



City of Blaine

City Council

November 20, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

AGENDA

1. Call to Order by the Mayor

2. Pledge of Allegiance

3. Roll Call

4. Awards - Presentations - Organizational Business

5. Communications

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

7. Adoption of Agenda

8. Approval of 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. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

8.1. 2023-574 Schedule of Bills Paid
Sponsors: Jason Zimmerman, Finance Director

8.2. 2023-569 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk

8.3. RES 23-167 Request the State Commissioner of Transportation Perform a Speed Study on Lever Street NE from 125th Avenue NE to 131st Lane NE

Sponsors: Daniel Schluender, Director of Engineering

- 8.4.** RES 23-175 Resolution to Approve Local Road Improvement Program Agreement

Sponsors: Daniel Schluender, Director of Engineering

- 8.5.** RES 23-179 Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement Lying Over, Under and Across Outlot A, Preserve at Lexington Waters, Vacation No. V23-06

Sponsors: Daniel Schluender, Director of Engineering

- 8.6.** RES 23-187 Resolution Approving the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant

Sponsors: Mark Boerboom

- 8.7.** RES 23-180 Resolution to Approve Joint Powers Agreement No. C0009928 with Anoka County for Intersection Improvements at CSAH 14 and CR 53, Improvement Project No. 23-10

Sponsors: Daniel Schluender, Director of Engineering

- 8.8.** RES 23-182 Resolution Granting Final Plat Approval to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0028/EES)

Sponsors: Sheila Sellman, City Planner

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

- 9.1.** 2023-535 Approve Renewal of Currency Exchange Licenses

Sponsors: Cathy Sorensen, City Clerk

- 9.2.** RES 23-173 Resolution Granting a Conditional Use Permit Amendment for a Recreational Use and a Restaurant with an Approximately 2,350 Square Foot Outdoor Dining Area and Live Entertainment in the PBD (Planned Business District) Zoning District at 10650 Baltimore Street NE, Suite 100. The Ball Park Twin Cities (Case File No. 23-0080/EES)

Sponsors: Sheila Sellman, City Planner

10. Development Business

11. Administration

- 11.1.** RES 23-149 Resolution to Approve Term Sheet with Elevage/Bader for the 105th Avenue Redevelopment Project

Sponsors: Erik Thorvig, Community Development Director

- 11.2.** RES 23-190 Declaring the Official Intent of the City to Reimburse Certain Expenditures Related to the 105th Area Redevelopment Project from the Proceeds of Tax-Exempt Bonds
Sponsors: Jason Zimmerman, Finance Director
- 11.3.** RES 23-188 Certify 2023 Delinquent Utility Accounts, Nuisance Abatements, and Other Special Charges to Anoka County
Sponsors: Jason Zimmerman, Finance Director
- 11.4.** 2023-407 Authorizing the Acquisition of Right-of-Way Consistent with State Law for the Ulysses Street and 117th Avenue Roundabout Project, Improvement Project 23-09
Sponsors: Daniel Schluender, Director of Engineering
- 11.5.** RES 23-183 Resolution to Receive Feasibility Report and Order Public Hearing for the Sanburnol Drive (85th Avenue) Improvements Project, I/P 23-14
Sponsors: Daniel Schluender, Director of Engineering
- 11.6.** RES 23-189 Resolution Accepting a Change Order from T.A. Schifsky & Sons, Inc. in the Amount of \$9,245 for the 2023 Trail Maintenance Project, Improvement Project No. 23-42 and Amending the 2023 Budget
Sponsors: Jerome Krieger, Sr. Recreation Manager
- 11.7.** ORD 23-2536 First Reading - Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession
Sponsors: Brian Podany, Safety Services Manager/Police Chief
- 11.8.** ORD 23-2532 An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine
Sponsors: Cathy Sorensen, City Clerk

12. Other Business

13. Adjournment

CITY OF BLAINE**SCHEDULE OF BILLS PAID****APPROVED ON 11/20/2023 FOR PAYMENTS THE WEEK OF 10/27/2023**

Vendor Name	Description	Amount
ADVANCED GRAPHIX INC	Graphics-Distracted Driving	\$ 67.50
AMCS GROUP INC	Software Subscription	\$ 2,267.69
ANOKA COUNTY	Record Vacation Easement	\$ 46.00
ANOKA COUNTY	Record Vacation Easement	\$ 46.00
ANOKA COUNTY TREASURY	Connect Anoka County Fiber	\$ 812.50
ASPEN MILLS INC	uniforms and clothing	\$ 420.89
ASPEN MILLS INC	uniforms and clothing	\$ 2,165.89
ASPEN MILLS INC	uniforms and clothing	\$ 171.50
ASPEN MILLS INC	uniforms and clothing	\$ 159.90
ASPEN MILLS INC	uniforms and clothing	\$ 297.73
ASPEN MILLS INC	uniforms and clothing	\$ 220.50
ASPEN MILLS INC	uniforms and clothing	\$ 331.36
ASPEN MILLS INC	uniforms and clothing	\$ 112.90
ASPEN MILLS INC	uniforms and clothing	\$ 27.48
ASPEN MILLS INC	uniforms and clothing	\$ 139.99
ASPEN MILLS INC	uniforms and clothing	\$ 326.34
ASPEN MILLS INC	uniforms and clothing	\$ 45.99
ASPEN MILLS INC	uniforms and clothing	\$ 159.90
ASPEN MILLS INC	uniforms and clothing	\$ 108.90
ASPEN MILLS INC	uniforms and clothing	\$ 389.80
ASPEN MILLS INC	uniforms and clothing	\$ 171.50
AXON ENTERPRISES INC	3 room Interview cameras	\$ 2,560.00
AXON ENTERPRISES INC	3 room Interview cameras	\$ 11,850.72
BLAINE BROTHERS INC	King Pins	\$ 8,687.54
BOYER TRUCKS	Muffler	\$ 1,823.19
BOYER TRUCKS	F350 for Sewer #4623	\$ 59,262.09
BROWNELLS INC	AR-15 parts	\$ 83.95
BROWNELLS INC	AR-15 parts	\$ 104.16
BROWNELLS INC	AR-15 parts	\$ 44.66
BUREAU OF CRIM APPREHENSION	CJDN Access Fee	\$ 4,440.00
CAMPION BARROW & ASSOCIATES	Pre-employment testing	\$ 455.00
CENTERPOINT ENERGY	10590 Radisson Rd NE	\$ 12.82
CENTERPOINT ENERGY	10602 Radisson Rd NE	\$ 10.03
CENTERPOINT ENERGY	10592 Radisson Rd NE	\$ 8.39
CENTERPOINT ENERGY	750 Cloverleaf Parkway	\$ 80.00
CENTERPOINT ENERGY	10594 Radisson Rd NE	\$ 17.07
CENTURYLINK	Telephone Service	\$ 127.71
CENTURYLINK	Telephone Service	\$ 72.79
CHAPMAN PAT	Park/Rec Refund	\$ 40.00
CINTAS CORPORATION	Uniform/Rug Rentals	\$ 155.11
CINTAS CORPORATION	MAYC mats, mops, towels	\$ 31.87
CINTAS CORPORATION	CH mats	\$ 205.47
CINTAS CORPORATION	MAYC mats, mops, towels	\$ 31.87
CIVICPLUS, LLC	Annual Website Renewal	\$ 38,000.00
CLASSIC CONSTRUCTION	Escrow Refund - 3472 88th Ave NE	\$ 2,000.00
COBALT COMMUNITY RESEARCH	Visitor 360 Report	\$ 1,060.00
COMCAST	Public Works Internet Service	\$ 201.47
CONNEXUS ENERGY	Electric Service	\$ 62,437.08

CORE & MAIN LP	Couplings for Meters	\$	7,194.38
CREATIVE HOMES INC	Escrow Refund - 4612 128th Cir NE	\$	5,000.00
CREATIVE HOMES INC	Escrow Refund - 4854 128th Cir NE	\$	7,400.00
CRYSTEEL TRUCK EQUIPMENT	Build up for #4621	\$	17,373.69
CYBER ADVISORS INC	M365 SkyKick Backup	\$	1,228.00
DEGNAN DANIEL	Softball Umpire Fees	\$	384.00
DIAMOND MOWERS INC	Caster hub/axle	\$	431.53
ECKBERG LAMMERS PC	Prosecution Fees	\$	22,029.88
ECKBERG LAMMERS PC	Employment Retainer	\$	2,073.50
ECKBERG LAMMERS PC	Legal - Retainer	\$	3,250.00
ECKBERG LAMMERS PC	Legal Fees	\$	9,128.25
ECM PUBLISHERS INC	Advertising & Public Notices	\$	59.12
ECM PUBLISHERS INC	Advertising & Public Notices	\$	155.87
ECM PUBLISHERS INC	Publish Ad for Bids	\$	188.12
ECM PUBLISHERS INC	Advertising & Public Notices	\$	48.37
ECM PUBLISHERS INC	Advertising & Public Notices	\$	53.75
EDWARDS ALAN	Softball Umpire Fees	\$	702.00
ETERNITY HOMES LLC	Escrow Refund - 13033 Packard St NE	\$	7,300.00
ETERNITY HOMES LLC	Escrow Refund - 13004 Marmon St NE	\$	7,400.00
ETERNITY HOMES LLC	Escrow Refund - 4647 130th Ln NE	\$	7,400.00
EVEREST EMERGENCY VEHICLES	Replace Push Bumper Squad	\$	1,082.47
FERGUSON WATERWORKS #2518	Gate Valve Replacement parts	\$	5,252.40
FERGUSON WATERWORKS #2518	Shovels for water	\$	95.56
FIRE INSTRUCTION RESCUE ED	Citizens academy fire simulator	\$	700.00
FISERV	September FISERV Payment	\$	154.76
FRIENDLY CHEVROLET INC	Vehicle Tank	\$	29.92
FRIENDLY CHEVROLET INC	Blower motor/belt/filter	\$	219.34
FRIENDLY CHEVROLET INC	Map Sensor	\$	60.06
FRIENDLY CHEVROLET INC	Map Sensor	\$	97.06
FRIENDLY CHEVROLET INC	Wheel Hubs	\$	149.36
FRIENDLY CHEVROLET INC	Wheel Hubs	\$	149.36
GARY CARLSON EQUIPMENT	Rental of Air Compressor	\$	1,200.32
GRAINGER	Beacon light for PW	\$	78.58
GRAINGER	Well heater parts	\$	110.46
HIRSHFIELD'S PAINT MFG INC	PD exterior wall repair	\$	523.87
IMPACT PROVEN SOLUTIONS	Utility Billing	\$	3,986.83
INNOVATIVE OFFICE SOLUTIONS	Stand Up Desks	\$	2,948.00
INSIGHT PUBLIC SECTOR INC	UPS System For New Switches	\$	8,163.45
INSTRUMENTAL RESEARCH INC	Water Sample Testing	\$	1,076.00
ISOM HARLAN G	Softball Umpire Fees	\$	316.00
JACKSON-HIRSH INC	Laminating Supplies - PW	\$	49.29
JACOBSON MAGNUSON	2023 Federal Lobbyist Svcs	\$	4,500.00
JEFF BELZER'S ROSEVILLE AUTO	Insurance Claim	\$	258.95
JEFF BELZER'S ROSEVILLE AUTO	Credit	\$	(50.00)
JM ELECTRIC LLC	Jim Peterson Park Electrical	\$	5,200.00
JUST-RITE CONSTRUCTION INC	Gates for BBC Fields 5 & 6	\$	1,800.00
KAYE SHAWN	Planning Conference, St Cloud	\$	56.51
KNOBLAUCH KYLENE	Softball Umpire Fees	\$	306.00
KORTERRA INC	Water & Sewer Locates	\$	5,063.00
LAWSON PRODUCTS INC	fittings, bolts, bulbs	\$	737.78
LIFE SAFETY SYSTEMS INC	WTP Fire Panel Monitoring	\$	325.00
LIFE SAFETY SYSTEMS INC	WTP Fire Panel Monitoring	\$	325.00
LIFE SAFETY SYSTEMS INC	WTP Fire Panel Monitoring	\$	325.00
LIFE SAFETY SYSTEMS INC	Monitoring - Old Fire Station #5	\$	325.00
LIFE SAFETY SYSTEMS INC	Annual Monitoring	\$	325.00

LIFE SAFETY SYSTEMS INC	WTP Fire Panel Monitoring	\$	325.00
LIFE SAFETY SYSTEMS INC	Monitoring Charge for LAC	\$	325.00
LINO LAKES LANDSCAPING LLC	Sod Replacement Project	\$	24,373.86
M/I HOMES	Escrow Refund - 11281 Tyler St NE	\$	7,400.00
MADDEN GALANTER HANSEN LLP	attorney fees - labor relations	\$	1,272.49
MANAGED SERVICES INC	tissue, towels, soap	\$	645.08
MARSDEN BUILDING MTCE LLC	PW janitorial services	\$	2,251.25
MARTIN MARIETTA MATERIALS	Patching Material - Parks	\$	225.37
METRO-INET	Internet Support Services	\$	3,031.00
MID-AMERICA BUSINESS SYSTEMS	Duty Bag Lockers	\$	10,037.00
MIDWAY FORD COMPANY	Valve	\$	7.09
MN DEPT OF TRANSPORTATION	Bituminous Plant Testing	\$	944.19
MN HWY SAFETY & RESEARCH CENTER	Defensive Driving Class	\$	480.00
MTI DISTRIBUTING INC	Weed whips/battery/chargers	\$	6,050.88
OFFICE OF MNIT SERVICES	Telephone and Internet Service	\$	586.68
OFFICE OF MNIT SERVICES	Telephone and Internet Service	\$	568.68
PHASOR ELECTRIC COMPANY	Insurance Claim	\$	6,450.00
PHASOR ELECTRIC COMPANY	50amp receptacle for events	\$	3,100.00
PHASOR ELECTRIC COMPANY	Transformer for LAC	\$	1,800.00
PIONEER PHOTOGRAPHY & SERVICES	MAYC presentation	\$	280.00
PRO-TEC DESIGN INC	Card reader	\$	8,929.58
PRO-TEC DESIGN INC	PD interview room cable repair	\$	280.50
PULTE HOMES OF MINNESOTA LLC	Escrow Refund - 12673 Marmon	\$	5,000.00
REDPATH AND COMPANY LLC	2022 Financial Audit	\$	5,500.00
RICHARD ALAN PRODUCTIONS	Entertainment at MAYC	\$	250.00
RUFFRIDGE JOHNSON EQUIP	Rear Guard	\$	467.14
SPORTS LIGHTING AUTHORITY INC	Jim Peterson Lighting	\$	8,945.00
SYSCO MINNESOTA	Supplies for senior center	\$	169.55
TKDA AND ASSOCIATES INC	TH65 Access Improvement	\$	164,383.70
TOTAL COMPLIANCE SOLUTIONS	drug testing	\$	266.00
TRANS UNION LLC	Credit Reports for employees	\$	111.10
TWIN CITIES TRANSPORT	Tows for Squad	\$	125.00
USA BLUEBOOK (#657220)	Fire hydrant pressure gauge kits	\$	285.29
USA BLUEBOOK (#657220)	Chain Cutter	\$	3,239.45
VERIZON WIRELESS	Telephone Service	\$	80.02
VIKING ELECTRIC SUPPLY INC	CH light bulbs	\$	188.60
WALTERS RECYCLING & REFUSE	Organics Collection	\$	150.00
WSB & ASSOCIATES INC	99th Ave/Baltimore St Roundabout	\$	11,849.77
WSB & ASSOCIATES INC	Southeast Area Reconstruction	\$	54,629.25
WSB & ASSOCIATES INC	Carrara East Court improvements	\$	274.50
WSB & ASSOCIATES INC	LAC Hockey Rinks	\$	2,996.75
WSB & ASSOCIATES INC	Contracted Support for GIS Tech	\$	937.00
		\$	686,245.81

