the Cooperative Agreement between the City of Woodbury and Washington County for the construction cost of CSAH 18 (Bailey Road) & CSAH 19 (Woodbury Drive) Landscape Project.
To adopt the following resolution

Resolution 22-104

Resolution of the City of Woodbury, Washington County, Minnesota approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 18 (Bailey Road) Management and Safety Project.

To adopt the following resolution

Resolution 22-105

Resolution of the City of Woodbury, Washington County, Minnesota approving Amendment No. 1 to the Cooperative Agreement between the City of Woodbury and Washington County for the Maintenance of CSAH 19 (Woodbury Drive) Corridor Management and Safety Improvement Project.

Item H

To adopt the following resolution

Resolution 22-106

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the use of Trunk Water and Sanitary Sewer Funds for the Glacial Valley Road/Trunk Utility Alignment Study.

Item I

To adopt the following resolution

Resolution 22-107

Resolution of the City of Woodbury, Washington County, Minnesota authorizing the Mayor and City Administrator to execute an engineering consulting services contract with WSB, Inc., for construction administration services for the East Pointe Addition Utility & Street Improvements Project (Private Construction)

Item J

To adopt the following resolution

Resolution 22-108

Resolution of the City of Woodbury, Washington County, Minnesota awarding the construction contract to Pember Companies, Inc., for the City Hall Parking Lot Improvements project and authorizing the Mayor and City Administrator to sign said contract.

Item K

To adopt the following resolution

Resolution 22-109

Resolution of the City of Woodbury, Washington County, Minnesota approving Amendment No. 3 to the original Site Lease Agreement on the Hudson Road Water Tower with New Cingular Wireless PCS and authorizing the Mayor and City Administrator to sign the Amendment.

Item L

To adopt the following resolution

Resolution 22-110

Resolution of the City of Woodbury, Washington County, Minnesota awarding a construction contract to Miller Excavating, Inc., in the amount of $1,194,500.33 for the Hudson Road Turn Lanes at Karen Drive and Watermain Project and authorizing the Mayor and City Administrator to sign said contract.

Item M

To adopt the following resolution

Resolution 22-111

Resolution of the City of Woodbury, Washington County, Minnesota authorizing Bolton & Menk, Inc., as the engineering consultant for the 2023 Roadway Rehabilitation Project and authorizing the preparation of revised preliminary reports.

Item N

The abstract of bills includes payments made from the operating or project budgets for expenses of the city. The expenditures are from all funds of the city. Any purchased contracts requiring signature of the mayor and City Administrator is hereby approved. Staff recommends approval of the abstract of bills for April 22, 2022 in the amount of $1,537,256.66 and April 29, 2022 in the amount of $649,098.93.

Councilmember Date moved, seconded by Councilmember Santini, to approve Consent Agenda Items 6A-6N with the exception of 6C.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye
Public Hearings

A. 690 Commerce Interior Car Sales at Crossroads Commerce Center; Conditional Use Permit; Project No. 03-2022-00487

Mayor Burt declared the public hearing open.

Community Development Director Janelle Schmitz reviewed an application for a Conditional Use Permit for motor vehicle sales – interior use only at 690 Commerce Drive. The property is zoned B4, Office Warehouse District, and indoor vehicle sales are allowed as a conditional use.

Ms. Schmitz stated a neighborhood meeting was held on April 4, 2022 with no residents in attendance. Planning Commission Chair Shannon Olsen stated the Planning Commission reviewed this application at their April 18, 2022 meeting, and a condition was added to the staff report regarding clean-up and disposal of spilled substances. The Planning Commission unanimously recommended City Council approval of the request for a Conditional Use Permit for Interior Car Sales.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Date moved, seconded by Councilmember Morris,

To adopt the following resolution

Resolution 22-112

Resolution of the City of Woodbury, Washington County, Minnesota adopting findings of fact for the 690 Commerce Interior Car Sales at Crossroads Commerce Center, Project No. 03-2022-00487, subject to the conditions as outlined in Council Letter 22-144:

1. No outdoor storage shall be allowed.
2. All vehicles shall be unloaded immediately into the showroom or warehouse space.
3. Conditions for the original Commerce Center PUD and Final Site and Building Plan approval shall remain in full force and effect.
4. No banners, streamers, temporary directional signage, or window signs either adhered to or behind the glass shall be permitted.
5. No vehicle detailing, display or repair work will occur onsite.
6. Prior to the issuance of a building permit, the City shall approve plans, which adequately protect onsite sanitary and stormwater systems.
7. Semi-trucks shall not be allowed onsite for vehicle pick-up.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

B. Copper Ridge 9th Addition; Rezoning; Amended Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 28-2021-00473

Mayor Burt declared the public hearing open.

Ms. Schmitz reviewed a request from D.B. Land Development Company for a rezoning, amended planned unit development (PUD), Conditional Use Permit (CUP), preliminary plat, site and building plan for Copper Ridge 9th Addition. The property is currently zoned R1 and guided for low density mixed residential. The proposed preliminary plat would include a 3-story, 77-unit apartment building and 34 rental townhomes, and outlots for common area and stormwater management. The property is proposed to be rezoned from R1 to R4 which is standard when a property is being developed with public water and sewer systems.

Councilmember Morris stated a large crowd attended the Planning Commission meeting. He added he was disappointed in the public’s lack of professionalism and respect. He apologized to the Planning Commissioners, who are all volunteers. He noted feedback is greatly appreciated and the City Council wants to hear it, but the meetings are not the time or place for personal attacks against Commissioners.
Ms. Schmitz stated the amended PUD addresses adjusted parking ratios for the proposed apartment complex, which would total 139 spaces based on bedroom counts in the various units. She reviewed the original PUD for Copper Ridge, which was approved in 2017 and included a density transfer of 45 units to this parcel. She also reviewed the findings that are required for a conditional use permit, and how they relate to the proposed development.

Ms. Schmitz stated three neighborhood meetings were held – Jan 25, 2022; a virtual meeting on February 2, 2022; and a third meeting on April 19, 2022. Neighborhood meeting notices were sent to property owners within 500 feet, which for this project involved 173 addresses. Changes were made to the site plan based on feedback from neighbors, including the reduction of access points from 2 to 1, as well as increased landscape screening on the east and north. Concerns expressed by residents included rental property and maintenance concerns, crime, impact on property values, traffic, school district accommodation, landscaping and screening, pet relief areas, pedestrian access to schools and land use compatibility.

Planning Commission Chair Shannon Olsen reviewed questions regarding this application that had been raised by the Planning Commission as well as members of the public. A petition was signed by over 500 signatures residents of the area that are not in favor of this development. The applicant indicated that they have worked through the public process to get input and make this a more mutually beneficial project. Some concerns raised include public safety; water usage; retaining walls; whether crime studies have been completed; sustainability; exterior storage; whether similar applications have been denied in the past; crosswalks at all four corners of the roundabout; adjusting speed limits and whether a speed study is necessary; and trail connections. The application was approved by the Planning Commission on a 4-2 vote.

Mayor Burt acknowledged the following emails that were received by City Staff:

Brad Bombadier, 4759 Copper Circle (2 emails)
Nadi Navsakar, gmail address
Vercelin Lazar, 8793 Granite Circle
Suzette Frith, gmail address
Connie Giddings, 8607 Platinum Cove
Greg Johnson, 4769 Copper Circle

Mayor Burt read the four questions submitted by Greg Larson, 4769 Copper Circle:

1. At the May 2 Planning Commission meeting there was discussion that part of stormwater holding pond south of Bailey Lake Road was included as part of development site plan? If this is true, was this done to add acreage to the site plan, to lower the density, to add green space? If so, is this legal or ethical?
2. What apartment complexes in Woodbury have been built a mile from a main thoroughfare and within a residential neighborhood of owned properties? I consider Bailey Road, Radio Drive, and Woodbury Drive to be main thoroughfares, but not Bailey Lake Road and Pioneer Drive due to many roundabouts and lower posted speeds.
3. I believe there are many undeveloped parcels of land on main thoroughfares in Woodbury better suited for rental apartments and rental twin-homes. Was this project encouraged by City Staff because previous development failed or was never completed, and infrastructure was already in place?
4. From the beginning of talks between the developer and City Staff, how many and when were public meetings held and what notifications were sent to me at 4769 Copper Circle which is within 500 feet of the proposed development?

Rachel Nelson, 4649 Copper Ridge Drive, stated she is a nearby resident and that she was put into the position of a commissioner by the Council. She added she volunteers for the Commission because she cares about the community and its citizens. She asked the City Council to listen to the citizens of Woodbury and put a stop to this project. She noted 609 signatures have been collected on a petition, signed by residents who do not support this project. Ms. Nelson submitted the petition as well as other documents associated with her concerns to the City Council.

Ms. Nelson stated the proposed uses do not benefit surrounding areas and will bring health and safety issues. The high density will change the character of the neighborhood and cause a 693% increase people, an increase in crime, water usage and public safety issues. The property owner chose to keep the property until all the nearby homes were purchased, not notifying new homeowners about their plans. She does not feel the stormwater acreage should be included in the density transfer. The increased population will push families out who have students at East Ridge High School. High density zones are highly correlated with increased crime, which is reflected by viewing Woodbury’s own high density crime maps. This project also requires a parking garage which can be a place for violent crimes to occur. High density zones provide more areas for more people to hide since neighbors don’t know neighbors. She stated rental communities have a less sense of community because people don’t get a chance to know each other because they are frequently moving in and out. She referred to a packet of information, given to the council, related to the correlation of serious violent crimes in high density residential rental developments. She discussed the developer’s installation of cameras and stated there is no conclusive evidence that surveillance systems are a deterrent to crime, and property management companies have a high turnover rate. She stated we have a plethora of unoccupied rental units in the city and it is not a need for the community and certainly not the need on this plot of land. Water consumption will be increased, traffic will be increased and home values will be decreased. She stated this project does not fulfill the criteria of approving a conditional use permit as outline by Woodbury City Code.

Jeff Cassellius, 4630 Copper Ridge Drive, introduced his daughter Riley. He stated his family lives near the park, and he expressed concern about safety for his children.
Recess

Mayor Burt recessed the meeting at approximately 8:10 p.m. due to severe weather warnings.

Mayor Burt reconvened the meeting at approximately 9:10 p.m.

Mr. Cassellius stated residents do not want the development. He asked the City Council not to support the request. He thanked the City Council for everything they do on behalf of the City's residents.

David Deer's name was announced by Mayor Burt. Mayor Burt was informed that he left the meeting.

Misty Bourke, 4860 Copper Ridge Drive, asked the City Council to vote no on the high-density project in the interests of safety for children and grandchildren. She expressed concern about the number of vehicles and added traffic that will be generated by the development. She asked the City Council to show residents that they care about safety by voting no on this project.

Narayan Rajagopal, 8832 Granite Court, stated this project proposal will not be safe for his kids. He added he would not have chosen this neighborhood if he had known about this.

Nick Miller's name was announced by Mayor Burt. Mayor Burt was informed that he left the meeting.

Darrell Grannis, 4648 Copper Ridge Drive, stated he supports what the other residents are saying. He added there are no other apartment complexes in residential neighborhoods, and this would set a precedent for other developments. He noted the developer is here to make money, and he supports something more compatible with the owned townhouses across the street.

Daphne Norman, 4604 Bailey Lake Circle, stated the City Council would be putting an ugly apartment building that would ruin her view of the sunset. She added she is a future voter.

Shoaib Kandlawala, 4578 Bailey Lake Circle, stated the Comprehensive Plan defines low-density mixed residential and categorizes house types, including single family homes, detached homes, twin homes, townhomes and detached townhomes. He added there is no mention of apartments. He noted he lived in CityWalk for 3-4 years, which was the best apartments in Woodbury. He urged the City Council to deny this request.

Jayasri Mikkilineni's name was announced by Mayor Burt. Mayor Burt was informed that Jayasri Mikkilineni left the meeting.

Madhan Radikindi's name was announced by Mayor Burt. Mayor Burt was informed that Madhan Radikindi left the meeting.

Prakash Podaralla, 4512 Ashton Curve, stated he agrees with all the residents who have spoken.

Charles Nyberg's name was announced by Mayor Burt. Mayor Burt was informed that Mr. Nyberg left the meeting.

Rahul Raghav, 4744 Bluestem Way, Ashton Ridge Community, stated he agrees with everything that has been said. He expressed concern about security and safety for parents whose children are coming back from East Ridge High School late at night, as parents will now have to pick them up. He added rental properties will kill the sense of belonging and responsibility of the neighborhood. He noted we have all lived in apartments and see how involved we were in the community. He expressed his strict opposition to the project.

Saqib Khawaja, 8652 Platinum Drive, stated he concurs with everything that has been said so far. He added the 2040 Comprehensive Plan does not identify apartments in the low density.

Kelsey Solberg, 4524 Cobalt Drive, stated there are currently 712 open apartments for rent in Woodbury, and an additional 300 will be available in 2023, for a total of over 1,000 available apartments. She added Woodbury does not need another apartment building. She noted the builder is proposing to build cheaper apartments than other apartments in Woodbury.

Catalina Jones, 8830 Granite Court, stated she has been to every neighborhood meeting, and she lives directly across from where the apartment building will be built. She urged the City Council to understand how it would feel to have a big building in front of their house, with people looking in the windows every day. She added she has a young daughter, and it is painful to consider the implications of this development on their home. She asked the City Council to think about all the people sitting here, and the efforts they have made for their homes, before voting yes on this project.

Mai Nguyen, 8519 Titanium Circle, stated her daughter feels safer living in Woodbury than on campus in Dinkytown and plans to move home. She added she will have to tell her daughter it is not as safe as you think. She urged the City Council to vote no.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.
Mayor Burt asked whether the findings of fact meet the requirements of the Ordinance. City Attorney Pam Whitmore stated the City Council has a recommendation from the Planning Commission, as well as research and analysis by City Staff. She added the Ordinance provides developers with specific requirements for compliance to obtain a CUP. She noted review of any City Council’s decision would be based on if Council acted reasonably in its decision and if Council’s Findings of Fact are tied to the conditions set forth in the city ordinance.

Councilmember Santini asked how many townhomes were included on the ghost plat. Ms. Schmitz stated there were approximately 90-100 proposed townhomes.

Councilmember Santini asked how far the grade will be reduced in relation to existing townhomes. Assistant Community Development Director/City Planner Eric Searles stated the general grading sets up a walkout elevation for the apartment building, with a stepped down transition as you get closer to Pioneer Drive.

Councilmember Santini asked if the rezoning from R-1 to R-4 would be needed if a different development proposal was being considered. Ms. Schmitz said that the rezoning would still be required to allow for urbanized development.

Councilmember Santini stated, with regard to landscape screening, more mature trees are not always desirable because they have a higher chance of failing. Mr. Searles confirmed this, adding the City collects security for two growing seasons for trees to survive. He added the City’s property maintenance ordinance requires that landscaping included as part of an approved plan would need to be replaced by the landowner, even if it is after the two year escrow.

Councilmember Wilson asked whether the parcel would be considered high density if it were a stand-alone piece of property, given the acreage minus the stormwater area. Mr. Searles stated the property would be 9.5 units per acre without the stormwater management area, which is considered medium density. In response to a question from Council Member Wilson, Mr. Searles stated the proposal meets the 3.5 units per acre requirement based on the overall gross acreage of the entire Copper Ridge PUD.

In response to a question from Council Member Wilson regarding trees and security collection and what happens if after five years trees need to be replaced, Mr. Searles explained that the city has property maintenance ordinances that requires landscaping that has been placed, as a part of an approved landscape that would require the landowner to replace.

Councilmember Wilson stated, for clarification, the City Council has received and reviewed copies of all the emails that were received from members of the public on this issue.

Councilmember Wilson asked why there was a delay in bringing forward this application since the PUD was approved in 2017. Brian Friemann, the applicant, stated his company acquired the land in August 2021.

Councilmember Wilson asked about the ghost plat that laid out townhomes on the property. Mr. Searles stated that the City requires a ghost plat for adjacent vacant property to identify that there will be development on the property, and allows for an early review by City Staff related to public infrastructure and impacts to adjacent property. He added that rarely do the ghost plats come in exactly as shown, but they typically are consistent in terms of density.

Councilmember Wilson stated the amenities are private and asked whether the trail connections will be private. Mr. Searles stated they are proposed to be private but it is anticipated that the public will utilize them. Councilmember Date affirmed the sidewalks/trails will be privately maintained but anyone can use them.

Councilmember Wilson stated the City Council is obligated to honor the density transfer that was completed in 2017, and that something will be developed on this property. She noted the importance of doing due diligence when you buy a home, but added that in this situation, it would have been hard to do due diligence and think that something other than what is currently around the area would be proposed. She added she is trying to figure out how the apartment complex will fit into the existing neighborhood, as it is taller than the other buildings in the area, and noted that directly across the street from the proposed apartment are two-story townhomes. She noted she supports having a diversity of housing and neighborhoods, but she’s not sure that a three-story apartment complex fits in the middle of this residential area.

Mayor Burt asked for clarification as to the height of the adjacent townhomes. A conversation ensued regarding the height of townhomes that are near the proposed development. Mrs. Searles noted that there are two-story townhomes directly adjacent to the proposed apartment, but there are also three-story townhomes in this area as well.

Councilmember Morris stated that while this application does what the city desires to do from a diversity of housing perspective, the folks who will be directly affected by the development have a different opinion, and he needs to consider their interests as well. He noted that he could argue that some of the findings are not met, for example in terms of public health, safety and general welfare, the ability to effectively screen the apartment building due to its height. He noted he likes certain aspects of this project, as it decreases the amount of impervious surface and feels more open, but he also agreed with Councilmember Wilson’s comments about due diligence and
that an apartment building was not something that would have been anticipated. He does not believe that an apartment building is the right fit for this location. He added that he feels we can still achieve the density with a different project.

Councilmember Date stated the property is adjacent to her home, and many of the people who spoke tonight are her neighbors. She added she believes the City had a responsibility to review ghost plats to ensure they can meet the proposed density and other considerations, and that there is a disconnect between the ghost plat and the density transfer figures. She noted this proposal has more open space than the original version, which she likes. She expressed her intention to abstain from voting as the project is adjacent to her home.

Councilmember Santini stated she struggles with the default assumption that people who live in apartments will probably cause crime and that a rental project may cause an unsafe environment. She added she grew up in an apartment, and she never felt less committed to her community because of it. She added that the City of Woodbury is looking toward the future, which will include residents of this development as well as current residents. The City Council has expressed a desire for people to feel welcomed in Woodbury, and she does not support the sentiment that people who live in rental units would not be contributing community members. She stressed the importance of diverse housing options that provide opportunities for all people who want to live in Woodbury. She acknowledged the concerns of current residents who live adjacent to the property, and while she supports the rental and density aspects of the proposal, she agrees that the issue may be more related to the apartment product itself.

Mayor Burt cautioned against assuming that renters are of lesser value in the community. She added many people choose to rent for various reasons, and market conditions are favorable for renters right now. She said that the original ghost plat felt very dense, and this proposal had more open space and landscaping, but she also questioned whether the apartment building is the right product here. She noted the property has certain development rights and is guided for future development, and it will not remain empty. Mr. Searles confirmed this will continue to be a development site.

Mayor Burt stated the ghost plat could be pursued, although it would have less consolidated open space and more impervious surface.

Councilmember Wilson stated a townhome development could mimic the west side of Granite Court, which would allow for a similar design with green space and would be more representative of the neighborhood. Councilmember Morris agreed.

Mr. Gridley reviewed possible actions by the City Council: a vote either in favor of or against the application; table the issue with no particular direction; or table the issue with direction to City Staff. He also clarified that a majority of the council with the abstention is needed to pass a motion, which means three of the four voting members.

Mr. Searles stated, by State statute, municipalities must review applications within 60 days. The City can extend that to 120 days if a completed application has been submitted. To date, there is not a complete application on file for this development.

Mayor Burt stated she would like to explore something closer to the ghost plat. She stressed that this still could potentially mean all rental units, and that all townhomes may bring increased traffic.

Councilmember Santini stated there could also be a potential of more parking spaces associated with the ghost plat concept with all townhomes than what is proposed with the development currently under consideration.

Councilmember Morris stated he would like to make a motion of denial based on a few of the findings not being met.

Mr. Searles stated the City Council could table the item and direct City Staff to evaluate the findings from a denial perspective and redraft the Resolution which would be brought back to Council at a future meeting.

Councilmember Morris withdrew his motion.

Councilmember Morris moved, seconded by Councilmember Wilson,

To adopt a motion to table the Copper Ridge 9th Addition; Rezoning; Amended Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 28-2021-00473 and direct City Staff to revisit findings of fact in pursuit of denial.

Discussion during motion:

Councilmember Santini asked whether the City Council should address the change in zoning at this meeting to help with future conversations.

Mr. Searles stated it would be appropriate to approve a portion of the project, or it can be reviewed with the rest of the application.

Councilmember Wilson suggested the zoning should be addressed when the City Council discusses this development at a future meeting.
City Attorney Whitmore said that since the project is being tabled there is no justification for the rezoning at this moment so to have it at a later date is okay.

Councilmember Wilson added she would like Council to discuss the density transfer tool in the future. She understands that we can’t go back and change the density transfer that was approved as part of this original PUD in 2017, but how can we better utilize this tool going forward.

Mr. Searles stated it would be fair and reasonable to illustrate the maximum density allowed in future ghost plats especially if there is a density transfer.

Voting via voice:

Kim Wilson – aye
Andrea Date – abstain
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

C. Resurrection Lutheran Church Farmers’ Market; Interim Conditional Use Permit; Project No. 27-2022-00489

Mayor Burt declared the public hearing open.

Ms. Schmitz reviewed an application for an Interim Conditional Use Permit for a farmers’ market at to be held at Resurrection Church at Bailey Road and Woodbury Drive, which is zoned R-4 – Urban Residential and guided as public/semi-public on the Land Use Plan. An ICUP is required for the farmers’ market to ensure compliance with the Zoning Ordinance. The market will be held Tuesday evenings from 2:00 p.m. – 7:00 p.m., including set-up and clean-up, from late May through the end of September. There is on-site parking for up to 25 vendors, and 53 parking spaces for vendors and pedestrian circulation. There are no conflicting uses on the site.

Ms. Schmitz stated a neighborhood meeting was held on April 4, 2022 and one person attended. City Staff was contacted by an additional resident, and questions were raised regarding terms of use, circulation on Bailey Road, and potential security.

Planning Commission Chairperson Shannon Olsen stated the applicant will be responsible for reviewing vendor applications, and tent sizes are not regulated. She added the application was approved on a 6-0 vote by the Planning Commission.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Santini stated eastbound Bailey Road gets really backed up and could be a traffic and public safety concern.

Paul Edgerton, West Lakeland Township, stated he is the market manager, and this issue was discussed with City Staff.

Mayor Burt stated perhaps a temporary right turn only could be considered. Councilmember Morris stated that could be added as a condition in the ICUP, during periods of operation.

Engineering Director Chris Hartzell stated a right turn only sign would be required and would be difficult to enforce at an intersection that is designed with a full access. He added the applicant is correct in indicating that this will only be a problem during certain times of the day, and further study is needed. He noted City Staff monitors these types of situations and can find workable solutions.

Mr. Edgerton stated there will be a soft open for the market on May 24, 2022, with an official open date of May 31, 2022.

Councilmember Santini moved, seconded by Councilmember Date,
To adopt the following resolution

To adopt the following resolution Resolution 22-113

Resolution of the City of Woodbury, Washington County, Minnesota adopting findings of fact for Resurrection Lutheran Church Farmers’ Market, Project No. 27-2022-00489, subject to the conditions as outlined in Council Letter 22-146:

1. The Interim Conditional Use Permit shall terminate upon a change in zoning regulations which would prohibit the use or upon violation of the conditions under which the permit was issued.
2. Upon the occurrence of the date or of the criteria for termination set forth in the Interim Conditional Use Permit, the City shall notify the Permittee in writing that the Interim Conditional Use Permit shall terminate not later than 30 days after the date of such notice.

3. The Interim Conditional Use Permit shall be reviewed annually but may be reviewed at any time if the City Council is of the opinion that the terms and conditions of the permit have been violated or if one of the criteria for termination has been met.

4. The Resurrection Lutheran Farmers’ Market will be open on Tuesdays from late May through the last Tuesday of September. The hours of operation will be from 2:30 p.m. to 7:00 p.m.

5. The Applicant shall be allowed four (4) temporary signs. One sign shall not exceed 24 square feet in area and not more than six (6) feet in height. The other temporary, directional signs must not exceed four (4) square feet and be located onsite, at least 15 feet from the back of Council Letter 22-146 May 11, 2022 Page 2 the curb. The signs shall be permitted to be installed on Monday evening and removed on Wednesday morning.

6. The market manager shall ensure the site is cleaned up after market hours.

7. Parking for vendors and customers shall be restricted to asphalt only, no parking in the grass or medians will be permitted.

8. The Interim Conditional Use Permit shall be executed prior to the market becoming operational.

9. Barriers and cones shall be present at all times when the market is in operation. If operational issues are identified by the City, the Applicant shall work with staff to create a circulation plan for the site.

Voting via voice:

- Kim Wilson – aye
- Andrea Date – aye
- Steve Morris – aye
- Jennifer Santini – aye
- Anne Burt – aye

D. Adoption of Special Assessments for the Lake Road 4-3 Lane Conversion Project

Mayor Burt declared the public hearing open.

Mike Hejna, Principal Engineer, reviewed project scope and assessments related to re-paving the section of Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive, and mill and overlay project and re-striping from a 4 to 3-lane section. A 2-week road closure is planned at the intersection of Courtly and Lake Roads. One property owner for four parcels is being assessed for this project.

Mr. Hejna stated a project to repave the trail between Wooddale Drive and Pioneer Drive under a separate contract with the same contractor will be done concurrently, as well as a trail project on Lake Road and an intersection project.

Mayor Burt moved, seconded by Councilmember Morris, to close the public hearing.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Councilmember Wilson requested clarification regarding the number of parcels and minimum assessments for each parcel. She added the assessments seem low. Mr. Hejna stated there are 4 parcels with a single owner in an area of higher density than that which is required for the assessment policy.

Mr. Hartzell stated housing densities of 5 units per acre or more are exempt from the minimum assessment.

Councilmember Wilson asked whether the sidewalks are rolled into the assessment. Mr. Hartzell stated this is a trail. He added the City Council voted to pre-empt the assessment policy with the creation of the Parks and Trails Capital Replacement Fund from franchise fees that were collected.

Councilmember Wilson asked whether sidewalks and trails are included at 100% in the roadway policy. Mr. Hartzell confirmed that trails are part of the Trails Capital Replacement Fund. He added no properties have been assessed for rehabilitation of trails.

Mayor Burt stated there may be an opportunity to clarify that policy. Mr. Gridley agreed.

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-114

Resolution of the City of Woodbury, Washington County, Minnesota adopting the special assessments for the Lake Road 4-3 Lane Conversion Project.
Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

E. Lake Road 4-3 Lane Conversion Project; Award Contract; Amend Budget; Consultant Selection

At the request of staff, Mayor Burt announced that this item be tabled to the May 25, 2022 City Council meeting.

Discussion

A. Consent Agenda Item 6C Related to the Lake Road Trail Rehabilitation Project

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-115

Resolution of the City of Woodbury, Washington County, Minnesota awarding the construction contract to McNamara Contracting for the Lake Road Trail Rehabilitation project and authorizing the Mayor and City Administrator to sign said contract.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

Councilmember Morris moved, seconded by Councilmember Santini,

To adopt the following resolution

Resolution 22-116

Resolution of the City of Woodbury, Washington County, Minnesota amending the Street Reconstruction / Maintenance Fund and Parks and Trails Replacement Fund Budgets for the Lake Road Trail Rehabilitation Project.

Voting via voice:

Kim Wilson – aye
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

B. Approval of Minutes – April 13, 2022

Mayor Burt explained that staff has included in the Council packet a red-lined version of the corrections to the April 13, 2022 meeting minutes to address the correction found by Councilmember Santini regarding an incorrect second on a motion. In addition, Councilmember Wilson, who initially pulled the minutes from the April 27, 2022 Consent Agenda for discussion, has shared with staff a list of additions she would like to have included in those minutes.

The City Council could move on the red-lined minutes but stressed the importance of reviewing Councilmember Wilson’s request for additions and what the City’s policy related to minutes guides us to do.

The City Council heard from the City Attorney last week that State statute requires a summary of Ordinances, Resolutions and claims in the minutes and does not require verbatim transcription of what occurred during the meeting. In addition, the City Council learned that the City hires a specialized professional service to create the minutes.
Mayor Burt stated, from her perspective, what goes into minutes is operations unless there is an error, in which case the City Council can pull the minutes and direct City Staff to correct them.

Councilmember Wilson stated she is not asking for a verbatim transcript but rather idea for idea and consistency. She stressed the importance of being consistent in the minutes.

Mayor Burt stated a professional transcription service is hired to produce the minutes and Ms. Blaeser reviews them for accuracy. She added the verbatim format is unnecessary and should be avoided.

Councilmember Wilson stated City Staff has an opportunity to review their statements and make corrections, but City Council does not.

Mayor Burt stated the City Council can make corrections when there is an error.

Attorney Whitmore stated the purpose of pulling the minutes is to make corrections. She added a correction is something that was stated wrongly as opposed to adding something that a Councilmember feels is missing, which is adding content.

Councilmember Wilson stated the transcription service could have two different people transcribing who would provide two different sets of minutes.

Mayor Burt stated this is an operations issue, and City Clerk Kim Blaeser is responsible for minutes and working with the transcription service.

Councilmember Wilson stated she is not saying that Ms. Blaeser is not good at her job.

Councilmember Morris asked whether meeting videos can be pulled from the City website. Ms. Blaeser stated videos are retained for 3 months per City records retention policy. She added the approved hard copy of the minutes is considered the official record.

Mr. Gridley stated the video is produced by the Cable Commission based on their protocols and is not the City's consideration.

Councilmember Wilson stated the City of Cottage Grove keeps their videos for years. Mr. Gridley stated the City has not directed the Cable Commission to keep videos for a specified amount of time.

Councilmember Santini stated she appreciated reviewing both sets of minutes and seeing that the minutes had not been edited. She asked whether other cities circulate minutes to Councilmembers prior to adding them to the meeting packet. Ms. Whitmore stated the League recommends summary minutes as required by Statute. She added cities that use a transcription service generally do not get involved in editing minutes content.

Mayor Burt moved, seconded by Councilmember Date,

To adopt a motion accepting the April 13, 2022 meeting minutes with the correction included in the meeting packet.

Voting via voice:

Kim Wilson – nay
Andrea Date – aye
Steve Morris – aye
Jennifer Santini – aye
Anne Burt – aye

City Administrator’s Report

Mr. Gridley reviewed the following upcoming meetings:

May 16, 2022 – Planning Commission meeting
May 25, 2022 – City Council meeting
Adjourn

Mayor Burt moved, seconded by Councilmember Date to adjourn the meeting at 11:21 p.m.

Voting in Favor: Wilson, Date, Morris, Santini, Burt
Absent: None

Respectfully submitted,

Kimberlee K. Blaeser, City Clerk

Approved by the Woodbury City Council on May 25, 2022
Council Letter 22-151

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval of City of Woodbury 2022 Annual Action Plan

Summary

Woodbury’s allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds from the US Department of Housing and Urban Development (HUD) operates within a program year of July 1 to June 30. The investments of these HUD funds are governed by an Annual Action Plan (AAP) and the 2022 version of the AAP was reviewed at a public hearing on March 16, 2022. The public hearing was followed by a 30-day comment period. No comments were offered at either the public hearing or during the comment period.

In addition to CDBG and HOME administrative expenditures, the 2022 AAP allocates:

- $232,156 for one playground equipment replacement project with three separate activities at the City’s Evergreen East, Pondview, and Westview Parks.
- $53,150 to supplement the Woodbury Housing and Redevelopment Authority’s (HRA) levy as a funding source for the Woodbury First-Time Homeownership Program.

The City will not receive a HOME allocation during this program year because the relevant HOME dollars are instead being allocated directly to Anoka County to repay the loan of HOME funds that was received in 2021 to help close the development pro forma gap for the Orville Commons project.

Recommendation

Staff recommends Council adopt the attached resolution approving the City of Woodbury 2022 Annual Action Plan.

Fiscal Implications

The adoption of the 2022 AAP establishes how HUD funds will be invested by the City between July 1, 2022 and June 30, 2023 and lays the groundwork for the Housing and Urban Development Fund 2023 budget. The Housing and Urban Development Fund is a special revenue fund and as such none of these costs impact the City’s General Fund.

Administrative costs of the HUD programs are paid for with CDBG dollars.
Policy

At the federal level, CDBG is governed by 24 CFR 570 and HOME is governed by 24 CFR 92. There are also a wide range of cross-cutting federal regulations including but not limited to the National Environmental Policy Act, federal labor standards, the Civil Rights Act and Section 3 of the HUD Act of 1968 that provide a regulatory framework for the use of these HUD funds. At the local level, in addition to the City’s federal grants and awards compliance policy, six council directives provide guidance regarding the operation and management of HUD funds including CD-COMDEV-3.12 through 3.16, inclusive, and CD-COMDEV-3.21.

Public Process

- January 26, 2022 City Council resolution establishing parks and affordable housing as 2022 AAP high funding priorities;
- March 16, 2022 public hearing on draft 2022 AAP (no comments received);
- Public comment period regarding draft 2022 AAP was open from March 17, 2022 to April 15, 2022 (no comments received); and
- May 25, 2022 adoption of 2022 AAP.

Background

The City of Woodbury first became a direct recipient of HUD funds on July 1, 2010. Prior to that point in time, these funds were administered by Washington County. In previous program years, Woodbury has been successful in achieving affordable housing goals and completing park improvements using CDBG and HOME. The following projects have been funded since 2010 using these HUD funds:

- 46 Woodbury First-time Homeownership and Foreclosure Purchase Program loans
- Affordable housing development subsidies at Cobble Hill Apartments, Garden Gate 2nd Addition, Glen at Valley Creek, and Orville Commons
- Fair housing investments via the Fair Housing Implementation Council
- Park rehab projects in Carver Lake Park, Cree Park, Evergreen West Park, Garbe Park, Menomini Park, Ojibway Park, Potawatomi Park, Shawnee Park, and Windwood Passage Park.

Proposed Program Year 2022 Investments

The City Council adopted a resolution at its January 26, 2022 meeting identifying parks and affordable housing as the two high priorities for use of HUD funds. The 2022 AAP allocates $53,150 to the Woodbury First-Time Homeownership Program. These affordable housing investments are tied directly to financial instruments that cap the household income of the end beneficiary to ensure that the dollars meet the CDBG national objective of benefitting low- and/or moderate-income persons.