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 11/20/2023 FOR PAYMENTS THE WEEK OF 10/27/2023**

Vendor Name	Description	Amount
ECKBERG LAMMERS PC	Prosecution Fees	\$ 22,029.88
LINO LAKES LANDSCAPING LLC	Sod Replacement Project	\$ 24,373.86
CIVICPLUS, LLC	Annual Website Renewal	\$ 38,000.00

CITY OF BLAINE

SCHEDULE OF BILLS PAID

APPROVED ON 11/20/2023 FOR PAYMENTS THE WEEK OF 11/3/2023

Vendor Name	Description	Amount
ABC SIGN & GRAPHIC INC	Park Sign for Sunrise Pond Park	\$ 215.00
ACI ASPHALT	HYDRANT METER DEPOSIT	\$ 943.50
ALBRECHT ENTERPRISES LLC	Monument Sign	\$ 96,180.00
AMAZON CAPITAL SERVICES	supplies for flashlight pumpkin	\$ 326.99
AMAZON CAPITAL SERVICES	Wipes, calculator ink, paper trays	\$ 44.03
AMAZON CAPITAL SERVICES	Ergonomic Mouse	\$ 16.99
AMAZON CAPITAL SERVICES	Equipment for IT	\$ 68.18
AMAZON CAPITAL SERVICES	Shop floor safety tape	\$ 220.24
ANDERKAY ROSEMARIE	Park/Rec Refund	\$ 68.00
APPELDOORN KENT D	MAYC Entertainment	\$ 150.00
AT&T MOBILITY	Data coverage for bait trailer	\$ 53.97
AUTONATION FORD	Engine Replacement - 5293	\$ 9,735.24
BATTERIES PLUS BULBS	LS 11 Back up battery	\$ 60.15
BAUER BUILT INC	Tire Installation - 1226	\$ 2,066.24
BAUER BUILT INC	Tire Installation - 4603	\$ 2,467.25
BCA-CHAU RECORDS	Liquor License Background	\$ 33.25
BCI CONSTRUCTION INC	Aquatone Bandshell Construction	\$ 310,338.40
BELAIR JASON	Mileage Reimbursement	\$ 489.66
BLAINE BROTHERS INC	Brake Cans for 1200	\$ 264.88
BLAINE BROTHERS INC	Brake Cans for 1200	\$ 17.04
BLAINE LOCK & SAFE INC	Keys for Sunnyside Park	\$ 37.50
BOYER TRUCKS	Brake cans/Drain Plug for 1200	\$ 310.48
BOYER TRUCKS	Brake cans/Drain Plug for 1200	\$ 74.82
BROTHERS FIRE & SECURITY	Permit Refund	\$ 60.00
BRS FIELD OPS LLC	Partial Permit Refund B23-01893	\$ 80.00
BSN SPORTS INC	Netting for Athletic Complex	\$ 549.99
BUCHANAN CORINNE KAY	Home Improvement Grant	\$ 1,926.00
CENTERPOINT ENERGY	Gas Service	\$ 5,020.31
CENTRAL TURF & IRRIGATION	Air hose	\$ 160.00
CHRONICLES IN HEALTH LLC	Nutrition Instructor at MAYC	\$ 55.00
CINTAS CORPORATION	CH mats	\$ 197.70
CINTAS CORPORATION	Uniform/Rug Rentals - PW	\$ 377.28
CINTAS CORPORATION	MAYC mats, mops, towels etc	\$ 31.87
CITY OF ST PAUL	PDI Course	\$ 250.00
CRYSTEEL TRUCK EQUIPMENT	Labor to shorten muffler - 1200	\$ 246.25
CRYSTEEL TRUCK EQUIPMENT	Chainwheels for PW stock	\$ 1,892.94
CRYSTEEL TRUCK EQUIPMENT	Box sensor for 1305	\$ 91.20
CUB FOODS INC - THE VILLAGE	Citizens Academy consumables	\$ 29.96
CUB FOODS INC - THE VILLAGE	Citizens Academy consumables	\$ 88.82
CUB FOODS INC - THE VILLAGE	Items for Training	\$ 25.26
CUB FOODS INC - THE VILLAGE	Citizens Academy consumables	\$ 27.47
CUB FOODS INC - THE VILLAGE	Citizens Academy consumables	\$ 21.96
CUB FOODS INC - THE VILLAGE	Training supplies	\$ 19.96
CUB FOODS INC - THE VILLAGE	Training supplies	\$ 9.98
DAVE PERKINS CONTRACTING	Main Valve repairs	\$ 20,700.00
DIMKE EXCAVATING INC	HYDRANT METER DEPOSIT	\$ 4,403.50
DOUGLAS EMILY	reimbursement for coffee	\$ 31.08
E G RUD & SONS INC	Lift Station 13	\$ 6,588.50

ETERNITY HOMES LLC	Escrow Refund - 4809 130th Ln NE	\$	7,300.00
ETERNITY HOMES LLC	Escrow Refund - 13003 Packard	\$	7,400.00
FACTORY MOTOR PARTS COMPANY	Batteries for PW Stock	\$	608.13
FACTORY MOTOR PARTS COMPANY	Batteries for PW Stock	\$	459.36
GARY CARLSON EQUIPMENT	rental pump for gate valve project	\$	1,295.97
GRAPHIC SPECIALTIES INC	Office Name Plates - PW	\$	125.50
HANDT JOY	Halloween Boxes for Event	\$	100.00
HARDWOOD CREEK LUMBER	Wood Lathe for plowing	\$	980.00
HAUGO GEO TECHNICAL SERVICES	89th & Davenport Street	\$	3,332.00
HAUSER DREW	Dj for Princess Party	\$	230.00
HIRSHFIELD'S PAINT MFG INC	PD primer wall repair	\$	97.96
HOSE PROS LLC	Air/Water hose for Water Dept	\$	95.00
HOSE PROS LLC	Dewatering trailer supplies	\$	55.27
IIMC	Annual Membership	\$	125.00
IIMC	Annual Membership	\$	225.00
INSIGHT PUBLIC SECTOR INC	WTP's Power Supply parts	\$	1,978.05
KRAFT MECHANICAL LLC	PW rebuilt 2 RPZ valves	\$	903.75
KRAFT MECHANICAL LLC	PW roof repairs	\$	867.81
LACOE CAROL	Park/Rec Refund	\$	15.00
LAKESHORE MANAGEMENT INC	Demo Refund - 11414 5th Place NE	\$	2,000.00
LANDSCAPE STRUCTURES INC	Swing Set at Oak Creek park	\$	3,401.26
LENNAR	Escrow Refund - 12872 Isetta Ct NE	\$	4,700.00
LENNAR	Escrow Refund - 4366 128th Ln NE	\$	7,200.00
LENNAR	Escrow Refund - 4453 128th Ln NE	\$	7,400.00
LENNAR	Escrow Refund - 4205 128th Ln NE	\$	4,900.00
LENNAR	Escrow Refund - 12770 Erskin	\$	7,300.00
LENNAR	Escrow Refund - 11255 Able St NE	\$	7,400.00
MANSFIELD OIL COMPANY	Motor Fuel	\$	13,476.71
MANSFIELD OIL COMPANY	Motor Fuel	\$	10,634.66
MARINAN JILL DANETTE	DOT Health Card reimbursement	\$	87.00
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	181.75
MARTIN MARIETTA MATERIALS	Tandem Rubble Disposal fee	\$	30.00
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	30.00
MARTIN MARIETTA MATERIALS	Asphalt for repairs	\$	442.02
MARTIN MARIETTA MATERIALS	Tandem Rubble Disposal fee	\$	60.00
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	543.07
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	60.00
MARTIN MARIETTA MATERIALS	Patching Materials - Water	\$	30.00
MC TOOL & SAFETY SALES	PPE New employee - Tim Tubbs	\$	131.36
MENARDS - BLAINE	Seal spray/great stuff/tape	\$	34.93
MENARDS - BLAINE	paint,valves,gauges,brush,tape	\$	241.31
MENARDS - BLAINE	CH cracks sidewalk	\$	87.87
MENARDS - BLAINE	CH primer, batteries, light bulbs	\$	63.94
MENARDS - BLAINE	Irrigation Parts	\$	51.59
MIDWAY FORD COMPANY	Pads/Rotors for 5302	\$	236.99
MIDWAY FORD COMPANY	O2 sensor for 5302	\$	83.38
NATIONAL SPORTS CENTER	HYDRANT METER DEPOSIT	\$	330.00
NATIONAL SPORTS CENTER	HYDRANT METER DEPOSIT	\$	375.00
NATIONAL SPORTS CENTER	HYDRANT METER DEPOSIT	\$	375.00
NEW LOOK CONTRACTING INC	89th Ave & Davenport St Area	\$	915,430.21
NEW LOOK CONTRACTING INC	HYDRANT DEPOSIT REFUND	\$	4,500.00
NEW LOOK CONTRACTING INC	HYDRANT DEPOSIT REFUND	\$	4,500.00
NORTH STAR ARTS	princesses for the event	\$	348.00
NR PROPERTIES INC	Escrow Refund - 12795 Edison	\$	5,000.00
ODESA II	Carrara East Court Improvements	\$	112,508.66

ONE NATION EXTERIORS LLC	Permit Refund B23-04154	\$	80.00
OPTUM FINANCIAL INC	Quarterly HSA benefits admin fee	\$	627.25
PAFFY'S PEST CONTROL INC	pest control monthly PW	\$	134.00
PAFFY'S PEST CONTROL INC	pest control monthly City Hall	\$	80.35
PAFFY'S PEST CONTROL INC	pest control monthly MAYC	\$	59.75
PHANCY FACE PAINTING	facepainting for princess party	\$	415.00
PLAYPOWER LT FARMINGTON INC	Playground parts: Jefferson Park	\$	1,452.00
PRINT CENTRAL	EAB Door Hangers	\$	184.23
PRINT CENTRAL	Business Cards-Teresa Barnes	\$	39.00
REITER PROPERTIES LLC	Escrow Refund	\$	50,000.00
REPUBLIC SERVICES #894	Shredding for Recycling Saturday	\$	855.62
RIVARD COMPANIES INC	Tree removal at Fillmore Park	\$	1,500.00
RIVARD COMPANIES INC	Tree/Stump Removal	\$	14,130.00
RUMRIVER ART CENTER	Watercolor classes-MAYC	\$	525.00
SAFE-FAST INC	Foldable signs	\$	1,018.10
SARGENT GORDON	Home Improvement Grant	\$	1,091.07
SHERWIN-WILLIAMS COMPANY	Spray tips for 2362	\$	449.90
SHORT ELLIOTT HENDRICKSON INC	NW Area Street Reconstruction	\$	15,833.14
SHORT ELLIOTT HENDRICKSON INC	Pleasure Creek St Reconstruction	\$	27,029.53
SHORT ELLIOTT HENDRICKSON INC	National St Water Service Improve	\$	1,329.41
SNAP-ON INDUSTRIAL	Scan tool for Mechanics	\$	10,314.94
STANDARD INSURANCE COMPANY	Life Insurance - Nov 2023	\$	8,285.95
STREICHER'S	Brennan - 1 uniform pant	\$	60.00
SUBURBAN TIRE WHOLESALE INC	Tires for PW Stock	\$	3,960.00
SUBURBAN TIRE WHOLESALE INC	Tires for #3404	\$	161.99
SUN LIFE FINANCIAL	LTD Insurance - Nov 2023	\$	5,190.41
TACTICAL PRODUCTS	body armor	\$	958.00
TEAMSTERS LOCAL #320 WELFARE	Police Dental - Group #1609	\$	7,866.00
TKDA AND ASSOCIATES INC	Lift Station 13 Forcemain Project	\$	7,005.91
TRITECH SOFTWARE SYSTEMS	K9 Tracking Software	\$	252.00
TWIN CITIES TRANSPORT	Tows for Squads 5314 & 5322	\$	125.00
TYLER TECHNOLOGIES INC	TCM Implementation Assistance	\$	195.00
VERIZON WIRELESS	Telephone Service	\$	449.63
WSB & ASSOCIATES INC	Sod Replacement Project	\$	91.50
WSB & ASSOCIATES INC	NW Area Street Reconstruction	\$	1,131.24
XCEL ENERGY	Electric Service	\$	35,842.82
ZAYO GROUP LLC	Telephone Service	\$	2,985.91
		\$	1,809,145.00

CITY OF BLAINE

**SUBSET OF PAYMENTS BETWEEN \$20,000 AND \$50,000 FROM THE SCHEDULE OF BILLS PAID
APPROVED ON 11/20/2023 FOR PAYMENTS THE WEEK OF 11/3/2023**

Vendor Name	Description	Amount
DAVE PERKINS CONTRACTING	Main Valve repairs	\$ 20,700.00
SHORT ELLIOTT HENDRICKSON	Pleasure Creek St Reconstruction	\$ 27,029.53
XCEL ENERGY	Electric Service	\$ 35,842.82
REITER PROPERTIES LLC	Escrow Refund	\$ 50,000.00

PAYROLL CHECKS & WIRE TRANSFERS

MONTH: OCTOBER 2023

PAYROLL CHECKS

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
10/12/23	VENDOR CHECKS	CHECK # 79719-79723	\$4,626.59
10/12/23	EMPLOYEES	DIRECT DEPOSITS	\$602,513.15
10/26/23	VENDOR CHECKS	CHECK # 79724-79732	\$11,250.04
10/26/23	EMPLOYEES	DIRECT DEPOSITS	\$594,853.02

WIRE TRANSFERS

<u>DATE</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
10/12/23	STATE OF MINNESOTA	PAYROLL TAXES	\$40,687.14
10/12/23	I.R.S.	PAYROLL TAXES	\$184,132.86
10/12/23	P.E.R.A.		\$178,703.51
10/12/23	USCM & US BANK	DEFERRED COMP & H.S.A	\$65,139.94
10/20/23	STATE OF MINNESOTA	SEPTEMBER SALES TAX	\$39,966.00
10/25/23	21ST CENTURY	CREDIT CARDS	\$19,385.08
10/26/23	STATE OF MINNESOTA	PAYROLL TAXES	\$40,374.55
10/26/23	I.R.S.	PAYROLL TAXES	\$181,605.27
10/26/23	P.E.R.A.		\$180,805.55
10/26/23	USCM & US BANK	DEFERRED COMP & H.S.A	\$60,390.14

TOTAL \$2,204,432.84



City of Blaine

City Council Workshop

November 6, 2023 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

The meeting was called to order by Mayor Sanders at 5:30PM.