The 2022 AAP also allocates $232,156 of CDBG to finance three separate playground equipment replacement activities at City’s Evergreen East, Pondview, and Westview Parks. Section AP-05 of the 2022 AAP “acknowledges that the current inflationary environment makes it more difficult than in the past to project costs in advance of project procurement. As such, this project will take advantage of bulk pricing and will be procured as one single project with three separate
activities. In the event that the proposed $232,156 of CDBG is not sufficient to pay the costs for all three activities, the City will prioritize improvements at Pondview Park and Westview Park. This prioritization will be achieved by scaling back the scope of work at Evergreen East Park or, if needed, postponing the Evergreen East Park activity to a future program year.” The exact scope of work for the project will be finalized in late 2022/early 2023. Park projects meet the national objective of benefitting low- and/or moderate-income persons by meeting the two-part test listed below:

1. Be located in one of the geographic areas identified in red in the map below; and
2. The likely users of the investment must reside proximate to the area in question. CDBG may not be invested in a facility that serves a broader region outside of the specific Census Tract Block Group because that regional approach would inhibit the City’s ability to ensure that the investment benefit low- and/or moderate-income persons. (These investments are known as LMA projects because they are invested in low- and moderate-income areas.)

The map below shows the Census Tract Block Groups in which CDBG may be invested for park projects that are determined to benefit low- and moderate-income households on an area basis (LMA). The project benefitting Evergreen East, Pondview, and Westview Parks, as depicted in the map below, is within such a Census Tract Block Group and is proposed to be the recipient of PY22 CDBG funds.

Formatting

The federal process for drafting and submitting the consolidated plan is digital in nature and uses a secure website through which questions are asked and response fields are character limited. For the purposes of readability, these fields have been exported into Microsoft Word with the HUD questions in bold and the City answers in regular font.

Changes to the 2022 AAP since the March 16, 2022 Public Hearing

Strikethrough and clean versions of the proposed 2022 AAP are attached to this document. Following the drafting of the March 16, 2022 public hearing version of the 2022 AAP, HUD published the final Program Year 2022 CDBG grant awards on May 13, 2022 which resulted in a $7,844 decrease to the City’s projected annual CDBG grant award amount. Consistent with the language in the March 6, 2022 notice of public hearing and the language of the March 16, 2022 public hearing version of the AAP, the amount of funds available for the parks project has been reduced from $240,000 to $232,156. This process is identified within Section AP-15 of the 2022 AAP.
Resolution 22 -

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the City of Woodbury 2022 Annual Action Plan

WHEREAS, effective July 1, 2010 the City of Woodbury is a direct recipient of Community Development Block Grant (CDBG) funds via the US Department of Housing and Urban Development (HUD) and a subrecipient of HOME Investment Partnerships Program (HOME) dollars through the Dakota County HOME Consortium; and

WHEREAS, HUD requires recipients of CDBG and HOME to adopt an Annual Action Plan (AAP) that identifies the specific activities that will be funded; and

WHEREAS, Woodbury’s program year 2022 for CDBG and HOME funds as funded within Federal Fiscal Year 2022 will run from July 1, 2022 to June 30, 2023; and

WHEREAS, the City of Woodbury held a public hearing on March 16, 2022 to discuss the proposed 2022 AAP; and

WHEREAS, the City of Woodbury held a public comment period from March 17, 2022 to April 15, 2022 but did not receive any comments.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Woodbury, Washington County, Minnesota that the City of Woodbury’s 2022 AAP is hereby adopted and approved; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Woodbury, Washington County, Minnesota that the City Administrator or designee is authorized to update the 2022 AAP for formatting and grammatical purposes; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Woodbury, Washington County, Minnesota that the City Administrator or designee is authorized to update the 2022 AAP in the event that HUD staff require any clarifications or technical updates; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Woodbury, Washington County, Minnesota that the Mayor and City Administrator are authorized to sign compliance certifications and related submittal forms and paperwork as required by HUD.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The City of Woodbury became a Community Development Block Grant (CDBG) entitlement jurisdiction and a HOME Investment Partnerships Program (HOME) participating jurisdiction via the Dakota County HOME Consortium in Federal Fiscal Year 2010. Woodbury’s first program year ran from July 1, 2010 to June 30, 2011. This Annual Action Plan (AAP) governs Woodbury’s use of CDBG and HOME during Program Year 2022 (PY22) which spans from July 1, 2022 to June 30, 2023.

CDBG funds are allocated to the City directly from the U.S. Department of Housing and Urban Development (HUD). The City will access HOME funds through its membership in the Dakota County HOME Consortium. The City of Woodbury is not a direct recipient of other HUD funds such as the Emergency Solutions Grant, Housing Opportunities for People with AIDS or the Neighborhood Stabilization Program. Additionally, the City of Woodbury does not administer any public housing programs.

To meet the timelines established by HUD for accessing the funds on July 1, 2022, this AAP must be approved not later than May 15, 2022 with a public hearing held on March 16, 2022, a subsequent 30-day comment period and a potential City Council approval of the AAP on May 11, 2022.

The amounts identified below constitute the potential sources of funds for the PY22 activities:

- $250,782 annual CDBG award;
- $36,368 in projected CDBG program income;
- $44,000 in estimated unexpended prior year CDBG funds; and
- $5,000 in projected HOME program income

Program income is available based on re-payments of previously issued loans which used either CDBG or HOME as a funding source.

The Dakota County HOME Consortium will not be allocating any PY22 HOME funds to Woodbury during PY22. This is consistent with the terms and conditions of the first amendment to the City of Woodbury’s 2021 Annual Action Plan.
The City Council adopted a resolution at its January 22, 2022 meeting identifying parks and affordable housing as the two high priorities for use of CDBG and HOME funds. The map below shows the Census Tract Block Groups in which CDBG may be invested for park projects that are determined to benefit low- and moderate-income households on an area basis (LMA). For PY22, a playground equipment replacement project will occur with three separate activities at the City’s Evergreen East, Pondview, and Westview Parks.
2. **Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The executive summary of the 2020-2024 Consolidated Plan discusses the housing needs assessment (NA-10), disproportionately greater needs (NA-15, NA-20, NA-25 and NA-30), public housing (NA-35), homeless needs (NA-40), non-homeless special needs (NA-45) and non-housing community development needs (NA-50).

This 2022 AAP proposes to invest $38,000 of CDBG for program administration including but not limited to oversight, program audit, training, affirmatively furthering fair housing, small area studies, affordable housing research, coordination and monitoring of the program and coordination and oversight of HOME expenditures. Not more than the sum of twenty percent of the annual CDBG grant and twenty percent of program income earned during the year may be spent on program administration.

This 2022 AAP also proposes to pay 2.5 percent of HOME program income earned to the Dakota County Community Development Agency (CDA) for program administration given that Woodbury accesses HOME as a member of the Dakota County HOME Consortium. Separate from this administrative fee, the City proposes to invest $5,000 of HOME program income to pay Affordable Housing Connections, Inc. to facilitate income- and related-monitoring activities at the HOME-funded rental projects at per the terms of a previously approved five-year contract.

Separate from the use of CDBG and HOME administrative dollars referenced above, the City will invest $293,450\(\text{\$285,306}\) in projects funded by CDBG including:

- $240,000\(\text{\$232,156}\) for playground equipment replacement activities at the City’s Evergreen East, Pondview, and Westview Parks.
- $53,150 to supplement the Woodbury Housing and Redevelopment Authority’s (HRA) levy as a funding source for the Woodbury First-Time Homeownership Program. Funding in this amount will likely fund two separate loans plus administrative costs directly connected to the loan issuances.

The specific amount of the annual CDBG grant award for PY22 has not yet been finalized by the US Government. As such, the City has drafted this PY22 AAP from a budget perspective assuming a zero percent change to the PY21 CDBG annual grant award amount of $250,782. In the event that the amount of the PY22 CDBG annual grant award increases from the $250,782 amount, the budget for the Pondview Park, Westview Park, and Evergreen East Park project will increase on a pro rata basis. In the event that the PY22 CDBG annual grant award decreases from the $250,782 amount, the budget for the Pondview Park, Westview Park, and Evergreen East Park project will...
decrease on a pro rata basis. Under no circumstances will the City invest more than twenty percent of the sum of the annual CDBG grant award and CDBG program income receipted during the program year on program administrative expenses during PY22.

Additionally, with regard to the proposed PY22 Pondview Park, Westview Park, and Evergreen East Park project, the City acknowledges that the current inflationary environment makes it more difficult than in the past to project costs in advance of project procurement. As such, this project will take advantage of bulk pricing and will be procured as one single project with three separate activities. In the event that the proposed $240,000 [232,156] of CDBG is not sufficient to pay the costs for all three activities, the City will prioritize improvements at Pondview Park and Westview Park. This prioritization will be achieved by scaling back the scope of work at Evergreen East Park or, if needed, postponing the Evergreen East Park activity to a future program year.
3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Each year, not later than September 30th, the City submits to HUD a Consolidated Annual Performance and Evaluation Report (CAPER) which captures progress toward meeting needs and achieving strategies established in a Consolidated Plan and the Annual Action Plans. Each of the CAPERs that Woodbury has submitted to HUD since 2010 has been accepted and approved by HUD. Woodbury’s most recent CAPER, covering the activities of PY20, was approved by HUD on October 19, 2021.

In the past, Woodbury has been successful in achieving affordable housing goals as well as public facility improvements using CDBG and HOME. The following projects have been funded since 2010 using these HUD funds:

- 2010-present: 46 First-time Homeownership and Foreclosure Purchase Program loans
- 2010-present: fair housing investments via the Fair Housing Implementation Council
- 2010: Expansion of Cree Park
- 2010: Rehab project at Garbe Well Site Park
- 2011: Development subsidy to Twin Cities Habitat for Humanity’s affordable homeownership units constructed in Garden Gate 2\textsuperscript{nd} Addition
- 2016: Rehab project at Carver Lake Park
- 2017: Rehab project at Evergreen West Park
- 2017-2019: Development subsidy to the Washington County CDA’s Glen at Valley Creek redevelopment
- 2018: Rehab project at Windwood Passage Park
- 2019: Rehab project at Potawatomi Park
- 2020: Exterior repair project at Cobble Hill Apartments
- 2020: Rehab project at Ojibway Park
- 2021: Rehab project at Menomini Park
- 2021-2023: Development subsidy to Dominium’s Orville Commons project
- 2022: Rehab project at Shawnee Park*

*This 2022 AAP notes that funds allocated to the Shawnee Park project by the 2021 AAP will be expended during both PY21 and PY22 due to the seasonality of the construction season.

Separate from the list above of “standard” CDBG and HOME investments, the federal CARES Act created supplemental CDBG dollars known as CDBG-CV. CDBG-CV dollars must be used to plan for, prepare for or prevent the spread of COVID-19. The City received an allocation of CDBG-CV dollars in an amount of $382,340 and allocated the funds as follows:
• $238,000 to the Washington County Community Development Agency to provide emergency housing assistance to income-qualified Woodbury homeowners;
• $39,000 for urgent public safety needs of the City of Woodbury that do not otherwise have a funding source;
• $31,000 to the Christian Cupboard Emergency Food Shelf;
• $26,000 to Community Action Partnership of Ramsey and Washington Counties to provide emergency housing assistance to income-qualified Woodbury residents;
• $19,000 to SoWashCo CARES to provide mental health assistance to ISD 833 families who live in Woodbury;
• $15,000 to the Woodbury YMCA to provide free child care to residents impacted by COVID-19; and
• $14,340 for program administration

4. Summary of Citizen Participation Process and consultation process
In addition to conversations with key housing stakeholders such as the Washington County CDA and a variety of realtors, loan officers and housing developers, formal citizen participation process occurred on the following dates:

1. January 26, 2022 Council meeting establishing parks and affordable housing as 2022 AAP high funding priorities;
2. March 16, 2022 public hearing on draft 2022 AAP;
3. Public comment period regarding draft 2022 AAP was open from March 17, 2022 to April 15, 2022; and
4. May 25, 2022 adoption of 2022 AAP.

Items 2 and 3 were noticed within the Saint Paul Pioneer Press and items 1, 2, and 4 occurred during regularly scheduled City Council meetings.

5. Summary of public comments
This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the 2015-2019 Consolidated Plan.

No public comments have been received as of the date of the authorship of this 2022 AAP.

6. Summary of comments or views not accepted and the reasons for not accepting them
No public comments have been received as of the date of the authorship of this 2022 AAP.

7. **Summary**

All CDBG and HOME funds will be invested according to the terms of this 2022 AAP with the two core programmatic areas of investment being public facility and affordable housing investments.
PR-05 Lead and Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

<table>
<thead>
<tr>
<th>Agency Role</th>
<th>Name</th>
<th>Department/Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDBG Administrator</td>
<td>WOODBURY</td>
<td>Community Development Department</td>
</tr>
</tbody>
</table>

| Table 1 – Responsible Agencies |

**Narrative**

The City of Woodbury’s Community Development Department is responsible for managing the CDBG and HOME programs as they are applied in Woodbury. Specifically, Karl Batalden, the City’s Housing and Economic Development Manager has served as the project manager overseeing the development of the 2020-2024 Consolidated Plan and this 2022 Annual Action Plan. The City takes a collaborative approach; however, and has consulted closely with other members of the Dakota County HOME Consortium to ensure consistency in the planning process. The City’s Community Development Director, as designated by Resolution Number 20-12 of the City Council, serves as the Certifying Officer for environmental reviews and other related matters.

Annual Action Plans are submitted to HUD through the online Integrated Disbursement and Information System (IDIS). Within IDIS, Annual Action Plans are broken into sub-sections that are specific to HUD’s various grant programs. Given that the City of Woodbury receives HOME as a sub-recipient member of the Dakota County HOME Consortium, information regarding HOME is gathered through Dakota County’s Annual Action Plan rather than Woodbury’s. As such, this City of Woodbury 2022 Annual Action Plan does not include Sections AP-60 or AP-65 regarding HOME.

**Consolidated Plan Public Contact Information**

Karl Batalden,  
Housing and Economic Development Manager  
City of Woodbury  
8301 Valley Creek Road  
Woodbury, MN 55125  
karl.batalden@woodburymn.gov  
651-414-3438
AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

Introduction

As described below, Woodbury’s outreach and consultation strategies include efforts to engage with public, private and non-profit resources available to the community.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

Formal and informal relationships exist with both housing and service providers. Woodbury staff meets and consults regularly with housing and social service agencies, private industry, businesses, developers and other entities to enhance coordination and leverage both public and private entities. Examples of these partnerships and consultations include organizations including but not limited to:

- Christian Cupboard Emergency Food Shelf
- City of Woodbury Parks and Recreation Department staff
- CommonBond Communities
- Community Action Partnership of Ramsey and Washington Counties
- Dominiun Inc.
- Duffy Development Corporation
- Fair Housing Implementation Council
- HousingLink
- Metropolitan Council
- Minnesota Housing Finance Agency
- SoWashCo CARES
- Twin Cities Habitat for Humanity
- Washington County CDA
- Washington County Community Services Department

All of these partners have at some point played a specific role in the implementation of Consolidated Plan and subsequent Annual Action Plan programs and activities. Many affordable housing development activities are carried out by not-for-profit agencies, developers, and/or the Washington County CDA. Along with developing and managing affordable housing, the Washington County CDA administers rental assistance programs, rental units, and housing counseling activities. This partnership and leveraging strategy has worked extremely well and has resulted in the provision of many housing and non-housing improvements in Woodbury.

Specifically related to health services, publicly funded institutions and systems of care and corrections programs and institutions, the City of Woodbury partners with Washington County who offers these services to Woodbury residents and stakeholders.
Additionally, as part of the City of Woodbury’s Council Strategic Initiative 2017-02, the City partners with Woodbury Thrives, a local community initiative aimed at improving the health of residents in the broadest of ways: physical health, spiritual and emotional well-being and financial health. Woodbury does not expend CDBG or other federal funds toward these ends.

Please note with regard to fair housing services, the Twin Cities Fair Housing Implementation Council (FHIC) exists in the shape of a cooperative funding agreement among entitlement jurisdictions and is not technically an agency or organization. As such it is not included in the descriptions below. However, as referenced in Section AP-75, work with this group in fair housing is critical for compliance with federal requirements to affirmatively further fair housing.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Woodbury supports the Washington County CDA as the coordinator and part of the five metro county Continuum of Care (CoC). Suburban Metro Area Continuum of Care (SMAC) is comprised of Washington, Dakota, Anoka, Scott, and Carver counties. Three members of the local Washington County Housing Collaborative sit on the SMAC Board and provide the county specific input on local needs and priorities. The primary functions of SMAC are to provide a comprehensive response to homelessness, to evaluate and coordinate the homeless response system, evaluate program outcomes and to prepare and submit the HUD CoC collaborative funding application on a regional level.

The Washington County Heading Home Housing Collaborative was developed to address the needs of homeless and persons at risk of homelessness. The Collaborative is made up of local non-profit agencies, Washington County Community Services, Washington County CDA, faith community, state representatives, and interested community members. The Collaborative provides an avenue for providers to coordinate and learn of resources available in the community.

To address the needs of homeless persons and most efficiently utilize the resources available in the community, a Coordinated Access system has been developed. The Washington County system has been designed to meet the specific needs of the county with coordination with SMAC and state agencies to assure consistency across counties state wide. Washington County currently has two points of access for people experiencing homelessness: St. Andrew’s Community Resource Center for families, Washington County Community Services for singles which includes the Veterans Service Office and Housing Unit for veterans. Youth can contact either access point for services. An initial assessment is conducted to determine if the person or family can be diverted from homelessness with connections to resources. If they cannot be diverted, shelter options are determined. If it is determined housing is needed, a full assessment
is conducted to determine the type of housing needed; rapid rehousing, transitional housing or permanent supportive housing. After the assessment is completed, the person or family is placed on a priority list until the appropriate housing option is available. Each county in the SMAC region has held their own priority list. In 2017, the SMAC region will be combining the priority list to one regional list. Assessment forms will be entered directly into the Homeless Management Information System (HMIS) and uploaded to the SMAC region priority list. Utilizing one priority list within the region will create efficiencies and provide clients greater access to housing options outside their county.

The five counties represented in the SMAC region have reorganized local committees to align with SMAC’s structure. The Collaborative will be comprised of three committees; Prevention and Outreach, Housing and Services, and Community Engagement and Education. Each committee will develop a work plan to guide the work.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction’s area in determining how to allocate Emergency Solutions Grants (ESG) funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Woodbury is not a recipient of ESG funds.
2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

<table>
<thead>
<tr>
<th>Agency/Group/Organization</th>
<th>Washington County Community Development Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency/Group/Organization Type</td>
<td>Housing Public Housing Authority (PHA) Services – Housing Service – Fair Housing Other government - County</td>
</tr>
<tr>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Woodbury relies heavily on its partnership with Washington County and the Washington County CDA when it comes to the provision of social services. The County and the County CDA solicit feedback on a broad range of community development needs including but not limited to information pertaining to victims of domestic violence, HOPWA organizations and committees, transitional housing and chemical dependency agencies. The County CDA has a Resident Advisory Board for public housing residents that also provides input. The County CDA is also a key partner in local efforts connected to fair housing.</td>
</tr>
<tr>
<td>Agency/Group/Organization</td>
<td>Christian Cupboard Emergency Food Shelf (CCEFS)</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Other: Services-Food Shelf</td>
</tr>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Non-Homeless Special Needs Anti-poverty Strategy</td>
</tr>
<tr>
<td><strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>CCEFS is the food shelf that serves Woodbury and the surrounding community. They provide a critical service for those residents looking to stabilize their household turbulence.</td>
</tr>
<tr>
<td><strong>Agency/Group/Organization</strong></td>
<td>Twin Cities Habitat for Humanity</td>
</tr>
<tr>
<td><strong>Agency/Group/Organization Type</strong></td>
<td>Housing Services - Housing</td>
</tr>
<tr>
<td></td>
<td>Civic Leaders</td>
</tr>
<tr>
<td></td>
<td>Community Development Financial Institution</td>
</tr>
<tr>
<td></td>
<td>Private Sector Banking/Financing</td>
</tr>
<tr>
<td><strong>What section of the Plan was addressed by Consultation?</strong></td>
<td>Housing Need Assessment Anti-poverty Strategy Lead-based Paint Strategy</td>
</tr>
<tr>
<td><strong>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</strong></td>
<td>Twin Cities Habitat is a long-time partner of the City who provides not only for-sale affordable homeownership opportunities but also emergency repair through their A Brush With Kindness (ABWK) operations.</td>
</tr>
</tbody>
</table>

**Identify any Agency Types not consulted and provide rationale for not consulting**

All agency types were consulted.
Other local/regional/state/federal planning efforts considered when preparing the Plan

<table>
<thead>
<tr>
<th>Name of Plan</th>
<th>Lead Organization</th>
<th>How do the goals of your Strategic Plan overlap with the goals of each plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continuum of Care</td>
<td>Washington County CDA</td>
<td>Increase access</td>
</tr>
<tr>
<td>ThriveMSP 2040</td>
<td>Metropolitan Council</td>
<td>Increase supply/resilience of affordable housing as well as other required plan elements for the 2040 Comprehensive Plan process.</td>
</tr>
<tr>
<td>2040 Housing Policy Plan</td>
<td>Metropolitan Council</td>
<td>Increase supply/resilience of affordable housing.</td>
</tr>
<tr>
<td>2040 Comprehensive Plan</td>
<td>City of Woodbury</td>
<td>This is the principle planning document for the City of Woodbury and includes a number of housing policies and implementation steps.</td>
</tr>
<tr>
<td>2021 Housing Action Plan</td>
<td>City of Woodbury</td>
<td>This is the principle housing planning document for the City of Woodbury and offers a variety of strategic and tactical housing implementation steps.</td>
</tr>
</tbody>
</table>

Table 3 - Other local / regional / federal planning efforts

Narrative

As an administrator of CDBG and HOME, Woodbury has informal and formal partnerships with Washington County and its CDA, the Metropolitan Council, local and regional non-profits, the Minnesota Housing Finance Agency and the Minnesota Department of Health. These partnerships are critical to providing and maintaining housing, services and economic development activities and are an integral component of the implementation of this 2022 AAP. Additionally, Woodbury’s Housing and Economic Development Manager served on the Metropolitan Council’s Housing Policy Plan Working Group to help create a more efficient regional housing policy.

It is important when it comes to fair housing to recognize that these are issues that cross municipal boundaries and effective planning and communication with neighboring communities is a must.

Separate from this 2022 Annual Action Plan, attached to the 2020-2024 Consolidated Plan via Section AD-25, are both the regional Analysis of Impediments to Fair Housing and the Citizen Participation Plan of the Dakota County HOME Consortium. Note that at the time of the approval of this Plan, in accordance with Minnesota State Statutes 331A.04, the St. Paul Pioneer Press is designated as Woodbury’s newspaper of record for all legal publications including but not limited to ordinances, ordinance summaries, notices of public hearings, certain resolutions, notices of elections and other matters the City Council may deem advisable and in the public interest to be published.
AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation.

Summarize citizen participation process and how it impacted goal-setting.

Much of the macro-level policies for this 2022 AAP were established previously as part of the 2020-2024 Consolidated Plan process. In addition to those processes, three key opportunities were provided for formal citizen engagement during the development of this 2022 AAP as identified below. Public hearings and comment periods are noticed in the Saint Paul Pioneer Press. Council meetings (including public hearings) are publicized by agendas being placed on the City’s website, e-mails being sent out in advance using the InTouch system and meetings being broadcasted via the South Washington County Telecommunications Commission’s public access channel/website. Please note that HUD’s internet-based IDIS system that houses this 2022 Annual Action Plan only allows the outreach efforts listed below to describe one mode of outreach even though Woodbury often uses more than one mode of outreach for events and meetings.
### Citizen Participation Outreach

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Mode of Outreach</th>
<th>Target of Outreach</th>
<th>Summary of response/ attendance</th>
<th>Summary of comments received</th>
<th>Summary of comments not accepted and reasons</th>
<th>URL (If applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>The City Council adopted the funding priorities for the 2022 AAP at its regularly scheduled meeting on January 26, 2022.</td>
<td>No comments were received.</td>
<td>N/A.</td>
<td><a href="https://www.woodburymn.gov/574/Mayor-and-City-Council">https://www.woodburymn.gov/574/Mayor-and-City-Council</a></td>
</tr>
<tr>
<td>2</td>
<td>Public Hearing</td>
<td>Non-targeted/broad community</td>
<td>The City Council was presented with a draft 2022 AAP at a public hearing at its regularly scheduled meeting on March 16, 2022. Part of the public hearing was the opening of a public comment period that lasted from March 17, 2022 to April 15, 2022.</td>
<td>As of the drafting of this 2022 AAP no comments have been received.</td>
<td>N/A.</td>
<td><a href="https://www.woodburymn.gov/574/Mayor-and-City-Council">https://www.woodburymn.gov/574/Mayor-and-City-Council</a></td>
</tr>
<tr>
<td>Sort Order</td>
<td>Mode of Outreach</td>
<td>Target of Outreach</td>
<td>Summary of response/ attendance</td>
<td>Summary of comments received</td>
<td>Summary of comments not accepted and reasons</td>
<td>URL (If applicable)</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>--------------------</td>
<td>----------------------------------</td>
<td>-----------------------------</td>
<td>---------------------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>3</td>
<td>Public Meeting</td>
<td>Non-targeted/ broad community</td>
<td>The City Council will be asked to approve the 2022 AAP at its May 25, 2022 meeting.</td>
<td>As of the drafting of this 2022 AAP no comments have been received.</td>
<td>N/A.</td>
<td><a href="https://www.woodburymn.gov/574/Mayor-and-City-Council">https://www.woodburymn.gov/574/Mayor-and-City-Council</a></td>
</tr>
</tbody>
</table>

Table 4 – Citizen Participation Outreach
Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

This 2022 AAP is the third program year of the five years governed by the 2020-2024 Consolidated Plan. IDIS limits Woodbury’s 2022 AAP to information pertinent to CDBG. As such, the table below reflecting expected resources only reflects anticipated CDBG resources because the City accesses HOME dollars as a sub-recipient member of the Dakota County HOME Consortium. Other narrative parts of this 2021 AAP, especially Section AP-05 discuss the investment of HOME funds. As noted above in Section AP-05, the City of Woodbury anticipates investing $5,000 of HOME during PY22, which will be used to pay Affordable Housing Connections for monitoring of HOME-assisted rental projects in Woodbury.

Also as referenced above in Section AP-05, with regard to CDBG, the City will invest $293,150285,306 in projects separate from program administration activities including:

- $240,000232,156 for playground equipment replacement activities at the City’s Evergreen East, Pondview, and Westview Parks.
- $53,150 to supplement the Woodbury Housing and Redevelopment Authority’s (HRA) levy as a funding source for the Woodbury First-Time Homeownership Program. Funding in this amount will likely fund two separate loans plus administrative costs directly connected to the loan issuances.

The City of Woodbury held a public hearing to discuss the draft PY22 AAP on March 16, 2022. At that point in time, the PY22 CDBG grant award had not yet been published by the US Government. As such, the paragraph below in bold text was included identifying how an increase or decrease to the grant award would be handled from a budgetary lens. The US Government published the City of Woodbury’s PY22 CDBG grant award on May 13, 2022. The final amount is $242,938, a $7,844 reduction from the amount considered at the March 16, 2022 public hearing. As such, consistent with the discussion at the March 16, 2022 public hearing and consistent with the notice of public hearing published on March 6, 2022, the amount of the PY22 parks project has been reduced from $240,000 to $232,156.

The specific amount of the annual CDBG grant award for PY22 has not yet been finalized by the US Government. As such, the City has drafted this PY22 AAP from a budget perspective assuming a zero percent change to the PY21 CDBG annual grant award amount. In the
event that the amount of the PY22 CDBG annual grant award increases from the above-referenced $250,782 amount, the budget for the Pondview Park, Westview Park, and Evergreen East Park project will increase on a pro rata basis. In the event that the PY22 CDBG annual grant award decreases from the above-referenced $250,782 amount, the budget for the Pondview Park, Westview Park, and Evergreen East Park project will decrease on a pro rata basis. Under no circumstances will the City invest more than twenty percent of the sum of the annual CDBG grant award and CDBG program income receipted during the program year on program administrative expenses during PY22.

**Anticipated Resources**

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Expected Amount Available Remainder of ConPlan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Annual Allocation: $</td>
<td>Program Income: $</td>
</tr>
<tr>
<td>CDBG</td>
<td>public - federal</td>
<td>Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services</td>
<td>250,782</td>
<td>36,368</td>
</tr>
</tbody>
</table>

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

While these federal funds are limited in their amount, they do help to leverage local HRA funds as well as future project-based federal low income housing tax credit, Metropolitan Council Livable Communities grants, and Minnesota Housing funds. These funds also help leverage future projects that help meet the required 25% match for HOME funds.

Additionally, program income is estimated from past years given the amount of outstanding loans issued. Prior year resources is an estimate for reprogrammed funds and is subject to flux.

If appropriate, describe publically owned land or property located within the
jurisdiction that may be used to address the needs identified in the plan

Neither the City nor its municipal HRA or Economic Development Authority currently owns land that can be used to address the needs identified in this plan other than the parkland that is home to public facilities that would benefit from the CDBG investments referenced in this plan.

Discussion

The City of Woodbury continues its commitment to using federal funds in a cost-effective and streamlined manner. One example of this commitment is the practice of issuing low-interest loans that both assist households in need and provide future program income thereby growing the pool of resources available to meet community needs.
## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

#### Goals Summary Information

<table>
<thead>
<tr>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Homeownership</td>
<td>2020</td>
<td>2024</td>
<td>Affordable Housing</td>
<td>City of Woodbury</td>
<td>Low-income small and large-related rental and ownership; Moderate-income small and large-related rental and ownership</td>
<td>CDBG: $53,150</td>
<td>Direct Financial Assistance to Homebuyers: 2 Households Assisted</td>
</tr>
<tr>
<td>Park and Public Facility Improvements</td>
<td>2020</td>
<td>2024</td>
<td>Non-Housing Community Development</td>
<td>City of Woodbury—Evergreen East, Pondview and Westview Parks</td>
<td>Park and Public Facility Improvements</td>
<td>CDBG: $240,000-32,150</td>
<td>Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1,730 Persons Assisted</td>
</tr>
<tr>
<td>Goal Name</td>
<td>Start Year</td>
<td>End Year</td>
<td>Category</td>
<td>Geographic Area</td>
<td>Needs Addressed</td>
<td>Funding</td>
<td>Goal Outcome Indicator</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>----------</td>
<td>----------</td>
<td>----------------</td>
<td>----------------</td>
<td>---------</td>
<td>------------------------</td>
</tr>
<tr>
<td>City of Woodbury CDBG Program Administration</td>
<td>2020</td>
<td>2024</td>
<td>Affordable Housing, Non-Housing Community Development, and Other</td>
<td>City of Woodbury</td>
<td>Low-income small-related rental and ownership Low-income large-related rental and ownership Moderate-income small-related rental and ownership Moderate-income large-related rental and ownership Park and Public Facility Improvements CDBG Program Administration Combatting and Preventing COVID-19</td>
<td>CDBG: $38,000</td>
<td>Other: 78,920</td>
</tr>
</tbody>
</table>

Table 6 – Goals Summary
<table>
<thead>
<tr>
<th></th>
<th><strong>Goal Name</strong></th>
<th><strong>Goal Description</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Affordable Homeownership</td>
<td>Woodbury expects to fund two loans using CDBG via the Woodbury First-Time Homeownership Program. Additional loans will be funded by local resources. Dollar amounts are based on $25,000 loans with a 6.3 percent administrative fee. Actual dollar amounts of the loans may fluctuate and the administrative fee is subject to future contract negotiations with the Loan Administrator. Specific to this 2022 Annual Action Plan, there is $53,150 of CDBG identified for this project with additional resources in the shape of HOME and local dollars.</td>
</tr>
<tr>
<td>2</td>
<td>Parks and Public Facility Improvements</td>
<td>This 2022 AAP invests $232,156 in a playground equipment replacement project at three separate LMA-eligible city parks. Pondview and Evergreen East Park are both in Block Group 1 – Census Tract 710.06 with 730 low-mod residents according to HUD’s LMISD data. Westview Park is in Block Group 2 – Census Tract 710.12 with 1,000 low-mod residents according to HUD’s LMISD data. In addition to the replacement of the aging play equipment, there will be additional ADA improvements and draintile/stormwater management improvements as determined in the future by the project engineer.</td>
</tr>
<tr>
<td>3</td>
<td>City of Woodbury CDBG Program Administration</td>
<td>Woodbury will use CDBG program administrative funds for uses such as but not limited to oversight, program audit, training, affirmatively furthering fair housing, small area studies, affordable housing research, coordination and monitoring of the program and coordination and oversight of HOME expenditures. Not more than the sum of twenty percent of the annual CDBG grant and twenty percent of program income earned during the year may be spent on program administration.</td>
</tr>
</tbody>
</table>

Table 6b - Goal Descriptions
AP-35 Projects - 91.420, 91.220(d)

Introduction

Woodbury proposes to invest CDBG funds via the 2022 AAP in 1) two loans and related activity delivery costs via the Woodbury First-Time Homeownership Program; 2) a playground equipment replacement project in three separate LMA-eligible areas; and 3) administration of CDBG and HOME. (Woodbury uses CDBG funds to administer its allocation of HOME. However, all HOME-specific reporting and work within IDIS will be performed at the Dakota County level.)

<table>
<thead>
<tr>
<th>#</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PY22 HRA Loans--CDBG</td>
</tr>
<tr>
<td>2</td>
<td>PY22 Playground Equipment Replacement</td>
</tr>
<tr>
<td>3</td>
<td>PY22 CDBG Program Administration</td>
</tr>
</tbody>
</table>

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Woodbury’s City Council has identified parks/public facilities and affordable housing as its high needs for CDBG funding priorities. Other non-CDBG resources including the local Woodbury HRA will invest in affordable housing activities during PY22 that are not specifically addressed in the 2022 AAP.