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Chris Massoglia, Tom Newland, Jess Robertson, and Lori Saroya.

ABSENT: Councilmember Leslie Larson.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

2. New Business

- 2.1.** 2023-546 North Metro TV (NMTV) Merger Option
Sponsors: Michelle Wolfe, City Manager

City Manager Wolfe stated Blaine is a member of the North Metro Telecommunications Commission. The Commission operates North Metro TV and offers community television programming which is a form of mass media in which a television station is owned, operated or programmed by a community group to provide television programs of local interest known as local programming. Community television stations are most commonly operated by non-profit groups or cooperatives. The cable commission operates North Metro TV (NMTV). NMTV offers news and sports coverage, broadcast and streaming of local meetings, and a variety of services and classes. The current Executive Director of North

Metro TV is retiring in January 2024. The cable television landscape has been changing with the advent of streaming and satellite television. Given these and other considerations, Councilmember Massoglia would like the city council to consider exploring options for the future of NMTV. Potential options were reviewed in detail with the council and staff requested direction on how to proceed.

Councilmember Massoglia discussed how he serves as the liaison to NMTV. He explained Executive Director Arnson has done a tremendous job leading NMTV but was retiring January 2024. He stated he would like the council to consider next steps and what options are available to the city in order to provide Blaine residents with the best possible cable coverage. He understood that many residents are switching to streaming services, which was creating a loss in PEG fees and supported the city consider merging with CCX. He commented further on the benefits of merging with larger peer cities.

Councilmember Newland commented on what a great resource NMTV was for Blaine residents. He supported the city keeping this local asset going for Blaine residents and noted he would support the recommendation of Councilmember Massoglia and Executive Director Arnson. He stated his only concern was that he didn't want to become the "little fish in a big pond" if NMTV were to merge with another entity that had many larger cities than what Blaine experiences now with NMTV.

Councilmember Massoglia indicated there were pros and cons of merging with another entity and discussed how being among peer cities could benefit Blaine.

Councilmember Robertson thanked Councilmember Massoglia for taking this on. She agreed NMTV was an asset to the community and she wanted to see these services continue. She questioned how reduced franchise fees were impacting CCX, noting she did not want to see the city merge with this organization, if they were struggling as well. She supported the city continuing to elevate the ways in which they community with residents and was open to exploring options.

Councilmember Massoglia stated he anticipated all cable commissions were facing the same challenges at this time, but this was why he felt it would benefit Blaine to band together with another organization. He commented further on how the CCX news budget was larger than NMTV's entire budget.

Mayor Sanders supported the city exploring a potential merger and recommended staff collect information and further explore solutions for the city. He thanked Councilmember Massoglia for bringing this matter to the council and for recommending Blaine join with its peer cities. He commented on how a merger would mean the city would lose some of the community that has been established through NMTV, however understood the city had to begin planning for what was next.

Councilmember Fleming asked what percentage of Blaine residents utilize NMTV programming. Ms. Wolfe estimated well over half of Blaine residents were still using cable.

Councilmember Massoglia commented if the majority of the council supported further exploration, he could reach out to CCX in order to gather more information.

Mayor Sanders supported this recommendation.

Ms. Wolfe reported the operations committee is comprised of city managers and city administrators from the member cities. She explained this group has discussed needing to have an interim director in preparation for Ms. Arnson's retirement in January.

Councilmember Newland thanked Executive Director Heidi Arnson for her tremendous service to the community and wished her all the best in her retirement.

Council consensus was to explore the possibility of merging NMTV with a larger cable commission such as CCX.

2.2. 2023-498 Proposed Charter Commission Amendment - Council Salaries
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated city charter states the monthly salary of councilmembers and mayor is to be established by ordinance. Council charged the charter commission to annually review council salary surveys from comparable/surrounding cities and make recommendations on possible salary adjustments. Any recommended adjustments would be presented to council and, if supported, an ordinance amendment presented for formal consideration. Per statute, no change in salary can take effect until after the next municipal election. The last increase to council salaries occurred in 2015. It was noted the commission reviewed salary information from comparable cities and Commissioner Anderson compiled a summary of the data that included average salaries, consumer price index, and proposed options for increases. After review and discussion, the commission supported a salary increase based on many factors that included an increased complexity of local government and development in the city, as well as other factors including the lack of increases over the past eight years. Discussion was held on the city's increased population, council-city manager form of government, and roles of mayors in comparative cities.

Ms. Sorensen reported the commission discussed difficulties when comparing Blaine to others due to differing factors across cities, such as the number of employees and enterprise funds, service levels, and the existence of public amenities such as community centers. The commission acknowledged the many complex projects and developments currently occurring in Blaine such as TH65, the Northtown master plan, and the 105th Avenue redevelopment area, and that any increase ultimately recommended should include escalators as increases take effect the following year. They agreed the consumer price index (CPI) could be a good measure for any current increase and have provided an "up to" salary range recommendation that averaged to an increase of a little more than 1% per year since 2015, then suggested using the annual cost of living increase (COLA) provided to employees going forward to provide consistency and recommended new language be added to ensure regular salary reviews occur. After discussion, on a 6-1 vote the commission recommended the following:

- increase the annual salary for the mayor in an amount up to \$18,315.03 (\$1,526.25/mo)
- increase the annual salary for councilmembers in an amount up to \$13,461.54 (\$1,121.80/mo)

- add language to Sec. 2.07 Salaries of the city charter that salary review be conducted in June of every odd numbered year and recommendations for adjustments, if any, be based on the annual cost of living adjustments consistent with adjustments provided to staff.

Ms. Sorensen explained staff and the commission is seeking input from the council regarding both salary changes and the proposed amendments. Once direction is received from council, a public hearing will be scheduled regarding the proposed charter amendment and an ordinance amending salaries will be presented for formal consideration.

Councilmember Saroya questioned what the opposition was from one Charter Commissioner regarding this matter. Ms. Sorensen stated the opposition had to do with the proposed mechanism for measure and not the proposed charter amendment language.

Councilmember Newland thanked staff and the charter commission for their efforts on this matter. He commented on how each city councilmember serves not for the money but to serve the public and supported the proposed recommendations.

Councilmember Robertson indicated this topic came up several years ago and agreed that no one does this job for the money. She commented further on how she felt uncomfortable discussing this topic noting it was difficult for her to consider giving herself a raise.

Councilmember Fleming agreed but recognized that the council had to take this action for this council and all future councils. She discussed how all city employees received COLA increases and believed it was only fair for the council to receive the same consideration.

Councilmember Saroya agreed but stated she also had concerns with the timing and optics of a pay increase. She questioned where the money would come from to cover the additional expense and inquired why the pay increase was being brought up this year. Ms. Sorensen indicated the council requested the charter commission review council salaries and provide a recommendation for the council and explained how the commission responded with a salary range for consideration as well as putting a mechanism in place for regular review based on COLA going forward. She explained the council did not have to approve any proposed increase as that would be done through a separate ordinance. She stated if approved as recommended the increase for both mayor and council totaled approximately \$24,000/year and would not begin until January of 2025 and that there would be sufficient funding budgeted from the general fund for any possible increase.

Councilmember Newland indicated the timing for a pay increase would never be correct or easy for the council to consider. He stated if the council did not act now to try and catch up, the increase would be even higher in the future. He explained he supported the proposed increases as recommended by the charter commission.

Councilmember Massoglia stated he believed the council should be paid \$36,000 a year and the mayor should be paid \$58,000 a year and share surprise how small the salary was for how much time each councilmember spent serving the community. He explained he supported the council pay increase.

Councilmember Robertson indicated there was a ten-year gap between the last time the

council received a pay increase and when the proposed increase would go into effect. She asked how many votes a charter commission amendment would need in order to pass. Ms. Sorensen reported the amendment required a unanimous vote of the council in order to move forward but the actual salary increase would be a majority vote of the council.

Councilmember Fleming questioned why the charter commission didn't set the pay increase but instead provided a range. Ms. Sorensen explained the charter commission did not feel comfortable setting an actual salary as they understood how uncomfortable this process can be so instead proposed a range for the council to consider.

Councilmember Fleming supported the council having a COLA mechanism in place going forward for council pay and requested the charter commission set the actual pay for the council.

Commissioner Robertson requested staff go back to the charter commission and ask that they set the pay increase so this decision does not have to be made by the city council.

Council generally supported the charter language amendment but wanted more direction from the charter commission on the actual proposed salary amounts. Council requested the topic be presented again after the charter commission met to discuss this matter.

2.3. 2023-500 Proposed Charter Commission Amendment - Redetermination of Ward Boundaries

Sponsors: Cathy Sorensen, City Clerk

Ms. Sorensen stated as part of the redistricting process in early 2022, council shared general support of the charter commission's recommendation to draft potential amendments that would allow the ability to consider possible ward boundaries and restructuring in the future as the city reaches full development. The commission's reasons for creating this ability was based on the potential benefits of more neighborhood-based wards. Staff presented proposed redistricting plans to council and the charter commission at workshops on February 14 and March 7, 2022, with first reading on March 7 and second reading and adoption on March 21, 2022. Factors used to determine the adopted ward boundaries and precincts included:

- 2020 census population
- projected population growth
- registered voters and estimated voters
- wards that were bounded by precinct lines, compact in area, and composed of contiguous territory
- wards that were as equal in population as practicable within the required 5% population threshold
- polling place management

Ms. Sorensen reported at the meetings there was discussion that should future councils/charter commissions ever wish to consider the possibility of more neighborhood-based wards there was no mechanism included in charter to allow for that

review. Redistricting after the census allows for review and adjustment of established precinct boundaries, but work to review any potential ward structure changes needs to occur two to three years before the census. The language being proposed would provide a way to review population data before a census and provide future councils and charter commissions the ability to decide at that time if changes should be explored. The proposed amendment would not result in any ward structure changes but just allow the city to be proactive and provide an opportunity to review the data and make recommendations, which a recommendation could certainly be that no ward boundary or structure changes should occur at all. If the conclusion by future councilmembers and commissioners was to amend the current ward structure, other amendments would then be presented for formal consideration. She confirmed the proposed amendment being presented would just provide a mechanism for future review; no actual ward-structure changes are being recommended at this time.

Councilmember Fleming inquired why this item was brought forward and asked if the current ward system was not working. Mayor Sanders stated the city will always have wards but the council was is being asked if they want to have the ability to restructure in the future with at-large councilmembers for example or possibly a different number of wards.

Councilmember Robertson indicated the census prompts staff to look at the wards due to population shifts.

Councilmember Massoglia stated he did not recall the council giving the charter commission direction to pursue this matter. Ms. Sorensen agreed the council did not direct the charter commission to take on this task but there was general consensus during redistricting to have the charter commission explore this idea.

Ms. Wolfe reported staff researched the minutes and noted the council discussed the fact that there might have been interest in exploring a different way to do the wards. She indicated there was no mechanism for having any discussion about how the wards were structured except for using census data. She commented that as the city continues to grow, the council may want to have further conversations on how wards should be structured.

Councilmember Fleming asked when was the right time to have this discussion. Ms. Sorensen stated two or three years prior to the next census would be the right time. She indicated staff could then monitor growth in the community and consider how this growth was impacting the city's wards and have the charter commission bring forward potential options for consideration.

Councilmember Robertson supported a potential new ward structure discussion being tied to future comprehensive plan discussions. The council was in agreement.

Council supported this amendment being considered later in 2027 as part of the comprehensive plan discussions.

2.4. 2023-520 Closed Session to Discuss Non-Public Data Relating to an Active Investigation Pursuant to MN Statute 13D.05 Subd. 2(2)

Motion by Mayor Sanders, second by Councilmember Newland to move the council into a closed session meeting to discuss non-public data relating to an active investigation pursuant to Minnesota State Statute 13D. 05 Subd. 2(2) at 6:35PM.

3. Other Business

None.

4. Adjournment

The workshop was adjourned at 6:53 PM.



City of Blaine

City Council

November 6, 2023 | 7:00 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

MINUTES

1. Call to Order by the Mayor

The meeting was called to order at 7:00PM by Mayor Sanders followed by the Pledge of Allegiance and the Roll Call.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Mayor Tim Sanders, Councilmembers Terra Fleming, Chris Massoglia, Tom Newland, Jess Robertson and Lori Saroya.

ABSENT: Councilmember Leslie Larson.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Director/Police Chief Brian Podany; Finance Director Jason Zimmerman; Deputy Public Works Director Jason Grode; City Attorney Tom Loonan; Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

4. Awards - Presentations - Organizational Business

- 4.1.** 2023-470 Police Officer Swearing-in Ceremony
Sponsors: Brian Podany, Safety Services Manager/Police Chief

Safety Services Director/Police Chief Podany stated when new officers successfully complete the field training program and advance to solo patrol, a swearing-in ceremony is performed in front of the city council. This is a special time for new officers and their families to celebrate their accomplishments and be recognized in front of the mayor, city councilmembers, city manager, Chief Podany, fellow police staff, and the public. He then welcomed Officers Rachel Knott, Jennah Justen, Tommy Satele and William Jansen to the

Blaine Police Department.

City Clerk Cathy Sorensen administered the oath of office and badges were pinned on. A round of applause was offered by all in attendance.

Mayor Sanders welcomed the new officers to the city of Blaine and thanked them for working to keep the community safe.

5. Communications

Councilmember Fleming explained she recently finished attending Blaine's Citizens Academy. She thanked staff for putting on this wonderful community event and encouraged residents to participate in next year's class.

Councilmember Massoglia encouraged residents to vote on Tuesday, November 7 for the school board election.

6. Open Forum

Open Forum is an opportunity for the public to present an issue or concern to City Council. There is a maximum of fifteen minutes set aside for open forum. Each presentation should be limited to no more than three minutes. If your item needs follow-up from the City, staff will arrange for that follow-up and will contact you to let you know what is being done. Thank you for coming this evening.

Mayor Sanders opened the Open Forum at 7:30PM.

There being no input, Mayor Sanders closed the Open Forum at 7:30PM.

7. Adoption of Agenda

The agenda was adopted as presented.

8. Approval of 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. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Moved by Councilmember Newland, seconded by Councilmember Robertson, that the following items on the Consent Agenda be approved.

Motion adopted unanimously (Councilmember Newland abstained on Item 8.1).

8.1. 2023-533 Schedule of Bills Paid

Sponsors: Jason Zimmerman, Finance Director

- 8.2.** 2023-506 Approval of Minutes
Sponsors: Cathy Sorensen, City Clerk
- 8.3.** 2023-449 Tax Forfeit Parcels
Sponsors: Cathy Sorensen, City Clerk
- 8.4.** 2023-518 Approve the Fiscal Agent Agreement between Anoka County, on behalf of its Sheriff's Office, and the City of Blaine for the North Central High-Intensity Drug Trafficking Area ("HIDTA") grant funding.
Sponsors:
- 8.5.** 2023-519 Authorize the Mayor and City Manager to Enter into a One-Year Contract with the State of Minnesota for a Four-day per Week Institution Community Work Crew in the Amount of \$103,500
Sponsors: Jason Grode, Deputy Public Works Director
- 8.6.** 2023-531 Approve a Tobacco and Tobacco Products License for Northside Grocery & Deli LLC, 1578 125th Avenue NE
Sponsors: Cathy Sorensen, City Clerk
- 8.7.** RES 23-176 Resolution Granting Final Plat Approval Creating 31 Lots for Preserve at Lexington Waters 2nd Addition. Blaine 2022 LLC (Case File No. 23-0079/SAS)
Sponsors: Sheila Sellman, City Planner

9. 7:00 PM - Public Hearing and Items Published for a Certain Time

- 9.1.** 2023-508ORD An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and
23-2532 Hemp Businesses in the City of Blaine
Sponsors: Cathy Sorensen, City Clerk

City Clerk Sorensen stated council is asked to open the public hearing then hold first reading of an interim ordinance establishing a moratorium prohibiting the sale, testing, manufacturing, cultivating, commercial transporting, delivery, and distribution of hemp and cannabis products in the city to provide time to consider reasonable restrictions on time, place, and manner of operation for businesses and to receive information and guidance

from the newly-created Office of Cannabis Management.

City Attorney Loonan described further what was being considered, noting the Minnesota Legislature legalized adult use cannabis. In doing so, they established the Office of Cannabis Management, which would be charged with setting the rules and issuing licenses. He reported no cannabis business can operate in the State of Minnesota until the OCM puts forth a licensing scheme and issues licenses. He reported this ordinance would place an interim moratorium on businesses under the new statute and allow the city to evaluate zoning restrictions to protect the planning process and give consideration to the zoning scheme. He explained this moratorium does not impose any restrictions on businesses currently selling low potency edibles. He indicated the ordinance was being enacted under Chapter 342 and while proposed to run through January 1, 2025, as allowed per state statute that staff would likely complete the study prior to that time.

Mayor Sanders opened the public hearing at 7:33PM.

Jeff Taylor, 2467 121st Circle NE, explained he was one of the biggest manufacturers and distributors of edibles in the state of Minnesota, which was occurring right in Blaine. He invited the city council to tour his manufacturing facility for educational purposes. He expressed concern with the amount of money the city would be spending on the moratorium study, noting no dispensaries would be opening until January of 2025. He commented on how he does not want Minnesota to become like Denver or California.

Taleb Wazwaz, resident of Maple Grove, encouraged the city council to further consider the benefits of cannabis for health and wellness. He urged the city to keep the licensing process simple and accessible for cannabis businesses.

There being no additional public input, Mayor Sanders closed the public hearing at 7:40PM.

Ms. Sorensen clarified no additional funding would be required for the study as it would be completed by city staff.

Declared by Mayor Sanders that Ordinance No. 23-2532, "An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine," be introduced and placed on file for second reading at the November 20, 2023 Council meeting.

10. Development Business

- 10.1.** RES 23-160 Resolution Granting a Conditional Use Permit for a Zero Lot Line with Shared Parking and Access in the B-3 (Regional Commercial) Zoning District at 551 87th Lane NE. Rainbow Village (Minnesota North Captiva LLC) (Case File No. 23-0071/SAS)
Sponsors: Sheila Sellman, City Planner

City Planner Sellman stated as part of the final plat approval, a Conditional Use Permit (CUP) for a 0-lot line, shared access and shared parking are necessary. No new development is proposed with this request. Staff commented further on the request and noted the planning

commission recommends approval with two conditions.

Moved by Councilmember Newland seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit for a Zero Lot Line with Shared Parking and Access in the B-3 (Regional Commercial) Zoning District at 551 87th Lane NE.

Councilmember Massoglia asked what the plan was for this property. Ms. Sellman explained when the plat was created the ownership was looking to sell the Rainbow box store to one entity and the remaining strip center to another entity. She reported the plan at this time was to sell the entire property to one entity. She indicated staff has received no new applications for this site except for the recently-approved Pickler for an indoor pickleball complex.

Councilmember Massoglia questioned if the proposed parking and access agreements would be a problem for future users. Ms. Sellman stated she did not see any issues with moving forward with the proposed shared parking and access agreement.

Councilmember Saroya inquired if these agreements will make apartments an option on this property. Ms. Sellman reported at this time, staff was seeking approval for a zero lot line with shared parking and access for the existing structures.

Councilmember Robertson commented on how the Rainbow property was extremely challenging and noted she would be supporting the proposed zero lot line as this was more of a housekeeping matter.

Motion adopted unanimously.

- 10.2. RES 23-170** Resolution to Approve a 12-Month Extension for the Preliminary Plat to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125th Avenue NE. Kempf Property (Sambatek) (Case File No. 22-0068/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a 12-month extension to plat two outlots and right-of-way dedication for the Zest Street extension on the southwest corner of Lexington Avenue and 125th Avenue NE. No development is proposed at this time. Staff commented further on the request and recommended approval of the 12-month extension of the preliminary plat.

Moved by Councilmember Massoglia, seconded by Councilmember Newland, to adopt a Resolution to Approve a 12-Month Extension for the Preliminary Plat to Create Two Outlots and Right-of-Way Dedication for the Zest Street Extension on the Southwest Corner of Lexington Avenue and 125th Avenue NE.

Councilmember Massoglia commented on the 18 preliminary plat extensions that have been approved by the city since 2007 and asked if the council should be concerned by this. Ms. Sellman spoke to the reasons applicants request a one-year extension, noting

sometimes the reasons were due to financing, right-of-way or access issues and that staff was not concerned with the number of extensions granted by council.

Councilmember Robertson reported the extension was a tool for the city and noted she would be supporting the proposed 12-month extension for this project. She commented further on how this applicant was working with multiple layers of government in order to move this project forward.

Councilmember Saroya asked what the next steps would be for this project. Ms. Sellman reported the developer would have to come forward with a final plat, subdivision and conditional use permits for the future development.

Councilmember Saroya commented on how she was focused on balancing the interests of developers with the interests of the community. She understood the community did not want more apartments and feared the distrust that has been created in the community was based on decisions made by this council. She explained she wanted complete transparency when it comes to the request before the city council then asked if there would be apartments within this project. Ms. Sellman reported the council has discussed some different development ideas for this parcel and explained the B-5 zoning district does not allow for multi-family housing. She indicated the council has a plat before them for consideration with no specific application coming forward at this time.

Motion adopted 5-1 (Councilmember Saroya opposed).

- 10.3.** RES 23-161 Resolution Granting a Conditional Use Permit for a Total of 2,456 Square Feet of Garage and Accessory Building Space and a Shed in the Front Yard in an FR (Farm Residential) Zoning District at 12600 Xebec Street NE. Tina Pearson (Case File No. 23-0069/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a conditional use permit to bring existing detached accessory buildings into compliance with the City Code. The four buildings total 2,456 square feet. Staff commented further on the request and noted the planning commission recommends approval with five conditions as outlined.

Moved by Councilmember Massoglia, seconded by Councilmember Robertson, to adopt a Resolution Granting a Conditional Use Permit for a Total of 2,456 Square Feet of Garage and Accessory Building Space and a Shed in the Front Yard in an FR (Farm Residential) Zoning District at 12600 Xebec Street NE.

Motion adopted unanimously.

- 10.4.** RES 23-162 Resolution Granting a Ten Foot Variance from the Thirty Foot Front Yard Parking Lot Setback on the South Side of 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)

Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a variance to allow for a reduced parking setback along 113th due to a change in designation of front and side yards due to the platting of the property. Staff recommends approval of the requested 10 foot variance to allow for a 20 foot parking setback along the southern property lines with conditions.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Ten Foot Variance from the Thirty Foot Front Yard Parking Lot Setback on the South Side of 1351 113th Avenue NE.

Motion adopted unanimously.

- 10.5.** RES 23-163 Resolution Granting a Preliminary Plat to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0064/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is proposing to subdivide one existing parcel into three parcels to facilitate the construction of two additional buildings in a currently vacant portion of the property. Staff recommends approval.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Preliminary Plat to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE.

Motion adopted unanimously.

- 10.6.** RES 23-164 Resolution Granting a Conditional Use Permit for Shared Access with Zero Lot Line Parking in the B-3 (Regional Commercial) Zoning District at 1351 113th Avenue NE. Blaine Crossing II Addition (Kraus Anderson Development Company) (Case File No. 23-0064/EES)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated the applicant is requesting a conditional use permit for shared access and parking with a zero lot line split. The request will facilitate the construction of two new buildings in a currently vacant portion of an existing parcel. Staff recommends approval.

Moved by Councilmember Newland, seconded by Councilmember Massoglia, to adopt a Resolution Granting a Conditional Use Permit for Shared Access with Zero Lot Line Parking in the B-3 (Regional Commercial) Zoning District at 1351 113th Avenue NE.

Motion adopted unanimously.

- 10.7. RES 23-165** Resolution Granting a Text Amendment to the Comprehensive Plan to Create an MDR/CC (Medium Density Residential/Community Commercial) Land Use Category. City of Blaine (Case File No. 23-0068/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated as part of the Northtown District Vision Plan, comprehensive land use plan amendments are necessary. The MDR/CC Medium Density Residential/Community Commercial land use category is being proposed as part of the amendments. This land use category combines two existing categories into one. Staff commented further on the proposed text amendments and recommended approval.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to adopt a Resolution Granting a Text Amendment to the Comprehensive Plan to Create an MDR/CC (Medium Density Residential/Community Commercial) Land Use Category.

Motion adopted unanimously.

- 10.8. RES 23-166** Resolution Granting a Comprehensive Plan Amendment to Land Use Designations on Certain Parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial. City of Blaine (Case File No. 23-0068/SAS)
Sponsors: Sheila Sellman, City Planner

Ms. Sellman stated as part of the Northtown District Vision Plan, changes to zoning and the comprehensive plan are identified in short-term action steps. The proposed amendments have been discussed at several workshops and are based on these discussions.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to adopt a Resolution Granting a Comprehensive Plan Amendment to Land Use Designations on Certain Parcels from HDR/PC (High Density Residential/Planned Commercial) to MDR/CC (Medium Density Residential/Community Commercial), CC (Community Commercial) to HDR2/PC (High Density Residential/Planned Commercial), and CC (Community Commercial) to MDR/CC Medium Density/Community Commercial.

Councilmember Massoglia asked when the city council would be changing the land use designations for some of the high density properties down to medium or low density. Community Development Director Thorvig explained these changes could not occur until this resolution was approved. He anticipated the city council would be reviewing these land use changes in late December or early January.

Councilmember Saroya stated her only concern with this item was with the community commercial moving to high density residential. She asked where the newly proposed high density residential parcels would be located. Ms. Sellman reviewed where the high density

parcels were located.

Motion adopted unanimously.

11. Administration

- 11.1. RES 23-172** Resolution Approving the Construction Contract Between the National Sports Center Foundation and Dimke Excavating, Inc., and Authorizing the Entry into the Funding Agreement Between the City of Blaine and the National Sports Center Foundation.

Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated as part of the 105th Avenue Redevelopment Project, the Minnesota Amateur Sports Commission (MASC) will be leasing land owned by MASC to the developer. Various agreements were approved by the City Council at the October 16, 2023 meeting. The agreements contemplate the City providing financing up to \$12,000,000 for the installation of ten turf fields on the NSC campus. The Site Control Agreement, which was approved by the City, requires a construction contract for the installation of the turf fields to be executed prior to March 31, 2024. The construction contract outlines the specifications and funding for the fields. The NSC has expressed a desire to start dirt work this fall in order to begin turf installation next spring and completion of the overall project by Fall, 2024. Delaying the start of the project would result in higher costs and construction not being completed until the spring of 2025. The NSC is completing a larger improvement project this fall which includes irrigation replacement. The following is the proposed schedule:

- Fall 2023 - Dirt work on fields 55 and 56 to prepare the fields for turf in the spring. The dirt will be utilized on other fields on the campus to improve soil quality.
- Spring 2024 - Turf is installed on fields 55 and 56.
- Late Summer/Fall 2024 - Turf installation on fields 25-32.

Mr. Thorvig explained the NSC will be acting as the general contractor for the project. An RFP was prepared by the NSC in October. A bid was received in the amount of \$11,585,000 for ten, lit turf fields consistent with specifications. The remaining amount of \$415,000 will be put into contingency for the project. The City is not entering into the construction contract, rather as a condition to and prior to committing to the funding agreement. The City required receipt and review and approval rights of the construction contract itself for the very construction of the fields which the city would potentially finance. Staff commented further on complexities of this request, noting staff was seeking feedback on the financing.

Moved by Councilmember Newland seconded by Councilmember Robertson, to adopt a Resolution Approving the Construction Contract Between the National Sports Center Foundation and Dimke Excavating, Inc., and Authorizing the Entry into the Funding Agreement Between the City of Blaine and the National Sports Center Foundation.