There are a broad range of needs that are eligible for CDBG funding. To be an effective and efficient investor of federal funds, this 2022 AAP recognizes that Washington County is an effective administrator of public services programs. As such, this 2022 AAP does not invest in public services programs but rather funds activities that either directly assist an income-qualified homebuyer or directly improve the quality of life of a low- or moderate-income household by making real improvements to their neighborhood park.
### AP-38 Project Summary

#### Project Summary Information

<table>
<thead>
<tr>
<th></th>
<th>Project Name</th>
<th>City of Woodbury</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Goals Supported</td>
<td>Affordable Homeownership</td>
</tr>
<tr>
<td></td>
<td>Needs Addressed</td>
<td>Low-income small-related rental and ownership</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Low-income large-related rental and ownership</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Moderate-income small-related rental and ownership</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Moderate-income large-related rental and ownership</td>
</tr>
<tr>
<td></td>
<td>Funding</td>
<td>CDBG: $53,150</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Woodbury expects to finance two deferred loans using CDBG via the Woodbury First-Time Homeownership Program. Dollar amounts are based on $25,000 loans with a 6.3 percent administrative fee. Actual dollar amounts of the loans may fluctuate and the administrative fee is subject to future contract negotiations with the Loan Administrator.</td>
</tr>
<tr>
<td></td>
<td>Target Date Completion</td>
<td>6/30/2023</td>
</tr>
<tr>
<td></td>
<td>Estimate the number and type of families that will benefit from the proposed activities</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Location Description</td>
<td>N/A.</td>
</tr>
<tr>
<td></td>
<td>Planned Activities</td>
<td>Deferred financing via the Woodbury First-Time Homeownership Program will assist two income-qualified households with the purchase of their first home.</td>
</tr>
<tr>
<td>2</td>
<td><strong>Project Name</strong></td>
<td>PY22 Playground Equipment Replacement</td>
</tr>
<tr>
<td>---</td>
<td>------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td><strong>Target Area</strong></td>
<td>City of Woodbury</td>
<td></td>
</tr>
<tr>
<td><strong>Goals Supported</strong></td>
<td>Park and Public Facility Improvements</td>
<td></td>
</tr>
<tr>
<td><strong>Needs Addressed</strong></td>
<td>Park and Public Facility Improvements</td>
<td></td>
</tr>
<tr>
<td><strong>Funding</strong></td>
<td>CDBG: $240,000/232,156</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>This 2022 AAP invests $240,000/232,156 in a playground equipment replacement project at three separate LMA-eligible city parks: Pondview, Evergreen East and Westview Parks. In addition to the replacement of the aging play equipment, there will be additional ADA improvements and draintile/stormwater management improvements as determined in the future by the project engineer.</td>
<td></td>
</tr>
<tr>
<td><strong>Target Date Completion</strong></td>
<td>11/30/2023</td>
<td></td>
</tr>
<tr>
<td><strong>Estimate the number and type of families that will benefit from the proposed activities</strong></td>
<td>1,730</td>
<td></td>
</tr>
<tr>
<td><strong>Location Description</strong></td>
<td>Three activities will take place within the play equipment areas of Pondview, Evergreen East and Westview Parks in the City of Woodbury.</td>
<td></td>
</tr>
<tr>
<td><strong>Planned Activities</strong></td>
<td>Aging and dilapidated play equipment will be replaced. Additional scope of work will include ADA and stormwater upgrades as determined by the project engineer. Additionally, with regard to the proposed PY22 Pondview Park, Westview Park, and Evergreen East Park project, the City acknowledges that the current inflationary environment makes it more difficult than in the past to project costs in advance of project procurement. As such, this project will take advantage of bulk pricing and will be procured as one single project with three separate activities. In the event that the proposed $240,000/232,156 of CDBG is not sufficient to pay the costs for all three activities, the City will prioritize improvements at Pondview Park and Westview Park. This prioritization will be achieved by scaling back the scope of work at Evergreen East Park or, if needed, postponing the Evergreen East Park activity to a future program year.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Project Name</td>
<td>PY22 CDBG Program Administration</td>
</tr>
<tr>
<td>---</td>
<td>----------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td></td>
<td>Target Area</td>
<td>City of Woodbury</td>
</tr>
<tr>
<td></td>
<td>Goals Supported</td>
<td>City of Woodbury CDBG Program Administration</td>
</tr>
<tr>
<td></td>
<td>Needs Addressed</td>
<td>CDBG Program Administration</td>
</tr>
<tr>
<td></td>
<td>Funding</td>
<td>CDBG: $38,000</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Woodbury will use CDBG program administrative funds for uses such as but not limited to oversight, program audit, training, affirmatively furthering fair housing, small area studies, affordable housing research, coordination and monitoring of the program and coordination and oversight of HOME expenditures. Not more than the sum of twenty percent of the annual CDBG grant and twenty percent of program income earned during the year may be spent on program administration.</td>
</tr>
<tr>
<td></td>
<td>Target Date Completion</td>
<td>6/30/2023</td>
</tr>
<tr>
<td></td>
<td>Estimate the number and type of families that will benefit from the proposed activities</td>
<td>The City estimates that 78,920 residents live in Woodbury in 2022. All residents benefit from CDBG in a range of ways.</td>
</tr>
<tr>
<td></td>
<td>Location Description</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Planned Activities</td>
<td>See above.</td>
</tr>
</tbody>
</table>
AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The PY22 Playground Equipment Replacement project will include LMA activities that are in Census Tract Block Groups that benefit low- and moderate-income residents on an area basis.

The PY22 HRA Loans—CDBG project will include loan activities that serve income-qualified households and are not restricted to one particular neighborhood or area within the City.

CDBG program administration dollars will benefit the entire City of Woodbury as opposed to one neighborhood over another.

Geographic Distribution

<table>
<thead>
<tr>
<th>Target Area</th>
<th>Percentage of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Woodbury</td>
<td>100</td>
</tr>
</tbody>
</table>

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

See above.

Discussion

Woodbury invests its funds in all neighborhoods of the City and does not restrict its operations on a geographic basis. Specific to this 2022 AAP, the PY22 Playground Equipment Replacement project will host activities in LMA-eligible areas. Separately, the PY22 HRA Loans—CDBG project does not have a geographic limitation.
AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

The primary barrier to affordable housing in Woodbury is resources. Consistent with trends throughout the rest of Minnesota and the United States, there are more affordable housing projects than there are dollars available to build them.

While topics connected to fair housing are important to the City of Woodbury, the main barrier, as mentioned above, is financial in nature. Woodbury complies with the Fair Housing Act and other civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990. To promote compliance with these fair housing related acts and laws the City participates in the Fair Housing Implementation Council (FHIC). The FHIC is a collaborative group representing the Twin Cities metropolitan area entitlement jurisdictions and other governmental agencies. The purpose of the FHIC is to facilitate and initiate implementation of affirmative activities having metro-wide significance identified in regional analyses of impediments to fair housing choice (“AI”).

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

During PY22, the City of Woodbury will work with its FHIC partners to implement the regional AI. This exercise will likely require the use of CDBG program administration funds.

Additionally, while land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment may serve as barriers to affordable housing, the recent regional AI as well as the addendum to it examines these barriers and provides recommendations. Given that the City of Woodbury has not ever denied an application to construct affordable housing and given that the City uses local funds in addition to federal dollars to promote and help finance affordable housing, the City believes that the main barriers to affordable housing are financial in nature rather than regulatory.

Discussion

See above.
AP-85 Other Actions - 91.420, 91.220(k)

Introduction

Actions planned to address obstacles to meeting underserved needs

Within the purview of this Plan, the greatest need in Woodbury is the creation of affordable housing. While Woodbury has a good rapport with a wide variety and number of affordable housing developers, there is a lack of developers qualified as Community Housing Development Organizations (CHDO). A lack of CHDO developers may ultimately lead to a reduction in the amount of available HOME funds that could be used to address high priority needs. Specifically related to the HOME setaside issue all members of the Dakota County HOME Consortium are assuming a 15 percent reduction in their HOME grant award given the inability to finance a project with a CHDO development partner.

Actions planned to foster and maintain affordable housing

In addition to the planned use of CDBG funds, the municipal HRA continues to invest its levy in municipal loan programs offering both homebuyer as well as home improvement options to low- and moderate-income households. Information specific to these loan programs is available via www.woodburyloans.com.

Actions planned to reduce lead-based paint hazards

Woodbury does not currently have a specific plan to combat lead-based paint hazards given the relatively small number of homes that may contain lead-based paint hazards. (Less than ten percent of the community’s housing stock was constructed prior to 1978.) However, remediation of these hazards is an eligible expense of the locally funded Neighborhood Reinvestment Fund.

Actions planned to reduce the number of poverty-level families

Typically, much of the efforts in Woodbury that target the reduction or elimination of poverty are initiatives of the County or the State. However, within program year 2022, CDBG-CV and CDBG-CV-3 funds that were allocated via the 2019 Annual Action Plan will be invested in local non-profits as well as the Washington County Community Development Agency to assist income-qualified households with public services connected to the challenges caused by the COVID-19 pandemic. This funding source from the federal CARES Act may have a positive result of assisting families in avoiding poverty.

With regard to the City’s support for county initiatives, below, please see some of the County anti-poverty programs that benefit Woodbury.

The Washington County CDA administers the Housing Choice Voucher Family Self Sufficiency Program (FSS). FSS enables families assisted through the Housing Choice
Voucher (HCV) program and Public Housing (PH) residents to increase their earned income and reduce their dependency on welfare assistance and rental subsidies. Under the FSS program, low-income families are provided opportunities for education, job training, counseling and other forms of social service assistance, while living in assisted housing, so they can obtain skills necessary to achieve self-sufficiency.

Washington County will work closely with the Minnesota Department of Human Services in planning and intervention related to reducing family poverty. One is an anti-racism initiative that is intended to promote diversity in operations and to improve cultural competency in service delivery. Another is a disparity in outcomes initiative which specifically relates to improving success in helping poor families from racial and ethnic minorities to achieve self-sufficiency. Finally, an integrated services project within the Workforce Center seeks to improve services and outcomes by improving communications and strengthening collaboration within Washington County and the larger service community.

**Actions planned to develop institutional structure**

Between the combined efforts of the City, Washington County and its CDA, the institutional delivery system functions effectively given the leverage and partnerships with local non-profit and faith-based communities.

There exists a gap in qualified Community Housing Development Organizations in Woodbury. While Twin Cities Habitat for Humanity also no longer qualifies as a CHDO, Community Action Partnership of Ramsey and Washington Counties is pursuing this opportunity.

Additionally, Woodbury's Housing and Economic Development Manager participates in several HUD webinars, trainings and in-person HUD events throughout the course of the year to ensure that the City remains a technically proficient user of HUD funds.

**Actions planned to enhance coordination between public and private housing and social service agencies**

The agencies which comprise the Housing Collaborative and SMAC work very closely with each other, fostering coordination of efforts and services. SMAC has developed a coordinated access program for persons to access their homeless prevention, supportive services and transitional housing through three access points.

**Discussion**

See above.
Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed 0
2. The amount of proceeds from Section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee’s strategic plan. 0
3. The amount of surplus funds from urban renewal settlements 0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan 0
5. The amount of income from float-funded activities 0

Total Program Income: 0

Other CDBG Requirements

1. The amount of urgent need activities 0

2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70 percent of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. 100 percent

Discussion

With regard to program income and question 1 above, the City of Woodbury typically receives program income in small increments that are repurposed almost instantly in the next drawdown of funds. Per HUD requirements, the City of Woodbury always draws on available program income prior to requesting a reimbursement of grant funds via the Department of Treasury line of credit. This Annual Action Plan is specific to PY22.
City of Woodbury 2022 Annual Action Plan
May 25, 2022 approval version

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The City of Woodbury became a Community Development Block Grant (CDBG) entitlement jurisdiction and a HOME Investment Partnerships Program (HOME) participating jurisdiction via the Dakota County HOME Consortium in Federal Fiscal Year 2010. Woodbury’s first program year ran from July 1, 2010 to June 30, 2011. This Annual Action Plan (AAP) governs Woodbury’s use of CDBG and HOME during Program Year 2022 (PY22) which spans from July 1, 2022 to June 30, 2023.

CDBG funds are allocated to the City directly from the U.S. Department of Housing and Urban Development (HUD). The City will access HOME funds through its membership in the Dakota County HOME Consortium. The City of Woodbury is not a direct recipient of other HUD funds such as the Emergency Solutions Grant, Housing Opportunities for People with AIDS or the Neighborhood Stabilization Program. Additionally, the City of Woodbury does not administer any public housing programs.

To meet the timelines established by HUD for accessing the funds on July 1, 2022, this AAP must be approved not later than May 15, 2022 with a public hearing held on March 16, 2022, a subsequent 30-day comment period and a potential City Council approval of the AAP on May 11, 2022.

The amounts identified below constitute the potential sources of funds for the PY22 activities:

- $242,938 annual CDBG award;
- $36,368 in projected CDBG program income;
- $44,000 in estimated unexpended prior year CDBG funds; and
- $5,000 in projected HOME program income

Program income is available based on re-payments of previously issued loans which used either CDBG or HOME as a funding source.

The Dakota County HOME Consortium will not be allocating any PY22 HOME funds to Woodbury during PY22. This is consistent with the terms and conditions of the first amendment to the City of Woodbury’s 2021 Annual Action Plan.

The City Council adopted a resolution at its January 22, 2022 meeting identifying parks and affordable housing as the two high priorities for use of CDBG and HOME funds. The
The map below shows the Census Tract Block Groups in which CDBG may be invested for park projects that are determined to benefit low- and moderate-income households on an area basis (LMA). For PY22, a playground equipment replacement project will occur with three separate activities at the City’s Evergreen East, Pondview, and Westview Parks.
2. **Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The executive summary of the 2020-2024 Consolidated Plan discusses the housing needs assessment (NA-10), disproportionately greater needs (NA-15, NA-20, NA-25 and NA-30), public housing (NA-35), homeless needs (NA-40), non-homeless special needs (NA-45) and non-housing community development needs (NA-50).

This 2022 AAP proposes to invest $38,000 of CDBG for program administration including but not limited to oversight, program audit, training, affirmatively furthering fair housing, small area studies, affordable housing research, coordination and monitoring of the program and coordination and oversight of HOME expenditures. Not more than the sum of twenty percent of the annual CDBG grant and twenty percent of program income earned during the year may be spent on program administration.

This 2022 AAP also proposes to pay 2.5 percent of HOME program income earned to the Dakota County Community Development Agency (CDA) for program administration given that Woodbury accesses HOME as a member of the Dakota County HOME Consortium. Separate from this administrative fee, the City proposes to invest $5,000 of HOME program income to pay Affordable Housing Connections, Inc. to facilitate income- and related-monitoring activities at the HOME-funded rental projects at per the terms of a previously approved five-year contract.

Separate from the use of CDBG and HOME administrative dollars referenced above, the City will invest $285,306 in projects funded by CDBG including:

- $232,156 for playground equipment replacement activities at the City’s Evergreen East, Pondview, and Westview Parks.
- $53,150 to supplement the Woodbury Housing and Redevelopment Authority’s (HRA) levy as a funding source for the Woodbury First-Time Homeownership Program. Funding in this amount will likely fund two separate loans plus administrative costs directly connected to the loan issuances.

Additionally, with regard to the proposed PY22 Pondview Park, Westview Park, and Evergreen East Park project, the City acknowledges that the current inflationary environment makes it more difficult than in the past to project costs in advance of project procurement. As such, this project will take advantage of bulk pricing and will be procured as one single project with three separate activities. In the event that the proposed $232,156 of CDBG is not sufficient to pay the costs for all three activities, the City will prioritize improvements at Pondview Park and Westview Park. This
prioritization will be achieved by scaling back the scope of work at Evergreen East Park or, if needed, postponing the Evergreen East Park activity to a future program year.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Each year, not later than September 30th, the City submits to HUD a Consolidated Annual Performance and Evaluation Report (CAPER) which captures progress toward meeting needs and achieving strategies established in a Consolidated Plan and the Annual Action Plans. Each of the CAPERs that Woodbury has submitted to HUD since 2010 has been accepted and approved by HUD. Woodbury's most recent CAPER, covering the activities of PY20, was approved by HUD on October 19, 2021.

In the past, Woodbury has been successful in achieving affordable housing goals as well as public facility improvements using CDBG and HOME. The following projects have been funded since 2010 using these HUD funds:

- 2010-present: 46 First-time Homeownership and Foreclosure Purchase Program loans
- 2010-present: fair housing investments via the Fair Housing Implementation Council
- 2010: Expansion of Cree Park
- 2010: Rehab project at Garbe Well Site Park
- 2011: Development subsidy to Twin Cities Habitat for Humanity’s affordable homeownership units constructed in Garden Gate 2nd Addition
- 2016: Rehab project at Carver Lake Park
- 2017: Rehab project at Evergreen West Park
- 2017-2019: Development subsidy to the Washington County CDA’s Glen at Valley Creek redevelopment
- 2018: Rehab project at Windwood Passage Park
- 2019: Rehab project at Potawatomi Park
- 2020: Exterior repair project at Cobble Hill Apartments
- 2020: Rehab project at Ojibway Park
- 2021: Rehab project at Menomini Park
- 2021-2023: Development subsidy to Dominium’s Orville Commons project
- 2022: Rehab project at Shawnee Park*

*This 2022 AAP notes that funds allocated to the Shawnee Park project by the 2021 AAP will be expended during both PY21 and PY22 due to the seasonality of the construction season.

Separate from the list above of “standard” CDBG and HOME investments, the federal CARES Act created supplemental CDBG dollars known as CDBG-CV. CDBG-CV dollars...
must be used to plan for, prepare for or prevent the spread of COVID-19. The City received an allocation of CDBG-CV dollars in an amount of $382,340 and allocated the funds as follows:

- $238,000 to the Washington County Community Development Agency to provide emergency housing assistance to income-qualified Woodbury homeowners;
- $39,000 for urgent public safety needs of the City of Woodbury that do not otherwise have a funding source;
- $31,000 to the Christian Cupboard Emergency Food Shelf;
- $26,000 to Community Action Partnership of Ramsey and Washington Counties to provide emergency housing assistance to income-qualified Woodbury residents;
- $19,000 to SoWashCo CARES to provide mental health assistance to ISD 833 families who live in Woodbury;
- $15,000 to the Woodbury YMCA to provide free child care to residents impacted by COVID-19; and
- $14,340 for program administration

4. **Summary of Citizen Participation Process and consultation process**

In addition to conversations with key housing stakeholders such as the Washington County CDA and a variety of realtors, loan officers and housing developers, formal citizen participation process occurred on the following dates:

1. January 26, 2022 Council meeting establishing parks and affordable housing as 2022 AAP high funding priorities;
2. March 16, 2022 public hearing on draft 2022 AAP;
3. Public comment period regarding draft 2022 AAP was open from March 17, 2022 to April 15, 2022; and
4. May 25, 2022 adoption of 2022 AAP.

Items 2 and 3 were noticed within the *Saint Paul Pioneer Press* and items 1, 2, and 4 occurred during regularly scheduled City Council meetings.

5. **Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the 2015-2019 Consolidated Plan.

No public comments have been received as of the date of the authorship of this 2022 AAP.
6. **Summary of comments or views not accepted and the reasons for not accepting them**

No public comments have been received as of the date of the authorship of this 2022 AAP.

7. **Summary**

All CDBG and HOME funds will be invested according to the terms of this 2022 AAP with the two core programmatic areas of investment being public facility and affordable housing investments.
PR-05 Lead and Responsible Agencies - 91.200(b)

1. **Agency/entity responsible for preparing/administering the Consolidated Plan**

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

<table>
<thead>
<tr>
<th>Agency Role</th>
<th>Name</th>
<th>Department/Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDBG Administrator</td>
<td>WOODBURY</td>
<td>Community Development Department</td>
</tr>
</tbody>
</table>

**Table 1 – Responsible Agencies**

**Narrative**

The City of Woodbury’s Community Development Department is responsible for managing the CDBG and HOME programs as they are applied in Woodbury. Specifically, Karl Batalden, the City’s Housing and Economic Development Manager has served as the project manager overseeing the development of the 2020-2024 Consolidated Plan and this 2022 Annual Action Plan. The City takes a collaborative approach; however, and has consulted closely with other members of the Dakota County HOME Consortium to ensure consistency in the planning process. The City’s Community Development Director, as designated by Resolution Number 20-12 of the City Council, serves as the Certifying Officer for environmental reviews and other related matters.

Annual Action Plans are submitted to HUD through the online Integrated Disbursement and Information System (IDIS). Within IDIS, Annual Action Plans are broken into subsections that are specific to HUD’s various grant programs. Given that the City of Woodbury receives HOME as a sub-recipient member of the Dakota County HOME Consortium, information regarding HOME is gathered through Dakota County’s Annual Action Plan rather than Woodbury’s. As such, this City of Woodbury 2022 Annual Action Plan does not include Sections AP-60 or AP-65 regarding HOME.

**Consolidated Plan Public Contact Information**

Karl Batalden,
Housing and Economic Development Manager
City of Woodbury
8301 Valley Creek Road
Woodbury, MN 55125
karl.batalden@woodburymn.gov
651-414-3438
Introduction

As described below, Woodbury’s outreach and consultation strategies include efforts to engage with public, private and non-profit resources available to the community.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

Formal and informal relationships exist with both housing and service providers. Woodbury staff meets and consults regularly with housing and social service agencies, private industry, businesses, developers and other entities to enhance coordination and leverage both public and private entities. Examples of these partnerships and consultations include organizations including but not limited to:

- Christian Cupboard Emergency Food Shelf
- City of Woodbury Parks and Recreation Department staff
- CommonBond Communities
- Community Action Partnership of Ramsey and Washington Counties
- Dominium Inc.
- Duffy Development Corporation
- Fair Housing Implementation Council
- HousingLink
- Metropolitan Council
- Minnesota Housing Finance Agency
- SoWashCo CARES
- Twin Cities Habitat for Humanity
- Washington County CDA
- Washington County Community Services Department

All of these partners have at some point played a specific role in the implementation of Consolidated Plan and subsequent Annual Action Plan programs and activities. Many affordable housing development activities are carried out by not-for-profit agencies, developers, and/or the Washington County CDA. Along with developing and managing affordable housing, the Washington County CDA administers rental assistance programs, rental units, and housing counseling activities. This partnership and leveraging strategy has worked extremely well and has resulted in the provision of many housing and non-housing improvements in Woodbury.

Specifically related to health services, publicly funded institutions and systems of care and corrections programs and institutions, the City of Woodbury partners with Washington County who offers these services to Woodbury residents and stakeholders.
Additionally, as part of the City of Woodbury’s Council Strategic Initiative 2017-02, the City partners with Woodbury Thrives, a local community initiative aimed at improving the health of residents in the broadest of ways: physical health, spiritual and emotional well-being and financial health. Woodbury does not expend CDBG or other federal funds toward these ends.

Please note with regard to fair housing services, the Twin Cities Fair Housing Implementation Council (FHIC) exists in the shape of a cooperative funding agreement among entitlement jurisdictions and is not technically an agency or organization. As such it is not included in the descriptions below. However, as referenced in Section AP-75, work with this group in fair housing is critical for compliance with federal requirements to affirmatively further fair housing.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Woodbury supports the Washington County CDA as the coordinator and part of the five metro county Continuum of Care (CoC). Suburban Metro Area Continuum of Care (SMAC) is comprised of Washington, Dakota, Anoka, Scott, and Carver counties. Three members of the local Washington County Housing Collaborative sit on the SMAC Board and provide the county specific input on local needs and priorities. The primary functions of SMAC are to provide a comprehensive response to homelessness, to evaluate and coordinate the homeless response system, evaluate program outcomes and to prepare and submit the HUD CoC collaborative funding application on a regional level.

The Washington County Heading Home Housing Collaborative was developed to address the needs of homeless and persons at risk of homelessness. The Collaborative is made up of local non-profit agencies, Washington County Community Services, Washington County CDA, faith community, state representatives, and interested community members. The Collaborative provides an avenue for providers to coordinate and learn of resources available in the community.

To address the needs of homeless persons and most efficiently utilize the resources available in the community, a Coordinated Access system has been developed. The Washington County system has been designed to meet the specific needs of the county with coordination with SMAC and state agencies to assure consistency across counties state wide. Washington County currently has two points of access for people experiencing homelessness: St. Andrew’s Community Resource Center for families, Washington County Community Services for singles which includes the Veterans Service Office and Housing Unit for veterans. Youth can contact either access point for services. An initial assessment is conducted to determine if the person or family can be diverted from homelessness with connections to resources. If they cannot be diverted, shelter options are determined. If it is determined housing is needed, a full assessment
is conducted to determine the type of housing needed; rapid rehousing, transitional housing or permanent supportive housing. After the assessment is completed, the person or family is placed on a priority list until the appropriate housing option is available. Each county in the SMAC region has held their own priority list. In 2017, the SMAC region will be combining the priority list to one regional list. Assessment forms will be entered directly into the Homeless Management Information System (HMIS) and uploaded to the SMAC region priority list. Utilizing one priority list within the region will create efficiencies and provide clients greater access to housing options outside their county.

The five counties represented in the SMAC region have reorganized local committees to align with SMAC’s structure. The Collaborative will be comprised of three committees; Prevention and Outreach, Housing and Services, and Community Engagement and Education. Each committee will develop a work plan to guide the work.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction’s area in determining how to allocate Emergency Solutions Grants (ESG) funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

Woodbury is not a recipient of ESG funds.
2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

<table>
<thead>
<tr>
<th>#</th>
<th>Agency/Group/Organization</th>
<th>Washington County Community Development Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Agency/Group/Organization Type</td>
<td>Housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Housing Authority (PHA)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Services – Housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Service – Fair Housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other government - County</td>
</tr>
<tr>
<td></td>
<td>What section of the Plan was addressed by Consultation?</td>
<td>Housing Need Assessment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Housing Needs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Homeless Needs - Chronically homeless</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Homeless Needs - Families with children</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Homelessness Needs - Veterans</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Homelessness Needs - Unaccompanied youth</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Homelessness Strategy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Housing Opportunities for People with AIDS (HOPWA) Strategy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market Analysis</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Economic Development</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Anti-poverty Strategy</td>
</tr>
<tr>
<td></td>
<td>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</td>
<td>Woodbury relies heavily on its partnership with Washington County and the Washington County CDA when it comes to the provision of social services. The County and the County CDA solicit feedback on a broad range of community development needs including but not limited to information pertaining to victims of domestic violence, HOPWA organizations and committees, transitional housing and chemical dependency agencies. The County CDA has a Resident Advisory Board for public housing residents that also provides input. The County CDA is also a key partner in local efforts connected to fair housing.</td>
</tr>
<tr>
<td>No.</td>
<td>Agency/Group/Organization</td>
<td>Agency/Group/Organization Type</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2</td>
<td>Christian Cupboard Emergency Food Shelf (CCEFS)</td>
<td>Other: Services-Food Shelf</td>
</tr>
<tr>
<td>3</td>
<td>Twin Cities Habitat for Humanity</td>
<td>Housing Services - Housing</td>
</tr>
</tbody>
</table>

Identify any Agency Types not consulted and provide rationale for not consulting

All agency types were consulted.
Other local/regional/state/federal planning efforts considered when preparing the Plan

<table>
<thead>
<tr>
<th>Name of Plan</th>
<th>Lead Organization</th>
<th>How do the goals of your Strategic Plan overlap with the goals of each plan?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continuum of Care</td>
<td>Washington County CDA</td>
<td>Increase access</td>
</tr>
<tr>
<td>ThriveMSP 2040</td>
<td>Metropolitan Council</td>
<td>Increase supply/resilience of affordable housing as well as other required plan elements for the 2040 Comprehensive Plan process.</td>
</tr>
<tr>
<td>2040 Housing Policy Plan</td>
<td>Metropolitan Council</td>
<td>Increase supply/resilience of affordable housing.</td>
</tr>
<tr>
<td>2040 Comprehensive Plan</td>
<td>City of Woodbury</td>
<td>This is the principle planning document for the City of Woodbury and includes a number of housing policies and implementation steps.</td>
</tr>
<tr>
<td>2021 Housing Action Plan</td>
<td>City of Woodbury</td>
<td>This is the principle housing planning document for the City of Woodbury and offers a variety of strategic and tactical housing implementation steps.</td>
</tr>
</tbody>
</table>

Table 3 - Other local / regional / federal planning efforts

Narrative

As an administrator of CDBG and HOME, Woodbury has informal and formal partnerships with Washington County and its CDA, the Metropolitan Council, local and regional non-profits, the Minnesota Housing Finance Agency and the Minnesota Department of Health. These partnerships are critical to providing and maintaining housing, services and economic development activities and are an integral component of the implementation of this 2022 AAP. Additionally, Woodbury’s Housing and Economic Development Manager served on the Metropolitan Council’s Housing Policy Plan Working Group to help create a more efficient regional housing policy.

It is important when it comes to fair housing to recognize that these are issues that cross municipal boundaries and effective planning and communication with neighboring communities is a must.

Separate from this 2022 Annual Action Plan, attached to the 2020-2024 Consolidated Plan via Section AD-25, are both the regional Analysis of Impediments to Fair Housing and the Citizen Participation Plan of the Dakota County HOME Consortium. Note that at the time of the approval of this Plan, in accordance with Minnesota State Statutes 331A.04, the St. Paul Pioneer Press is designated as Woodbury’s newspaper of record for all legal publications including but not limited to ordinances, ordinance summaries, notices of public hearings, certain resolutions, notices of elections and other matters the City Council may deem advisable and in the public interest to be published.
AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation.

Summarize citizen participation process and how it impacted goal-setting.

Much of the macro-level policies for this 2022 AAP were established previously as part of the 2020-2024 Consolidated Plan process. In addition to those processes, three key opportunities were provided for formal citizen engagement during the development of this 2022 AAP as identified below. Public hearings and comment periods are noticed in the *Saint Paul Pioneer Press*. Council meetings (including public hearings) are publicized by agendas being placed on the City’s website, e-mails being sent out in advance using the InTouch system and meetings being broadcasted via the South Washington County Telecommunications Commission’s public access channel/website. Please note that HUD’s internet-based IDIS system that houses this 2022 Annual Action Plan only allows the outreach efforts listed below to describe one mode of outreach even though Woodbury often uses more than one mode of outreach for events and meetings.
## Citizen Participation Outreach

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Mode of Outreach</th>
<th>Target of Outreach</th>
<th>Summary of response/attendance</th>
<th>Summary of comments received</th>
<th>Summary of comments not accepted and reasons</th>
<th>URL (If applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>The City Council adopted the funding priorities for the 2022 AAP at its regularly scheduled meeting on January 26, 2022.</td>
<td>No comments were received.</td>
<td>N/A.</td>
<td><a href="https://www.woodburymn.gov/574/Mayor-and-City-Council">https://www.woodburymn.gov/574/Mayor-and-City-Council</a></td>
</tr>
<tr>
<td>2</td>
<td>Public Hearing</td>
<td>Non-targeted/broad community</td>
<td>The City Council was presented with a draft 2022 AAP at a public hearing at its regularly scheduled meeting on March 16, 2022. Part of the public hearing was the opening of a public comment period that lasted from March 17, 2022 to April 15, 2022.</td>
<td>As of the drafting of this 2022 AAP no comments have been received.</td>
<td>N/A.</td>
<td><a href="https://www.woodburymn.gov/574/Mayor-and-City-Council">https://www.woodburymn.gov/574/Mayor-and-City-Council</a></td>
</tr>
<tr>
<td>Sort Order</td>
<td>Mode of Outreach</td>
<td>Target of Outreach</td>
<td>Summary of response/attendance</td>
<td>Summary of comments received</td>
<td>Summary of comments not accepted and reasons</td>
<td>URL (If applicable)</td>
</tr>
<tr>
<td>------------</td>
<td>------------------</td>
<td>--------------------</td>
<td>--------------------------------</td>
<td>----------------------------</td>
<td>---------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>3</td>
<td>Public Meeting</td>
<td>Non-targeted/broad community</td>
<td>The City Council will be asked to approve the 2022 AAP at its May 25, 2022 meeting.</td>
<td>As of the drafting of this 2022 AAP no comments have been received.</td>
<td>N/A.</td>
<td><a href="https://www.woodburymn.gov/574/Mayor-and-City-Council">https://www.woodburymn.gov/574/Mayor-and-City-Council</a></td>
</tr>
</tbody>
</table>

Table 4 – Citizen Participation Outreach
Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

This 2022 AAP is the third program year of the five years governed by the 2020-2024 Consolidated Plan. IDIS limits Woodbury’s 2022 AAP to information pertinent to CDBG. As such, the table below reflecting expected resources only reflects anticipated CDBG resources because the City accesses HOME dollars as a sub-recipient member of the Dakota County HOME Consortium. Other narrative parts of this 2021 AAP, especially Section AP-05 discuss the investment of HOME funds. As noted above in Section AP-05, the City of Woodbury anticipates investing $5,000 of HOME during PY22, which will be used to pay Affordable Housing Connections for monitoring of HOME-assisted rental projects in Woodbury.

Also as referenced above in Section AP-05, with regard to CDBG, the City will invest $285,306 in projects separate from program administration activities including:

- $232,156 for playground equipment replacement activities at the City’s Evergreen East, Pondview, and Westview Parks.
- $53,150 to supplement the Woodbury Housing and Redevelopment Authority’s (HRA) levy as a funding source for the Woodbury First-Time Homeownership Program. Funding in this amount will likely fund two separate loans plus administrative costs directly connected to the loan issuances.

The City of Woodbury held a public hearing to discuss the draft PY22 AAP on March 16, 2022. At that point in time, the PY22 CDBG grant award had not yet been published by the US Government. As such, the paragraph below in bold text was included identifying how an increase or decrease to the grant award would be handled from a budgetary lens. The US Government published the City of Woodbury’s PY22 CDBG grant award on May 13, 2022. The final amount is $242,938, a $7,844 reduction from the amount considered at the March 16, 2022 public hearing. As such, consistent with the discussion at the March 16, 2022 public hearing and consistent with the notice of public hearing published on March 6, 2022, the amount of the PY22 parks project has been reduced from $240,000 to $232,156.

The specific amount of the annual CDBG grant award for PY22 has not yet been finalized by the US Government. As such, the City has drafted this PY22 AAP from a budget perspective assuming a zero percent change to the PY21 CDBG annual grant award amount. In the
event that the amount of the PY22 CDBG annual grant award increases from the above-referenced $250,782 amount, the budget for the Pondview Park, Westview Park, and Evergreen East Park project will increase on a pro rata basis. In the event that the PY22 CDBG annual grant award decreases from the above-referenced $250,782 amount, the budget for the Pondview Park, Westview Park, and Evergreen East Park project will decrease on a pro rata basis. Under no circumstances will the City invest more than twenty percent of the sum of the annual CDBG grant award and CDBG program income receipted during the program year on program administrative expenses during PY22.

**Anticipated Resources**

<table>
<thead>
<tr>
<th>Program</th>
<th>Source of Funds</th>
<th>Uses of Funds</th>
<th>Expected Amount Available Year 1</th>
<th>Total: $</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>public - federal</td>
<td>Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services</td>
<td>Annual Allocation: $</td>
<td>Program Income: $</td>
</tr>
<tr>
<td>CDBG</td>
<td></td>
<td></td>
<td>242,938</td>
<td>36,368</td>
</tr>
</tbody>
</table>

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

While these federal funds are limited in their amount, they do help to leverage local HRA funds as well as future project-based federal low income housing tax credit, Metropolitan Council Livable Communities grants, and Minnesota Housing funds. These funds also help leverage future projects that help meet the required 25% match for HOME funds.

Additionally, program income is estimated from past years given the amount of outstanding loans issued. Prior year resources is an estimate for reprogrammed funds and is subject to flux.
If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Neither the City nor its municipal HRA or Economic Development Authority currently owns land that can be used to address the needs identified in this plan other than the parkland that is home to public facilities that would benefit from the CDBG investments referenced in this plan.

Discussion

The City of Woodbury continues its commitment to using federal funds in a cost-effective and streamlined manner. One example of this commitment is the practice of issuing low-interest loans that both assist households in need and provide future program income thereby growing the pool of resources available to meet community needs.
### Annual Goals and Objectives

**AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)**

#### Goals Summary Information

<table>
<thead>
<tr>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Homeownership</td>
<td>2020</td>
<td>2024</td>
<td>Affordable Housing</td>
<td>City of Woodbury</td>
<td>Low-income small and large-related rental and ownership; Moderate-income small and large-related rental and ownership</td>
<td>CDBG: $53,150</td>
<td>Direct Financial Assistance to Homebuyers: 2 Households Assisted</td>
</tr>
<tr>
<td>Park and Public Facility Improvements</td>
<td>2020</td>
<td>2024</td>
<td>Non-Housing Community Development</td>
<td>City of Woodbury—Evergreen East, Pondview and Westview Parks</td>
<td>Park and Public Facility Improvements</td>
<td>CDBG: $232,156</td>
<td>Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1,730 Persons Assisted</td>
</tr>
</tbody>
</table>

City of Woodbury 2022 Annual Action Plan
May 25, 2022 Approval Version
<table>
<thead>
<tr>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Woodbury</td>
<td>2020</td>
<td>2024</td>
<td>Affordable Housing, Non-Housing</td>
<td>City of Woodbury</td>
<td>Low-income small-related rental and ownership Low-income large-related rental and ownership Moderate-income small-related rental and ownership Moderate-income large-related rental and ownership Park and Public Facility Improvements CDBG Program Administration Combatting and Preventing COVID-19</td>
<td>CDBG: $38,000</td>
<td>Other: 78,920</td>
</tr>
</tbody>
</table>

Table 6 – Goals Summary
### Goal Descriptions

<table>
<thead>
<tr>
<th></th>
<th>Goal Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Affordable Homeownership</td>
<td>Woodbury expects to fund two loans using CDBG via the Woodbury First-Time Homeownership Program. Additional loans will be funded by local resources. Dollar amounts are based on $25,000 loans with a 6.3 percent administrative fee. Actual dollar amounts of the loans may fluctuate and the administrative fee is subject to future contract negotiations with the Loan Administrator. Specific to this 2022 Annual Action Plan, there is $53,150 of CDBG identified for this project with additional resources in the shape of HOME and local dollars.</td>
</tr>
<tr>
<td>2</td>
<td>Parks and Public Facility Improvements</td>
<td>This 2022 AAP invests $232,156 in a playground equipment replacement project at three separate LMA-eligible city parks. Pondview and Evergreen East Park are both in Block Group 1 – Census Tract 710.06 with 730 low-mod residents according to HUD’s LMISD data. Westview Park is in Block Group 2 – Census Tract 710.12 with 1,000 low-mod residents according to HUD’s LMISD data. In addition to the replacement of the aging play equipment, there will be additional ADA improvements and draintile/stormwater management improvements as determined in the future by the project engineer.</td>
</tr>
<tr>
<td>3</td>
<td>City of Woodbury CDBG Program Administration</td>
<td>Woodbury will use CDBG program administrative funds for uses such as but not limited to oversight, program audit, training, affirmatively furthering fair housing, small area studies, affordable housing research, coordination and monitoring of the program and coordination and oversight of HOME expenditures. Not more than the sum of twenty percent of the annual CDBG grant and twenty percent of program income earned during the year may be spent on program administration.</td>
</tr>
</tbody>
</table>

**Table 6b - Goal Descriptions**
AP-35 Projects - 91.420, 91.220(d)

Introduction

Woodbury proposes to invest CDBG funds via the 2022 AAP in 1) two loans and related activity delivery costs via the Woodbury First-Time Homeownership Program; 2) a playground equipment replacement project in three separate LMA-eligible areas; and 3) administration of CDBG and HOME. (Woodbury uses CDBG funds to administer its allocation of HOME. However, all HOME-specific reporting and work within IDIS will be performed at the Dakota County level.)

<table>
<thead>
<tr>
<th>#</th>
<th>Project Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PY22 HRA Loans--CDBG</td>
</tr>
<tr>
<td>2</td>
<td>PY22 Playground Equipment Replacement</td>
</tr>
<tr>
<td>3</td>
<td>PY22 CDBG Program Administration</td>
</tr>
</tbody>
</table>

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Woodbury’s City Council has identified parks/public facilities and affordable housing as its high needs for CDBG funding priorities. Other non-CDBG resources including the local Woodbury HRA will invest in affordable housing activities during PY22 that are not specifically addressed in the 2022 AAP.

There are a broad range of needs that are eligible for CDBG funding. To be an effective and efficient investor of federal funds, this 2022 AAP recognizes that Washington County is an effective administrator of public services programs. As such, this 2022 AAP does not invest in public services programs but rather funds activities that either directly assist an income-qualified homebuyer or directly improve the quality of life of a low- or moderate-income household by making real improvements to their neighborhood park.
## AP-38 Project Summary

### Project Summary Information

<table>
<thead>
<tr>
<th></th>
<th><strong>Project Name</strong></th>
<th>PY22 HRA Loans--CDBG</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target Area</strong></td>
<td>City of Woodbury</td>
<td></td>
</tr>
<tr>
<td><strong>Goals Supported</strong></td>
<td>Affordable Homeownership</td>
<td></td>
</tr>
</tbody>
</table>
| **Needs Addressed** | Low-income small-related rental and ownership  
Low-income large-related rental and ownership  
Moderate-income small-related rental and ownership  
Moderate-income large-related rental and ownership |
<p>| <strong>Funding</strong> | CDBG: $53,150   |
| <strong>Description</strong> | Woodbury expects to finance two deferred loans using CDBG via the Woodbury First-Time Homeownership Program. Dollar amounts are based on $25,000 loans with a 6.3 percent administrative fee. Actual dollar amounts of the loans may fluctuate and the administrative fee is subject to future contract negotiations with the Loan Administrator. |
| <strong>Target Date Completion</strong> | 6/30/2023 |
| <strong>Estimate the number and type of families that will benefit from the proposed activities</strong> | 2 |
| <strong>Location Description</strong> | N/A. |
| <strong>Planned Activities</strong> | Deferred financing via the Woodbury First-Time Homeownership Program will assist two income-qualified households with the purchase of their first home. |</p>
<table>
<thead>
<tr>
<th></th>
<th><strong>Project Name</strong></th>
<th><strong>Target Area</strong></th>
<th><strong>Goals Supported</strong></th>
<th><strong>Needs Addressed</strong></th>
<th><strong>Funding</strong></th>
<th><strong>Description</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>PY22 Playground Equipment Replacement</td>
<td>City of Woodbury</td>
<td>Park and Public Facility Improvements</td>
<td>Park and Public Facility Improvements</td>
<td>CDBG: $232,156</td>
<td>This 2022 AAP invests $232,156 in a playground equipment replacement project at three separate LMA-eligible city parks: Pondview, Evergreen East and Westview Parks. In addition to the replacement of the aging play equipment, there will be additional ADA improvements and drain tile/stormwater management improvements as determined in the future by the project engineer.</td>
</tr>
<tr>
<td></td>
<td><strong>Target Date Completion</strong></td>
<td>11/30/2023</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Estimate the number and type of families that will benefit from the proposed activities</strong></td>
<td>1,730</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Location Description</strong></td>
<td>Three activities will take place within the play equipment areas of Pondview, Evergreen East and Westview Parks in the City of Woodbury.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Planned Activities</strong></td>
<td>Aging and dilapidated play equipment will be replaced. Additional scope of work will include ADA and stormwater upgrades as determined by the project engineer. Additionally, with regard to the proposed PY22 Pondview Park, Westview Park, and Evergreen East Park project, the City acknowledges that the current inflationary environment makes it more difficult than in the past to project costs in advance of project procurement. As such, this project will take advantage of bulk pricing and will be procured as one single project with three separate activities. In the event that the proposed $232,156 of CDBG is not sufficient to pay the costs for all three activities, the City will prioritize improvements at Pondview Park and Westview Park. This prioritization will be achieved by scaling back the scope of work at Evergreen East Park or, if needed, postponing the Evergreen East Park activity to a future program year.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Project Name</strong></td>
<td>PY22 CDBG Program Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---------------------------</td>
<td>----------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Target Area</strong></td>
<td>City of Woodbury</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Goals Supported</strong></td>
<td>City of Woodbury CDBG Program Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Needs Addressed</strong></td>
<td>CDBG Program Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Funding</strong></td>
<td>CDBG: $38,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Description</strong></td>
<td>Woodbury will use CDBG program administrative funds for uses such as but not limited to oversight, program audit, training, affirmatively furthering fair housing, small area studies, affordable housing research, coordination and monitoring of the program and coordination and oversight of HOME expenditures. Not more than the sum of twenty percent of the annual CDBG grant and twenty percent of program income earned during the year may be spent on program administration.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Target Date Completion</strong></td>
<td>6/30/2023</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Estimate the number and type of families that will benefit from the proposed activities</strong></td>
<td>The City estimates that 78,920 residents live in Woodbury in 2022. All residents benefit from CDBG in a range of ways.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Location Description</strong></td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Planned Activities</strong></td>
<td>See above.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The PY22 Playground Equipment Replacement project will include LMA activities that are in Census Tract Block Groups that benefit low- and moderate-income residents on an area basis.

The PY22 HRA Loans—CDBG project will include loan activities that serve income-qualified households and are not restricted to one particular neighborhood or area within the City.

CDBG program administration dollars will benefit the entire City of Woodbury as opposed to one neighborhood over another.

Geographic Distribution

<table>
<thead>
<tr>
<th>Target Area</th>
<th>Percentage of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Woodbury</td>
<td>100</td>
</tr>
</tbody>
</table>

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

See above.

Discussion

Woodbury invests its funds in all neighborhoods of the City and does not restrict its operations on a geographic basis. Specific to this 2022 AAP, the PY22 Playground Equipment Replacement project will host activities in LMA-eligible areas. Separately, the PY22 HRA Loans—CDBG project does not have a geographic limitation.
Introduction

The primary barrier to affordable housing in Woodbury is resources. Consistent with trends throughout the rest of Minnesota and the United States, there are more affordable housing projects than there are dollars available to build them.

While topics connected to fair housing are important to the City of Woodbury, the main barrier, as mentioned above, is financial in nature. Woodbury complies with the Fair Housing Act and other civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990. To promote compliance with these fair housing related acts and laws the City participates in the Fair Housing Implementation Council (FHIC). The FHIC is a collaborative group representing the Twin Cities metropolitan area entitlement jurisdictions and other governmental agencies. The purpose of the FHIC is to facilitate and initiate implementation of affirmative activities having metro-wide significance identified in regional analyses of impediments to fair housing choice (“AI”).

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

During PY22, the City of Woodbury will work with its FHIC partners to implement the regional AI. This exercise will likely require the use of CDBG program administration funds.

Additionally, while land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment may serve as barriers to affordable housing, the recent regional AI as well as the addendum to it examines these barriers and provides recommendations. Given that the City of Woodbury has not ever denied an application to construct affordable housing and given that the City uses local funds in addition to federal dollars to promote and help finance affordable housing, the City believes that the main barriers to affordable housing are financial in nature rather than regulatory.

Discussion

See above.
Introduction

Actions planned to address obstacles to meeting underserved needs

Within the purview of this Plan, the greatest need in Woodbury is the creation of affordable housing. While Woodbury has a good rapport with a wide variety and number of affordable housing developers, there is a lack of developers qualified as Community Housing Development Organizations (CHDO). A lack of CHDO developers may ultimately lead to a reduction in the amount of available HOME funds that could be used to address high priority needs. Specifically related to the HOME setaside issue all members of the Dakota County HOME Consortium are assuming a 15 percent reduction in their HOME grant award given the inability to finance a project with a CHDO development partner.

Actions planned to foster and maintain affordable housing

In addition to the planned use of CDBG funds, the municipal HRA continues to invest its levy in municipal loan programs offering both homebuyer as well as home improvement options to low- and moderate-income households. Information specific to these loan programs is available via www.woodburyloans.com.

Actions planned to reduce lead-based paint hazards

Woodbury does not currently have a specific plan to combat lead-based paint hazards given the relatively small number of homes that may contain lead-based paint hazards. (Less than ten percent of the community’s housing stock was constructed prior to 1978.) However, remediation of these hazards is an eligible expense of the locally funded Neighborhood Reinvestment Fund.

Actions planned to reduce the number of poverty-level families

Typically, much of the efforts in Woodbury that target the reduction or elimination of poverty are initiatives of the County or the State. However, within program year 2022, CDBG-CV and CDBG-CV-3 funds that were allocated via the 2019 Annual Action Plan will be invested in local non-profits as well as the Washington County Community Development Agency to assist income-qualified households with public services connected to the challenges caused by the COVID-19 pandemic. This funding source from the federal CARES Act may have a positive result of assisting families in avoiding poverty.

With regard to the City’s support for county initiatives, below, please see some of the County anti-poverty programs that benefit Woodbury.

The Washington County CDA administers the Housing Choice Voucher Family Self Sufficiency Program (FSS). FSS enables families assisted through the Housing Choice
Voucher (HCV) program and Public Housing (PH) residents to increase their earned income and reduce their dependency on welfare assistance and rental subsidies. Under the FSS program, low-income families are provided opportunities for education, job training, counseling and other forms of social service assistance, while living in assisted housing, so they can obtain skills necessary to achieve self-sufficiency.

Washington County will work closely with the Minnesota Department of Human Services in lanning and intervention related to reducing family poverty. One is an anti-racism initiative that is intended to promote diversity in operations and to improve cultural competency in service delivery. Another is a disparity in outcomes initiative which specifically relates to improving success in helping poor families from racial and ethnic minorities to achieve self-sufficiency. Finally, an integrated services project within the Workforce Center seeks to improve services and outcomes by improving communications and strengthening collaboration within Washington County and the larger service community.

**Actions planned to develop institutional structure**

Between the combined efforts of the City, Washington County and its CDA, the institutional delivery system functions effectively given the leverage and partnerships with local non-profit and faith-based communities.

There exists a gap in qualified Community Housing Development Organizations in Woodbury. While Twin Cities Habitat for Humanity also no longer qualifies as a CHDO, Community Action Partnership of Ramsey and Washington Counties is pursuing this opportunity.

Additionally, Woodbury's Housing and Economic Development Manager participates in several HUD webinars, trainings and in-person HUD events throughout the course of the year to ensure that the City remains a technically proficient user of HUD funds.

**Actions planned to enhance coordination between public and private housing and social service agencies**

The agencies which comprise the Housing Collaborative and SMAC work very closely with each other, fostering coordination of efforts and services. SMAC has developed a coordinated access program for persons to access their homeless prevention, supportive services and transitional housing through three access points.

**Discussion**

See above.
Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed 0
2. The amount of proceeds from Section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. 0
3. The amount of surplus funds from urban renewal settlements 0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan 0
5. The amount of income from float-funded activities 0

Total Program Income: 0

Other CDBG Requirements

1. The amount of urgent need activities 0

2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70 percent of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. 100 percent

Discussion

With regard to program income and question 1 above, the City of Woodbury typically receives program income in small increments that are repurposed almost instantly in the next drawdown of funds. Per HUD requirements, the City of Woodbury always draws on available program income prior to requesting a reimbursement of grant funds via the Department of Treasury line of credit. This Annual Action Plan is specific to PY22.
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-152

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Cooperative Construction Agreement with the Minnesota Department of Transportation for Traffic Signal Modifications and Roadway Improvements; Approve Agreement

Summary

Development of the Northeast Area of Woodbury has prompted the need for traffic signal modifications and roadway improvements at the intersection of TH 95 (Manning Avenue) and Hudson Road. Since this intersection is controlled by MnDOT, it is necessary to enter into a Cooperative Construction Agreement that defines the roles, cost participation and responsibilities for these improvements.

Recommendation

Staff recommends Council adopt the attached resolution approving the Cooperative Construction Agreement with Minnesota Department of Transportation for traffic signal modifications and roadway improvements at the Intersection of TH 95 and Hudson Road and authorizing the Mayor and City Administrator to sign the Agreement.

Fiscal Implications

Sufficient funds are available from the developer in the form of a deposit for the City’s share of the state furnished traffic signal equipment in the amount of $68,104.90. This project is wholly funded by the developer and there is no fiscal impact to the City.

Policy

The Cooperative Construction Agreement with the Minnesota Department of Transportation for Traffic Signal Modifications and Roadway Improvements follows the procedures set forth by Minnesota Statutes § 161.20, subdivision 2, authorizing the Commissioner of Transportation to arrange and cooperate with any governmental authority for the purposes of constructing, maintaining, and improving the trunk highway system and its associated infrastructure.

Public Process

No specific public process is applicable to formalize this agreement. A full public process was conducted as part of the NE Area Commercial Improvements – Project Belle.
Background

Development of the Northeast Area along Hudson Road, from Settlers Ridge Parkway east to Manning Avenue, has prompted the need for traffic signal modifications and roadway improvements to accommodate the increased traffic generated by these developments. More specifically, traffic signal modifications and turn-lane improvements are necessary at the intersection of TH 95 (Manning Avenue) and Hudson Road. Since this intersection is controlled by MnDOT, the City is required to enter into a Cooperative Construction Agreement that defines the roles, cost participation and responsibilities of each party. The City’s portion of the traffic signal cabinet and controller is $68,104.90. As part of the Developer’s Agreement for Project Belle, the developer was responsible for these costs and has provided the City with a deposit to pay for this state supplied traffic signal cabinet and controller.

Written By: Warren Tracy, Senior Engineering Project Coordinator
Approved Through: Chris Hartzell, Engineering Director
Attachments: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Approving the Cooperative Construction Agreement between the City of Woodbury and the Minnesota Department of Transportation for Traffic Signal Modifications and Roadway Improvements at the Intersection of TH 95 and Hudson Road

WHEREAS, the City of Woodbury intends to construct traffic signal modifications and roadway improvements at the intersection of TH 95 and Hudson Road; and

WHEREAS, the Minnesota Department of Transportation has determined a Cooperative Construction Agreement is necessary for these traffic signal modifications and roadway improvements; and

WHEREAS, a Cooperative Construction Agreement between the City of Woodbury and Minnesota Department of Transportation is the appropriate method to define the roles, cost participation and responsibilities of these traffic signal modifications and roadway improvements; and

WHEREAS, the Minnesota Department of Transportation and the City of Woodbury desire to enter into a Cooperative Construction Agreement for traffic signal modifications and roadway improvements at the intersection of TH 95 and Hudson Road; and

WHEREAS, as part of the Developer’s Agreement for Project Belle the developer was responsible for the traffic signal improvement costs and has provided the City with a deposit to pay for this state provided traffic signal cabinet and controller.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. A Cooperative Construction Agreement with the Minnesota Department of Transportation for Modifications of the Traffic Signal System and Roadway Improvements at the Intersection of TH 95 and Hudson Road is hereby approved.

2. Authorized payment to Minnesota Department of Transportation in the amount of $68,104.90 for the state provided traffic signal cabinet and controller.

3. The Mayor and City Administrator are hereby authorized to execute said Agreement.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-153

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorizing Acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District; Budget Amendment

Summary

South Washington Watershed District (SWWD) offers an annual Coordinated Capital Improvement Program (CCIP) Grant to assist Cities with Municipal Separate Storm Sewer Systems (MS4) within their jurisdiction to accomplish goals and projects that improve downstream water quality. The City of Woodbury operates under an MS4 permit and therefore is responsible for operation and maintenance of the storm sewer system. SWWD requested applications for 2022 project funding through the CCIP on February 9th, 2022. On April 12th, 2022, the SWWD Board of Managers selected Woodbury to receive up to $348,750.50 for the applied for projects.

Recommendation

Staff recommends Council:

1. Adopt the attached resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Eagle Valley Golf Course Irrigation Pond Lining project.
2. Adopt the attached resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Storm Water BMP Maintenance projects.
3. Adopt the attached resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Bailey Lake Lift Station upgrades.
4. Adopt the attached resolution authorizing acceptance of Coordinated Capital Improvement Program Grants from South Washington Watershed District for the Excavator Replacement and approving budget amendment.
5. Adopt the attached resolution authorizing acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Salt Spreader Improvements.

Fiscal Implications

The City was awarded funds in the amount of $348,750.50 from the SWWD Coordinated Capital Improvement Program with a required 50 percent match of City funds. The table below details the project and funding details.
The excavator replacement purchase was approved as part of the 2022 Adopted Capital Improvement Fund – Street Division machinery and rolling stock budget. With authorization to accept grant funds of $63,750.50, a budget amendment is necessary to recognize the local grant revenues.

All 2023 projects are currently included in the proposed 2023-2027 Capital Improvement Plan and will also be included in the proposed 2023 Annual City Budget.

Authorization of the Central District Trunk Storm Sewer funds for the 2022 Bailey Lake Lift Station upgrades will be brought to Council for consideration prior to contractual commitment.

**Policy**

This project aligns with AD-FIN-4.3 - Grant Application and Management Policy and Critical Success Factor – Environmental Stewardship.

**Public Process**

Not applicable

**Background**

South Washington Watershed District (SWWD) offers the annual Coordinate Capital Improvement Program (CCIP) to provide financial assistance to local land use and public works authorities for water quality improvement projects. The CCIP seeks to:

- Facilitate local government units within the District to explore water quality improvement opportunities and incorporate those opportunities into routine infrastructure operation and maintenance projects;
- Promote closer collaboration between local units and the District on water quality improvement efforts as an element of capital improvement plans;
- Foster stormwater management innovation and create demonstration/education examples.
- Defray local costs in the broader, watershed-wide interest of improving water quality;
- Improve de-icing operations throughout the District; and
Promote actions to increase resiliency of District resources.

Grants through the CCIP can be awarded for up to 50 percent of the total project cost. Program payment is a reimbursement following completion of the project and submission of final report and invoice detailing total project costs.

Written By: Heidi Quinn, Environmental Resources Technician
Approved Through: Christopher Hartzell, Engineering Director
Attachments:
1. Resolution authorizing acceptance of CCIP grant – Irrigation Pond Lining project at Eagle Valley Golf Course
2. Resolution authorizing acceptance of CCIP grant – Storm Water Best Management Practice Maintenance Projects
3. Resolution authorizing acceptance of CCIP grant – Bailey Lake Lift Station Upgrades
4. Resolution authorizing acceptance of CCIP grant and budget amendment – Excavator
5. Resolution authorizing acceptance of CCIP grant – Salt Spreader
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing Acceptance of Coordinated Capital Improvement Program Grant from
South Washington Watershed District for the Eagle Valley Golf Course
Irrigation Pond Lining Project

WHEREAS, the City of Woodbury has prepared grant proposals for the
Coordinated Capital Improvement Program; and

WHEREAS, in April 2022, the South Washington Watershed District (SWWD)
Board of Managers selected Woodbury to receive grant funding up to $70,000 for the Irrigation
Pond Lining project at Eagle Valley Golf Course; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution
expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury
to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Woodbury, Washington County, Minnesota that acceptance of South Washington Watershed
District’s Coordinated Capital Improvement Program Grant for the city is hereby authorized in
accordance for the Eagle Valley Golf Course Irrigation Pond Lining Project with the terms set
forth herein.

This Resolution was declared duly passed and adopted and was signed by the
Mayor and attested to by the City Administrator on the 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Storm Water BMP Maintenance Projects

WHEREAS, the City of Woodbury has prepared grant proposals for the Coordinated Capital Improvement Program; and

WHEREAS, in April 2022, the South Washington Watershed District (SWWD) Board of Managers selected Woodbury to receive grant funding up to $100,000 for Storm Water Best Management Practice Maintenance Projects; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of South Washington Watershed District’s Coordinated Capital Improvement Program Grant for the city is hereby authorized in accordance for the Storm Water Best Management Practice Maintenance Projects with the terms set forth herein.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing Acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Bailey Lake Lift Station Upgrades

WHEREAS, the City of Woodbury has prepared grant proposals for the Coordinated Capital Improvement Program; and

WHEREAS, in April 2022, the South Washington Watershed District (SWWD) Board of Managers selected Woodbury to receive grant funding up to $105,000 for Bailey Lake Lift Station Upgrades; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of South Washington Watershed District’s Coordinated Capital Improvement Program Grant for the city is hereby authorized for the Bailey Lake Lift Station Upgrades in accordance with the terms set forth herein.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing Acceptance of Coordinated Capital Improvement Program Grants from South Washington Watershed District for the Excavator Replacement and Approving Budget Amendment

WHEREAS, the City of Woodbury has prepared grant proposals for the Coordinated Capital Improvement Program; and

WHEREAS, in April 2022, the South Washington Watershed District (SWWD) Board of Managers selected Woodbury to receive grant funding up to $63,750.50 to replace the City excavator; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that acceptance of South Washington Watershed District’s Coordinated Capital Improvement Program Grant for the city is hereby authorized for the Excavator Replacement in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increase to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Improvement Fund - Local Grants &amp; Aids</td>
<td>$63,750.50</td>
</tr>
<tr>
<td>(421-000-00-00000-4358)</td>
<td></td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following expenditure increase to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Improvement Fund - Addition to Fund Balance</td>
<td>$63,750.50</td>
</tr>
<tr>
<td>(421-090-00-0000-5703)</td>
<td></td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing Acceptance of Coordinated Capital Improvement Program Grant from South Washington Watershed District for the Salt Spreader Improvements

WHEREAS, the City of Woodbury has prepared grant proposals for the Coordinated Capital Improvement Program; and

WHEREAS, in April 2022, the South Washington Watershed District (SWWD) Board of Managers selected Woodbury to receive grant funding up to $10,000 to update the parking lot salt spreader with new technology that will result in a reduction of salt use; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that acceptance of South Washington Watershed District’s Coordinated Capital Improvement Program Grant for the city is hereby authorized for the Salt Spreader Improvements in accordance with the terms set forth herein.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-154

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorizing Execution of the Intergovernmental Agreement with Washington Conservation District for E. coli Testing at Carver Lake Beach

Summary

The City of Woodbury tests for E. Coli (Escherichia coli) at Carver Lake Beach on a weekly basis each year between Memorial Day and Labor Day.

The City and Washington Conservation District (WCD) partner on various environmental topics. While the City owns and operates the Carver Lake Beach, the WCD is better suited to conduct the weekly monitoring efforts. The purpose of the intergovernmental agreement is to memorialize the roles and responsibilities of each agency for E. coli testing at Carver Lake Beach.

WCD staff will collect a total of 14 water sampling events on behalf of the City. A local laboratory will analyze the quantities of E. coli present in the samples. The City of Woodbury will be billed directly for the collection of the samples at an estimated costs of $1,500. The City Attorney has reviewed and approved the agreement.

Recommendation

Staff recommends Council adopt the attached resolution authorizing execution of the intergovernmental agreement with Washington Conservation District for E.coli testing at Carver Lake Beach.

Fiscal Implications

The Adopted 2022 Annual Budget includes funds for the E. Coli testing at Carver Lake Beach. Sufficient funds are available from the Storm Water Utility Fund in the amount of $1,500 for an agreement with Washington Conservation District.

Policy

Critical Success Factor – Environmental Stewardship

Public Process

This is the first public process for this item.
Background

The City of Woodbury tests for E.Coli at Carver Lake Beach each year on a weekly basis between Memorial Day and Labor Day. If the water tests indicate that E.coli levels exceed the standards set by the State, the City temporarily closes the beach until the test results return to a safe level. E.coli is a group of bacteria found in the intestines of animals and birds, that when ingested by humans can cause intestinal symptoms, ear and eye infections, and flu like symptoms. High levels of E.coli indicate that the water may be contaminated with sewage or feces that enters the water by animals droppings, waterfowl droppings, bird droppings and runoff from heavy rain events.

It is important for the City to monitor E.coli levels to ensure a safe swimming experience for the public. Additional activities that can reduce the level of E.coli concentration at Carver Lake Beach include properly disposing of trash, not feeding animals, birds, or waterfowl, picking up after pets and geese, and avoiding swimming 24 hours after a heavy rainfall. The City continues to strive for healthy recreation opportunities and the partnership with the WCD allows for a continued successful lake monitoring program.

Written By: Heidi Quinn, Environmental Resources Technician
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22 –

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Execution of the Intergovernmental Agreement with Washington Conservation District for E. coli Testing at Carver Lake Beach

WHEREAS, the City and the Washington Conservation District partner on annual lake sampling within the City of Woodbury; and

WHEREAS, Washington Conservation District will collect E. coli samples at Carver Lake Beach weekly between Memorial Day and Labor Day; and

WHEREAS, the City will pay the Washington Conservation District for the cost of collecting the E.coli samples.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, to execute the agreements with the Washington Conservation District for E.coli testing at Carver Lake Beach.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-155

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorizing Execution of the Agreement with The Metropolitan Council to Participate in the Citizen-Assisted Monitoring Program

Summary

The City of Woodbury has historically partnered with the Metropolitan Council’s Citizen-Assisted Monitoring Program (CAMP) in order to provide an economical method of broadening the water quality database of lakes in the Twin Cities Metropolitan Area. Staff proposes to continue the partnership for the 2022 lake sampling season.

Through the CAMP, volunteers collect surface water samples which are analyzed for total phosphorus (TP), total Kjeldahl nitrogen (TKN), and chlorophyll-a (CLA). In addition, volunteers measure surface water temperature, water transparency, and fill out an electric monitoring form that describes the lake and weather conditions at the time of the monitoring event. The following lakes in Woodbury will be visited from approximately June through October of 2022: Colby, Fish, La, Markgrafs, Powers and Wilmes Lakes.

Staff from City and The Metropolitan Council have drafted an intergovernmental agreement to memorialize the roles and responsibilities of each agency. The Metropolitan Council will provide training for the volunteers, provide monitoring equipment, and analyze the water samples. The City will recruit volunteers and pay for the water sample analysis for a not to exceed total cost contribution of $7,500. This is an annual agreement and budgeted with the Storm Water Utility Fund. The City Attorney has reviewed and approved the agreement.

Recommendation

Staff recommends Council adopt the attached resolution authorizing execution of the agreement with Metropolitan Council to participate in the Citizen-Assisted Monitoring Program.

Fiscal Implications

The 2022 Adopted Annual Budget includes funds for CAMP monitoring. Sufficient funds are available from the Stormwater Utility Fund for an agreement with the Metropolitan Council with a not to exceed contribution of $7,500.
Policy

Critical Success Factor – Environmental Stewardship

Public Process

This is the first public process for this item.

Background

Surface water monitoring is a core function of the Metropolitan Council in the Twin Cities. The Metropolitan Council offers a Citizen-Assisted Monitoring Program as part of its Lake Monitoring and Assessment Program. They actively monitor rivers and streams, including locations in the Mississippi River and St. Croix. The CAMP is an economical program to engage residents, collect water quality data on lakes, and produce an annual lake water quality report. The annual lake water quality report provides the City with lake grades (A-F). By synthesizing the information this way, the City can easily track trends as well as communicate annual water quality to residents.

The City of Woodbury has historically partnered with the Metropolitan Council’s CAMP and staff propose to continue the partnership for the 2022 lake sampling season.

Written By: Heidi Quinn, Environmental Resources Technician
Approved Through: Chris Hartzell, Engineering Director
Attachment: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Execution of the Agreement with the Metropolitan Council to Participate in the Citizen-Assisted Monitoring Program

WHEREAS, The Metropolitan Council offers a Citizen-Assisted Monitoring Program as part its Lake Monitoring and Assessment Program; and

WHEREAS, The Citizen-Assisted Monitoring Program provides an economical method of broadening the water quality database of lakes in the Twin Cities Metropolitan Area; and

WHEREAS, the City and The Metropolitan Council have historically partnered and participated in the Citizen-Assisted Monitoring Program; and

WHEREAS, The Metropolitan Council will provide training for program volunteers, provide monitoring equipment, and analyze the water samples; and

WHEREAS, the City will recruit volunteers and pay for the water sample analysis.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, to execute the agreement with The Metropolitan Council to participate in the Citizen-Assisted Monitoring Program.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota
Office of City Administrator

Council Letter 22-156

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorizing Acceptance of Metropolitan Council Water Efficiency Grant and Approving Associated Budget Amendment

Summary

The Metropolitan Council was awarded $1,000,000 from Minnesota Clean Water, Land and Legacy Amendment funds for a Water Efficiency Grant Program during the 2022-2024 biennium to support technical and behavioral changes that improve municipal water use efficiency in the seven-county metropolitan area. Staff applied for the Metropolitan Council’s Water Efficiency Grant and was awarded $40,000 on May 5, 2022. The grant funding will be used to implement a water efficient toilet replacement rebate program focused on homestead residences for 2022.

Recommendation

Staff recommends Council adopt the attached resolution accepting Metropolitan Council Water Efficiency Grant in the amount of $40,000 and approving the associated budget amendment.

Fiscal Implications

The City was awarded funds in the amount of $40,000 from the Metropolitan Council with a required match of City funds in the amount of $10,000 or 20 percent. The total project cost is $50,000. The Adopted Annual Budget includes the required $10,000 grant match for the Water Efficiency Grant from the Water & Sewer Utility Fund. A budget amendment in the amount of $40,000 is necessary to account for the additional revenue and expense.

Policy

This project aligns with AD-FIN-4.3 - Grant Application and Management Policy and Critical Success Factor – Environmental Stewardship and CD-ENGPW-4.11 Water Efficiency Incentive Program.

Public Process

Council approved submittal of the application at the March 16th, 2022, Council Meeting. The Metropolitan Council reviewed and approved the application, notifying the City on May 5th, 2022.
Background

The City has been a successful recipient of these grant funds in 2015, which helped Woodbury implement improvements to city-operated irrigation systems; and in 2020 which provided assistance to replace toilets with low-flow WaterSense toilets in apartments older than 1992. These efforts aligned with the Council’s 2015-2021 Strategic Initiatives of creating a sustainable water future for Woodbury.