Councilmember Massoglia stated he was very excited for this project to move forward then asked how much of Phase I was for the new turf fields. Neil Ladd, National Sports Center representative, explained the state of Minnesota would be putting in \$3.4 to \$3.9 into the irrigation project. He anticipated two fields of new construction would be completed in Phase I (Fields 55 and 56) and the remaining portion of Phase I would be Fields 9 to 12, which would be natural grass.

Councilmember Saroya questioned what the city's role would be after the turf fields were constructed. Mr. Thorvig indicated the fields would be owned by MASC and the NSC. He reported the city would not have any role after construction was complete. He commented further on how the developer would be funding future maintenance of the turf fields.

Councilmember Saroya commented on how these fields would be used for amateur sports. She indicated after speaking with many people in the community she would be supporting this project moving forward.

Councilmember Newland stated he was comfortable with the return on investment for this project and fully supported this project moving forward. He discussed how this project would be a game changer for Blaine as well as the region.

Councilmember Robertson agreed this project would be a game changer for Blaine and the surrounding communities and thanked the city's partners for all of their efforts on this project.

Mayor Sanders thanked staff and the city's partners for working diligently to get this project moving forward. He looked forward to work beginning on the new fields at the NSC.

Motion adopted unanimously.

11.2. Contract Renewal with Intuitive Municipal Solutions (IMS)
 Sponsors: Erik Thorvig, Community Development Director

Mr. Thorvig stated in 2018, the City of Blaine began exploring options to convert permitting and code enforcement software to a cloud-based, digital platform. The City had been using a then outdated version of TRAKit to process and manage all permits within Building and Community Standards. The company that owned the program was no longer providing support. An internal user group team was created and four vendors were contacted to provide information on the products they provided. Intuitive Municipal Solutions (IMS) was selected as the preferred system. The City Council approved a five-year contract with IMS in February, 2019. The contract expires in February, 2024. The initial startup cost was \$99,918 to create and customize the software based on the needs of Blaine. Like many software programs, there is an annual support and maintenance fee. The system became fully operational in 2020.

Mr. Thorvig explained the IMS software has drastically improved internal and external service functions. The software is utilized amongst multiple departments (clerks office, engineering, public works, building inspections, planning and zoning, fire inspections and

code enforcement) depending on their needs. The platform allows for various permits to be applied for and paid online and eliminates the need for contractors, residents, businesses, etc. to come to city hall to obtain permits. The software digitally tracks all correspondence, plan submittals, inspections, etc., and eliminates the need for paper submittals. It also provides a streamlined dashboard for contractors and staff to track building permit status, planning and zoning applications and other various permits. Because it is cloud based, the software is accessible by inspectors while in the field to input inspection records and also allows for real-time access to permit data, code enforcement actions, etc., by staff. Overall, the software has been a huge asset to City of Blaine employees and customers. The contract expires in February, 2024 and requires renewal. The proposed contract would extend services for an additional five years, through 2029. The annual support and maintenance fees are as follows:

2024-2025: \$56,264

2025-2026: \$59,077

2026-2027: \$62,031

2027-2028: \$65,131

2028-2029: \$68,389

Mr. Thorvig reported the annual service fee is budgeted through the Information Technology department.

Moved by Councilmember Newland, seconded by Councilmember Fleming, to approve a Contract Renewal with Intuitive Municipal Solutions (IMS).

Motion adopted unanimously.

12. Other Business

None.

13. Adjournment

Moved by Councilmember Robertson, seconded by Councilmember Newland, to adjourn the meeting at 8:33PM.

Motion adopted unanimously.



City of Blaine Staff Report

File Number: RES 23-167

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.3

Request the State Commissioner of Transportation Perform a Speed Study on Lever Street NE from 125th Avenue NE to 131st Lane NE

Executive Summary

Background

Establishment of speed limits in Minnesota occurs either statutorily if the roadway segment meets the requirement for a specific speed zone or by the Commissioner of Transportation as a result of a speed study. The City is only able to declare statutory speed limits that meet the requirements as defined in State Statute 169.14 Subd. 2. Typically this gives the City the ability to set 30 MPH speed limits in "urban districts", 35 MPH speed limits in "rural residential districts" and 55 MPH for all other roads that do not meet the requirements of those two districts. If the City believes that a speed limit other than what is provided for in Statute 169.14 Subd. 2 is appropriate, Minnesota Statutes Section 169.14 Subd. 5 "(Speed) Zoning Within Local Area" requires local authorities to request the Commissioner of Transportation, upon the basis of an engineering and traffic investigation, to designate what speed is reasonable and safe.

An "urban district" is defined as, "The territory contiguous to and including any city street or town road that is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more." A "rural residential district" is defined as, "The territory contiguous to and including any city street or town road that is built up with visible dwelling houses situated at intervals averaging 300 feet or less for a distance of a quarter of a mile or more. For purposes of this subdivision, "interval" means the distance, measured along the centerline of the roadway, between the primary access points for adjacent dwelling houses, regardless of whether the dwelling houses are located on the same side of the road."

Lever Street is currently posted with a 30 MPH speed limit and the police department has received numerous complaints from residents living in the area that many vehicles are speeding and not obeying

the 30 MPH limit. Lever Street, from 125th Avenue to 131st Lane does not meet the definition of an urban district or a rural residential district and thus the City cannot declare it a 30 or 35 MPH speed zone and have the legal basis necessary for the police department to defend when appearing in court.

Staff is recommending that the City Council consider formally requesting the State Commissioner of Transportation complete a speed study for Lever Street from 125th Avenue to 131st Avenue.

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by providing high quality city streets.

Board/Commission Review

N/A

Financial Impact

There is no financial impact to the City of Blaine to request a speed study. Speed limit signs would be installed by the City of Blaine Public Works Department and there is sufficient budget allocated for signs in the yearly operating budget to cover these costs.

Public Outreach/Input

N/A

Staff Recommendation

By motion, approve the resolution.

Attachment List

1. Lever St Speed Study Location Map



City of Blaine

Signature Copy

Resolution: RES 23-167

Request the State Commissioner of Transportation Perform a Speed Study on Lever Street NE from 125th Avenue NE to 131st Lane NE

WHEREAS, the City Council of the City of Blaine is cognizant of providing regulation of vehicular traffic in a safe and responsible manner; and

WHEREAS, the City Council of the City of Blaine has determined that the street segment hereinafter described requires a speed study to be performed to establish an appropriate speed zone for said segment; and

WHEREAS, MN Statutes Section 169.14 states that the Commissioner of Transportation shall authorize, upon the basis of an engineering and traffic investigation, the erection of appropriate signs designating what speed is reasonable and safe, and the commissioner may authorize the erection of appropriate signs designating a reasonable and safe speed limit thereat, which speed limit shall be effective when such signs are erected.

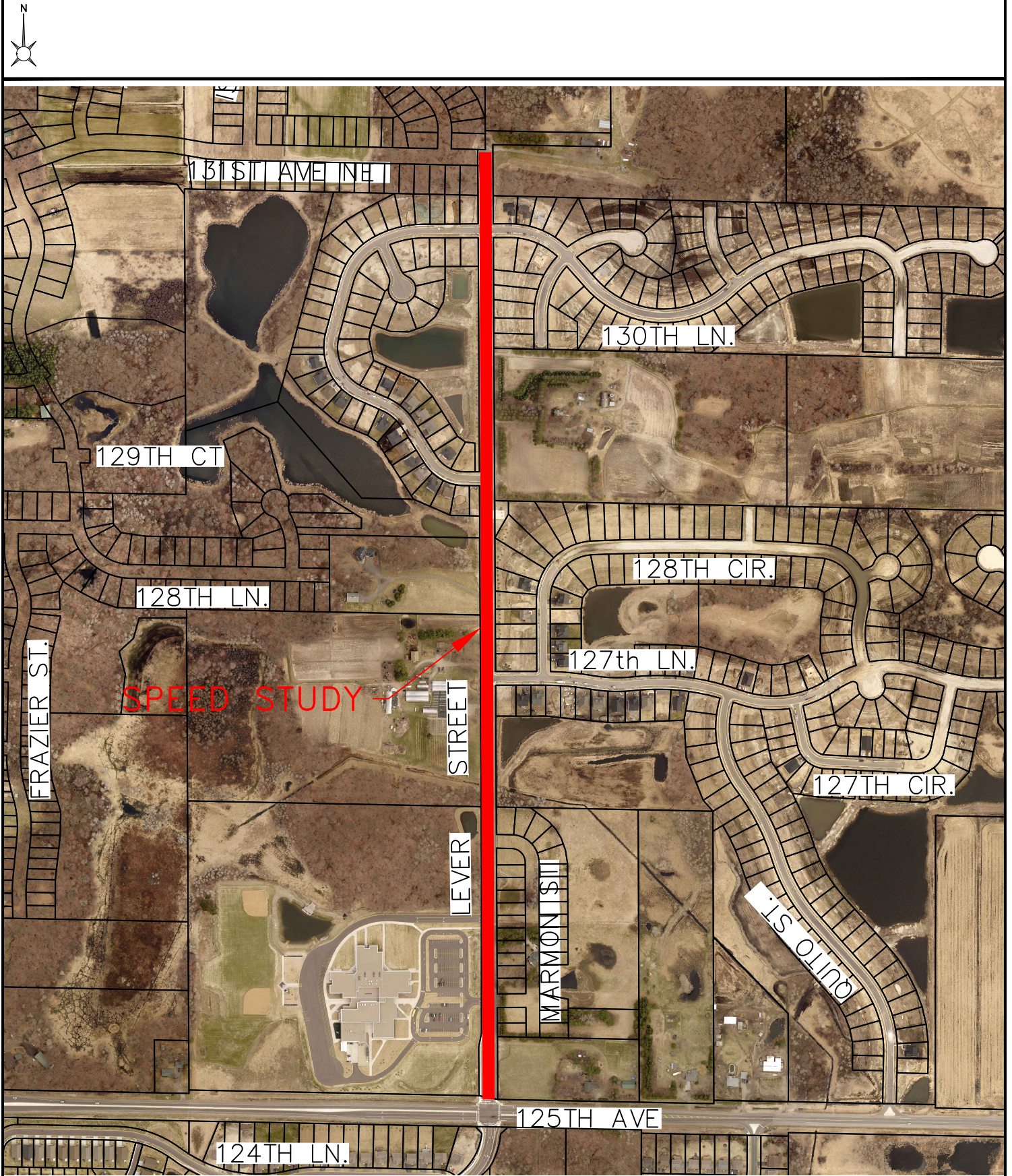
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine that the Minnesota Commissioner of Transportation is hereby requested to designate the reasonable and safe speed, after conducting an engineering and traffic investigation on the following street segment:

Lever Street NE from 125th Avenue NE to 131st Lane NE.

PASSED by the City Council of the City of Blaine this 20th day of November, 2023.

LEVER STREET SPEED STUDY

LOCATION MAP





City of Blaine Staff Report

File Number: RES 23-175

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.4

Resolution to Approve Local Road Improvement Program Agreement

Executive Summary

Enter into an agreement with the Minnesota Department of Transportation to utilize a portion of the \$7,000,000.00 grant from the Local Road Improvement Program Grant funds for the preliminary design of TH65 from 99th Avenue to 117th Avenue.

Background

During the 2021, First Special Session, Chapter 5, Article 1, Section 6, the state legislature appropriated \$30,390,000.00 from the general fund for "trunk highway and local road projects." A letter from the commissioner of MnDOT to legislative leaders dated June 19, 2021 further detailed which projects would be funded from this appropriation.

The TH 65 project from 99th Avenue to 117th Avenue was listed as a project in this letter and was specifically identified to receive \$7,000,000.00 for engineering, right of way acquisition, and construction of planned grade separated intersections improvement at and along TH 65 between 99th Ave and 117th Ave.

In order to receive this funding, a Local Road Improvement Program Grant Agreement between the City of Blaine and the Minnesota Department of Transportation is required. This agreement details that \$3,211,008.00 of the grant will be utilized to pay for the preliminary engineering of the improvements on TH65 between 99th Ave and 117th Ave in the City of Blaine. The remainder of the funds will be utilized for acquisition of right of way and construction and will be detailed further in a later agreement.

The City of Blaine currently has a preliminary design contract with TKDA for professional services and this funding will be utilized to pay for this service contract.

Strategic Plan Relationship

This item aligns with the strategic priorities of TH 65 improvement and well maintained infrastructure.

Board/Commission Review

N/A

Financial Impact

None

Public Outreach/Input

None

Staff Recommendation

Approve the Local Road Improvement Program Grant Agreement and Authorize the Mayor and City Manager to sign said agreement.

Attachment List

1. LRIP-2021-GF-agreement(363)-19742858-v3
2. LRIP - resolution-19741428-v2



City of Blaine

Signature Copy

Resolution: RES 23-175

Resolution to Approve Local Road Improvement Program Agreement

RESOLUTION 23 - 175

Local Road Improvement Program Grant Agreement

Grant Terms and Conditions

SAP 106-010-021

November 20, 2023

WHEREAS, the City of Blaine has applied to the Commissioner of Transportation for a grant from the Local Road Improvement Fund; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$7,000,000.00 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that the City of Blaine does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will pay any additional amount by which the cost exceeds the estimate and will return to the Local Road Improvement Fund any amount appropriated for the project but not required. The Mayor and City Manager are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

**STATE OF MINNESOTA
LOCAL ROAD IMPROVEMENT PROGRAM
GRANT AGREEMENT**

This agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State"), and ("Grantee"):

Public Entity (Grantee) name, address and contact person:

City of Blaine
10801 Townsquare Drive
Blaine, MN 55449

Contact: Dan Schluender

RECITALS

1. Minnesota Statute § 174.52 authorizes the State to enter into this agreement.
2. General Funds were appropriated for trunk highway and local road projects in Minnesota Laws 2021, First Special Session, Chapter 5, Article 1, Section 6.
3. Grantee has been awarded Local Road Improvement (LRIP) Program funds under Minn. Stat. § 174.52.
4. Grantee represents that it is duly qualified and agrees to perform all services described in this agreement to the satisfaction of the State. Pursuant to [Minn.Stat. §16B.98](#), Subd.1, Grantee agrees to minimize administrative costs as a condition of this agreement.

AGREEMENT TERMS

1 Term of Agreement, Survival of Terms, and Incorporation of Exhibits

- 1.1 **Effective Date.** This agreement will be effective on the date the State obtains all required signatures under [Minn. Stat. §16B.98](#), Subd. 5. As required by [Minn.Stat. §16B.98](#) Subd. 7, no payments will be made to Grantee until this agreement is fully executed. Grantee must not begin work under this agreement until this agreement is fully executed and Grantee has been notified by the State's Authorized Representative to begin the work.
- 1.2 **Expiration Date.** This agreement will expire on November 1, 2028, or when all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3 **Survival of Terms.** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this agreement, including, without limitation, the following clauses: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 11. Workers Compensation; 12. Governing Law, Jurisdiction, and Venue; and 14. Data Disclosure.
- 1.4 **Exhibits.** Exhibit A: Sources and Uses of Funds Schedule; Exhibit B: Grant Application; and Exhibit C: Grantee Resolution Approving Grant Agreement are attached and incorporated into this agreement.

2 Grantee's Duties

- 2.1 Grantee will conduct activities in accordance with its grant application, or in the case of legislatively selected projects, in accordance with the enabling session law, which is attached to this Agreement as Exhibit B.
- 2.2 Grantee will comply with all required grants management policies and procedures set forth through [Minn.Stat. §16B.97](#), Subd. 4 (a) (1).
- 2.3 **Asset Monitoring.** If Grantee uses funds obtained by this agreement to acquire a capital asset, the Grantee is required to use that asset for a public purpose for the normal useful life of the asset. Grantee may not sell or change the purpose of use for the capital asset(s) obtained with grant funds under this agreement without the prior written consent of the State and an agreement executed and approved by the same parties who executed and approved this agreement, or their successors in office.

3 Time

- 3.1 Grantee must comply with all the time requirements described in this agreement. In the performance of this grant agreement, time is of the essence.

4 Consideration and Payment

4.1 **Consideration.** The State will pay for all services performed by Grantee under this agreement as follows:

- 4.1.1 **Compensation.** Grantee will be reimbursed for actual, incurred costs that are eligible under Minn. Stat. § 174.52. Grantee shall use this grant solely to reimburse itself for expenditures it has already made to pay for the costs of one or more of the activities listed under section 2.1.
- 4.1.2 **Sources and Uses of Funds.** Grantee represents to State that the Sources and Uses of Funds Schedule attached as Exhibit A accurately shows the total cost of the project and all of the funds that are available for the completion of the project. Grantee agrees that it will pay for any costs that are ineligible for reimbursement and for any amount by which the costs exceed State's total obligation in section 4.1.3. Grantee will return to State any amount appropriated but not required.
- 4.1.3 **Total Obligation.** The total obligation of the State for all compensation and reimbursements to Grantee under this agreement will not exceed \$3,211,008.00.

4.2 Payment

- 4.2.1 **Invoices.** Grantee will submit state aid pay requests for reimbursements requested under this grant agreement. The State will promptly pay Grantee after Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services.
 - 4.2.2 **All Invoices Subject to Audit.** All invoices are subject to audit, at State's discretion.
 - 4.2.3 **State's Payment Requirements.** State will promptly pay all valid obligations under this agreement as required by Minnesota Statutes §16A.124. State will make undisputed payments no later than 30 days after receiving Grantee's invoices and progress reports for services performed. If an invoice is incorrect, defective or otherwise improper, State will notify Grantee within ten days of discovering the error. After State receives the corrected invoice, State will pay Grantee within 30 days of receipt of such invoice.
 - 4.2.4 **Grant Monitoring Visit and Financial Reconciliation.** During the period of performance, the State will make at least annual monitoring visits and conduct annual financial reconciliations of Grantee's expenditures.
 - 4.2.4.1 The State's Authorized Representative will notify Grantee's Authorized Representative where and when any monitoring visit and financial reconciliation will take place, which State employees and/or contractors will participate, and which Grantee staff members should be present. Grantee will be provided with at least seven calendar days of notice prior to any monitoring visit or financial reconciliation.
 - 4.2.4.2 Following a monitoring visit or financial reconciliation, Grantee will take timely and appropriate action on all deficiencies identified by State.
 - 4.2.4.3 At least one monitoring visit and one financial reconciliation must be completed prior to final payment being made to Grantee.
 - 4.2.5 **Unexpended Funds.** The Grantee must promptly return to the State at grant closeout any unexpended funds that have not been accounted for in a financial report submitted to the State.
 - 4.2.6 **Closeout.** The State will determine, at its sole discretion, whether a closeout audit is required prior to final payment approval. If a closeout audit is required, final payment will be held until the audit has been completed. Monitoring of any capital assets acquired with grant funds will continue following grant closeout.
- 4.3 **Contracting and Bidding Requirements.** If Grantee is a municipality as defined by Minn. Stat. § 471.345, subdivision 1, then Grantee shall comply with the requirements of Minn. Stat. § 471.345 for all procurement under this Agreement.

5 Conditions of Payment

All services provided by Grantee under this agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6 Authorized Representatives

6.1 The State's Authorized Representative is:

Marc Brieese,
Programs Engineer,
MnDOT State Aid Office
395 John Ireland Boulevard, MS 500
St. Paul, MN 55155
Office: 651-366-3802
marc.brieese@state.mn.us

or his/her successor. State's Authorized Representative has the responsibility to monitor Grantee's performance and the authority to accept the services provided under this agreement. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

6.2 Grantee's Authorized Representative is:

Dan Schluender
Director of Engineering
City of Blaine
10801 Townsquare Drive NE
Blaine, MN 55449
Phone: 763.785.6158
Email: dschluender@blainemn.gov

If Grantee's Authorized Representative changes at any time during this agreement, Grantee will immediately notify the State.

7 **Assignment Amendments, Waiver, and Grant Agreement Complete**

- 7.1 **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this agreement without the prior written consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this agreement, or their successors in office.
- 7.2 **Amendments.** Any amendments to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- 7.3 **Waiver.** If the State fails to enforce any provision of this agreement, that failure does not waive the provision or the State's right to subsequently enforce it.
- 7.4 **Grant Agreement Complete.** This grant agreement contains all negotiations and agreements between the State and Grantee. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.
- 7.5 **Electronic Records and Signatures.** The parties agree to contract by electronic means. This includes using electronic signatures and converting original documents to electronic records.
- 7.6 **Certification.** By signing this Agreement, the Grantee certifies that it is not suspended or debarred from receiving federal or state awards.

8 **Liability**

Grantee and State agree that each will be responsible for its own acts and the results thereof to the extent authorized by law, and neither shall be responsible for the acts of the other party and the results thereof. The liability of State is governed by the provisions of Minn. Stat. Sec. 3.736. If Grantee is a "municipality" as that term is used in Minn. Stat. Chapter 466, then the liability of Grantee is governed by the provisions of Chapter 466. Grantee's liability hereunder shall not be limited to the extent of insurance carried by or provided by Grantee, or subject to any exclusion from coverage in any insurance policy.

9 **State Audits**

Under Minn. Stat. § 16B.98, Subd.8, the Grantee's books, records, documents, and accounting procedures and practices of Grantee, or other party relevant to this grant agreement or transaction, are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement,

receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later. Grantee will take timely and appropriate action on all deficiencies identified by an audit.

10 Government Data Practices and Intellectual Property Rights

10.1 Government Data Practices. Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this agreement. The civil remedies of [Minn. Stat. §13.08](#) apply to the release of the data referred to in this clause by either Grantee or the State.

11 Workers Compensation

The Grantee certifies that it is in compliance with [Minn. Stat. §176.181](#), Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

12 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this agreement. Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

13 Termination; Suspension

13.1 Termination by the State. The State may terminate this agreement with or without cause, upon 30 days written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

13.2 Termination for Cause. The State may immediately terminate this grant agreement if the State finds that there has been a failure to comply with the provisions of this agreement, that reasonable progress has not been made, that fraudulent or wasteful activity has occurred, that Grantee has been convicted of a criminal offense relating to a state grant agreement, or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

13.3 Termination for Insufficient Funding. The State may immediately terminate this agreement if:

13.3.1 It does not obtain funding from the Minnesota Legislature; or

13.3.2 If funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State will provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

13.4 Suspension. The State may immediately suspend this agreement in the event of a total or partial government shutdown due to the failure to have an approved budget by the legal deadline. Work performed by the Grantee during a period of suspension will be deemed unauthorized and undertaken at risk of non-payment.

14 Data Disclosure

Under [Minn. Stat. § 270C.65](#), Subd. 3, and other applicable law, Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

- 15 **Fund Use Prohibited.** The Grantee will not utilize any funds received pursuant to this Agreement to compensate, either directly or indirectly, any contractor, corporation, partnership, or business, however organized, which is disqualified or debarred from entering into or receiving a State contract. This restriction applies regardless of whether the disqualified or debarred party acts in the capacity of a general contractor, a subcontractor, or as an equipment or material supplier. This restriction does not prevent the Grantee from utilizing these funds to pay any party who might be disqualified or debarred after the Grantee's contract award on this Project.
- 16 **Discrimination Prohibited by Minnesota Statutes §181.59.** Grantee will comply with the provisions of Minnesota Statutes §181.59 which requires that every contract for or on behalf of the State of Minnesota, or any county, city, town, township, school, school district or any other district in the state, for materials, supplies or construction will contain provisions by which Contractor agrees: 1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no Contractor, material supplier or vendor, will, by reason of race, creed or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; 2) That no Contractor, material supplier, or vendor, will, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause 1 of this section, or on being hired, prevent or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed or color; 3) That a violation of this section is a misdemeanor; and 4) That this contract may be canceled or terminated by the state of Minnesota, or any county, city, town, township, school, school district or any other person authorized to grant contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this Agreement.
- 17 **Limitation.** Under this Agreement, the State is only responsible for receiving and disbursing funds. Nothing in this Agreement will be construed to make the State a principal, co-principal, partner, or joint venturer with respect to the Project(s) covered herein. The State may provide technical advice and assistance as requested by the Grantee, however, the Grantee will remain responsible for providing direction to its contractors and consultants and for administering its contracts with such entities. The Grantee's consultants and contractors are not intended to be third party beneficiaries of this Agreement.
- 18 **Additional Provisions**
- 18.1 **Prevailing Wages.** Grantee agrees to comply with all of the applicable provisions contained in Minnesota Statutes Chapter 177, and specifically those provisions contained in Minn. Stat. §. 177.41 through 177.435 as they may be amended or replaced from time to time with respect to the project. By agreeing to this provision, Grantee is not acknowledging or agreeing that the cited provisions apply to the project.
- 18.2 **E-Verification.** Grantee agrees and acknowledges that it is aware of Minn.Stat. § 16C.075 regarding e-verification of employment of all newly hired employees to confirm that such employees are legally entitled to work in the United States, and that it will, if and when applicable, fully comply with such order.
- 18.3 **Telecommunications Certification.** If federal funds are included in Exhibit A, by signing this agreement Grantee certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (Aug. 13, 2018), Grantee does not and will not use any equipment, system, or service that uses "covered telecommunications equipment or services" (as that term is defined in Section 889 of the Act) as a substantial or essential component of any system or as critical technology as part of any system. Grantee will include this certification as a flow down clause in any contract related to this agreement.
- 18.4 **Title VI/Non-discrimination Assurances.** Grantee agrees to comply with all applicable US DOT Standard Title VI/Non-Discrimination Assurances contained in DOT Order No. 1050.2A, and in particular Appendices A and E, which can be found at: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035. If federal funds are included in Exhibit A, Grantee will ensure the appendices and solicitation language within the assurances are inserted into contracts as required. State may conduct a review of the Grantee's compliance with this provision. The Grantee must cooperate with State throughout the review process by supplying all requested information and

documentation to State, making Grantee staff and officials available for meetings as requested, and correcting any areas of non-compliance as determined by State.

18.5 Use, Maintenance, Repair and Alterations. The Grantee shall not, without the written consent of the State and the Commissioner, (i) permit or allow the use of any of the property improved with these grants funds (the Real Property) for any purpose other than in conjunction with or for the operation of a county highway, county state-aid highway, town road, or city street and for other uses customarily associated therewith, such as trails and utility corridors , (ii) substantially alter any of the Real Property except such alterations as may be required by laws, ordinances or regulations, or such other alterations as may improve the Real Property by increasing its value or which improve its ability to be used for the purposes set forth in section (i), (iii) take any action which would unduly impair or depreciate the value of the Real Property, (iv) abandon the Real Property, or (v) commit or permit any act to be done in or on the Real Property in violation of any law, ordinance or regulation.

If the Grantee fails to maintain the Real Property in accordance with this Section, the State may perform whatever acts and expend whatever funds necessary to so maintain the Real Property, and the Grantee irrevocably authorizes the State to enter upon the Real Property to perform such acts as may be necessary to so maintain the Real Property. Any actions taken or funds expended by the State shall be at its sole discretion, and nothing contained herein shall require the State to take any action or incur any expense and the State shall not be responsible, or liable to the Grantee or any other entity, for any such acts that are performed in good faith and not in a negligent manner. Any funds expended by the State pursuant to this Section shall be due and payable on demand by the State and will bear interest from the date of payment by the State at a rate equal to the lesser of the maximum interest rate allowed by law or 18% per year based upon a 365-day year.

[The remainder of this page has intentionally been left blank.]

GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: Mayor _____

Date: _____

By: _____

Title: City Manager _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

Approval and Certifying Encumbrance

By: _____

(with delegated authority)

Title: State Aid Programs Manager

Date: _____

DEPARTMENT OF TRANSPORTATION

CONTRACT MANAGEMENT

By: _____

Date: _____

EXHIBIT A

SOURCES AND USES OF FUNDS SCHEDULE

SOURCES OF FUNDS

Entity Supplying Funds	Amount
State Funds:	
LRIP General Fund Grant	\$3,211,008.00
Other:	
	\$0.00
Subtotal	\$3,211,008.00
Public Entity Funds:	
Matching Funds	\$0.00
Other:	
	\$0.00
Subtotal	\$0.00
TOTAL FUNDS	\$3,211,008.00

USES OF FUNDS

Expenses	Amount
Items Paid for with LRIP General Fund Grant Funds:	
Engineering	\$3,211,008.00
	\$
	\$
	\$
Subtotal	\$3,211,008.00
Items paid for with Non-LRIP General Fund Grant Funds:	
	\$0.00
Subtotal	\$0.00
TOTAL PROJECT COSTS	\$3,211,008.00

=

EXHIBIT B
GRANT APPLICATION

In 2021, First Special Session, Chapter 5, Article 1, Section 6, the legislature appropriated with \$30,390,000.00 from the general fund for “trunk highway and local road projects.” A letter from the commissioner of MnDOT to legislative leaders dated June 19, 2021 further detailed which projects would be funded from this appropriation.

This project was identified to receive \$7,000,000.00 for engineering, right of way acquisition, and construction of planned grade separated intersections improvement projects along TH 65 between 99th Ave and 117th Ave.