Staff believe that the next best opportunity towards a sustainable water future for Woodbury would be to implement a toilet replacement rebate program. Staff will offer a $100 rebate, in the form of a check, to homesteaded properties within the City that replace toilets with a low-flow WaterSense model. There is potential to save approximately 6.5 million gallons of water over a two-year period. After the pilot rebate program is completed in 2024, Staff will analyze the water savings achieved by the three different programs offered 2015-2024 and make recommendations on how to improve water efficiency programming offered by the City.

Written By: Heidi Quinn, Environmental Resources Technician
Approved Through: Chris Hartzell, Engineering Director
Attachments: Resolution
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Accepting Metropolitan Council Water Efficiency Grant in the amount of $40,000 and Approving the Associated Budget Amendment

WHEREAS, the City of Woodbury has prepared a grant proposal for the purpose of implementing a water efficient toilet replacement; and

WHEREAS, the City Woodbury’s Water Efficiency Grant application was accepted and approved; and

WHEREAS, the Metropolitan Council Water Efficiency Grant Program selected Woodbury to receive grant funding up to $40,000; and

WHEREAS, the Metropolitan Council requires that the City of Woodbury enter into an agreement that identifies the terms and conditions of the funding award; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS, a resolution from the City Council authorizing the City of Woodbury to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Acceptance of Metropolitan Council Water Efficiency funding for the City of Woodbury is hereby authorized in accordance with the terms set forth herein.

2. The Mayor and City Administrator are hereby authorized to execute the above agreement with the Metropolitan Council.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increases to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water &amp; Sewer Utility Fund – State Grants &amp; Aids</td>
<td>$40,000</td>
</tr>
</tbody>
</table>

(501-000-00-00000-4352)

BE IT FURTHER RESOLVED that the following 2022 expense increases be made:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water &amp; Sewer Utility Fund – Water Division</td>
<td>$40,000</td>
</tr>
<tr>
<td>Professional Services-Water Conservation Initiative</td>
<td>$40,000</td>
</tr>
</tbody>
</table>

(501-075-00-00000-5308)
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest:

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-157

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Lake Road 4-3 Lane Conversion Project; Award Contract; Amend Budget; Consultant Selection for Construction Administration Services

Summary

In order to provide a safe and efficient transportation system, the City is proposing to convert Lake Road between Woodlane Drive and Pioneer Drive from a 4 lane roadway to a 3 lane roadway with two-way center left turn lanes with a combination of roadway rehabilitation and restriping. These types of projects have been shown to reduce crashes, reduce vehicle speeds, and create a more accessible road for all users with no significant impact to vehicle capacity. In 2021, the City was awarded a Highway Safety Improvement Program (HSIP) in the amount of $1,620,000.

Council ordered the project at the January 12, 2022, Public Improvement Hearing. On April 7, 2022, bids were opened for the Lake Road 4-3 Lane Conversion Project. The project includes the areas shown on the attached map. A portion of the project costs will be assessed to benefiting property owners and an assessment hearing was held on May 11, 2022. In accordance with Minnesota Statute Chapter 429, the next step is to award the contract to the low bidder.

The low bidder for the Lake Road 4-3 Lane Conversion Project is McNamara Contracting, with a total base bid of $1,276,339.86.

Construction administration services for the Lake Road 4-3 Lane Conversion Project will be performed by SEH, Inc., based upon their experience in the area, current involvement with this project, and expertise.

Recommendation

Staff recommends Council:

1. Adopt the attached resolution awarding the construction contract to McNamara Contracting, in the amount of $1,276,339.86 for the Lake Road 4-3 Lane Conversion Project and authorizing the Mayor and City Administrator to sign said resolution.
2. Adopt the attached resolution amending the Municipal State Aid Roadway Construction Fund Budget and associated transfers.
3. Adopt the attached resolution authorizing the Mayor and City Administrator to execute an engineering consulting services contract with SEH, Inc., in the amount of $118,500 for construction administration services for the Lake Road 4-3 Lane Conversion Project.

**Fiscal Implications**

The Adopted 2021 Municipal State Aid Roadway Construction Fund Budget included $2,060,000 for the Lake Road 4-3 Lane Conversion Project and $1,880,200 was carried forward into the 2022 Budget. The current estimated costs and funding for the Lake Road 4-3 Lane Conversion Project are shown below:

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Project Costs</th>
<th>2022 Adopted Budget</th>
<th>2022 Budget Amendment Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal State Aid (MSA) Roadway Construction Fund</td>
<td>$0</td>
<td>$1,880,200</td>
<td>($1,880,200)</td>
</tr>
<tr>
<td>Major Roadway Special Assessment Fund</td>
<td>$807,862</td>
<td>$0</td>
<td>$807,862</td>
</tr>
<tr>
<td>Highway Safety Improvement Program (HSIP) Grant</td>
<td>$817,000</td>
<td>$0</td>
<td>$817,000</td>
</tr>
<tr>
<td>Special Assessments</td>
<td>$5,138</td>
<td>$0</td>
<td>$5,138</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$1,630,000</strong></td>
<td><strong>$1,880,200</strong></td>
<td><strong>($250,200)</strong></td>
</tr>
</tbody>
</table>

The City received very favorable bids, with the low bid well below the engineer’s estimate by approximately $540,000. In addition, the City working with State Aid have determined that the portion of work at the intersection of Courtly Road and Lake Road is non-participating and is not eligible for federal funding. The MSA Roadway Construction Fund will be reimbursed by HSIP grant funds in 2022 and 2023 as specified in the April 13, 2022, Council Resolution to accept grant funds.

Sufficient funds are available from a combination of Municipal State Aid (MSA) Roadway Construction Funds, Major Roadway Special Assessment Funds, Highway Safety Improvement Program (HSIP) Grant Funds, and Special Assessments for a construction contract with McNamara Contracting in the amount of $1,276,339.86 and for construction administration professional services for an agreement with SEH, Inc., in the amount of $118,500. A budget amendment is necessary to recognize the change in funding sources and authorize the associated transfers.

**Policy**

The Lake Road 4-3 Lane Conversion Project follows the procedures set by Minnesota State Statutes regarding competitive bidding and special assessments.
Public Process

One property owner is considered a benefitted property based on the City’s assessment policy. That property owner was contacted by the City in November 2021. The anticipated project schedule for the Lake Road Rehabilitation and 4-3 Lane Conversion project is as follows:

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Road 4-3 Lane Conversion Study</td>
<td>July 2016</td>
</tr>
<tr>
<td>City authorizes SEH to prepare plans and specifications</td>
<td>November 9, 2020</td>
</tr>
<tr>
<td>Authorized preparation of preliminary report</td>
<td>November 10, 2021</td>
</tr>
<tr>
<td>InTouch message to residents with project information; Project website updated, one on one discussions with property owner</td>
<td>November / December 2021</td>
</tr>
<tr>
<td>Approve preliminary report, hold public improvement hearing, order project, and authorize preparation and acquisition of easements</td>
<td>January 12, 2022</td>
</tr>
<tr>
<td>Approve plans and specifications and set bid date</td>
<td>January 26, 2022</td>
</tr>
<tr>
<td>Open bids</td>
<td>April 7, 2022</td>
</tr>
<tr>
<td>Project information in City newsletter</td>
<td>April 2022</td>
</tr>
<tr>
<td>Assessment hearing</td>
<td>May 11, 2022</td>
</tr>
<tr>
<td>Award contracts</td>
<td>May 25, 2022</td>
</tr>
<tr>
<td>Begin construction</td>
<td>June 2022</td>
</tr>
<tr>
<td>Complete construction</td>
<td>August 2022</td>
</tr>
</tbody>
</table>

Background

The City is proposing pavement rehabilitation of Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive. The pavement rehabilitation will occur along with restriping of Lake Road between Woodlane Drive and Pioneer Drive to convert a 4 lane roadway to a 3 lane roadway with two-way center left turn lanes. These types of projects have been shown to reduce crashes, reduce vehicle speeds, and create a more accessible road for all users with no significant impact to vehicle capacity. Construction is proposed to occur in summer of 2022.

Written By: Mike Hejna, Principal Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachments: 1. Resolution – Award Contract
2. Resolution – Amend Budget
3. Resolution – Authorize Consultant Services
Engineering File No: 16-2020-01
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Awarding the Construction Contract to McNamara Contracting in the Amount of $1,276,339.86 for the Lake Road 4-3 Lane Conversion Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, sealed bids were received and tabulated on April 7, 2022, at 10:00 a.m. for the Lake Road 4-3 Lane Conversion Project and

WHEREAS, the apparent low responsive and responsible bid was received from McNamara Contracting at their total base bid price of $1,276,339.86.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of McNamara Contracting, in the amount of $1,276,339.86 total base bid for the Lake Road 4-3 Lane Conversion Project is the lowest responsive bid.

2. That a contract to perform said work is awarded to McNamara Contracting and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.

3. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful bidder which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest:

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Amending the Municipal State Aid Roadway Construction Fund Budget and Associated Transfers for the Lake Road 4-3 Lane Conversion Project

WHEREAS, bids were received and tabulated on April 7, 2022 for the Lake Road 4-3 Lane Conversion Project resulting with McNamara Contracting, as the apparent low responsive and responsible bid price of $1,276,339.86; and

WHEREAS, based on the awarded construction contract, amendments are necessary to the Lake Road 4-3 Lane Conversion Project Budget and necessary funding sources budgets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increases/(decreases) to the Lake Road 4-3 Lane Conversion Project 2022 Municipal State Aid Roadway Construction Fund budget.

<table>
<thead>
<tr>
<th>Revenue Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Assessments-New Projects</td>
<td>$5,137.97</td>
</tr>
<tr>
<td>Transfers-In (Major Roadway Special Assessment Fund)</td>
<td>$807,862.03</td>
</tr>
<tr>
<td>Intergovernmental Revenue –Federal Grants &amp; Aids</td>
<td>$817,000</td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td>($1,880,200)</td>
</tr>
<tr>
<td></td>
<td>($250,200)</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following expenditure increases/(decreases) be made to the 2022 Municipal State Aid Roadway Construction Fund budget:

<table>
<thead>
<tr>
<th>Expenditure Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal State Aid Roadway Construction Fund/Projects</td>
<td>($250,200)</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to authorize the funding transfers for the Lake Road and Pioneer Drive Intersection Improvement Project as follows:
<table>
<thead>
<tr>
<th>Transfer From Fund</th>
<th>Transfer To Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Roadway Special Assessment Fund</td>
<td>Municipal State Aid Roadway Construction Fund</td>
<td>$807,862.03</td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: 

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Resolution 22

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing the Mayor and City Administrator to Execute an Engineering Consulting Services Agreement with SEH, Inc., in the Amount of $118,500 for Construction Administration Services for the Lake Road 4-3 Lane Conversion Project

WHEREAS, the City desires to rehabilitate Lake Road between Courtly Road and Tahoe Road and between Woodlane Drive and Pioneer Drive; and

WHEREAS, the City wishes to retain the services of an engineering consulting services to assist with said project; and

WHEREAS, the City has reviewed qualifications and solicited a proposal from the municipal engineering pool to select a consultant; and

WHEREAS, SEH, Inc., has been determined to best meet the City’s needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. Authorization is given to enter into a contract with SEH, Inc., for engineering professional consulting services for the Lake Road 4-3 Lane Conversion Project.

2. The Mayor and City Administrator are hereby authorized to execute the above consultant contract.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
City of Woodbury, Minnesota  
Office of City Administrator

Council Letter 22-158

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Edgewood Avenue Culvert Replacement; Award Contract, Amend Budget

Summary

The culvert and west retaining wall are failing at the location where Battle Creek runs under Edgewood Avenue and are in need of replacement. This area is proposed for a roadway rehabilitation project in 2027 in the proposed 2023 – 2027 Capital Improvement Plan. City staff has attempted to repair the wall, but repairs are no longer feasible due to the poor condition of the wall. The initial scope of the project included only the replacement of the retaining wall and culvert wingwalls.

During the scoping and design development process, the existing culvert was determined to be failing to a point where it needed to be replaced with the retaining and culvert wingwalls. Unfortunately, the condition of the retaining wall and culvert necessitates replacement of the culvert in advance of the 2027 Roadway Rehabilitation Project due to the risk of imminent failure.

In addition, the City approved acquisition of permanent drainage & utility easements on January 12, 2022, in the amount of $33,118.01 and the roadway section will need to be reconstructed above the culvert to complete the necessary work.

On May 3, 2022, three competitive bids were received for the Edgewood Avenue Culvert Replacement project. The lowest responsible bid was received by McNamara Contracting with a total base bid of $399,778.75. The substantial completion date for the project will be August 31, 2022.

Recommendation

Staff recommends Council:

1. Adopt the attached resolution awarding the construction contract to McNamara Contracting for the Edgewood Avenue Culvert Replacement project and authorizing the Mayor and City Administrator to sign said contract.

2. Adopt the attached resolution amending the Street Reconstruction/Maintenance Fund and Storm Water Utility Fund Budgets for the Edgewood Avenue Culvert Replacement Project and authorization for additional use of funds from the Ramsey-Washington Metro Trunk Storm Sewer Fund.
Fiscal Implications

On October 14, 2020, the City authorized $285,000 in funding for this project from the Ramsey-Washington Metro Trunk Storm Sewer Funds. The total estimated project costs including retaining walls, culvert wingwalls, culvert, easements, professional services, legal, administrative, and contingency costs is $685,000. Sufficient funds are available to include the necessary increases in project scope from a funding combination of the Street Reconstruction/Maintenance Fund, Ramsey-Washington Metro Trunk Storm Sewer Fund, and Storm Water Utility Fund as shown in the table below:

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Project Costs</th>
<th>2022 Adopted Budget</th>
<th>2022 Budget Amendment Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Reconstruction/Maintenance Fund</td>
<td>$100,000</td>
<td>$0</td>
<td>$100,000</td>
</tr>
<tr>
<td>Ramsey-Washington Metro Trunk Storm Sewer*</td>
<td>$285,000</td>
<td>$285,000</td>
<td>$0</td>
</tr>
<tr>
<td>Storm Water Utility Fund</td>
<td>$300,000</td>
<td>$0</td>
<td>$300,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$685,000</td>
<td>$285,000</td>
<td>$400,000</td>
</tr>
</tbody>
</table>

*Ramsey-Washington Metro Trunk Storm Sewer Fund is not a budgeted fund - $285,000 was previously authorized for this project in 2020. An additional authorization of $400,000 is necessary for the use of the transfer-in funding sources from the Street Reconstruction/Maintenance Fund and Storm Water Utility Fund.

Policy

The Edgewood Avenue Culvert Replacement project follows the procedures set by Minnesota State Statutes regarding competitive bidding.

Public Process

City staff has met with the four adjacent property owners to the culvert to discuss the project and provide an opportunity for residents to ask questions. Notifications will be mailed to homeowners in the project area prior to construction and barricades will be placed in advance of the project. The City’s website also includes information on the Edgewood Avenue Culvert Replacement project.

Background

The City’s Public Works department identified the retaining walls and culvert along Edgewood Avenue as an area that required extensive work. In 2019, the City completed a feasibility report to evaluate the condition of the culvert and walls. Based on the findings in the report, the City is proposing to move forward with design and construction of a of retaining wall and culvert improvements.

Written By:  Mike Hejna, Principal Engineer
Approved Through:  Chris Hartzell, Engineering Director
Attachment:   1. Resolution – Award Contract
               2. Resolution – Amend Budget
Engineering File #:  06-2019-01
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Awarding the Construction Contract to McNamara Contracting for the Edgewood Avenue Culvert Replacement Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, the low responsive and responsible bid was received from McNamara Contracting, at their bid price of $399,778.75.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of McNamara Contracting, in the amount of $399,778.75 for the Edgewood Avenue Culvert Replacement Project is the lowest responsive bid.

2. That a contract to perform said work is awarded to McNamara Contracting and that the Mayor and City Administrator are hereby authorized and directed to execute said contract.

3. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful contractor which shall be retained until a contract has been signed.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator  (SEAL)
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Amending the Street Reconstruction/Maintenance Fund and Storm Water Utility Fund Budgets for the Edgewood Avenue Culvert Replacement Project and Authorization for Additional Use of Funds from the Ramsey-Washington Metro Trunk Storm Sewer Fund

WHEREAS, bids were received and tabulated on May 3, 2022 for the Edgewood Avenue Replacement Project resulting with McNamara Contracting, as the apparent low responsive and responsible bid price of $399,778.75; and

WHEREAS, the total project costs and contingency for the increased scope of the project is $685,000 and can be accommodated from a combination of funding sources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increases to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Reconstruction/Maintenance Fund – Use of Fund Balance</td>
<td>$100,000</td>
</tr>
<tr>
<td>Storm Water Utility Fund – Use of Reserves</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following expenditure/expense increases be made:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Reconstruction/Maintenance Fund – Transfer Out</td>
<td>$100,000</td>
</tr>
<tr>
<td>Storm Water Utility Fund – Transfer Out</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to authorize use of the following funds:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ramsey-Washington Metro Trunk Storm Sewer Fund</td>
<td>$400,000</td>
</tr>
</tbody>
</table>

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-159

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project; Authorizing Award of Contract and Budget Amendment

Summary

Included in the Adopted Water and Sewer Utility Fund Budget is the Tower Drive Water Main Rehabilitation Project. This project was identified following; 1) a recent water main line break substantially impacting municipal water operations, 2) completion of a water main condition assessment effort that identified substantial structural deficiencies in the water main section, and 3) the unique critical nature of this line on production capacity should additional failures occur.

This proposed Tower Drive Water Main Lining Project would address the water main section from Well 6 and Well 7 terminating at Well 4 where new infrastructure was recently installed as part of the temporary water treatment plant project. Loss of this line at any point would result in the unique immediate removal of two wells from service and impact firm capacity by approximately 3.2 million gallons a day potentially triggering city-wide water restrictions based on the timing of a failure.

On February 16, 2022, City Staff selected SEH as the consultant for this project. SEH was selected based on their understanding of work to be completed and experience in work related to watermain infrastructure lining.

Bids for the Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project were received at 1:00 p.m. May 3, 2022, and opened virtually using Quest Construction Data Network VirtuBID. Three bids were received with the low bidder being Michels Corporation. Attached is a copy of the consultant recommendation letter for bids received.

Recommendation

Staff recommends Council adopt the attached resolution authorizing the Mayor and City Administrator to award and execute a contract with Michels Corporation for the Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project with a net bid of $699,770.50 and approving a budget amendment for the additional expense to the Water and Sewer Utility Fund (Enterprise Fund) in the amount of $274,724.60.
Fiscal Implications

The engineers estimate for the construction phase of the Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project was $708,085.00. The low bid by Michels Corporation is $699,770.50

The total not to exceed price for this project with a 20% contingency is $839,724.60. The 2022 Water and Sewer Utility Fund Budget included $565,000.00 for the effort. This project, including the requested additional funds in the amount of $274,724.60, will be funded from the Water and Sewer Utility Fund (Enterprise Fund).

Policy

The expedited design and rehabilitation of the Tower Drive (Well 6 and Well 7) Water Main aligns with the 2019-2021 Strategic Initiative 19-01, Ensure Long-term Drinking Water Sustainability.

Infrastructure maintenance aligns with the organization mission to provide safe, reliable potable water systems to the community and the Utility Divisions mission critical deliverable of operation, inspection, proper maintenance and repair of the City’s distribution system.

Public Process

- December 11, 2019, Council meeting adoption of Strategic Initiatives for 2020-2021
- January 8, 2020, Council meeting resolution 20-09, Proclamation of Local Emergency declaring the need for temporary water treatment to expedite design, construction and startup of a temporary water treatment system
- May 12, 2021, Council adoption of 2022-2026 Capital Improvement Plan
- June 23, 2021, Council meeting: Additional Emergency Actions to Be Taken To Address Water Treatment Issues in the City Caused by PFAS Contamination
- August 25, 2021, Council Workshop: Update on Strategic Initiative: Drinking Water
- October 13, 2021 Council Workshop: Community Growth and Water Analysis
- December 8, 2021 Council meeting: Adoption of the 2022 Annual Budget
- May 3, 2022, public bid, opening and recommended award of project

Background

The water main was constructed in 1984 and it is currently experiencing accelerated degradation likely due to soil conditions and high groundwater. On June 29, 2020, a main break occurred on the identified section of water main removing two wells from service. During the summer of 2020, SEH and Echologics performed an acoustic pipe test on part of this water main segment. A review of the results indicate that the water main has experienced substantial wall thickness loss. This in combination with the critical nature of this water main in production capacity supports the need for rehabilitation.

Written By: Eli Vasser, Utility Coordinator
Approved Through: Mary Hurliman, Public Works Director
Attachments: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorizing the Mayor and City Administrator to Award and Execute a Contract with Michels Corporation for Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project with a Net Bid of $699,770.50 and Approving a Budget Amendment for Additional Expense to the Water and Sewer Utility Fund in the Amount of $274,724.60

WHEREAS, bids were received and tabulated on May 3, 2022 at 1:00 p.m. for the Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project; and

WHEREAS, the apparent low responsive and responsible bid was received from Michels Corporation at their base bid price of $699,770.50.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of Michels Corporation in the amount of $699,770.50 for the Tower Drive (Well 6 and Well 7) Water Main Rehabilitation Project is the lowest responsive and responsible bid.

2. That a contract to perform said work is awarded to Michels Corporation and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.

3. A contingency of 20% of the contract totaling $139,954.10 is authorized for a total potential project amount of $839,724.60.

4. The City Clerk is authorized and directed to return the deposit made for said bids, except the deposit of the successful bidder which shall be retained until a contract has been signed.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increase to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer Utility Fund Use of Reserves</td>
<td></td>
</tr>
<tr>
<td>501-000-00-00000-4424</td>
<td>$274,724.60</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expense increase be made:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer Utility Fund Buildings &amp; Structures</td>
<td></td>
</tr>
<tr>
<td>501-075-00-00000-5510</td>
<td>$274,724.60</td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25\textsuperscript{th} day of May, 2022.

Attest:

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-160

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: 2021 Roadway Rehabilitation Project; Rescind Resolution 22-100; Amend Assessment Roll; Authorize Execution of Settlement Agreement

Summary

On May 11, 2022 Council approved Resolution 22-100 amending the Assessment Roll for the 2021 Roadway Rehabilitation project and authorizing the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

The resolution contained the incorrect amount to be abated at Washington County for collection in 2022. Washington County does not allow an abatement to reduce the amount certified for collection. The action of abatement removes the amount certified to the 2022 property taxes and the City needs to collect the corrected amount directly from the property owner. A certified copy of the resolution is required with the abatement document.

Recommendation

Staff recommends Council adopt the attached resolution rescinding Resolution 22-100, amending the assessment roll for the 2021 Roadway Rehabilitation Project and authorizing the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

Fiscal Implications

The proposed amended assessment for the property is below.

KLLR Realty, LLC – PID 04-028-21-24-0007
Original Assessment: $60,690.00
Amended Assessment: $42,600.00

The total reduction in the revised assessment roll is $18,090.00 and is within the approved budget contingency for the project.

Policy

City Policy CD-ENGPW-4.2 sets forth guidelines for the financing of roadway construction and identifies special assessments as funding for public infrastructure projects.
Public Process

The public process and construction of this project have been completed.

Background

On April 14, 2021, the City Council approved the project assessment roll at the special assessment hearing for the 2021 Roadway Rehabilitation project.

Following the special assessment hearing, property owner KLLR Realty, LLC, conducting business as Portillo’s Hot Dogs, LLC, filed an appeal to their special assessments for the project. A court ordered mediation was held on April 25, 2022, related to the appeal. A mediated settlement agreement has been proposed and agreed upon by the property owner and reviewed and approved by City staff and legal counsel. In the interest of time, costs and legal process, the Settlement Agreement proposes the reduction of the special assessment for the property rather than proceeding with hearings through District Court.

As part of the City’s ongoing pavement management program, roadway rehabilitation projects are performed annually to provide a cost-effective means of extending the life expectancy of the City street system. The general scope of work included the removal and replacement of damaged curb and gutter, minor storm sewer, sanitary sewer, and water main repairs, storm water quality improvements and pavement construction.

Written By: Tony Kutzke, Assistant Engineering Director/City Engineer
Approved Through: Chris Hartzell, Engineering Director
Attachment: 1. Resolution
2. Resolution 22-100
Resolution 22-100
Resolution of the City of Woodbury,
Washington County, Minnesota

Rescinding Resolution 22-100; Amending the Assessment Roll for the 2021 Roadway Rehabilitation Project and Authorizing the Mayor and City Administrator to Execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC

WHEREAS, the City Accountant I with the assistance of the City Engineer has calculated the amount to assess for improvements for the 2021 Roadway Rehabilitation project; and

WHEREAS, the Assessment Hearing for the 2021 Roadway Rehabilitation project was held on April 14, 2021; and

WHEREAS, the Assessment Roll for the 2021 Roadway Rehabilitation project was adopted by the City Council on April 14, 2021; and

WHEREAS, Special Assessment appeals were filed by KLLR Realty, LLC with the District Court; and

WHEREAS, a mediated settlement agreement has been proposed and agreed upon by the property owner and reviewed and approved by City staff and legal counsel; and

WHEREAS, in the interest of time, costs and legal process, staff recommends approving the Settlement Agreement to settle the special assessment appeal outside of District Court; and

WHEREAS, on May 11, 2022 the City Council adopted Resolution 22-100 to amend the assessment roll and authorize the Mayor and City Administrator to Execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC; and

WHEREAS, Resolution 22-100 did not reflect the correct amount for collection in 2022 for parcel #04-028-21-24-0007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that Resolution 22-100 adopted by the City Council on May 11, 2022 is hereby rescinded.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, authorizes the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

BE IT FURTHER RESOLVED to reduce the amount certified for collection in 2022 for parcel #04-028-21-24-0007 from $4,781.09 to zero.

BE IT FURTHER RESOLVED the Chief Financial Officer is hereby authorized to sign the necessary abatement form after receiving the amended amount for collection in 2022 from KLLR Realty, LLC in the amount of $3,355.99.
BE IT FURTHER RESOLVED the City Accountant I is hereby directed to forward a copy of this resolution to the County Auditor Treasurer.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

Upon execution of the Settlement Agreement, the proposed assessment roll is hereby amended to modify the Special Assessment for the property below:

KLLR Realty, LLC – PID 04-028-21-24-0007  
Original Assessment: $60,690.00  
Amended Assessment: $42,600.00

This resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: 

__________________________  
Anne W. Burt, Mayor

__________________________  
Clinton P. Gridley, City Administrator (SEAL)
Resolution 22-100

Resolution of the City of Woodbury,
Washington County, Minnesota

Amending the Assessment Roll for the 2021 Roadway Rehabilitation Project and
Authorizing the Mayor and City Administrator to Execute the Settlement Agreement
between the City of Woodbury and KLLR Realty, LLC

WHEREAS, the City Accountant I with the assistance of the City Engineer has calculated the amount to assess for improvements for the 2021 Roadway Rehabilitation project; and

WHEREAS, the Assessment Hearing for the 2021 Roadway Rehabilitation project was held on April 14, 2021; and

WHEREAS, the Assessment Roll for the 2021 Roadway Rehabilitation project was adopted by the City Council on April 14, 2021; and

WHEREAS, Special Assessment appeals were filed by KLLR Realty, LLC with the District Court; and

WHEREAS, a mediated settlement agreement has been proposed and agreed upon by the property owner and reviewed and approved by City staff and legal counsel; and

WHEREAS, in the interest of time, costs and legal process, staff recommends approving the Settlement Agreement to settle the special assessment appeal outside of District Court.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, authorizes the Mayor and City Administrator to execute the Settlement Agreement between the City of Woodbury and KLLR Realty, LLC.

BE IT FURTHER RESOLVED to reduce the amount certified for collection in 2021 for parcel #04-028-21-24-0007 from $60,690.00 to $42,600.00.

BE IT FURTHER RESOLVED the Chief Financial Officer is hereby authorized to sign the necessary abatement form.

BE IT FURTHER RESOLVED the City Accountant I is hereby directed to forward a copy of this resolution to the County Auditor Treasurer.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

Upon execution of the Settlement Agreement, the proposed assessment roll is hereby amended to modify the Special Assessment for the property below:

KLLR Realty, LLC – PID 04-028-21-24-0007
Original Assessment: $60,690.00
Amended Assessment: $42,600.00
This resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 11th day of May, 2022.

Attest:

Anne W. Burt, Mayor

Clintop P. Gridley, City Administrator

(SEAL)
Council Letter 22-161

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorizing Acceptance of Communications and Public Engagement Plan for LTWTP Project Grant from Minnesota Pollution Control Agency and Approval of Budget Amendment to the Water and Sewer Utility Fund

Summary

On February 20, 2018, the State of Minnesota settled its lawsuit against the 3M Company in return for a grant of $850 million. Minnesota’s attorney general sued 3M in 2010 alleging that the company’s production of chemicals known as per- and polyfluoroalkyl Substances (PFAS) had damaged drinking water and natural resources in the southeast Twin Cities metro area.

In August of 2021, the State of Minnesota released its final conceptual drinking water supply plan which includes a long-term water treatment plant (LTWTP) for the City of Woodbury. The LTWTP will be the largest public infrastructure project to date in the City’s history. Construction activities have the potential to impact many residents, businesses, visitors and other stakeholders. Thoughtful, integrated communications, branding and public engagement strategies, along with sharing timely project updates, will be critical to the success of the project.

In February of 2022, in coordination with the Minnesota Pollution Control Agency (MPCA), staff submitted a scope and cost estimate to the MPCA for funds to assist in the initial communications and public engagement effort. Through subsequent proposal development and modifications, the MPCA approved the funding request and fiscal resources are to be provided to the City under a MPCA grant.

Recommendation

Staff recommends Council adopt the attached resolution authorizing acceptance of up to $151,310 in grant funds from the MPCA to reimburse the City’s expenses for implementation of communications and public engagement plan for LTWTP project and approving a budget amendment to the Water and Sewer Utility Fund (Enterprise Fund).

Fiscal Implications

Upon approval to accept these grant funds, a budget amendment is necessary to recognize grant revenues and increased eligible expenses for consulting services in the Water and Sewer Utility Fund. Additional communication and public engagement resources will likely be required.
through the duration of the project. It is anticipated additional funding requests and modifications to this grant will be made to the MPCA in the future.

Policy

PFAS water treatment aligns with the 2019-2021 Strategic Initiative 19-01, Ensure Long-term Drinking Water Sustainability.

Public Process

- May 22, 2019, Council authorization of the letter of engagement for Advanced Engineering and Environmental Services, Inc. (AE2S) to complete the Comprehensive Water System Master Plan
- October 9, 2019, Council Resolution on the Development of the State of Minnesota 3M PFC Settlement Conceptual Drinking Water Supply Plan
- November 20, 2019 Council Workshop: Strategic Initiative Ensure Long-term Drinking Water Sustainability
- February 19, 2020, Council Workshop: Woodbury’s Comprehensive Water System Update
- October 7, 2020, Council Workshop: State of Minnesota Conceptual Drinking Water Supply Plan
- October 21, 2020, Council Workshop: State of Minnesota Conceptual Drinking Water Supply Plan
- October 20, 2021 Council Workshop: State of Minnesota Conceptual Drinking Water Supply Plan

Background

The City of Woodbury owns and operates a water system which draws ground water from the Prairie du Chien/Jordan aquifer. Water supply comes from 19 production wells with a total designed pumping capacity of about 24,500 gallons per minute with a firm capacity of about 32 million gallons per day. To handle peak water demand, Woodbury has six water storage facilities totaling 10.5 million gallons. The water is treated with chlorine and fluoride to meet Department of Health standards. Some Woodbury properties obtain their water through private wells and are not served by the municipal water systems.

The City’s water continues to meet all current state and federal drinking water standards and guidance for PFAS; however, there have been significant operational changes made due to the presence of PFAS in the aquifer. Nine of the City’s 19 wells have levels of PFAS above the Health Based Value (HBV), Health Advisory Values (HA), or the Hazard Index (HI) that require Woodbury to significantly reduce their use; four of which are currently being treated at the temporary water treatment facility. In upcoming years, there is general concern that the other wells may experience increased levels of PFAS that may exceed established values. In addition, the regulatory values continue to change as more research is being done and the health impacts are becoming more understood.

Written By: Jason Egerstrom, Communications Manager  
Jim Westerman, Assistant Public Works Director  
Mary Hurliman, Public Works Director  
Attachments: Resolution
Resolution 22-
Resolution of the City of Woodbury, Washington County, Minnesota

Authorizing Acceptance of up to $151,310 in Grant Funds from the MPCA to Reimburse the City’s Expenses for Implementation of Communications and Public Engagement Plan for LTWTP Project and Approving a Budget Amendment to the Water and Sewer Utility Fund (Enterprise Fund).

WHEREAS, the City is a beneficiary to the settlement agreement and order between the State of Minnesota and 3M Company for the company’s production of chemicals known as Per- and Polyfluoroalkyl Substances and resultant impact to the City’s potable water supply; and

WHEREAS, the Minnesota Pollution Control Agency (MPCA) and Department of Natural Resources, co-trusties of the settlement agreement, have completed a conceptual drinking water supply plan for communities impacted by the settlement agreement; and

WHEREAS, the City of Woodbury prepared, submitted, and received approval for a grant from the MPCA for the purpose of communications and public engagement planning for the long-term water treatment plant project; and

WHEREAS, Minn. Stat. § 465.03 requires a City to accept grants by resolution expressing the terms prescribed by the donor in full; and

WHEREAS a resolution from the City Council authorizing the City of Woodbury Assistant City Administrator to execute the MPCA Communications and Public Engagement Plan for Long-term Water Treatment Project Grant electronically through the State’s SWIFT process is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, that acceptance of the City of Woodbury Communications and Public Engagement Plan for Long-term Water Treatment Plant Project Grant from the MPCA for the City is hereby authorized in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increase to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer Utility Fund</td>
<td></td>
</tr>
<tr>
<td>State Grants &amp; Aids-Other</td>
<td></td>
</tr>
<tr>
<td>(501-000-00-00000-4352)</td>
<td>$151,310</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expense increase be made:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer Utility Fund</td>
<td></td>
</tr>
<tr>
<td>Professional Services-General</td>
<td></td>
</tr>
<tr>
<td>(501-075-00-00000-5301)</td>
<td>$151,310</td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 25th day of May, 2022.

Attest:  

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-162

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: 2022 Parks Pavement and Asset Replacement Project; Contract Award; Budget Amendment

Summary

On May 12, 2022, the Parks and Forestry Division opened bids for the 2022 Parks Pavement and Asset Replacement Project. A total of 6 bids were submitted for the project. The net low bid amount for Bid Items 1 through 5 and Bid Alternate 1 was submitted by Minnesota Roadways Company, in the amount of $625,663.00. Minnesota Roadways Company was the low bid for this contract and is recommended by Kimley Horn and Associates, Inc. The Parks and Trails Replacement Fund, General Fund Parks and Forestry and CIF 2022 Public Works Public Improvements will be used to pay for specific portions of this project.

Recommendation

Staff recommends Council adopt the attached resolution awarding the contract for the 2022 Parks Pavement and Asset Replacement Project for Bid Items 1 through 5 and Bid Alternate 1 to Minnesota Roadways Company, with a net bid of $625,663, authorizing the Mayor and City Administrator to sign said contract, and approving a budget amendment for additional expenditure to the Parks and Trails Replacement Fund in the amount of $112,021.60.

Fiscal Implications

The total project cost for the 2022 Parks Pavement and Asset Replacement Project is estimated to be $750,795.60, including professional services.

Bid items 2 through 4 and Bid Alternate 1, total $259,152 and will be funded out of the General Fund - Parks and Forestry. The adopted 2022 budget allocated $253,000 for this annual project; the project bid amount over budget ($6,152) will be managed within the General Fund – Parks and Forestry operating budget.

Bid Item 5 totals $342,021.60 and will be funded out of the Parks and Trails Replacement Fund. The adopted 2022 budget allocated $230,000 for this project. This project, including the requested additional funds in the amount $112,021.60 will be funded from the Parks and Trails Replacement Fund.
Bid Item 1 totals $149,622 and will be funded out of the Capital Improvement Fund – 2022 Public Works Improvements ($980,000). The adopted 2022 budget has an estimated balance of $264,000 available for this project; so there are sufficient funds for this portion of the project.

Policy

Critical Success Factor, Quality of Life
Strategic Initiative, Parks and Trails Replacement Plan

Project Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>April, 2022</td>
<td>Kimley Horn and Associates, Inc. prepared plans and specifications</td>
</tr>
<tr>
<td>May 12, 2022</td>
<td>Received bids</td>
</tr>
<tr>
<td>May 25, 2022</td>
<td>Award contract, authorize construction</td>
</tr>
<tr>
<td>June 2022</td>
<td>Begin Project</td>
</tr>
<tr>
<td>October 2022</td>
<td>Complete Project</td>
</tr>
</tbody>
</table>

Background

Bid Item 1: Will be funded out of the CIF - 2022 Public Works Building Improvements and consists of the reconstruction of the north half of the Public Works employee parking lot.

Bid Item 2: Will be funded out of the General Fund - Parks and Forestry and consists of the City wide tennis and basketball court crack filling.

Bid Item 3: Will be funded out of the General Fund - Parks and Forestry and consists of court maintenance at Ridge, Powers Lake East, Bailey’s Arbor, and Shawnee Parks. Includes leveling all depressed areas, crack fill entire court area, recolor court surfaces and restriping all courts with standard layout.

Bid Item 4: Will be funded out of the General Fund - Parks and Forestry and consists of concrete repairs at M Health Fairview Sports Center, Stonemill and Colby Lake Parks.

Bid Item 5: Will be funded out of the Parks and Trails Replacement Fund - Courts and consists of the reconstruction of the courts at Odawa Park (one tennis, one basketball) and Cobblestone Park (one tennis).

Bid Alternate 1: Will be funded out of the General Fund - Parks and Forestry and consists of the reconstruction of the perimeter trails and the addition of a new connecting trail to the swing area at Cobblestone Park.

Written By: Amy Howard, Assistant Park Manager
Approved Through: Mary Hurliman, Public Works Director
Attachments: Resolution
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Awarding the Contract for the 2022 Parks Pavement and Asset Replacement Project for Bid Items 1 through 5 and Bid Alternate 1, to Minnesota Roadways Company with a Net Bid of $625,663, Authorizing the Mayor and City Administrator to Sign Said Contract, and Approving a Budget Amendment for Additional Expenditure to the Parks and Trails Replacement Fund in the Amount $112,021.60

WHEREAS, on May 25, 2022, the City received bids for the 2022 Parks Pavement and Asset Replacement Project; and

WHEREAS, the apparent low responsive and responsible bid was received from Minnesota Roadways Company for Bid Items 1 through 5 and Bid Alternate 1, at their bid price of $625,663.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid from Minnesota Roadways Company in the amount of $625,663.00, for the 2022 Parks Pavement and Asset Replacement Project, is the lowest responsive bid.

2. That a contract to perform said work is awarded to Minnesota Roadways Company and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.

3. Combined consulting fees and contingency totaling $125,132.60 for a total potential project amount of $750,795.60.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the following revenue increase to the 2022 City Budget:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks and Trails Replacement Fund</td>
<td></td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td></td>
</tr>
<tr>
<td>202-000-00-00000-4424</td>
<td>$112,021.60</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the following 2022 expenditure increase be made:

<table>
<thead>
<tr>
<th>Fund/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks and Trails Replacement Fund</td>
<td></td>
</tr>
<tr>
<td>Contractual Services</td>
<td></td>
</tr>
<tr>
<td>202-090-00-29077-5425</td>
<td>$112,021.60</td>
</tr>
</tbody>
</table>
This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-163

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Works Wash Bay Improvement Project; Award Contract

Summary

On May 17, 2022, bids were opened for the Public Works Wash Bay Improvements Project. The project includes renovating the current wash bay to meet current code requirements and updating the equipment to meet the needs of the organization.

The low bidder for the Public Works Wash Bay Improvements Project is American Liberty Construction, Inc., with a total base bid of $417,500. The total project costs, consisting of construction, engineering, legal and administration are projected to be $626,957.

Recommendation

Staff recommends Council adopt the attached resolution awarding the construction contract to American Liberty Construction, Inc. in the amount of $417,500 for the Public Works Wash Bay Improvements Project and authorizing the Mayor and City Administrator to sign said contract.

Fiscal Implications

The 2022 Adopted Annual Budget includes sufficient funds for the wash bay improvements as part of the Public Works Municipal Buildings Project in the Capital Improvement Fund.

Policy

The Public Works Wash Bay Improvements Project follows the procedures set by Minnesota State Statutes regarding competitive bidding and project award.

Public Process

This is the first public process for this project.
Background

In order to provide a safe and efficient equipment cleaning facilities, the City is proposing to improve the wash bay area with adequate equipment and mechanicals to maintain the City’s fleet of vehicles.

Written By: Doug Novak, Project Engineer
Approved Through: Mary Hurliman, Public Works Director
Attachments: 1. Resolution
2. Consultant Recommendation of Award
Engineering File No: 16-2021-03
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Awarding the Construction Contract to American Liberty Construction, Inc., in the Amount of $417,500 for the Public Works Wash Bay Improvements Project and Authorizing the Mayor and City Administrator to Sign Said Contract

WHEREAS, sealed bids were received and tabulated on May 17, 2022, at 10:00 a.m. for the Public Works Wash Bay Improvements Project; and

WHEREAS, the apparent low responsive and responsible bid was received from American Liberty Construction, Inc. at their total base bid price of $417,500.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota as follows:

1. That the bid of American Liberty Construction, Inc., in the amount of $417,500 total base bid for the Public Works Wash Bay Improvements Project is the lowest responsive bid.

2. That a contract to perform said work is awarded to American Liberty Construction, Inc. and that the Mayor and City Administrator are hereby authorized and directed to enter into a contract with said bidder.

3. A contingency of 10% of the contract is authorized, as well as engineering, legal and administration for a project total of $626,957.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest: Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
May 17, 2022

Mr. Doug Novak  
City of Woodbury  
8301 Valley Creek Road  
Woodbury, MN 55125

Re: Woodbury Public Works Wash Bay Renovations  
Stantec Project No. 193805477  
Bid Results

Dear Mr. Novak:

Bids were opened for the Woodbury Public Works Wash Bay Renovations project on May 17, 2022. Transmitted herewith is a copy of the Bid Tabulation for your information and file. Copies will also be distributed to each Bidder once the Project has been awarded.

There was a total of 7 Bids. The following summarizes the results of the Bids received:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low American Liberty Construction, Inc.</td>
<td>$417,500.00</td>
</tr>
<tr>
<td>#2 JPMI Construction Co.</td>
<td>$459,000.00</td>
</tr>
<tr>
<td>#3 Ebert Construction</td>
<td>$463,300.00</td>
</tr>
<tr>
<td>#4 Frerichs Construction Company</td>
<td>$472,627.00</td>
</tr>
<tr>
<td>#5 Cy-Con, Inc.</td>
<td>$538,110.00</td>
</tr>
<tr>
<td>#6 Weber, Inc.</td>
<td>$547,000.00</td>
</tr>
<tr>
<td>#7 Construction Results Corporation</td>
<td>$847,314.00</td>
</tr>
</tbody>
</table>

The low Bidder on the Project was American Liberty Construction, Inc. with a Total Base Bid Amount of $417,500.00. These Bids have been reviewed and found to be in order.

If the City wishes to award the Project to the low Bidder, then American Liberty Construction, Inc. should be awarded the Project on the Total Base Bid Amount of $417,500.00.

Should you have any questions, please feel free to contact me.

Sincerely,

STANTEC CONSULTING SERVICES INC.

Bruce Paulson

Enclosure
Council Letter 22-164

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Certifying Delinquent Utility Bill/Curb Stop Repair for 7714 Somerset Road to the Washington County Auditor

Summary

In the event of a curb stop failure the property owner is responsible for repairs. Any charges the City incurs to make the repair needs to be added to the utility bill. The owner may choose not to pay the utility bill which then allows the charge to be assessed against the property and certified to Washington County for collection with the property taxes.

Recommendation

Staff recommends Council adopt the attached resolution Certifying Delinquent Utility Bill/Curb Stop Repair for 7714 Somerset Road to the Washington County Auditor.

Fiscal Implications

The amount of the utility bill/curb stop repair is $7,310.35. The curb stop repair will be collected with the property taxes over a term of 10 years with an interest rate of 3.5%.

Policy

Woodbury City Code Sec. 23-29 states “After the initial connection has been made to the water curb box stop, the applicant, owner or the occupant or user of such premises shall be liable for all repairs required to the water line from the residence to, but not including the corporation cock, including any necessary repairs to the curb box stop and any necessary street repairs.”

Per the City Attorney any cost the City incurs to repair the curb stop should be added to the utility bill, which is due within 30 days. Woodbury City Code Sec. 23-60 states in the event a water or sewer bill is unpaid after the due date the bill shall be considered delinquent. It also states the Council may cause the charges to become a lien against the property by certifying to the County Auditor the amount of the delinquent utility bill in accordance with Minnesota Statute 444.075, Subdivision 3.

On August 29, 2012 Council approved the Council Directive - Curb Stop Repair Payment Policy which allows the property owner to request an assessment term of 10 years. The policy states
that in order to be eligible the property owner must sign an Agreement of Assessment and Waiver of Irregularity and Appeal which allows us to levy the repair over a term of 10 years without having to hold a public hearing.

Public Process

This is the first public process for this item.

Background

On May 10, 2022 the property owners at 7714 Somerset Road were sent a utility bill for a curb stop repair that was done by Miller Excavating, Inc. The amount of the repair was $7,310.35. Along with the invoice a letter was sent notifying them of the option to pay the utility bill by June 7, 2022 or the amount due for the curb stop repair would be assessed against the property. They were also advised of the Council directive allowing them to have a payment term of 10 years for the special assessment providing they sign an Agreement of Assessment and Waiver of Irregularity and Appeal. The property owners have chosen the 10 year option and have returned the necessary document.
Resolution 22-

Resolution of the City of Woodbury, Washington County, Minnesota

Certifying Delinquent Utility Bill/Curb Stop Repair for 7714 Somerset Road to the Washington County Auditor

WHEREAS, Woodbury City Code Chapter 23-29 states after initial connection is made to the water curb stop box the owner is liable for all repairs; and

WHEREAS, City Attorney has advised that any expenses incurred by the City to repair the curb stop, including necessary street repairs, are to be added to the utility bill; and

WHEREAS, Woodbury City Code Chapter 23, Subdivision 23-60 provides that in the event a utility bill is unpaid at the end of a billing period, the bill shall be considered delinquent and the City Council may cause the charges noted in such billing to become a lien against the property served by certifying to the County Auditor the amount of said delinquent bill in accordance with Minnesota Statute 444.075, Subdivision 3; and

WHEREAS, per Council Directive - Curb Stop Repair Payment Policy the property owner has the option to execute an Agreement of Assessment and Waiver of Irregularity and Appeal which allows the City to offer a 10 year assessment term per State Statue 429, and

WHEREAS, the property owner has signed and returned the Agreement of Assessment and Waiver of Irregularity and Appeal

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that the Accountant I shall certify the delinquent utility bill/curb stop repair for 7714 Somerset Road in the amount of $7,310.35 to the Washington County Auditor for extension to the property taxes over a period of 10 years at an interest rate of 3.5%. The first installment with interest from the date hereof to December 31, 2022 to be payable with the general taxes collectible during the year 2023 and one of each of the remaining installments, together with one years interest on that and all other unpaid installments, to be payable with general taxes for each consecutive year thereafter until the entire assessment is paid.

This said resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

______________________________
Anne W. Burt, Mayor

Attest: 

Clinton P. Gridley, City Administrator (SEAL)
Council Letter 22-165

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorization to Participate in the Council on Local Results and Innovation’s Performance Measurement Program

Summary

In 2010, the State of Minnesota established a voluntary performance reporting program for cities and counties and also created the Council on Local Results and Innovation (CLRI). The purpose of the program is to provide cities and counties with incentives to develop, track, and report performance data on their critical services. The CLRI was tasked with establishing the set of measures that cities/counties will report to the State in order to meet the requirements for receiving the benefits of the program. The benefits include receiving a reimbursement of $0.14 (fourteen cents) per capita, not to exceed $25,000. From 2011 through 2021, the City participated in the State’s performance reporting program and received a reimbursement of $10,514 for participation in 2021.

Recommendation

Staff recommends Council adopt the attached resolution authorizing to participate in the Performance Measurement Program established by the State of Minnesota and the Council on Local Results and Innovation.

Fiscal Implications

Participation in this program provides the City with a reimbursement of $0.14 per capita on an annual basis, not to exceed $25,000, which would be paid in December. The payment is recorded in the General Fund.

Policy

None

Public Process

This is the first public process for this item.
In order to participate in the program and receive the benefits, the City Council must formally adopt the set of performance measures on an annual basis (see Standard Measures for Cities). The City of Woodbury has a long standing performance reporting program and already tracks the minimum number of performance measures required; therefore, the City will not be required to develop any new measures or procedures to participate in this program. In addition, the City will report on the adopted measures to the State Auditor’s Office by their July 1 reporting deadline. Since this is a voluntary program, the City could decide to withdraw its participation in a future year if it no longer agreed with the requirements of the program. At the July Council workshop meeting, Council will be presented the City’s 2021 Performance Measures.
Resolution 22-

Resolution of the City of Woodbury,
Washington County, Minnesota

Authorization to Participate in the Performance Measurement Program Established by
the State of Minnesota and the Council on Local Results and Innovation

WHEREAS, benefits to the City of Woodbury for participation in the Minnesota Council on Local Results and Innovation’s comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

WHEREAS, any City participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, the City Council of Woodbury has adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Woodbury, Washington County, Minnesota will continue to report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, posting on the City’s website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

BE IT FURTHER RESOLVED, the City Council of the City of Woodbury, Washington County, Minnesota will submit to the Office of the State Auditor the actual results of the performance measures adopted by the City.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator on the 25th day of May 2022.

Anne W. Burt, Mayor

Attest:

Clinton P. Gridley, City Administrator (SEAL)
## Standard Measures for Cities

<table>
<thead>
<tr>
<th>Category</th>
<th>#</th>
<th>Measure</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>1.</td>
<td>Rating of the overall quality of services provided by your city (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>Percent change in the taxable property market value</td>
<td>County assessor's office data</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>Citizens’ rating of the overall appearance of the city (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>Nuisance code enforcement cases per 1,000 population</td>
<td>(Number of cases / Population) x 1,000 = cases per 1,000 population</td>
</tr>
<tr>
<td></td>
<td>5.</td>
<td>Number of library visits per 1,000 population</td>
<td>(Number of visits / Population) x 1,000 = visits per 1,000 population</td>
</tr>
<tr>
<td></td>
<td>6.</td>
<td>Bond rating</td>
<td>Standard &amp; Poor’s Ratings Services or Moody’s Investor Services</td>
</tr>
<tr>
<td></td>
<td>7.</td>
<td>Citizens’ rating of the quality of city recreational programs and facilities (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
<tr>
<td></td>
<td>8.</td>
<td>Accuracy of post election audit (% of ballots counted accurately)</td>
<td></td>
</tr>
</tbody>
</table>

### Police Services

<table>
<thead>
<tr>
<th>#</th>
<th>Measure</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.</td>
<td>Part I and II Crime Rates</td>
<td>Submit data as reported by the Minnesota Bureau of Criminal Apprehension</td>
</tr>
<tr>
<td>10.</td>
<td>Part I and II Crime Clearance Rates</td>
<td>Submit data as reported by the Minnesota Bureau of Criminal Apprehension</td>
</tr>
<tr>
<td>11.</td>
<td>Citizens’ rating of safety in their community (survey data, provide year completed and total responses)</td>
<td>Example of responses: very safe, somewhat safe, neither safe nor unsafe, somewhat unsafe, very unsafe</td>
</tr>
<tr>
<td>12.</td>
<td>Average police response time</td>
<td>Average time it takes to respond to top priority calls from dispatch to officer on scene.</td>
</tr>
</tbody>
</table>

### Fire & EMS Services

<table>
<thead>
<tr>
<th>#</th>
<th>Measure</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>Insurance industry rating of fire services</td>
<td>Insurance Service Office (ISO) Rating. The ISO issues ratings to fire departments throughout the country for the effectiveness of their fire protection services and equipment. ISO analyzes data and then assigns a classification from 1 to 10. Class 1 represents superior property fire protection and Class 10 indicates that the area’s fire suppression program does not meet ISO’s minimum criteria.</td>
</tr>
<tr>
<td>14.</td>
<td>Citizens’ rating of the quality of fire protection services (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
<tr>
<td>15.</td>
<td>Average fire response time</td>
<td>Average time it takes from dispatch to apparatus on scene for calls that are dispatched as a possible fire</td>
</tr>
<tr>
<td>16.</td>
<td>Fire calls per 1,000 population</td>
<td>(Number of calls / population) x 1,000 = calls per 1,000 population</td>
</tr>
<tr>
<td>17.</td>
<td>Number of fires with loss resulting in investigation</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>EMS calls per 1,000 population</td>
<td>(Number of calls / population) x 1,000 = calls per 1,000 population</td>
</tr>
<tr>
<td>19.</td>
<td>Emergency Medical Services average response time</td>
<td>Average time it takes from dispatch to arrival of EMS</td>
</tr>
</tbody>
</table>

### Streets

<table>
<thead>
<tr>
<th>#</th>
<th>Measure</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.</td>
<td>Average city street pavement condition rating</td>
<td>Provide average rating and the rating system program/type. Example, 70 rating on the Pavement Condition Index (PCI).</td>
</tr>
<tr>
<td>21.</td>
<td>Citizens’ rating of the road conditions in their city (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor. Alternatively: good condition, mostly good condition, many bad spots</td>
</tr>
<tr>
<td>22.</td>
<td>Expenditures for road rehabilitation per paved lane mile rehabilitated (jurisdiction only roads)</td>
<td>Total cost for rehabilitations / lane miles rehabilitated</td>
</tr>
<tr>
<td>23.</td>
<td>Percentage of all jurisdiction lane miles rehabilitated in the year</td>
<td>Lane miles rehabilitated in year / total number of lane miles</td>
</tr>
<tr>
<td>24.</td>
<td>Average hours to complete road system during snow event</td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Citizens’ rating of the quality of snowplowing on city streets (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
</tbody>
</table>

### Water

<table>
<thead>
<tr>
<th>#</th>
<th>Measure</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>26.</td>
<td>Citizens’ rating of the dependability and quality of the city water supply (survey data, provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
<tr>
<td>27.</td>
<td>Operating cost per 1,000,000 gallons of water pumped/produced</td>
<td>Centrally provided system: (actual operating expense for water utility / (total gallons pumped / 1,000,000)) = cost per million</td>
</tr>
</tbody>
</table>

### Sanitary Sewer

<table>
<thead>
<tr>
<th>#</th>
<th>Measure</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>28.</td>
<td>Citizens’ rating of the dependability and quality of city sanitary sewer service (Provide year completed and total responses)</td>
<td>Example of responses: excellent, good, fair, poor</td>
</tr>
<tr>
<td>29.</td>
<td>Number of sewer blockages on city system per 100 connections</td>
<td>Centrally provided system: (Number of blockages / number of connections) x 100 = blockages per 100 connections</td>
</tr>
</tbody>
</table>

*New or amended measure
Council Letter 22-166

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Authorization of Settlement and Release Agreement between City of Woodbury and James Olsen

Summary

In 2021, James Olsen resigned his Police Officer position after he was determined to be eligible for benefits by the Public Employees Retirement Association (PERA). The City is prepared to withdraw its Petition regarding this determination pending the authorization of the provided Settlement and Release Agreement.

Recommendation

Staff recommends Council approve the attached Settlement and Release Agreement between City of Woodbury and James Olsen.

Fiscal Implications

Legal expenses to date have been covered within the 2021 and 2022 Budget.

Policy

Minnesota Statute 299A.465

Public Process

The Council meeting will be the first public process for this item.

Background

Under Minnesota Statute 299A.465, police officers and firefighters that are disabled in the line-of-duty are eligible to continue medical insurance benefits through their former employer. The employer is required to continue to pay its portion of the medical insurance premiums until the police officer or firefighter reaches the age of 65.
The City and James Olsen have agreed to the attached Settlement and Release Agreement that organizes how the City will provide benefits for James Olsen.

Written By: Jody Brown, Human Resources Manager
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: Settlement and Release Agreement
SETTLEMENT AND RELEASE AGREEMENT
BETWEEN
CITY OF WOODBURY
AND
JAMES OLSEN

This Settlement and Release Agreement (hereinafter “Agreement”) is made and entered into by and between the City of Woodbury, Minnesota (hereinafter “City”), a municipal corporation, and James Olsen.

Recitals

WHEREAS, James Olsen was employed by the City as Police Officer until March 15, 2021 - the effective date of his removal from employment with the City; and

WHEREAS, James Olsen was determined to be eligible for duty disability benefits by the Public Employees Retirement Association (PERA); and

WHEREAS, the City filed a Petition for Review (Petition) with PERA to initiate a contested case under Minnesota Statutes Section 299A.465, subd. 1(b)(2) asserting that PERA erred in its determination that James Olsen was eligible for duty disability benefits under the statute, which requires the City to continue to provide health coverage and payment of its contribution to James Olsen’s health coverage until he reaches age 65; and

WHEREAS, City and James Olsen mutually feel that it is in the best interests of each party that the City withdraw its Petition in accordance with the terms and conditions specified below in this Agreement and avoid the time, expense, effort, and risk of proceeding with the contested case.

Agreement

NOW, THEREFORE, in consideration of the mutual covenants and agreements to be performed, as hereinafter set forth, City and James Olsen agree as follows:

Article 1. Payments

Section 1.1. Consideration

In consideration for James Olsen’s waivers and releases described in Article 2 of this Agreement, City will do the following each month from June 2022 through June 2030:

A. Allow James Olsen, his spouse, and his dependent(s) to enroll in a City-designated group health plan; and
B. Pay a contribution to premiums for coverage in the amount that is the lesser of: (i) $1200.00; or the (ii) City’s coverage contribution for the respective month James Olsen is enrolled in the City-designated group health plan.

In consideration for James Olsen’s waivers and releases described in Article 2 of this Agreement, beginning July 2030 until the month and year James Olsen reaches the age of 65, City will allow for James Olsen to elect or continue coverage for himself, his spouse, and his dependent(s) at James Olsen’s full assumption of responsibility of payment for premium costs and at no expense to the City.

Section 1.2. No Other Compensation or Benefits

The compensation described in this Article is the full and final compensation for this matter. City will not provide James Olsen any compensation or benefits other than that provided in this Article or as otherwise required by law.

Article 2. James Olsen’s Waiver and Release

Section 2.1 James Olsen knowingly and voluntarily waives his right to pursue and releases to the extent not prohibited by law the City and its affiliated bodies, officers, officials, employees, agents, or other constituents from: (i) any claims for City-provided health coverage or payments for contributions to his health insurance coverage, including, but not limited to, claims under Minn. Stat. § 299A.465, as it may be amended, or any other law, regulation, rule, or the like specifying continued City-provided health coverage or City payments for contributions to his health insurance coverage; and (ii) any and all grievances, claims, demands, actions, hearings, liability, damages or rights of any kind, whether known or unknown, that he has asserted or may assert, directly arising out of or resulting from acts or occurrences that occur on or before the effective date of this Agreement related to James Olsen’s employment with City, City health insurance coverage or contributions, or compensation or benefits, including, but not limited to, those grievances, claims, demands, actions, hearings, liability, damages or rights arising under City’s ordinances, personnel policies, or group insurance policies, Title VII of the Civil Rights Act, Family and Medical Leave Act, Americans with Disabilities Act, Rehabilitation Act of 1973, 42 U.S.C. § 1983, Age Discrimination in Employment Act, Veterans Preference Act, Minnesota Human Rights Act, Public Employment Labor Relations Act, Minnesota Occupational Health and Safety Act, Minnesota Whistleblower Act, the Minnesota and federal Fair Labor Standards Acts, Minnesota Government Data Practices Act, Minnesota Open Meeting Law, and common law.

Section 2.2 If James Olsen does not rescind assent to the waiver and release of the claims set forth in Section 2.1 of this Agreement with regard to claims
arising under the Age Discrimination in Employment Act, 29 U.S.C. §§ 621-34, within 7 calendar days of execution of this Agreement, then the waiver and release specified in Section 2.1 related to such claims under the Age Discrimination in Employment Act apply to acts or occurrences that occur on or before the fifteenth calendar day after the effective date of this Agreement related to James Olsen’s employment with City or demotion therefrom or compensation or benefits.

Section 2.3 If James Olsen does not rescind assent to the waiver and release of the claims set forth in Section 2.1 of this Agreement with regard to claims arising under the Minnesota Human Rights Act, Minn. Stat. §§ 363A.01-41, within 15 calendar days of execution of this Agreement, then the waiver and release specified in Section 2.1 related to such claims under the MHRA apply to acts or occurrences that occur on or before the fifteenth calendar day after the effective date of this Agreement related to James Olsen’s employment with City or demotion therefrom or compensation or benefits.

Article 3. Prohibition on Disclosing Certain Data or Making Certain Statements

James Olsen will not release, discuss, or comment on the following data: (1) not public, nonpersonnel City data; or (2) private data that identifies other City employees. James Olsen will not make any disparaging or defamatory statements concerning any aspect of his employment relationship with City to the extent such statements are not protected speech. City will not make any disparaging or defamatory statements concerning any aspect of its employment relationship with James Olsen. This Article does not apply to any data disclosed by the City to a party requesting or compelling disclosure of such data if required by law.

Article 4. No Reinstatement

James Olsen is not entitled to any reinstatement to employment with the City.

Article 5. Consideration and Rescission

Section 5.1. James Olsen has 21 calendar days from May 12, 2022 - the date he received this Agreement - in which to consider this Agreement pursuant to the Age Discrimination in Employment Act, 29 U.S.C. §§ 621-34.

Section 5.2. James Olsen has the right to rescind the release of the claims set forth in Article of this Agreement with regard to claims arising under the Minnesota Human Rights Act, Minn. Stat. §§ 363A.01-41, within 15 calendar days of execution of this Agreement, and with regard to his rights arising under the Age Discrimination in Employment Act, 29 U.S.C. §§ 621-34, within 7 calendar days of execution of this Agreement. These rescission periods shall run concurrently. In order to be effective, the rescission or rejection must:
A. Be in writing;

B. Be delivered to:

City: James Olsen:
City Administrator Gridley 91 West Wood Ridge Drive
8301 Valley Creek Rd, River Falls, WI 54022
Woodbury, MN 55125

C. If delivered by mail, the rescission must be postmarked within the required period, properly addressed to City of Woodbury City Administrator or James Olsen, as applicable, as set forth above, and sent by certified mail, return receipt requested.

Section 5.3. If James Olsen rescinds the release of claims or payment in accordance with this article, he will not receive the consideration set forth in Section 1.1 of this Agreement. But, all other provisions of this Agreement will be in full force and effect.

Article 6. Entire Agreement

This Agreement constitutes the entire agreement among the parties hereto. No representations, warranties, covenants, or inducements have been made to any party concerning this Agreement, other than the representations, covenants, or inducements contained and memorialized in this Agreement. This Agreement supersedes all prior negotiations and oral and written agreements and understandings with respect thereto.

Article 7. Amendment, Modification, or Termination

This Agreement or any of its terms may only be amended, modified, or terminated by a written instrument signed by or on behalf of all of the parties hereto or their successors in interest.

Article 8. Governing Law and Severability

Section 8.1. This Agreement is governed by the laws of the State of Minnesota, both as to interpretation and performance. The rule of construction of interpreting a contract against its drafter will not apply to this Agreement.

Section 8.2. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable by any branch of government with authority over such provision or portion thereof, the remainder of this Agreement shall be deemed
severable, shall not be affected, and shall remain in full force and effect.

Article 9.   No Precedent or Practice

This Agreement is solely for the purposes of resolving the matters described in this Agreement. The terms of this Agreement do not have any precedential value beyond this Agreement nor establish any practice.

Article 10.  No Admission of Liability or Wrongdoing

Neither City nor James Olsen admits to any legal liability or violation of any contract or law, or that it or he has engaged in any wrongdoing in this matter. Nothing in this Agreement shall be construed to be an admission by either City or James Olsen of any liability, violation, or wrongdoing.

Article 11.   Attorney’s Fees, Costs, and Disbursements

Each party is responsible for its/his attorney’s fees, costs, and disbursements in reaching this Agreement and no party will seek an award of attorney’s fees, costs, or disbursements against a party hereto incurred in reaching this Agreement.

Article 12.   Binding Effect and No Assignment

This Agreement is binding upon, and inures, to the benefit of the successors, executors, heirs and legal representatives of the parties hereto. This Agreement is not assignable by any party. Any purported assignment by any party shall be null and void and not operate to relieve such party of its obligations hereunder.

Article 13.   Counterparts

This Agreement may be executed in counterparts. Facsimile, photocopied, scanned, or electronic signatures shall be considered as valid signatures as of the date affixed to the signature.

Article 14.   Representations of Parties

The respective parties hereto hereby represent that this Agreement has been duly authorized and, upon execution, will constitute a valid and binding contractual obligation, enforceable in accordance with its terms, of each of the parties hereto.

Article 15.   Headings

The headings of the paragraphs of this Agreement are not binding and are for reference only and do not limit, expand or otherwise affect the contents of this Agreement.

Article 16.   Remedies
The parties will negotiate in good faith all disputes and/or claims between them related to the validity, interpretation, application or the like of this Agreement in good faith for a period of 30 calendar days from the date of notice from a party of a dispute or claim prior to proceeding to formal dispute resolution or exercising their rights under law. Any party that desires to resolve a dispute of claim if it is unresolved after the 30-calendar day negotiation period must first submit the dispute or claim to mediation utilizing a mediator in the State of Minnesota, Bureau of Mediation Services or Minnesota District Court Rule 114 Roster as selected by the alleged aggrieved party. Any party that desires to resolve a dispute of claim if it is unresolved after participating in mediation, either party may bring a legal action in court against the other party for appropriate equitable relief and damages, but not attorneys’ fees. In addition, the City may suspend the terms set forth in Section 1.1 of this Agreement if there is a dispute.

**Article 17. Indemnification**

City makes no representation as to the taxability of the amount paid to James Olsen. James Olsen agrees to pay federal or state taxes, if any, which are required by law to be paid by him in regards to this Agreement. James Olsen agrees to indemnify City and hold it harmless from any penalties, taxes, or interest assessed against it by any government agency as a result of it or James Olsen’s non-payment of taxes on any amounts paid to James Olsen under the terms of this Agreement.

**Article 18. Voluntary and Knowing Action**

James Olsen acknowledges that: (1) he has read and understands the contents of this Agreement; (2) he has been given a fair opportunity to discuss and negotiate the terms of this Agreement; (3) he is advised to consult an attorney before signing this Agreement; (4) he agrees with the Agreement’s provisions and is voluntarily and without duress entering into this Agreement; and (5) he has been given at least 21 days to consider this Agreement. If James Olsen signs the Agreement before the expiration of the 21-day period, it is because he has decided voluntarily that he does not need any additional time to decide whether to sign the Agreement.

**Article 19. Execution and Effective Date**

This Agreement is executed and effective on the latest date affixed to the signatures on the next page.

Accepted on behalf of the City of Woodbury

By: _______________________________ Dated: _______________________________

Its Mayor
By: ________________________________  Dated: ________________________________

Its City Administrator
Council Letter 22-167

June 9, 2021

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Approval to Cancel and Reschedule Council Meetings in June and August of 2022

Summary

Due to scheduling conflicts, the City Council has asked that Council’s regular and workshop meeting in June and August be canceled and rescheduled. The changes are listed below:

1. Cancel the June 22, 2022 workshop and reschedule to June 29, 2022
2. Cancel the June 29, 2022 regular meeting and reschedule to June 15, 2022
3. Cancel the August 17, 2022 workshop and reschedule to August 24, 2022
4. Cancel the August 24, 2022 regular meeting and reschedule to August 31, 2022

Recommendation

Staff recommends Council adopt a motion canceling and rescheduling regular and workshop meetings as follows:

<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>Type of Meeting</th>
<th>Action</th>
<th>Time to Begin</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 15</td>
<td>Regular Meeting</td>
<td>Schedule</td>
<td>7:00 p.m.</td>
<td>Council Chambers</td>
</tr>
<tr>
<td>June 22</td>
<td>Workshop and Dinner</td>
<td>Cancel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>June 29</td>
<td>Regular Meeting</td>
<td>Cancel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>June 29</td>
<td>Workshop Dinner</td>
<td>Schedule</td>
<td>6:00 p.m.</td>
<td>Central Park Valley Creek Room</td>
</tr>
<tr>
<td>June 29</td>
<td>Workshop</td>
<td>Schedule</td>
<td>6:30 p.m.</td>
<td>Central Park Valley Creek Room</td>
</tr>
<tr>
<td>August 17</td>
<td>Workshop and Dinner</td>
<td>Cancel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>August 24</td>
<td>Workshop Dinner</td>
<td>Schedule</td>
<td>6:00 p.m.</td>
<td>Birch Conf. Room</td>
</tr>
<tr>
<td>August 24</td>
<td>Workshop</td>
<td>Schedule</td>
<td>6:30 p.m.</td>
<td>Ash North and South Conf. Rooms</td>
</tr>
<tr>
<td>August 24</td>
<td>Regular Meeting</td>
<td>Cancel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>August 31</td>
<td>Regular Meeting</td>
<td>Schedule</td>
<td>7:00 p.m.</td>
<td>Council Chambers</td>
</tr>
</tbody>
</table>
Fiscal Implications

Not applicable.