This project is eligible for costs associated with engineering related services associated with planned grade separated intersection projects along TH65 between 99th Ave and 117th Ave in the City of Blaine

EXHIBIT C

GRANTEE RESOLUTION APPROVING GRANT AGREEMENT

RESOLUTION 23 - 175
Local Road Improvement Program Grant Agreement
Grant Terms and Conditions
SAP 106-010-021
November 20, 2023

WHEREAS, the City of Blaine has applied to the Commissioner of Transportation for a grant from the Local Road Improvement Fund; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$7,000,000.00 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that the City of Blaine does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will pay any additional amount by which the cost exceeds the estimate and will return to the Local Road Improvement Fund any amount appropriated for the project but not required. The Mayor and City Manager are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.



City of Blaine Staff Report

File Number: RES 23-179

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.5

Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement Lying Over, Under and Across Outlot A, Preserve at Lexington Waters, Vacation No. V23-06

Executive Summary

The City received a petition dated October 30, 2023 from Lori Krueger-Kopischke, Blaine 2002, LLC, requesting the vacation of the existing drainage and utility easement lying over, under and across Outlot A, Preserve at Lexington Waters; according to the recorded plat thereof, Anoka County, Minnesota, as shown in Exhibit A (attached).

Background

The property was originally platted as Outlot A, Preserve at Lexington Waters. The existing drainage and utility easements are no longer needed and new easements will be platted in accordance to requirements with the platting of Preserve at Lexington Waters 2nd Addition. Engineering staff has reviewed the request and agrees with the vacation.

Schedule of Actions

11/20/2023

Receive Petition and Order Public Hearing

12/18/2023

Public Hearing and Adopt Vacation Resolution

Strategic Plan Relationship

This item is part of the city's strategic plan for Growth Management.

Board/Commission Review

This item was not presented to any boards or commissions. Public input will be received by council at the Public Hearing on December 18, 2023.

Financial Impact

No Financial Impact to the City for this request.

Public Outreach/Input

Notice will be officially published for the calling of the Public Hearing on December 18, 2023.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Petition to Vacate Easement 103023 PLW2nd



City of Blaine

Signature Copy

Resolution: RES 23-179

Resolution to Receive Petition and Order Public Hearing for Vacation of Drainage and Utility Easement Lying Over, Under and Across Outlot A, Preserve at Lexington Waters, Vacation No. V23-06

WHEREAS, the City Council has received a petition dated the 30th day of October, 2023, requesting vacation of all of the drainage and utility easements lying over, under and across Outlot A, Preserve at Lexington Waters; according to the recorded plat thereof, Anoka County, Minnesota, as shown in Exhibit A (attached); and

WHEREAS, the Engineering Department has reviewed the petition and recommends that the City Council hold a Public Hearing on the requested vacation.

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

1. The Council will consider the petitioned vacation of easements for the property owners.
2. A Public Hearing shall be held on the proposed vacation at 7:00 PM on the 18th day of December, 2023 and the City Clerk shall give mailed and published notice of such hearing and vacation as required by law.

PASSED by the City Council of the City of Blaine this 20th day of November, 2023.



PETITION TO VACATE DRAINAGE AND UTILITY EASEMENT

DATE

10/30/2023

TO: The Mayor and Council Members, City of Blaine:

The undersigned represent that they are the majority of owners of real property abutting:

Drainage and Utility easement lying over, under and across Outlot A, Preserve at Lexington Waters; according to the recorded plat thereof,

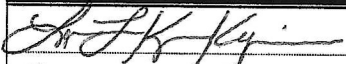
Anoka County, Minnesota, see Attached Exhibit A for Description

and petition that said portion of said drainage and utility easements be vacated.

The facts and reasons for this application are as follows:

The existing drainage and utility easements are no longer needed and new easements will be platted in accordance to requirements with the platting of Preserve at Lexington Waters – 2nd Addition.

In consideration of vacating the drainage and utility easements as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said drainage and utility easements.

Signature of Owner	Address	Legal Description of Property
 BLAINE 2022 LLC		Outlot A, Preserve at Lexington Waters

This petition was circulated by:

Name of Petitioner BLAINE 2022 LLC

Telephone No. 763-438-2501

Street 13432 HANSON BLVD NW

City/State/Zip ANDOVER, MN, 55304

In accordance with the Minnesota Government Data Practices Act, the City of Blaine hereby informs you that some or all the information you are asked to provide is classified as private. Private data is available to you and to City staff who require it in the performance of their duties, but not to the public. The remainder of the information, including telephone numbers, is classified as public, and is available to the public. This information will be used to contact you in case of changes. You may choose to withhold this information, however if you do, the City of Blaine may not be able to process your application for the permit or license.



City of Blaine Staff Report

File Number: RES 23-187

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 8.6

Resolution Approving the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant

Executive Summary

Council is asked to approve the acceptance of the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant in the amount of \$20,000. The grant performance period will be January 1, 2024 through June 30, 2025. The project has been awarded a Tethered UAS Drone by the Minnesota Department of Public Safety, Homeland Security and Emergency Management.

Background

In addition to the recently purchased UAS (Drone), the City of Blaine Police Department applied for a UASI Grant through the Minnesota Department of Public Safety's Homeland Security and Emergency Management Department for a Tether for the UAS. The tether would connect the UAS with a powered suitcase via a 328' tether to allow for continuous flight with no restrictions, beyond the length of the tether. The Police Department has been awarded the FY2023 UASI Grant in the amount of \$20,000 to pay for the Tether for the UAS (see attached Award Letter). This will pay for the entirety of the tether with no necessary match funds.

Strategic Plan Relationship

The Tethered UAS drone ensures that the Blaine Police Department has the needed equipment and resources to continue to provide exceptional public safety services with the highest degree of professionalism, transparency, and accountability.

Board/Commission Review

None.

Financial Impact

Acceptance of the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant in the amount of \$20,000 will cover the cost of the UAS Tethered Drone.

This item was not identified in the 2024 capital equipment fund budget. If the grant is accepted, the 2024 capital equipment fund budget will be adjusted to show a revenue of \$20,000 and an expense of \$20,000. The addition of this item does not have any levy impact.

Public Outreach/Input

The public was provided the opportunity for public comment about the originally purchased UAS Drone at the October 16, 2023, City Council Meeting.

Staff Recommendation

Approve the acceptance of the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant in the amount of \$20,000.

Attachment List

1. Award Letter_Blaine Police Department



City of Blaine

Signature Copy

Resolution: RES 23-187

Resolution Approving the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant

WHEREAS, the City of Blaine has prepared a grant proposal for the purpose of acquiring a Tethered UAS Drone; and

WHEREAS, the City of Blaine's Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant application was accepted and approved; and

WHEREAS, the Minnesota Department of Public Safety, Homeland Security and Emergency Management, selected Blaine to receive grant funding up to \$20,000; and

WHEREAS, the Minnesota Department of Public Safety, Homeland Security and Emergency Management, requires that the City of Blaine 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 Blaine to accept grants is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine, Anoka and Ramsey County, Minnesota as follows:

1. Acceptance of the Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant funding for the City of Blaine is hereby authorized in accordance with the terms set forth herein.
2. The Mayor and City Manager are hereby authorized to execute the above agreement with the Minnesota Department of Public Safety, Homeland Security and Emergency Management.

PASSED by the City Council of the City of Blaine this 20th day of November 2023.



Alcohol
and Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

Homeland Security and Emergency Management

445 Minnesota Street • Suite 223 • Saint Paul, Minnesota 55101-6223

Phone: 651-201-7400 • Fax: 651-296-0459

<https://hsem.dps.mn.gov>

2023 UASI Award Notification

October 20, 2023

Joe Sadler

10801 Town Square Drive NE

Blaine, MN 55449

Sergeant Sadler,

I am pleased to inform you that Blaine Police Department has been awarded a Fiscal Year 2023 Urban Area Security Initiative (FY2023 UASI) Grant in the amount of \$20,000. The grant performance period will be January 1, 2024 through June 30, 2025. The following projects have been awarded with their corresponding amounts:

Project	Amount
Tethered UAS	\$20,000

All purchases and expenditures must be used for the intended projects identified in your initial application. As the fiscal agent, Blaine Police Department is responsible for the tracking of the distribution of all equipment and funding. Your grant award is specific to projects and activities identified in application and cannot be re-allocated to other activities without prior state approval.

E-Grants will be open for application 11/01/2023. Once your application has been submitted in E-Grants and approved, a grant agreement will be executed between HSEM and Blaine Police Department the fiscal agent.

Upon accepting of this award in your E-Grants portal, you will have the opportunity to review and agree to the attached Terms and Conditions of this grant that will be incorporated into the Grant Agreement, including Terms and Conditions for Non-State Agencies, Federal Audit Requirements, Federal Assurances, and the Federal HSGP DHS Award Agreement Articles.

All equipment must have an Authorized Equipment List (AEL) number in order to be eligible for grant funding. The most current FEMA AEL list can be found on the FEMA website: <https://www.fema.gov/authorized-equipment-list>. For each item that may have an EHP requirement, column E will indicate: "Environmental Planning and Historic Preservation (EHP)". This EHP requirement is only applicable if the equipment is not portable. Should the equipment be portable, an EHP will not be required. For training classes, only field-based training classes require submission. For exercises, only field-based exercises require the submission of an EHP. All EHP documentation must be submitted and approved prior to any expenditure of funds requiring EHP submission.

Please direct any inquiries to the HSGP Grant Manager, Michelle Turbeville at 651-201-7454 or michelle.turbeville@state.mn.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Turbeville', with a stylized, flowing script.

Michelle Turbeville, Grants and Finance Manager



City of Blaine Staff Report

File Number: RES 23-180

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Daniel Schluender, Director of Engineering

Agenda Item # 8.7

Resolution to Approve Joint Powers Agreement No. C0009928 with Anoka County for Intersection Improvements at CSAH 14 and CR 53, Improvement Project No. 23-10

Executive Summary

The County has been working on a project to reconstruct the intersection of CSAH 14 (Main Street/125th Avenue NE) and CR 53 (Sunset Avenue). The plans are now prepared and the project can move forward as proposed to reconstruct the intersection as a roundabout including roadway lighting, concrete curb and gutter, storm sewer with associated pounding, and bicycle slip ramp. Construction is scheduled for spring of 2024.

Background

This item was last presented to the council at the January 4, 2023 workshop meeting. The City and County have been monitoring this intersection for the past several years and the intersection has met several signal warrants. A neighborhood meeting was held January 25, 2023 and residents comments and concerns were received. Comments regarding this project were generally positive.

The estimated construction cost of the total Project is \$2,157,278.05. Federal funds available for the Project are capped at \$1,600,000.00. The federal funds shall be split based on the ratio of eligible cost incurred by each party to the total eligible project cost.

The total estimated construction cost to the City is \$42,215.61 (prior to application of federal funds available). After federal funding percentage is applied, the cost to the City for their share of the construction items of the Project is \$5,768.96 (\$42,215.61 minus \$31,311.31, the federal funds available to the City).

The total estimated cost to the City for the roundabout lighting is \$15,000.

The City participation in construction engineering will be at a rate of eight percent (8%) of their

designated construction share of \$42,215.61. The estimated cost to the City for construction engineering is \$3,377.25.

In summary, the estimated total City share of this Project is \$60,592.86 (includes construction, construction engineering costs, and roundabout lighting costs). The total cost to the City after federal funds have been applied including construction engineering is *** \$29,281.55 (see summary below).**
*(\$42,215.61 – \$31,311.31 + \$15,000.00 + \$3,377.25 = **\$29,281.55**, note: construction engineering costs are not federally eligible)

Upon award of the contract, the City shall pay to the County, upon written demand by the County, ninety five percent (95%) of its portion of the cost of the Project estimated at **\$27,817.47**. Prior to billing, this estimate will be updated by the County to reflect the actual bid prices as awarded. An updated cost estimate shall be provided to the City at the time of billing. The City's share of the cost of the Project shall include only construction and construction engineering expense and does not include engineering design and administrative expenses incurred by the County.

The funding source identified for this project are the city's Municipal State Aid funds.

The JPA also indicates future maintenance obligations of the City which include the following:

1. Routine maintenance of the completed storm sewer (except catch basins and catch basin leads as shown in Exhibit "B-1"), including cleaning, inspection, and removal of blockages, shall be the sole obligation of the City. Long-term maintenance, including replacement of any storm sewer infrastructure (excluding pond inlets, outlets or outlet control structures), shall be the responsibility of the County. All maintenance of detention basins (including Pond 100 and their outlet structures and grit chambers/collectors) shall be the sole obligation of the City.
2. Maintenance of the bituminous trail in the southwest quadrant of the intersection shall be the responsibility of the City. The City shall be responsible for general routine maintenance, such as sweeping, clearing, plowing, trash removal and other incidental items. Additionally, the City shall be responsible for long-term maintenance, such as bituminous overlays, crack sealing and replacement.
3. Maintenance of crosswalk pavement markings shall be the responsibility of the City and the County. The County will be responsible for the maintenance of the crosswalk pavement marking for the crossings at the roundabout. The City will be responsible for all crosswalk pavement markings for any trail/sidewalk crossings at all City streets.
4. Maintenance of streetlights and cost of electrical power to the streetlights shall be the sole obligation of the City. The City will be responsible for long-term maintenance and replacement of the complete street light system including items such as: poles, fixtures, luminaires, and control cabinets.

A separate JPA will be required between the Cities of Blaine and Lino Lakes regarding maintenance and cost sharing responsibilities for various items mentioned above. This JPA will be presented to council at a future meeting.

The project aligns with the City's strategic initiatives for Growth Management and providing a Well-maintained Infrastructure.

Board/Commission Review

This item has not been reviewed by any boards or commissions.

Financial Impact

The financial impact is outlined per the JPA and is estimated at \$29,281.55. The funding source identified for this project is the city's Municipal State Aid funds.

A separate JPA will be required between the Cities of Blaine and Lino Lakes regarding maintenance and cost sharing responsibilities for roundabout lighting.

Public Outreach/Input

Not applicable.

Staff Recommendation

Approve the following resolution.

Attachment List

1. UPDATED 11-2-23_SP 002-614-049_City of Blaine JPA_C0009928



City of Blaine

Signature Copy

Resolution: RES 23-180

Resolution to Approve Joint Powers Agreement No. C0009928 with Anoka County for Intersection Improvements at CSAH 14 and CR 53, Improvement Project No. 23-10

WHEREAS, the County of Anoka and the City of Blaine desire to jointly reconstruct the intersection at CSAH 14 (Main Street/125th Avenue NE) and CR 53 (Sunset Avenue NE) in accordance with Anoka County and the Minnesota Department of Transportation standards for the benefit of the traveling public; and

WHEREAS, Minnesota Statutes Section 471.59 authorizes the County of Anoka to enter into an Agreement with the City of Blaine for the joint exercise of powers common to each; and

WHEREAS, said Agreement details the responsibilities of the County of Anoka and the City of Blaine as to the costs associated with the design, construction, and related activities of the project.