Policy

Woodbury City Code Chapter 2 – Administration, Article II City Council, Section 2-22-Meetings-Generally sets forth meeting guidelines for the Woodbury City Council.

Public Process

This is the first public process for this item.

Background

Not applicable.

Written By: Kimberlee K. Blaeser, City Clerk
Approved Through: Angela Gorall, Assistant City Administrator
Attachments: None
Council Letter 22-168

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: CEC Entertainment, LLC dba Chuck E. Cheeses #792; 445 Commerce Drive; On Sale Wine and Beer Liquor License

Summary

CEC Entertainment, LLC dba Chuck E. Cheeses #792 has submitted an application for an On Sale Wine and Beer Liquor License for their restaurant located at 445 Commerce Drive.

Recommendation

Staff recommends Council approve an On Sale Wine and Beer Liquor License to CEC Entertainment, LLC dba Chuck E. Cheeses #792 located at 445 Commerce Drive.

Fiscal Implications

Background Investigation Fee $ 500
On Sale Wine and Beer Fee $ 1,666.67

Policy

Minnesota Statute 304A Liquor and Woodbury City Code Chapter 4 Alcoholic Beverages regulates liquor licensing.

Public Process

A hearing notice was published in the City’s official newspaper and hearing notices were mailed to property owners within 500 feet of the establishment.

Background

CEC Entertainment, LLC dba Chuck E. Cheeses #792 has submitted an application for an On Sale Wine and Beer Liquor License for their restaurant located at 445 Commerce Drive.
There are five corporate officers in the LLC:

- David McKillips, Chief Executive Officer, President and Director
- James Howell, Executive Vice President/Chief Financial Officer
- Rodolfo Rodriguez, Jr, Executive Vice President, Chief Legal and HR Officer and Secretary
- Blake Huggins, Vice President/Treasurer
- David A. Deck, Vice President/Assistant Secretary

As required by City Code, a criminal history check as it pertains to liquoring licensing was conducted on each corporate officer and no violations that would preclude the officers of the LLC from obtaining a liquor license was found.

City staff will provide the applicant with a copy of our City ordinance and alcohol violation policy which is included in our Protect Your Business manual.

The applicant has submitted the license fee and background investigation fee. The City Attorney has reviewed the application and has found it to be in order.

Written By: Kimberlee K. Blaeser, City Clerk
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: None
Council Letter 22-169

May 25, 2022

To: The Honorable Mayor and Members of the City Council
From: Clinton P. Gridley, City Administrator
Subject: Public Hearing: Hazelwood Food and Drink, LLC; 9240 Hudson Road; On Sale Intoxicating Liquor License including Sunday and Patio Sales

Summary

Hazelwood Food and Drink, LLC has submitted an application for an On Sale Intoxicating Liquor License including Sunday and Patio sales for their new restaurant to be located at 9240 Hudson Road.

Recommendation

Staff recommends Council approve an On Sale Intoxicating Liquor License including Sunday and Patio Sales to Hazelwood Food and Drink, LLC located at 9240 Hudson Road.

Fiscal Implications

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Background Investigation Fee</td>
<td>$500</td>
</tr>
<tr>
<td>On Sale Intoxicating and Sunday Sales Fee</td>
<td>$7,600</td>
</tr>
</tbody>
</table>

Policy

Minnesota Statute 304A Liquor and Woodbury City Code Chapter 4 Alcoholic Beverages regulates liquor licensing.

Public Process

A hearing notice was published in the City’s official newspaper and hearing notices were mailed to property owners within 500 feet of the establishment.

Background

Hazelwood Food and Drink, LLC has submitted an application for an On Sale Intoxicating Liquor License including Sunday and Patio sales for their new restaurant to be located at 9240 Hudson Road.
The owners of Hazelwood Food and Drink, LLC are:

- Patrick J. Woodring with 25 percent ownership
- Scott T. Foster with 25 percent ownership
- Tim Foster with 5 percent ownership
- George Klima with 5 percent ownership
- Andrew Kron with 20 percent ownership
- Jeffrey Parrell with 20 percent ownership

As required by City Code, a criminal history check as it pertains to liquor licensing was conducted on each person with ownership of the LLC in excess of five percent and no violations that would preclude the LLC ownership from obtaining a liquor license was found.

City staff will provide the applicant with a copy of our City ordinance and alcohol violation policy which is included in our Protect Your Business manual.

The applicant has submitted the license fee and background investigation fee. The City Attorney has reviewed the application and has found it to be in order.

Written By: Kimberlee K. Blaeser, City Clerk
Approved Through: Angela Gorall, Assistant City Administrator
Attachment: None
Council Letter 22-170

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: I-94 Logistics Center; Conditional Use Permit; Preliminary Plat; and Site and Building Plan; Project No. 01-2022-00486 and Wooddale Heights Final Plat; Project No. 01-2022-00488

Summary

NAI Legacy has submitted an application for a Conditional Use Permit, Preliminary Plat and Site and Building Plan for a distribution center to be called I-94 East Logistics Center. The distribution center is proposed to be an approximately 475,000 square foot building and the property is located approximately ¼ mile east of Settlers Ridge Parkway and south of Hudson Road. The property is zoned BCD, Business Campus District and is guided as Places to Work on the Land Use Plan.

Via a separate application, NAI Legacy has also requested Final Plat (Wooddale Heights) approval to create one commercial lot and one future development outlot. The necessary water, stormwater and sanitary sewer improvements are being requested to be constructed privately with the necessary securities posted by the Applicant. A Development Agreement/Builder Agreement will be prepared accordingly.

Recommendation

The Planning Commission reviewed these applications at their May 16, 2022 meeting. At that time they recommended approval of the I-94 Logistics Center project by a 7-0 vote. Staff concurs with the Planning Commission recommendation and recommends Council:

1. Approve the Conditional Use Permit (CUP) via the attached Resolution adopting findings of fact; and
2. Adopt a motion approving the Preliminary Plat and Site and Building Plan Project No. 01-2022-00486 subject to the conditions outlined below; and
3. Adopt a motion approving the Final Plat for Wooddale Heights and authorizing the City Administrator and Mayor to execute the Development Agreement/Builder Agreement, Project No. 01-2022-00488 subject to the Final Plat conditions outlined below.

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.
3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.

4. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

5. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.

6. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.

7. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.

8. Prior to the issuance of a building permit, the Applicant shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.

9. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.

10. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.

11. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

12. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

13. No exterior storage shall be permitted.

14. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

15. This approval does not include signage. A separate sign permit shall be required.

16. All drive aisles shall have a minimum width of 25 feet.

17. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Applicant during construction to ensure that sediment and stormwater do not leave the project site.

18. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

19. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer’s responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

20. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.

21. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

22. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.
23. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.

24. Prior to the issuance of a building permit, staff shall review and approve the final materials for all onsite screen walls. Screen walls shall match design of the principle structure and be designed for long term maintenance.

25. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

26. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

27. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.

28. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permitee and inspector contact information.

29. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

30. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

31. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

32. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

33. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised plan that shows the trail connection on the east side of the side connecting into the trail network on the Black Diamond site to the south.

34. The Applicant shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

35. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved, in writing, by the City Engineer and the Watershed District.
36. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

37. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

38. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

39. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

40. Street lights shall be required to be installed by the Applicant, at their cost, as directed by the City.

41. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

42. Prior to the issuance of a building permit, the Applicant shall design a common outdoor space for shared use.

43. Prior to the issuance of a building permit, the Applicant shall identify locations for bike racks to be installed onsite.

44. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
   - EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
   - MP rotator heads or equivalent shall be used throughout.

Final Plat Conditions:
1. The Final Plat shall include all necessary easements to match the utility plans.
2. This Final Plat approval shall be contingent on meeting all required findings of Section 21-16 of the Woodbury City Code.
3. Prior to the release of the Final Plat, a Development Agreement or Builder Agreement shall be executed.
4. The Developer shall be financially responsible for 100 percent of all storm sewer, sanitary sewer and water main area and connection charges applicable to the property.
5. Plat approval and release shall be conditional on adherence to all requirements of the city attorney, including, but not necessarily limited to, any express requirements contained in the city attorney’s plat opinion.
6. All permanent easements and rights-of-way (ROW) necessary for existing and proposed street and utility improvements within the plat boundary shall be granted to the City at no cost or paid for by the Developer.
7. All standard front, rear and side yard lot easements shall be shown on the plat. Standard front and rear yard easements are 10 feet and side yard easements are five (5) feet. Where public utilities are adjacent to side or rear lot lines, easements shall be a minimum of 10 feet wide on each side of the lot line. If the utilities are deeper than 10 feet, the easement width for each lot is calculated at a 1:1 depth-to-width ratio from the centerline of the utility. The easement width must then be adjusted to the nearest five-foot increment. If additional easements are not provided, then the layout of the watermain shall be adjusted.

8. The Final Plat shall be recorded prior to issuance of a building permit.

Fiscal Implications

All necessary improvements will be constructed and funded by the Developer.

Policy

Chapter Section 21—Subdivision
Chapter 24—Zoning

Public Process

Public Hearings Published – May 11, 2022
Planning Commission Meeting – May 16, 2022

Background

Proposed Use - The proposed development is a speculative warehouse/distribution use which would provide supportive dock and trailer parking needs for 1-3 tenants within a 36-foot clear height warehouse space. Limited supportive office uses are also contemplated but are anticipated to be accessory to the warehouse use. A speculative development is constructed without known tenants but instead design decisions are based on assumptions of future tenant mixes. In this case, the anticipated breakdown of the proposed 476,928 square foot building is as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>Percentage of overall building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>429,235 s.f.</td>
<td>95%</td>
</tr>
<tr>
<td>Office</td>
<td>23,846 s.f.</td>
<td>5%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>476,928 s.f.</td>
<td>100%</td>
</tr>
</tbody>
</table>

Written By: Eric Searles, Assistant Community Development Director/City Planner
Approved Through: Janelle Schmitz, Community Development Director
Attachment: 1. Resolution
2. Conditional Use Permit
3. Planning Commission Staff Report – May 16, 2022
4. 11 x 17 Plans
Resolution 22-
Resolution of the City of Woodbury,
Washington County, Minnesota

Adopting Findings of Fact for I-94 East Logistics Center Project No. 01-2022-00486

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider
the advice and recommendations of the Planning and Zoning commission, the city staff, and
other applicable advisory commissions or other governmental agencies; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider
the effect of the proposed use on the Comprehensive Plan; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider
the effect of the proposed use on the health, safety, and general welfare of occupants of
surrounding lands; and

WHEREAS, the Planning Commission reviewed the request for a Conditional Use
Permit at their May 16, 2022 meeting. At that time they recommended approval by a 7 to 0 vote.
Staff concurs and recommends the City Council grant a Conditional Use Permit for the I-94 East
Logistics Center project; and

WHEREAS, Section 24-43 of the Woodbury City Code identifies the findings
necessary to grant approval of a Conditional Use Permit; and

WHEREAS, the City Council affirms the following findings of fact for the
Conditional Use Permit for I-94 East Logistics Center:

(a) Consistency with the comprehensive plan. The proposed use shall be consistent with
the comprehensive plan.

The property is guided as Places to Work in the City’s Comprehensive Plan. The project
meets the following 2040 Comprehensive Plan policies and direction:

The Northeast Area offers a unique opportunity to diversify the City’s job and tax
base. This diversification will occur by creating a business environment that will
ultimately provide office/showroom, warehouse, distribution and light industrial
business that are currently underrepresented within the City’s tax base.

1. Facilitate development of light industrial, distribution, office/warehouse and
office/showroom uses within the Northeast Area.

2. Provide well-planned park areas close to amenities for office/industrial development
as a means to attract high quality businesses

(b) Health and safety. The proposed use shall not negatively impact the health, safety and
general welfare of occupants of surrounding lands.

The proposed uses of distribution center and warehouse do not negatively impact the
health, safety and general welfare of occupants of surrounding lands as they are either
approved or anticipated to be like uses.

(c) Public infrastructure services. Adequate public facilities and services shall be able to be
provided to the site where the use is proposed, and/or existing infrastructure shall be
able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.

The Applicant shall utilize the private drive constructed with Project Belle for its main access. This drive was planned and designed for utilization by the property.

All sanitary, water and stormwater infrastructure improvements are proposed to be constructed and funded by the Applicant. This finding shall be contingent on final approval of all stormwater designs which shall be approved by both the Watershed District and the City.

All requirements of the Northeast Area AUAR will be met with this application and any additional infrastructure needs will be identified within the Development Agreement.

(d) Screening and landscaping. Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance.

The proposed use is compatible with the surrounding business park. Screening of the proposed docks and trailer storage is provided by proposed screen walls.

(e) Architectural standards. The site or building associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance.

The proposed development meets the architectural design requirements and identifies materials that will best deliver aesthetically pleasing distribution and warehouse uses.

(f) Zoning. The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The property is zoned BCD, Business Campus District which identifies the following purpose:

“Reserve larger areas for multi-use buildings, offices, wholesale showrooms, light manufacturing, research and development, training, limited retail uses and uses accessory to conducting business within a coordinated, well-defined campus environment and listed as "Places to Work" on the comprehensive plan.”

The proposed uses meet this purpose statement.

(g) Traffic. The generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety associated with driveway locations, existing and proposed capacity on adjacent roads, sidewalks and trail connections can be adequately mitigated.

The Applicant shall utilize the private drive constructed with Project Belle for its main access. This drive was planned and designed for utilization by the property.

All requirements of the Northeast Area AUAR will be met with this application and any additional infrastructure needs will be identified within the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the Conditional Use Permit, Project No. 01-2022-00486 for the I-94 East Logistics Center commercial development subject to the following conditions:
1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.

2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.

3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.

4. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

5. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.

6. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.

7. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.

8. Prior to the issuance of a building permit, the Applicant shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.

9. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.

10. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.

11. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

12. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

13. No exterior storage shall be permitted.

14. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

15. This approval does not include signage. A separate sign permit shall be required.

16. All drive aisles shall have a minimum width of 25 feet.

17. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Applicant during construction to ensure that sediment and stormwater do not leave the project site.

18. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

19. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer’s responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

20. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.

21. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

22. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to
installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

23. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.

24. Prior to the issuance of a building permit, staff shall review and approve the final materials for all onsite screen walls. Screen walls shall match design of the principle structure and be designed for long term maintenance.

25. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

26. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

27. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.

28. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permittee and inspector contact information.

29. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

30. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

31. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

32. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

33. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised plan that shows the trail connection on the east side of the side connecting into the trail network on the Black Diamond site to the south.

34. The Applicant shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

35. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved, in writing, by the City Engineer and the Watershed District.

36. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at
37. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

38. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

39. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

40. Street lights shall be required to be installed by the Applicant, at their cost, as directed by the City.

41. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

42. Prior to the issuance of a building permit, the Applicant shall design a common outdoor space for shared use.

43. Prior to the issuance of a building permit, the Applicant shall identify locations for bike racks to be installed onsite.

44. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
   - EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
   - MP rotator heads or equivalent shall be used throughout.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.
In accordance with the provisions of the Zoning Ordinance of the City of Woodbury, a Conditional Use Permit is hereby granted to NAI Legacy (hereinafter referred to as “Applicant”), for a distribution center greater than 100,000 square feet in floor area. The location of said property being described as follows:

THE SOUTH RIGHT OF WAY LINE OF HUDSON ROAD, BEING ALSO A SOUTH RIGHT OF WAY LINE OF MINNESOTA DEPARTMENT OF TRANSPORTATION PLAT NUMBER 82-34 AND ALSO THE EAST 42.00 FEET OF THE WEST 75.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, LYING NORTH OF THE SOUTH 644.00 FEET OF SAID SOUTHWEST QUARTER. ALSO EXCEPT THE WEST 33.0 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1 TOWNSHIP 28 NORTH RANGE 21 WEST LYING NORTH OF THE SOUTH 644.0 FEET OF THE SOUTHWEST QUARTER. EXCEPT PARCEL 41 OF MINNESOTA DEPARTMENT OF TRANSPORTATION PLAT NUMBER 82-34.

In granting this Conditional Use Permit, the Woodbury City Council finds the above-described property is zoned BCD, Business Campus District, which allows the approved use as a conditional use at their discretion. The Council finds that the Applicant meets the criteria of the ordinance as outlined in Resolution 22-__ adopted by the City Council on May 25, 2022 and is entitled to the issuance of a Conditional Use Permit for the I-94 East Logistics Center development, subject to the following conditions:

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.
3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.
4. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.
5. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.
6. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.
7. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.
8. Prior to the issuance of a building permit, the Applicant shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.
9. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.
10. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.
11. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.
12. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.
13. No exterior storage shall be permitted.
14. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.
15. This approval does not include signage. A separate sign permit shall be required.
16. All drive aisles shall have a minimum width of 25 feet.
17. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Applicant during construction to ensure that sediment and stormwater do not leave the project site.
18. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.
19. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer's responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City's Building Inspections Division.
20. The Applicant shall be responsible for obtaining a land disturbance permit from the City's Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.
21. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.
22. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.
23. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.
24. Prior to the issuance of a building permit, staff shall review and approve the final materials for all onsite screen walls. Screen walls shall match design of the principle structure and be designed for long term maintenance.
25. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.
26. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.
27. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.
28. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permittee and inspector contact information.
Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised plan that shows the trail connection on the east side of the side connecting into the trail network on the Black Diamond site to the south.

The Applicant shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved, in writing, by the City Engineer and the Watershed District.

The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

Street lights shall be required to be installed by the Applicant, at their cost, as directed by the City.

The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

Prior to the issuance of a building permit, the Applicant shall design a common outdoor space for shared use.

Prior to the issuance of a building permit, the Applicant shall identify locations for bike racks to be installed onsite.

The irrigation system shall be designed to meet the following design requirements:

- System must be designed by a certified irrigation contractor.
The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.

Private irrigation wells as a back-up irrigation source are not permitted.

Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.

EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.

MP rotator heads or equivalent shall be used throughout.

By order of the City Council of the City of Woodbury, County of Washington, State of Minnesota, this Conditional Use Permit, Project No. 01-2022-00486 is executed by the affected parties on ____________, 2022.

CITY OF WOODBURY

_________________________ ___________________
Anne W. Burt, Mayor

_________________________ ___________________
Clinton P. Gridley, Administrator

STATE OF MINNESOTA )
) ss.
COUNTY OF WASHINGTON )
DEVELOPER/APPLICANT

By ________________________________
Date ______________
Its ________________________________

STATE OF )
) ss.
COUNTY OF ____________ )

On this ______ day of ____________, 2022, before me, a Notary Public within and for said County personally appeared ________________________________, to me personally known, who being each by me duly sworn did say that s/he is respectively the __________________ of ______________________________, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its ________________ and said __________________ acknowledged said instrument to be the free act and deed of said corporation.

_______________________________________ ______________________
Notary Public Date

Approved to Form:

______________________________
City Attorney

THIS INSTRUMENT WAS DRAFTED BY
Scott J. Riggs, City Attorney
Kennedy & Graven
470 U. S. Bank Place
200 South Sixth Street
Minneapolis, MN 55402
CITY OF WOODBURY
PLANNING COMMISSION STAFF REPORT
May 16, 2022

Project No.: 01-2022-00486
Prepared By: Eric Searles
City Planner
651-714-3532
Eric.searles@woodburymn.gov

Project Name: I-94 East Logistics Center
Recommendation: Approval

Request: Conditional Use Permit/ Preliminary Plat/Site and Building Plan

Tree Impact: Replacement
# Units: N/A

Location: South of Hudson Road and ¼ mile east of Settlers Ridge Parkway
Density: N/A

Zoning District: BCD, Business Campus District
Building Sq. Ft. 476,928 S.F.

Comprehensive Land Use Plan: Places to Work
Parkland Dedication: See Below

PROPOSAL

NAI Legacy has submitted an application for a Conditional Use Permit, Preliminary Plat and Site and Building Plan for distribution center to be called I-94 East Logistics Center. The distribution center is proposed to be an approximately 475,000 square foot building and the property is located approximately ¼ mile east of Settlers Ridge Parkway and south of Hudson Road. The property is zoned BCD, Business Campus District and is guided as Places to Work on the Land Use Plan.

Proposed Use - The proposed development is a speculative warehouse/distribution use which would provide supportive dock and trailer parking needs for 1-3 tenants within a 36 foot clear height warehouse space. Limited supportive office uses are also contemplated but are anticipated to be accessory to the warehouse use. A speculative development is constructed without known tenants but instead design decisions are based on assumptions of future tenant mixes. In this case, the anticipated breakdown of the proposed 476,928 square foot building is as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>Percentage of overall building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>429,235 s.f.</td>
<td>95%</td>
</tr>
<tr>
<td>Office</td>
<td>23,846 s.f.</td>
<td>5%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>476,928 s.f.</td>
<td>100%</td>
</tr>
</tbody>
</table>
Northeast Area Alternative Urban Areawide Review (AUAR) - The northeast area is over 400 acres of contagious, mostly undeveloped land located along the I-94 corridor. In 2009, the City adopted the AUAR as the appropriate planning document for evaluating the cumulative environmental impacts of development within the area. The AUAR was updated in both 2014 and 2019. The AUAR included multiple traffic studies which identified the needed traffic mitigation necessary to accommodate the additional vehicle trips generated by development.

Preliminary Plat - The proposed Preliminary Plat creates one lot and one future development outlot as identified on the chart below.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Proposed Use</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1 Block 1</td>
<td>I-94 Logistics</td>
<td>33.7</td>
</tr>
<tr>
<td>Outlot A</td>
<td>Future Development</td>
<td>29.3</td>
</tr>
</tbody>
</table>

Park Dedication - In 2010, following the adoption of the AUAR, the City entered into a Pre-Development Agreement with Dale Properties. The agreement identified the acquisition of the land for Prairie Ridge Park through a combination of pre-development parkland dedication and open space acquisition. Via the same agreement, the City also preserved a 13.57 acre parcel for tree preservation and wetland protection in the southwest corner of the northeast area adjacent to the multi-family area to the south of Hudson Road. Due to the previous transaction, the parkland dedication requirement for this application has been met.

Conditional Use Permit - A Conditional Use Permit shall be required for distribution centers greater than 100,000 square feet in floor area. City Code Section 24-43 outlines the guidelines for granting a Conditional Use Permit. Please reference the attached draft resolution for the required findings of fact.

Pedestrian Movements – The subject parcel is highlighted in red below with the proposed pedestrian network designed to provide access to the trail network to be built with the upgrades to Hudson Road and to provide a connection to the public open space located to the immediate
southwest of the site. The red lines below identify a proposed sidewalk and the blue indicates a trail. As a condition of approval, the Applicant shall be required to connect the proposed trail network within the Black Diamond site to the south.

**Access Points** – The graphic below identifies the utilization of the existing access point B which was constructed with Project Belle and designed to provide the main access for booth sites. Access point A is a secondary access onto Hudson Road for employee and truck access that will be restricted to right-in/ right-out movements only. Also identified in the southwest corner of the site, with the dashed red line, is a designed future connection to Karen Drive. This area is preserved to be able to provide an interconnection to Karen Drive if uses change in the future or if site demands warrant an additional access.
Access Point | Design and Purpose
--- | ---
A. | Future Right-in/Right out along Hudson Road
B. | Signalized intersection along Hudson which is designed as a shared private road between the subject site and Project Belle to the east.
C. | Employee access along Private Drive
D. | Truck access along Private Drive

**Architecture – Section 24-235.** – Industrial and warehouse buildings not located immediately adjacent to the interstate shall be constructed of 65% Class I and II materials with the material classes and types shown below:

<table>
<thead>
<tr>
<th>Class I Materials</th>
<th>Class II Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conventional brick, nominal four-inch width</td>
<td>Specialty concrete block such as textured, burnished block or rock faced block</td>
</tr>
<tr>
<td>Natural or cultured stone</td>
<td>Architecturally precast textured concrete or brick panels</td>
</tr>
<tr>
<td>Glass</td>
<td>Masonry stucco</td>
</tr>
<tr>
<td>Copper</td>
<td>Ceramic</td>
</tr>
</tbody>
</table>

The proposed building uses differing colors and textures of precast to break up the length and scale of the structure. Furthermore, the design technique of the vertical color elements, in blue, create visual interest along the long elevations. Finally, the corner entries are designed to include storefront glass elements which are provided and designed to be the visual focal point of the building.
Truck and loading screening - The proposed site plan contains significant areas for truck loading and staging with parking of trucks in the southern portion of the site. To mitigate the visual impacts of this portion of the warehouse and distribution use, the Applicant and City staff have developed a screening plan which includes utilization of constructed screen walls to soften the impact of the use from public view. The graphic below shows the location of the screen walls highlighted in red.
To ensure the trucks parking and loading areas were adequately softened by the walls, the following graphic simulations were prepared.
Parking - The proposed building measures 476,928 square feet and is identified to be designed to accommodate distribution/warehouse with supportive office uses. The chart below identifies the use, estimated square footage and total number of required spaces.

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>PUD parking ratios</th>
<th>Number of PUD required spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>453,082 s.f.</td>
<td>1 space per 2,000 s.f.</td>
<td>227</td>
</tr>
<tr>
<td>Office</td>
<td>23,846 s.f.</td>
<td>1 space per 200 s.f.</td>
<td>119</td>
</tr>
<tr>
<td>TOTAL</td>
<td>476,928 s.f.</td>
<td></td>
<td>346</td>
</tr>
</tbody>
</table>

As shown above, the ordinance required parking ratios would require 346 parking spaces to be provided. The proposed site plan identifies 400 parking spaces to meet the established parking requirements. As tenants are identified, staff recommends the Applicant review parking counts and investigate utilizing proof of parking, in the areas highlighted in red below, to ensure only the necessary hard surfaces/parking areas are provided.
**Stormwater Management** – The City Code requires stormwater management be provided to meet water quantity, infiltration, and water quality requirements. The application identifies the construction of multiple stormwater basins to serve the proposed site as well as the needed public roadway infrastructure to serve the project. The onsite ponds and infiltration basins are circled in blue below.

**RECOMMENDATION**

Staff recommends approval of the Conditional Use Permit, Preliminary Plat and Site and Building Plan, Project No. 01-2022-00486, for I-94 East Logistics Center subject to the following conditions:

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.
3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.
4. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.
5. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.

6. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.

7. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.

8. Prior to the issuance of a building permit, the Developer shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.

9. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.

10. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.

11. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

12. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

13. No exterior storage shall be permitted.

14. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

15. This approval does not include signage. A separate sign permit shall be required.

16. All drive aisles shall have a minimum width of 25 feet.

17. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and stormwater does not leave the project site.

18. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

19. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer’s responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

20. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.

21. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

22. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

23. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.
24. Prior to the issuance of a building permit, staff shall review and approve the final materials for all onsite screen walls. Screen walls shall match design of the principle structure and be designed for long term maintenance.

25. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

26. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

27. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.

28. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permitee and inspector contact information.

29. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

30. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

31. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

32. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

33. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised plan that shows the trail connection on the east side of the side connecting into the trail network on the Black Diamond site to the south.

34. The Developer shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

35. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved, in writing, by the City Engineer and the Watershed District.

36. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

37. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.
38. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

39. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

40. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

41. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

42. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
   - EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
   - MP rotator heads or equivalent shall be used throughout.

ATTACHMENTS

1. Location Map
2. Resolution
3. Conditional Use Permit
4. 11 x 17s
5. Pedestrian Connection Map
Preliminary Site Development Plans
for
I-94 East Logistics Center
Woodbury, Minnesota
Presented by:
Exchange Realty Acquisitions, LLC
Council Letter 22-171

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Public Hearing: Royal Gateway; Planned Unit Development; Conditional Use Permit; Preliminary Plat and Site and Building Plan; Project No. 01-2022-00491

Summary

Greystar Development Central, LLC has submitted an application for Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan for two warehouse/light industrial buildings to be called Royal Gateway. The two buildings are proposed to be approximately 435,000 square feet combined and the property is located ¼ mile west of Manning Avenue and north of Hudson Road. The property is zoned BCD, Business Campus District and is guided as Places to Work on the Land Use Plan.

Recommendation

The Planning Commission reviewed these applications at their May 16, 2022 meeting. At that time they recommended approval of the Royal Gateway project by a 7-0 vote. Staff concurs with the Planning Commission recommendation and recommends Council:

1. Approve the Conditional Use Permit (CUP) via the attached Resolution adopting findings of fact; and
2. Adopt a motion approving the Planned Unit Development, Preliminary Plat and Site and Building Plan Project No. 01-2022-00491 subject to the conditions outlined below.

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.
3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.
4. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval by the City Engineer of an updated grading plan which identifies grading and subgrade improvements, to meet City identified design standards, of the frontage road adjacent to the ROW of Interstate 94.
5. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval from the Engineering Division of a proof of concept grading plan that identifies the design of the shared north/south access drive located along the west property line is
designed to provide acceptable access for the property to the west. The grading plan shall also address pipeline conflicts and issues.

6. Prior to the issuance of a land disturbance permit, the Applicant shall record a cross access easement agreement which allows perpetual use and access by the future development property to the east and west of the site. The easement shall allow for use and connection to the proposed western private drive, including the future frontage private road south of I-94, which connects with Hudson Road. The City Attorney shall review and approve the form and content of the cross easement prior to recording.

7. Prior to the issuance of a land disturbance permit, all plans shall identify a minimum of 1.5 feet of freeboard from the 100 year HWL for all City identified stormwater facilities.

8. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.

9. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.

10. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.

11. Prior to the issuance of a building permit, the Developer shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.

12. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.

13. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.

14. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

15. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

16. No exterior storage shall be permitted.

17. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

18. This approval does not include signage. A separate sign permit shall be required.

19. All drive aisles shall have a minimum width of 25 feet.

20. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and stormwater does not leave the project site.

21. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

22. Prior to the issuance of a land disturbance permit, the Applicant shall provide a plan which identifies the planting plan and long-term maintenance of the onsite stormwater basins and the wetland. Components of the long-term maintenance plan shall be included in the operations and maintenance agreement.

23. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer’s responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

24. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.
25. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised landscaping plan that identifies additional evergreen landscaping to screen site lines of the loading docks from the property corners.

26. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

27. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

28. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.

29. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

30. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

31. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.

32. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permittee and inspector contact information.

33. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

34. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

35. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

36. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

37. The Developer shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

38. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City and the Watershed District.
39. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

40. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

41. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

42. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

43. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

44. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

45. Prior to the issuance of a building permit, the Applicant shall design a common outdoor space for shared use.

46. Prior to the issuance of a building permit, the Applicant shall identify locations for bike racks to be installed onsite.

47. No staging and/or parking of trucks or trailers shall be permitted outside of the shared truck courtyard.

48. The Applicant shall add evergreen trees throughout the landscaping plan.

49. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
   - EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
   - MP rotator heads or equivalent shall be used throughout.

Fiscal Implications

All necessary improvements will be constructed and funded by the Developer.

Policy

Chapter Section 21— Subdivision
Chapter 24— Zoning

Public Process

Public Hearings Published – May 11, 2022
Planning Commission Meeting – May 16, 2022
Background

**Proposed Use** - The proposed development is a speculative warehouse and light industrial commercial development which would provide business locations and supportive dock needs for 4-8 tenants. A speculative development is constructed without known tenants but instead design decisions are based on assumptions of future tenant mixes. In this case, the anticipated breakdown of the proposed 435,050 square foot building is as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>Percentage of overall building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>369,793 s.f.</td>
<td>85%</td>
</tr>
<tr>
<td>Office</td>
<td>43,505 s.f.</td>
<td>10%</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>21,752 s.f.</td>
<td>5%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>435,050 s.f.</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Written By: Eric Searles, Assistant Community Development Director/City Planner
Approved Through: Janelle Schmitz, Community Development Director
Attachments:
1. Resolution
2. Conditional Use Permit
3. Planning Commission Staff Report – May 16, 2022
4. 11 x 17 Plans
5. Pedestrian Connections
Resolution 22-

Resolution of the City of Woodbury
Washington County, Minnesota

Adopting Findings of Fact for Royal Gateway; Project No. 01-2022-00491

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning and Zoning commission, the city staff, and other applicable advisory commissions or other governmental agencies; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the Comprehensive Plan; and

WHEREAS, in granting a Conditional Use Permit, the City Council shall consider the effect of the proposed use on the health, safety, and general welfare of occupants of surrounding lands; and

WHEREAS, the Planning Commission reviewed the request for a Conditional Use Permit at their May 16, 2022 meeting. At that time they recommended approval by a 7 to 0 vote. Staff concurs and recommends the City Council grant a Conditional Use Permit for the Royal Gateway project; and

WHEREAS, Section 24-43 of the Woodbury City Code identifies the findings necessary to grant approval of a Conditional Use Permit; and

WHEREAS, the City Council affirms the following findings of fact for the Conditional Use Permit for Royal Gateway:

(a) Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan.

The property is guided as Places to Work in the City’s Comprehensive Plan. The project meets the following 2040 Comprehensive Plan policies and direction:

The Northeast Area offers a unique opportunity to diversify the City’s job and tax base. This diversification will occur by creating a business environment that will ultimately provide office/showroom, warehouse, distribution and light industrial business that are currently underrepresented within the City’s tax base.

1. Facilitate development of light industrial, distribution, office/warehouse and office/showroom uses within the Northeast Area.

2. Provide well-planned park areas close to amenities for office/industrial development as a means to attract high quality businesses

(b) Health and safety. The proposed use shall not negatively impact the health, safety and general welfare of occupants of surrounding lands.

The proposed use of light industrial commercial development does not negatively impact the health, safety and general welfare of occupants of surrounding lands as they are either approved or anticipated to be like uses.
(c) Public infrastructure services. Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.

The Applicant shall provide the land area and shall privately construct and fund the required grading, ponding and subgrade corrections for the north frontage road located to the south of I-94. This improvement reduces the need for roadway improvements to Hudson Road as it provides the parcel to the east access to a signalized intersection at Hudson Road.

All sanitary, water and stormwater infrastructure improvements are proposed to be constructed and funded by the Applicant.

All requirements of the Northeast Area AUAR will be met with this application and any additional infrastructure needs will be identified within the Development Agreement.

(d) Screening and landscaping. Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance.

The proposed use is compatible with the surrounding business park.

(e) Architectural standards. The site or building associated with the proposed use meets or exceeds the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance.

The proposed PUD establishes architectural requirements for the project and identifies materials that will best deliver aesthetically pleasing light industrial, manufacturing, distribution and warehouse uses.

(f) Zoning. The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The property is zoned BCD, Business Campus District which identifies the following purpose:

“Reserve larger areas for multi-use buildings, offices, wholesale showrooms, light manufacturing, research and development, training, limited retail uses and uses accessory to conducting business within a coordinated, well-defined campus environment and listed as "Places to Work" on the comprehensive plan.”

The proposed uses meet this purpose statement.

(g) Traffic. The generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety associated with driveway locations, existing and proposed capacity on adjacent roads, sidewalks and trail connections can be adequately mitigated.

The Applicant shall provide the land area and shall privately construct and fund the required grading, ponding and subgrade corrections for the north frontage road located to the south of I-94. This improvement reduces the need for roadway improvements to Hudson Road as it provides the parcel to the east access to a signalized intersection at Hudson Road.
All requirements of the Northeast Area AUAR will be met with this application and any additional infrastructure needs will be identified within the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota to approve the Conditional Use Permit, Project No. 01-2022-00491 for the Royal Gateway commercial development subject to the following conditions:

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.
3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.
4. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval by the City Engineer of an updated grading plan which identifies grading and subgrade improvements, to meet City identified design standards, of the frontage road adjacent to the ROW of Interstate 94.
5. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval from the Engineering Division of a proof of concept grading plan that identifies the design of the shared north/south access drive located along the west property line is designed to provide acceptable access for the property to the west. The grading plan shall also address pipeline conflicts and issues.
6. The Applicant shall record a cross access easement agreement which allows perpetual use and access by the future development property to the east and west of the site. The easement shall allow for use and connection to the proposed western private drive, including the future frontage private road south of I-94, which connects with Hudson Road. The City Attorney shall review and approve the form and content of the cross easement prior to recording. All reasonable efforts shall be made to record the cross access agreement prior to the issuance of a building permit.
7. Prior to the issuance of a land disturbance permit, all plans shall identify a minimum of 1.5 feet of freeboard from the 100 year HWL for all City identified stormwater facilities.
8. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.
9. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.
10. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.
11. Prior to the issuance of a building permit, the Developer shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.
12. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.
13. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.
14. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

15. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

16. No exterior storage shall be permitted.

17. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

18. This approval does not include signage. A separate sign permit shall be required.

19. All drive aisles shall have a minimum width of 25 feet.

20. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and stormwater does not leave the project site.

21. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

22. Prior to the issuance of a land disturbance permit, the Applicant shall provide a plan which identifies the planting plan and long-term maintenance of the onsite stormwater basins and the wetland. Components of the long-term maintenance plan shall be included in the operations and maintenance agreement.

23. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer’s responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

24. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.

25. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised landscaping plan that identifies additional evergreen landscaping to screen site lines of the loading docks from the property corners.

26. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

27. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

28. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.

29. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

30. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

31. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and
existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.

32. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permittee and inspector contact information.

33. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

34. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

35. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

36. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

37. The Developer shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

38. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City and the Watershed District.

39. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

40. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

41. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

42. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

43. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

44. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

45. Prior to the issuance of a building permit, the Applicant shall design a common outdoor space for shared use.
46. Prior to the issuance of a building permit, the Applicant shall identify locations for bike racks to be installed onsite.
47. No staging and/or parking of trucks or trailers shall be permitted outside of the shared truck courtyard.
48. The Applicant shall add evergreen trees throughout the landscaping plan.
49. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
   - EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
   - MP rotator heads or equivalent shall be used throughout.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 25th day of May, 2022.

Attest:                              Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator (SEAL)
In accordance with the provisions of the Zoning Ordinance of the City of Woodbury, a Conditional Use Permit is hereby granted to Greystar Development Central, LLC (hereinafter referred to as “Applicant”), for a Planned Unit Development for a commercial development. The location of said property being described as follows:

Outlot A, Wooddale East

In granting this Conditional Use Permit, the Woodbury City Council finds the above-described property is zoned BCD, Business Campus District, which allows the approved use as a conditional use at their discretion. The Council finds that the Applicant meets the criteria of the ordinance as outlined in Resolution 22- __ adopted by the City Council on May 25, 2022 and is entitled to the issuance of a Conditional Use Permit for the Royal Gateway development, subject to the following conditions:

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.

3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.

4. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval by the City Engineer of an updated grading plan which identifies grading and subgrade improvements, to meet City identified design standards, of the frontage road adjacent to the ROW of Interstate 94.

5. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval from the Engineering Division of a proof of concept grading plan that identifies the design of the shared north/south access drive located along the west property line is designed to provide acceptable access for the property to the west. The grading plan shall also address pipeline conflicts and issues.

6. The Applicant shall record a cross access easement agreement which allows perpetual use and access by the future development property to the east and west of the site. The easement shall allow for use and connection to the proposed western private drive, including the future frontage private road south of I-94, which connects with Hudson Road. The City Attorney shall review and approve the form and content of the cross easement prior to recording. All reasonable efforts shall be made to record the cross access agreement prior to the issuance of a building permit.

7. Prior to the issuance of a land disturbance permit, all plans shall identify a minimum of 1.5 feet of freeboard from the 100 year HWL for all City identified stormwater facilities.

8. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.

9. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.

10. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.

11. Prior to the issuance of a building permit, the Developer shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.

12. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.

13. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.

14. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.

15. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

16. No exterior storage shall be permitted.

17. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

18. This approval does not include signage. A separate sign permit shall be required.

19. All drive aisles shall have a minimum width of 25 feet.
20. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and stormwater does not leave the project site.

21. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

22. Prior to the issuance of a land disturbance permit, the Applicant shall provide a plan which identifies the planting plan and long-term maintenance of the onsite stormwater basins and the wetland. Components of the long-term maintenance plan shall be included in the operations and maintenance agreement.

23. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer's responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

24. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.

25. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised landscaping plan that identifies additional evergreen landscaping to screen site lines of the loading docks from the property corners.

26. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

27. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

28. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.

29. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

30. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

31. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.

32. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permittee and inspector contact information.

33. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.
34. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

35. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

36. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

37. The Developer shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

38. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City and the Watershed District.

39. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

40. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

41. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

42. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

43. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

44. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

45. Prior to the issuance of a building permit, the Applicant shall design a common outdoor space for shared use.

46. Prior to the issuance of a building permit, the Applicant shall identify locations for bike racks to be installed onsite.

47. No staging and/or parking of trucks or trailers shall be permitted outside of the shared truck courtyard.

48. The Applicant shall add evergreen trees throughout the landscaping plan.

49. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
- Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
- EPA WaterSense approved smart controllers shall be used. The controller shall be approved by Engineering Staff in writing.
- MP rotator heads or equivalent shall be used throughout.

By order of the City Council of the City of Woodbury, County of Washington, State of Minnesota, this Conditional Use Permit, Project No. 01-2022-00491 is executed by the affected parties on _____________, 2022.

CITY OF WOODBURY

Anne W. Burt, Mayor

Clinton P. Gridley, Administrator

STATE OF MINNESOTA )
COUNTY OF WASHINGTON ) ss.

On this _____ day of ____________________, 2022, before me, a Notary Public within and for said County, personally appeared Anne W. Burt and Clinton P. Gridley, to me personally known, being each by me duly sworn did say that they are respectively the Mayor and City Administrator of the City of Woodbury, the municipal corporation named in the foregoing instrument; and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council and Anne W. Burt and Clinton P. Gridley acknowledged said instrument to be the free act and deed of said municipal corporation.

_________________________ ___________________
Notary Public Date
DEVELOPER/APPLICANT

By ________________________________
Date ______________
Its ________________________________

STATE OF )
) ss.
COUNTY OF ___________ )

On this ______ day of _____________, 2022, before me, a Notary Public within and for said County personally appeared ________________________________, to me personally known, who being each by me duly sworn did say that s/he is respectively the __________________________ of _________________________________, the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its _____________ and said _____________________ acknowledged said instrument to be the free act and deed of said corporation.

_______________________________________ ______________________
Notary Public Date

Approved to Form:

_______________________________________________
City Attorney

THIS INSTRUMENT WAS DRAFTED BY
Scott J. Riggs, City Attorney
Kennedy & Graven
470 U. S. Bank Place
200 South Sixth Street
Minneapolis, MN 55402
PROPOSAL

Greystar Development Central, LLC has submitted an application for Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan for two warehouse/light industrial buildings to be called Royal Gateway. The two buildings are proposed to be approximately 435,000 square feet combined and the property is located ¼ mile west of Manning Avenue and north of Hudson Road. The property is zoned BCD, Business Campus District and is guided as Places to Work on the Land Use Plan.

Proposed Use - The proposed development is a speculative warehouse and light industrial commercial development which would provide business locations and supportive dock needs for 4-8 tenants. A speculative development is constructed without known tenants but instead design decisions are based on assumptions of future tenant mixes. In this case, the anticipated breakdown of the proposed 435,050 square foot building is as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>Percentage of overall building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>369,793 s.f.</td>
<td>85%</td>
</tr>
<tr>
<td>Office</td>
<td>43,505 s.f.</td>
<td>10%</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>21,752 s.f.</td>
<td>5%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>435,050 s.f.</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
Northeast Area Alternative Urban Areawide Review (AUAR) - The northeast area is over 400 acres of contagious, mostly undeveloped land located along the I-94 corridor. In 2009, the City adopted the AUAR as the appropriate planning document for evaluating the cumulative environmental impacts of development within the area. The AUAR was updated in both 2014 and 2019. The AUAR included multiple traffic studies which identified the needed traffic mitigation necessary to accommodate the additional vehicle trips generated by this and surrounding development.

Preliminary Plat - The proposed Preliminary Plat creates one lot of record measuring 26.93 acres.

Park Dedication - In 2010, following the adoption of the AUAR, the City entered into a Pre-Development Agreement with Dale Properties. The agreement identified the acquisition of the land for Prairie Ridge Park through a combination of pre-development parkland dedication and open space acquisition. Via the same agreement, the City also preserved a 13.57-acre parcel for tree preservation and wetland protection in the southwest corner of the northeast area adjacent to the multi-family area to the south of Hudson Road. Due to the previous transaction, the parkland dedication requirement for this application has been met.

Planned Unit Development (PUD) – The Applicant requests a PUD for the entire development site and requests establishment of the following requirements:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Zoning Requirement</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking</td>
<td>Light industrial not identified in code</td>
<td>1 space per 300 square feet</td>
</tr>
<tr>
<td>Architectural Design</td>
<td>65% Class I material for non-residential structures</td>
<td>65% Class I and II materials for industrial</td>
</tr>
<tr>
<td></td>
<td>Design Requirements</td>
<td>buildings</td>
</tr>
</tbody>
</table>
The Zoning Ordinance identifies that all non-residential buildings, regardless of use, that are adjacent to the interstate highway shall be constructed of 65% Class I materials. The code permits light industrial and warehouse buildings not adjacent to the interstate highway system to be built using 65% Class I and II materials. Using the 65% Class I standard to regulate office and retail development has served the City well and has delivered commercial centers that age gracefully with stable values and high aesthetic details. As it relates to the anticipated development patterns in the northeast area, the 65% Class I material requirement would not deliver the same high quality building designs due to the anticipated large rectangular building footprints, necessary wall height, and clustering of uses for shared truck courtyards.

The Northeast Area represents a new development pattern for the City, with a focus on light industrial, manufacturing, and distribution uses. The 2040 Comprehensive Plan identifies the following:

“With more than 400 acres of contiguous land guided for Places to Work, the Northeast Area offers a unique opportunity to diversify the City’s job and tax base. This diversification will occur by creating a business environment that will ultimately provide office/showroom, warehouse, distribution and light industrial business that are currently underrepresented within the City’s tax base. Located adjacent to I-94, land uses in the Northeast Area will likely include businesses that benefit from proximity and access to a major freeway distribution corridor which also will provide the ability to capture a wide variety of labor from Woodbury residents, the east metropolitan area and Wisconsin. Land absorption will likely take many years due to the sheer size of the Northeast Area, which will require the City to monitor economic trends and conditions in order to deliver the high quality and diverse business environment that this Chapter envisions.”

City staff has studied development patterns of business parks that include the targeted uses within the 2040 Comprehensive Plan and identified that the uses envisioned for the Northeast area require taller single story buildings with integrated shipping and receiving site and building designs.

Furthermore, the height and shape needs of the warehouse and light industrial uses necessitate the modification from a 65% Class I material requirement to 65% Class I and II. The inclusion of the Class II material list found within the ordinance brings in the ability to utilize architecturally precast concrete materials. Precast materials deliver buildings that better manage the height and scale of industrial buildings versus brick or stone which are required Class I materials. The design concern of delivering these larger footprint structures using the existing code language is that the buildings will have an institutional feel rather than the clean and modern look of today’s flexible business park. This rationale was also used for the Kindeva project which was constructed in 2020 and is located to the west of this site.

In return for the flexibility identified above, the Applicant shall remove the existing billboard located in the northwest corner of the site and shall provide the land, grading, and cross access easement for the frontage road highlighted in red on the following page:
The frontage road is necessary to distribute vehicle trips generated by future development on the property to the east. Due to access management, limited access is provided to the parcel to the east of this proposed site and the identified frontage road will allow access to the signalized intersection at Hudson Road. This connection was identified in the traffic study conducted in advance of Project Belle.

**General standards for PUD approval.**

The City may approve the PUD development only if it finds that the development satisfies all of the following standards, found in City Code Sec. 24-206. The PUD is implemented through a Conditional Use Permit (CUP); findings for the CUP are provided in the draft resolution.

1. *The proposed PUD is in conformance with any adopted master plan for the project area.*
   
   There are no master plans in the project area.

2. *The PUD is designed to form a desirable and unified environment within its own boundaries.*
   
   The proposed concept PUD identifies a shared access point with the property to the west and east, and the creation of a centralized loading and docking area which limits the visual impacts of the trucking components of the use.
(3) The development plan provides for the creation, preservation or restoration of natural resources such as native vegetation, valuable habitat, lakes, streams, wetlands, shorelands, flood plains, woodlands, steep slopes and similar areas.

There are no identified natural resources which were identified by the City for preservation, creation or restoration.

(4) The PUD is consistent with the planned and efficient provision of public improvements and would not burden the existing tax base by increasing development in areas without adequate infrastructure or public facilities.

The Applicant shall provide the land, grading, and cross access easement for the frontage road with designs approved by the City Engineer.

(5) The PUD can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site. The uses proposed will not have an undue and adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to potential surrounding uses.

The project is located to the south of Interstate 94. The properties located to the east, west and south of the proposed site are anticipated to be consistent with the proposed uses. The proposed site will not be detrimental to the surrounding uses as the proposed uses are consistent with the uses envisioned within the 2040 Comprehensive Plan.

(6) The tract under consideration is under single ownership or control.

The property is under one control with the PUD approvals providing long-term continuity.

(7) Single-family detached units or clustering of housing units may be allowed as a PUD in areas providing urban services, or in the R-2 Estate District, providing parks and open space are an integral part of the plan.

No single-family detached units are proposed with the PUD at this time.

(8) Each phase of the development, as it is proposed to be completed, is of sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit, and that provision and construction of dwelling units and common open space are balanced and coordinated.

The overall PUD will be constructed in a single phase and the phase is sized appropriately to allow for construction, marketing and operations as a complete unit.

(9) Common elements proposed as part of the PUD are appropriate for the scale, location, shape, size, density and topography of the development and must be suitably improved for the intended use(s) except that significant natural features may be preserved or restored.

The proposed PUD identifies shared access points and the creation of a centralized loading and docking area.

(10) The project area is at least ten acres in size unless the applicant can show that a PUD of less acreage meets the standards and purposes of the comprehensive plan and preserves the health, safety and welfare of the citizens of the city.

The site is over 10 acres in size.
**Conditional Use Permit** - A Conditional Use Permit shall be required for all planned unit developments. City Code Section 24-43 outlines the guidelines for granting a Conditional Use Permit. Please reference the attached draft resolution for the required findings of fact.

**Pedestrian Movements** – The subject site is highlighted in red below and the proposed pedestrian network is designed to provide access to the trail network to be built with the upgrades to Hudson Road and a connection to the public open space to the south of the proposed use. As part of the conditions of approval, a sidewalk connection to Hudson Road is required.

![Northeast Area Pedestrian Connections](image)

**Parking** – The proposed buildings measure 435,050 square feet and are identified to be designed to accommodate warehouse, office and light industrial uses. The chart below identifies the use, estimated square footage, PUD parking ratios and total number of required spaces.

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>PUD parking ratios</th>
<th>Number of PUD required spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>369,793 s.f.</td>
<td>1 space per 2,000 s.f.</td>
<td>185</td>
</tr>
<tr>
<td>Office</td>
<td>43,505 s.f.</td>
<td>1 space per 200 s.f</td>
<td>218</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>21,752 s.f.</td>
<td>1 space per 300 s.f</td>
<td>73</td>
</tr>
<tr>
<td>TOTAL</td>
<td>435,050 s.f.</td>
<td></td>
<td>476</td>
</tr>
</tbody>
</table>

As shown above, the PUD parking ratios would require 476 parking spaces to be provided. The proposed Site Plan identifies 497 parking spaces to meet the established parking requirements. As tenants are identified, staff recommends the Applicant review parking counts and investigate utilizing proof of parking to ensure only the necessary hard surfaces/parking areas are provided.
Access Points — The graphic below identifies the creation of access point “A” at Hudson Road to serve as the main access point for the development. The graphic further identifies a secondary access “B” which will be designed as a right-in/right out access. Finally, the star indicates the location where the proposed use to the west will interconnect to allow for access at the signalized intersection along Hudson Road.

<table>
<thead>
<tr>
<th>Access Point</th>
<th>Design and Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Full signalized access point which also provides access to the future development site to the west.</td>
</tr>
<tr>
<td>B.</td>
<td>Full access point onto Hudson Road which is designed and anticipated to be modified to be a right-in/right out with a future upgrade to Hudson Road.</td>
</tr>
</tbody>
</table>
**Truck and loading screening** - The proposed site plan contains multiple areas for truck loading and staging. The proposed interior truck courtyard does an excellent job of screening the dock door and trucks from both Interstate 94 and Hudson Road. To block site lines from the corners, evergreen landscaping is provided to soften those views. The Applicant shall increase the number of evergreens within these areas as identified within the conditions of approval.

**Architecture – Section 24-235.** – Contingent on the approval of the PUD, the proposed Industrial and warehouse buildings shall be constructed of 65% Class I and II materials with the material classes and types shown below:

<table>
<thead>
<tr>
<th>Class I Materials</th>
<th>Class II Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conventional brick, nominal four-inch width</td>
<td>Specialty concrete block such as textured, burnished block or rock faced block</td>
</tr>
<tr>
<td>Natural or cultured stone</td>
<td>Architecturally precast textured concrete or brick panels</td>
</tr>
<tr>
<td>Glass</td>
<td>Masonry stucco</td>
</tr>
<tr>
<td>Copper</td>
<td>Ceramic</td>
</tr>
</tbody>
</table>

The proposed buildings use differing colors and textures of precast to break up the length and scale of the structure. Furthermore, the design technique of using windows (glass) elements to create focal points along the long elevations was utilized to add visual interested and allow for natural light into the spaces. Finally, the precast panels include shallow recesses to create addition variation and shadow lines along the exterior facades.

Additional building images are provided below:
**Stormwater Management** – The City Code requires stormwater management be provided to meet water quantity, infiltration, and water quality requirements. The application identifies the construction of multiple stormwater basins to serve the proposed site as well as the needed public roadway infrastructure to serve the project. The onsite ponds and infiltration basins are circled in blue below.
RECOMMENDATION

Staff recommends approval of the Planned Unit Development, Conditional Use Permit, Preliminary Plat and Site and Building Plan, Project No. 01-2022-00491, for Royal Gateway subject to the following conditions:

1. The Site Plan approval shall expire one year from the date of City Council approval unless a building permit has been requested or a time extension has been granted.
2. All requirements and conditions of the Northeast Area AUAR as they relate to this site shall remain in full force and effect as determined by the City.
3. The Preliminary Plat approval shall expire six months from the date of the City Council approval unless a Final Plat has been requested or a time extension granted by the City Council.
4. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval by the City Engineer of an updated grading plan which identifies grading and subgrade improvements, to meet City identified design standards, of the frontage road adjacent to the ROW of Interstate 94.
5. Prior to the issuance of a land disturbance permit, the Applicant shall receive written approval from the Engineering Division of a proof of concept grading plan that identifies the design of the shared north/south access drive located along the west property line is designed to provide acceptable access for the property to the west. The grading plan shall also address pipeline conflicts and issues.
6. Prior to the issuance of a land disturbance permit, the Applicant shall record a cross access easement agreement which allows perpetual use and access by the future development property to the east and west of the site. The easement shall allow for use and connection to the proposed western private drive, including the future frontage private road south of I-94, which connects with Hudson Road. The City Attorney shall review and approve the form and content of the cross easement prior to recording.
7. Prior to the issuance of a land disturbance permit, all plans shall identify a minimum of 1.5’ of freeboard from the 100 year HWL for all City identified stormwater facilities.
8. Prior to the issuance of a building permit, the Applicant shall submit a materials board. All final building materials shall be approved by the Planning staff in writing.
9. Prior to the application of building materials, the Applicant shall construct sample material mock-ups on-site. The mock-ups shall be approved by the Planning staff.
10. Prior to the issuance of a building permit, the Applicant shall execute an approved Operations and Maintenance Plan for all onsite infrastructure.
11. Prior to the issuance of a building permit, the Developer shall provide a snow removal and storage plan detailing how snowfalls will be accommodated on site.
12. All fencing and retaining wall materials shall be complementary to the building materials and shall be approved in writing by the Planning Division prior to issuance of a building permit. Retaining walls greater than four (4) feet in height shall be engineered and detailed calculations should be submitted to the City.
13. All lights shall be shoebox style, downward directed, with LED lamps with flush lenses. Other than wash or architectural lighting, attached security lighting shall be shoebox style, downward directed with flush lenses. In addition, any lighting under canopies (i.e. building entries) shall be recessed and use a flush lens.
14. All HVAC and other roof- or ground-mounted equipment shall be hidden from view with materials that match materials and colors used on the building.
15. Any future trash enclosures shall utilize city approved gates and be constructed on three sides using the same materials and patterns used on the building. Locations shall be approved by the Planning Division.

16. No exterior storage shall be permitted.

17. The Final Plat shall be approved by the City Council and released for recording prior to the issuance of a building permit.

18. This approval does not include signage. A separate sign permit shall be required.

19. All drive aisles shall have a minimum width of 25 feet.

20. Heavy duty silt fence and adequate erosion control around the entire construction site shall be required and maintained by the Developer during construction to ensure that sediment and stormwater does not leave the project site.

21. All disturbed boulevards shall be restored with turf. The property owner shall mow and maintain to the curb of all public streets.

22. Prior to the issuance of a land disturbance permit, the Applicant shall provide a plan which identifies the planting plan and long-term maintenance of the onsite stormwater basins and the wetland. Components of the long-term maintenance plan shall be included in the operations and maintenance agreement.

23. All onsite sanitary sewer, watermain and storm sewer facilities installed to accommodate the site are private and shall be the Developer’s responsibility for the design, installation, maintenance, repair, replacements, operation, protection, etc. All utility inspections shall be coordinated with the City’s Building Inspections Division.

24. The Applicant shall be responsible for obtaining a land disturbance permit from the City’s Engineering Department prior to the commencement of any site activities as well as any necessary right-of-way permits.

25. Prior to the issuance of a land disturbance permit, the Applicant shall submit a revised landscaping plan that identifies additional evergreen landscaping to screen site lines of the loading docks from the property corners.

26. Prior to issuance of a building permit, the Applicant shall submit a plan identifying placement of no less than four (4) inches of an acceptable topsoil mix as determined by Planning staff.

27. Prior to installation of sod, the Applicant shall provide written verification that a minimum of four (4) inches of topsoil has been placed throughout the site. Prior to installation of the sod, the City shall inspect and approve the placement of the topsoil in writing.

28. Prior to the release of the building permit, a landscape financial security shall be submitted for at least 150 percent of the estimated cost of landscaping including sod. The landscaping plan shall meet all landscaping ordinance requirements including canopy coverage and tree and species diversification.

29. Prior to the release of the Final Plat for recording, staff shall finalize the tree replacement calculations and method of achieving replacement or payment in lieu. Planting within a City park shall be coordinated with Parks Maintenance.

30. The Applicant shall be responsible for obtaining any other permits necessary from other agencies, MPCA, MnDOT, watershed, etc. prior to the start of any site activities.

31. The Applicant shall be responsible for protecting the proposed on-site storm sewer infrastructure and components and any existing storm sewer from exposure to any and all stormwater runoff, sediments and debris during all construction activities. Temporary stormwater facilities shall be installed to protect the quality aspect of the proposed and existing stormwater facilities prior to and during construction activities. Maintenance of any and all temporary stormwater facilities shall be the responsibility of the Applicant.
32. This project shall require a General Stormwater Permit from the MPCA since more than one acre of land will be disturbed. In addition, a Stormwater Pollution Preventive Plan (SWPPP) shall be included on the Grading and Erosion Control Plan along with Best Management Practices (BMPs) such as concrete washout area, temporary sediment basins, stabilization methods for exposed areas, etc. These BMPs shall be clearly identified on the plan. The plan shall include permitee and inspector contact information.

33. Prior to the issuance of a land disturbance permit, final drainage, utility, and stormwater plans shall be approved by the Engineering Department.

34. Grades at all intersections where a vehicle must stop shall be 1.0 percent or less for at least 100 feet from the stop location or an alternate standard approved by the Engineering staff in writing.

35. Prior to the approval of the Final Plat, all right-of-way widths and street names shall be reviewed and approved in writing by the Planning staff. All required right-of-way and easements shall be dedicated to the City at no cost and free of encumbrances.

36. Concrete driveway aprons shall be required at the intersections with City streets as per City detail plates and specification.

37. The Developer shall be responsible for installing the sidewalks within the project. Subsequent to installation, the sidewalks within the project and shall be maintained by the property owner. Such maintenance shall include but not be limited to promptly removing ice and snow, other obstructions, and repair and replacement as necessary to ensure the safe passage of pedestrians. This includes sidewalk connections located within the right-of-way that ultimately connect to the City trail system.

38. Prior to the issuance of a land disturbance permit, a final stormwater management plan shall be reviewed and approved by the City and the Watershed District.

39. The Applicant shall be financially responsible for all applicable water, sanitary sewer and storm sewer area and connection charges. Rates applied shall be those in effect at the time of Final Plat approval and shall be memorialized in the Development Agreement.

40. All public utility improvements and connections to the public systems shall be designed by the City in accordance with all City standard specifications, standard detail plates and standard plans. Easements and right-of-way necessary to accommodate public street and utility improvements will be determined by the final design and shall be shown on the Final Plat.

41. All rights-of-way, easements and outlots shall be kept free of plantings, retaining walls, signage, etc. that would affect their intended purpose.

42. The Applicant shall be financially responsible for any cost incurred for removal and/or relocation of existing small utilities, utility poles, undergrounding existing overhead electric utilities and other associated private utilities adjacent to and within the development and/or related to the public improvements needed to service the development.

43. Street lights shall be required to be installed by the Developer, at their cost, as directed by the City.

44. The location of landscaping irrigation lines shall be shown on the utility plan for irrigation of medians or at locations where irrigation lines cross public streets.

45. The irrigation system shall be designed to meet the following design requirements:
   - System must be designed by a certified irrigation contractor.
   - The system, including pumps, controllers, connections and irrigation line placement must be submitted for review and approval, in writing, by City staff.
   - Private irrigation wells as a back-up irrigation source are not permitted.
   - Irrigation heads shall be placed a minimum six (6) inches from back of curb, trail, sidewalk, or other hard surface.
• EPA WaterSense approved smart controllers shall be used. The controller shall be
  approved by Engineering Staff in writing.
• MP rotator heads or equivalent shall be used throughout.

ATTACHMENTS

1. Location Map
2. Resolution
3. Conditional Use Permit
4. 11 x 17s
5. Pedestrian Connection Map
Northeast Area Pedestrian Connections

Disclaimer: This map is intended for reference purposes only and is not a legally recorded map or survey. The City of Woodbury shall not be liable for any damages or claims that arise due to accuracy, availability, use, or misuse of the information herein pursuant to MN Statute 466.03 Subd 21.
Council Letter 22-172

May 25, 2022

To: The Honorable Mayor and Members of the City Council

From: Clinton P. Gridley, City Administrator

Subject: Parks and Natural Resources Commission Recommendation to Elevate Environmental Stewardship as a Strategic Initiative

Summary

Greta Bjerkness, chair of the Parks and Natural Resources Commission, will present the Commission’s recommendation to elevate Environmental Stewardship to a 2023 – 2025 Strategic Initiative.

Recommendation

Staff recommends that the City Council receive and review the letter from the Parks and Natural Resources Commission.

Public Process

An Environmental Stewardship Timeline and Report was presented at a City Council Workshop in January 2022. The Timeline and Report was also presented at the February 2022 Parks and Natural Resources Commission meeting followed by three months of discussion at Commission meetings, leading to the Commission’s decision to recommend this course of action to City Council. Commissioners also discussed this topic in October and December 2021.

Background

At the January 2022, Council Workshop, staff presented a report on the past twenty years of Environmental Stewardship. Council directed staff to present this information to the Parks and Natural Resources Commission and ask Commissioners to provide direction, reflective of their advisory role to Council, on next steps for this critical focus area.

Written By: Sarah Alig, Senior Management Analyst

Approved Through: Michelle Okada, Parks and Recreation Director

Attachment: Letter to City Council from Parks and Natural Resources Commission re: Environmental Stewardship Strategic Initiative
Dear Mayor, City Council Members, and Neighbors:

As members of the Parks and Natural Resources Commission, we urge the City to elevate Environmental Stewardship to a 2023 – 2025 Strategic Initiative.

We are experiencing an environmental state of emergency. The longer we wait to take action, the more we fall behind. In the years ahead, residents will watch Woodbury’s unique Tamarack stand struggle to survive the warming climate; algae blooms will proliferate in increasingly warm and dry summer seasons; and residents will stay indoors to avoid smoky air during wildfire season. Woodbury’s most vulnerable citizens, such as seniors and those with chronic health conditions, will bear the brunt of extreme weather events like severe storms and heat waves. The city will continue to spend time and money reacting to emerging threats like EAB and water contamination. Other cities will surpass our leadership and out-compete us for funding, grants and awards.

By prioritizing Environmental Stewardship as a Strategic Initiative, we can better understand the situation as it develops, and establish strategies to ensure sustainability and resilience into the future. We recognize this is an urgent, massive, complex, and challenging issue to tackle and our city needs additional expertise and resources to identify local solutions and strategies that fit our community. We have lots of questions and uncertainty, but with the clarity and direction afforded by a specific, measurable, and achievable plan, we can focus on high-impact opportunities and execute them well, rather than skimming the surface of many smaller initiatives.

We recommend two parts to the Environmental Stewardship Strategic Initiative. First, we must allocate resources to developing an Action Plan that includes a robust community engagement process and provides a scientific approach to city-level action on Environmental Stewardship. Second, residents want guidance on how they can take meaningful action at the individual, household, or business level. This Commission is ready to serve as champions and communicators of this message. We look forward to working closely with staff and community members to further this initiative.

When we look at the criteria, established by Council in 2019, to determine a Strategic Initiative, we observe that each one applies perfectly to the topic of Environmental Stewardship:

- Environmental Stewardship is an urgent and emerging issue;
✓ The work to research and establish an Action Plan and engage residents can be accomplished in the short term (2 years);
✓ Phases of an Environmental Stewardship Strategic Initiative will include examining and learning, then implementing and operationalizing;
✓ Environmental Stewardship is consistent with city values, being a long-time Critical Success Factor and a featured element of the Comprehensive Plan – which even includes a Resilience Action Plan as an implementation item;
✓ This work needs resources beyond what we already have in place;
✓ It will be essential to develop SMART goals; and
✓ It may lead to new ways of doing things.

We chose to serve on this Commission out of love for our environment and our community, and we are proud of the work this city has done to preserve and protect the environment over the past twenty years. Council’s decision to approve an ordinance requiring that developers replace 2 inches to every 1 inch of specimen trees, demonstrates the city’s ability to adapt and change as needed. We lead the way on municipal fleet electrification, solar energy, and preserving beautiful open spaces.

We believe that parks and trails bring neighbors together, that residents deserve clean water, clean air, and safe green space in which to play. Connecting with nature makes people healthier and happier. To protect the environment and community we love, and to meet the needs of future generations, the city must commit resources and establish the Environmental Stewardship Strategic Initiative. Time is running short. We see overwhelming support from our fellow residents. It is in our community’s interest to act now. In the next two years, we urge the city to prioritize the urgent environmental risks and opportunities at hand.

Sincerely,

Parks and Natural Resources Commission
Neighborhood Meetings:

No Items Scheduled.

Preliminary Items Scheduled for the Planning Commission Meeting of June 6, 2022:

1. Gateway Office Building, Site and Building Plan, Project No. 05-2022-00490
2. Woodlane Drive Station Park and Ride, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 08-2022-00483

Preliminary Items Scheduled for the Council Workshop Meeting of June 8, 2022 (Eagle Valley Banquet Room):

1. Council Strategic Planning Retreat

Preliminary Public Hearings Scheduled for June 15, 2022:

1. Woodlane Drive Station Park and Ride, Planned Unit Development, Conditional Use Permit, Preliminary Plat, Site and Building Plan, Project No. 08-2022-00483

Preliminary Items Scheduled for the Planning Commission Meeting of June 20, 2022:

No Items Scheduled

Preliminary Items Scheduled for the Council Workshop Meeting of June 29, 2022 (Central Park Valley Creek Room):

1. Central Park Project Update (4)
2. Post 2022 Legislative Session Review
3. Community Engagement Strategy (1)

Other Meetings:

1. Parks and Natural Resources Commission, June 7, 7 p.m., Ash North and South Conference Rooms
2. Audit and Investment Commission, June 24, 7:30 a.m., Ash North and South Conference Rooms

Respectfully submitted,

Clinton P. Gridley
City Administrator