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

1. Joint Powers Agreement No. C0009928 between the County of Anoka and the City of Blaine for Intersection Improvements at CSAH 14 (Main Street/125th Avenue NE) and CR 53 (Sunset Avenue NE) is hereby approved.
2. The Mayor and City Manager are hereby authorized and directed to execute said agreement.

PASSED by the City Council of the City of Blaine this 20th day of November, 2023.

**JOINT POWERS AGREEMENT
FOR IMPROVEMENTS AT THE INTERSECTION OF
COUNTY STATE AID HIGHWAY 14 AND CR 53
IN THE CITY OF BLAINE, MN
(S.P. 002-614-049)
(S.P. 106-020-041)**

THIS AGREEMENT is made by the parties on the last date executed below, by and between the County of Anoka, a political subdivision of the State of Minnesota, 2100 Third Avenue, Anoka, Minnesota 55303, hereinafter referred to as "County", and the City of Blaine, 10801 Town Square Drive NE, Blaine, MN 55449, hereinafter referred to as "City".

WITNESSETH

WHEREAS, the parties to this agreement agree it is in the best interest of the traveling public to reconstruct the intersection of County State Aid Highway (CSAH) 14 (Main Street/125th Avenue NE) at County Road (CR) 53 (Sunset Avenue); and,

WHEREAS, said parties mutually agree that County State Aid Highway 14 and County Road 53 is in need of reconstruction; and,

WHEREAS, the County has prepared preliminary design plans for the reconstruction of County State Aid Highway 14 and County Road 53 in accordance with Anoka County and the Minnesota Department of Transportation standards to a staff approved layout condition; and,

WHEREAS, Anoka County has jurisdiction over the intersection of County State Aid Highway 14 and County Road 53 and,

WHEREAS, the parties agree that it is in their best interest that the cost of said project be shared; and,

WHEREAS, Minn. Stat. § 471.59 authorizes government entities and political subdivisions of the state to enter into joint powers agreements for the joint exercise of powers common to each.

NOW, THEREFORE, IT IS MUTUALLY STIPULATED AND AGREED:

I. PURPOSE

The parties have joined together for the purpose of reconstructing the roadway, drainage, trail, as well as other utilities on CSAH 14 and CR 53; as described in the preliminary design plans (hereinafter collectively the "Project"). The County Project numbers for the reconstruction are stated in the caption above. Said engineering plans are filed in the office of the Anoka County Highway Department and incorporated herein by reference.

The parties to this Joint Powers Agreement (JPA) agree in principle that the Project is in the best interest of the traveling public and that the Preliminary Layout as shown in Exhibit A defines the preliminary design of the Project. All exhibits referenced or attached to this JPA are incorporated and made part of this Agreement.

It is agreed that the Exhibit A Preliminary Layout dated June 28, 2023 has been reviewed and accepted by the parties and is suitable for preparation of final construction documents. Any significant changes made hereafter to the design as presented in the Exhibit A Preliminary Layout will require approval by the parties as an amendment to this JPA. These same changes will require a change in the cost share to include any additional design engineering costs that may occur.

II. METHOD

The County shall cause the construction of the Project.

IMPROVEMENTS:

It is agreed by the parties that in 2024, the intersection of CSAH 14/CR 53 will be reconstructed as a roundabout to the extent shown in "Exhibit A". Improvements include, but are not limited to: roundabout construction, roadway lighting, concrete curb and gutter, storm sewer with associated ponding, and bicycle slip ramp.

INTERSECTIONS:

As agreed by the parties, improvements to the following intersections have been incorporated in the Exhibit A Preliminary Layout design:

CSAH 14 / CR 53: Roundabout

RIGHT OF WAY:

The parties agree that the County will acquire all necessary right-of-way and easements for the Project. Acquisition of any additional right-of-way and/or easements needed for improvements to the City street intersections beyond what is defined in the Exhibit A Preliminary Layout will be the responsibility of the City. It is agreed by the parties that all necessary right of way and easements will be in legal possession of the County prior to acceptance of bids for the project. Any City owned property or easements required for the construction will be conveyed to the County at no cost.

DRAINAGE:

The City shall pay for a percentage of the cost of the storm sewer system, including the detention basins and their outlet structures. The City portion of the cost is based on contributing flow through the storm sewer system to the detention basin determined by the product of contributing area and runoff coefficient.

BITUMINOUS TRAIL (Bicycle Slip Ramp):

The parties agree that the construction of the bituminous trail in the southwest quadrant of the intersection is eligible for federal funds and that the City will be responsible for the local match in areas where no trail exists and the County will be responsible for the local match where a trail currently exists. This trail location has been agreed to by the City. If this location changes in the future, the additional costs associated with this change will be the responsibility of the City.

The parties understand that the cost for the trail includes: bituminous surfacing, aggregate base, excavation (including muck excavation), borrow material (granular and topsoil), and turf establishment. The parties agree that the County will pay for the design of the trail, wetland mitigation required by impacts caused by the trail, the additional right of way and easements required to construct the trail at the proper location, and any removal items, with the exception of any soils correction in areas of existing trails, required to construct the trail.

TRAFFIC CONTROL:

The parties understand and agree that portions of CSAH 14/CR 53 will be closed to thru traffic during construction, but access for local traffic will be maintained during construction. The parties agree and understand the cost share for traffic control for the City shall be a prorated share based on the City Project cost divided by the total Project cost.

DRIVEWAYS:

The parties agree that all driveways affected (excluding those identified for removal) by the Project will be reconstructed in kind at 100% Project cost with the cost of any upgrades requested by the City, including concrete aprons, to be the sole responsibility of the City.

LANDSCAPING/STREETSCAPING:

The parties agree that if the City wishes to include landscaping or streetscape features in the Project, they shall be designed in accordance with Anoka County Highway Department Landscape/Streetscape Guidelines. The City shall supply the signed plans, specifications, and estimated quantities (using MnDOT Item Numbers) and cost for the proposed landscape/streetscape. The total cost of the design as well as the construction cost above standard median cost will be at the expense of the requesting City. All construction documents must be submitted to the County by December 1, 2023. Future maintenance of any landscaping/streetscaping will be the sole responsibility of the City.

Should the city forego installing landscaping or streetscaping in the interior island of the roundabout, it will be planted with grass and maintained by the County. If at all in the future, the City wishes to install landscaping/streetscaping features in the central island of the roundabout, the City shall follow the details above, and maintenance responsibilities will become ownership of the City.

LIGHTING:

The parties agree that the roundabout intersection lighting costs will be shared per the standard County cost share for traffic signals, with the City paying for 25 % of the roundabout lighting. If the City would like additional lighting on the Project, this would be 100% City cost. Lighting will be installed in accordance with the City lighting ordinance and will contain LED fixtures wherever possible and provided such lighting is within the budget for the Project.

Following the reconstruction, the ongoing roadway lighting maintenance at the CSAH 14/CR 53 will be consistent with Anoka County warranted traffic signal maintenance practices, with the City being 100% responsible for all luminaire maintenance, and 100% responsible for the ongoing supply of electrical power for the lighting system.

A subsequent agreement between the City of Lino Lakes and the City of Blaine shall be established outside of this JPA for payment of maintenance costs and lighting power costs.

UTILITIES:

The parties agree that the Exhibit A Preliminary Layout does not include specific proposed utility locations, as those will be determined during later stages of the design process. The City will be responsible for the design of any sanitary sewer and water main improvements and/or relocations due to road reconstruction, which will be incorporated into the Project bid documents. The cost of the design of these features shall be the responsibility of the City.

The City's design of any sanitary sewer and water main utilities are to include signed plans, specifications, and estimated quantities (using MnDOT Item Numbers) and cost. All construction documents must be submitted to the County by December 1, 2023.

PERMITS:

The parties agree that the County will secure all necessary permits for this Project. The City agrees to coordinate with the County in securing the permits required by the Rice Creek Watershed District, City permits, as well as any other permits that may be required. The County also requests that the City inform the County of any ordinances or city regulations that affect construction at the time of the signing of this JPA (e.g. setbacks, tree clearing ordinances, or any other city ordinances).

III. COSTS

The contract costs of the work, or if the work is not contracted, the cost of all labor, materials, normal engineering costs and equipment rental required to complete the work, shall constitute the "actual construction costs" and shall be so referred to herein. "Estimated construction costs" are good faith projections of the costs, which will be incurred for this Project. Actual costs will vary and those will be the costs for which the relevant parties will be responsible.

The estimated construction cost of the total Project is \$2,157,278.05.

Federal funds available for the Project are capped at \$1,600,000.00. The federal funds shall be split based on the ratio of eligible cost incurred by each party to the total eligible project cost. Eligible costs are the costs of items that can participate in federal funding as shown on Exhibit B.

The total estimated construction cost to the City is \$42,215.61 (prior to application of federal funds available). After federal funding percentage is applied, the cost to the City for their share of the construction items of the Project is \$5,768.96 (\$42,215.61 minus \$31,311.31, the federal funds available to the City).

The total estimated cost to the City for the roundabout lighting is \$15,000.

The City participation in construction engineering will be at a rate of eight percent (8%) of their designated construction share of \$42,215.61. The estimated cost to the City for construction engineering is \$3,377.25. In summary, the total City share of this Project is \$60,592.86 (includes construction, construction engineering costs, and roundabout lighting costs). The total cost to the City after federal funds have been applied including construction engineering is * **\$29,281.55 (see summary below).**

*(\$42,215.61 – \$31,311.31 + \$15,000.00 + \$3,377.25 = **\$29,281.55**, note: construction engineering costs are not federally eligible)

Upon award of the contract, the City shall pay to the County, upon written demand by the County, ninety five percent (95%) of its portion of the cost of the Project estimated at **\$27,817.47**. Prior to billing, this estimate will be updated by the County to reflect the actual bid prices as awarded. An updated cost estimate shall be provided to the City at the time of billing. The City's share of the cost of the Project shall include only construction and construction engineering expense and does not include engineering design and administrative expenses incurred by the County.

After final completion of the Project, the City's share of the construction cost will be based upon actual construction costs. If necessary, adjustments to the initial ninety five percent (95%) charged will be made in the form of credit or additional charges to the City's share. Also, the remaining five percent (5%) of the City's portion of the construction costs shall be paid.

The County agrees to submit to the City for review final quantities and cost within one year of Project substantial completion.

IV. TERM / TERMINATION

This Agreement shall become effective immediately upon execution by all parties, and will remain in effect until the Project and all restoration activities are completed, *with exception* of the ownership and maintenance provisions within this Agreement which shall continue indefinitely.

V. DISBURSEMENT OF FUNDS

All funds disbursed by the County or City pursuant to this Agreement shall be disbursed by each entity pursuant to the method provided by law.

VI. CONTRACTS AND PURCHASES

All contracts let and purchases made pursuant to this Agreement shall be made by the County in conformance to the State laws.

VII. STRICT ACCOUNTABILITY

A strict accounting shall be made of all funds and report of all receipts and shall be made upon request by either party. Prior to City payment to the County, Anoka County shall provide the City with a copy of all cost participation documents submitted to MnDOT State Aid to assist the City in their application for MSA funding.

IX. MAINTENANCE

- A. Maintenance of the completed watermain and sanitary sewer shall be the sole obligation of the City.
- B. Routine maintenance of the completed storm sewer (except catch basins and catch basin leads as shown in Exhibit "B-1"), including cleaning, inspection, and removal of blockages, shall be the sole obligation of the City. Long-term maintenance, including replacement of any storm sewer infrastructure (excluding pond inlets, outlets or outlet control structures), shall be the responsibility of the County. All maintenance of detention basins (including Pond 100 and their outlet structures and grit chambers/collectors) shall be the sole obligation of the City.

- C. Maintenance of the bituminous trail in the southwest quadrant of the intersection shall be the responsibility of the City. The City shall be responsible for general routine maintenance, such as sweeping, clearing, plowing, trash removal and other incidental items. Additionally, the City shall be responsible for long-term maintenance, such as bituminous overlays, crack sealing and replacement.
- D. Maintenance of crosswalk pavement markings shall be the responsibility of the City and the County. The County will be responsible for the maintenance of the crosswalk pavement marking for the crossings at the roundabout. The City will be responsible for all crosswalk pavement markings for any trail/sidewalk crossings at all City streets.
- E. Maintenance of streetlights and cost of electrical power to the streetlights shall be the sole obligation of the City. The City will be responsible for long-term maintenance and replacement of the complete street light system including items such as: poles, fixtures, luminaires, and control cabinets.

X. NOTICE

For purposes of delivery of any notices herein, the notice shall be effective if delivered to the County Administrator of Anoka County, 2100 Third Avenue, Anoka, Minnesota 55303, on behalf of the County, and to the City Administrator of City of Blaine, 10801 Town Square Drive NE, Blaine, MN 55449, on behalf of the City.

XI. INDEMNIFICATION

The City and County mutually agree to indemnify and hold harmless each other from any claims, losses, costs, expenses or damages resulting from the acts or omissions of the respective officers, agents, or employees relating to activities conducted by either party under this Agreement.

XII. ENTIRE AGREEMENT REQUIREMENT OF A WRITING

It is understood and agreed that the entire agreement of the parties is contained herein, and that this Agreement supersedes all oral agreements and all negotiations between the parties relating to the subject matter thereof, as well as any previous agreement presently in effect between the parties to the subject matter thereof. Any alterations, variations, or modifications of the provisions of this Agreement shall be valid only when they have been reduced to writing and duly signed by the parties.

XIII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each one of which shall be deemed to be an original, but all such counterparts together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties of this Agreement have hereunto set their hands on the dates written below:

COUNTY OF ANOKA

CITY OF BLAINE

By: _____
Rhonda Sivarajah
County Administrator

By: _____
Tim Sanders
Mayor

Dated: _____

By: _____
Michelle A. Wolfe
City Administrator

Dated: _____

RECOMMENDED FOR APPROVAL:

By: _____
Joseph J. MacPherson, P.E.
Transportation Division Manager

By: _____
Dan Schluender, P.E.
City Engineer

Dated: _____

APPROVED AS TO FORM AND EXECUTION:

By: _____
Christine V. Carney
Assistant County Attorney

By: _____
Tom Loonan
City Attorney

Dated: _____

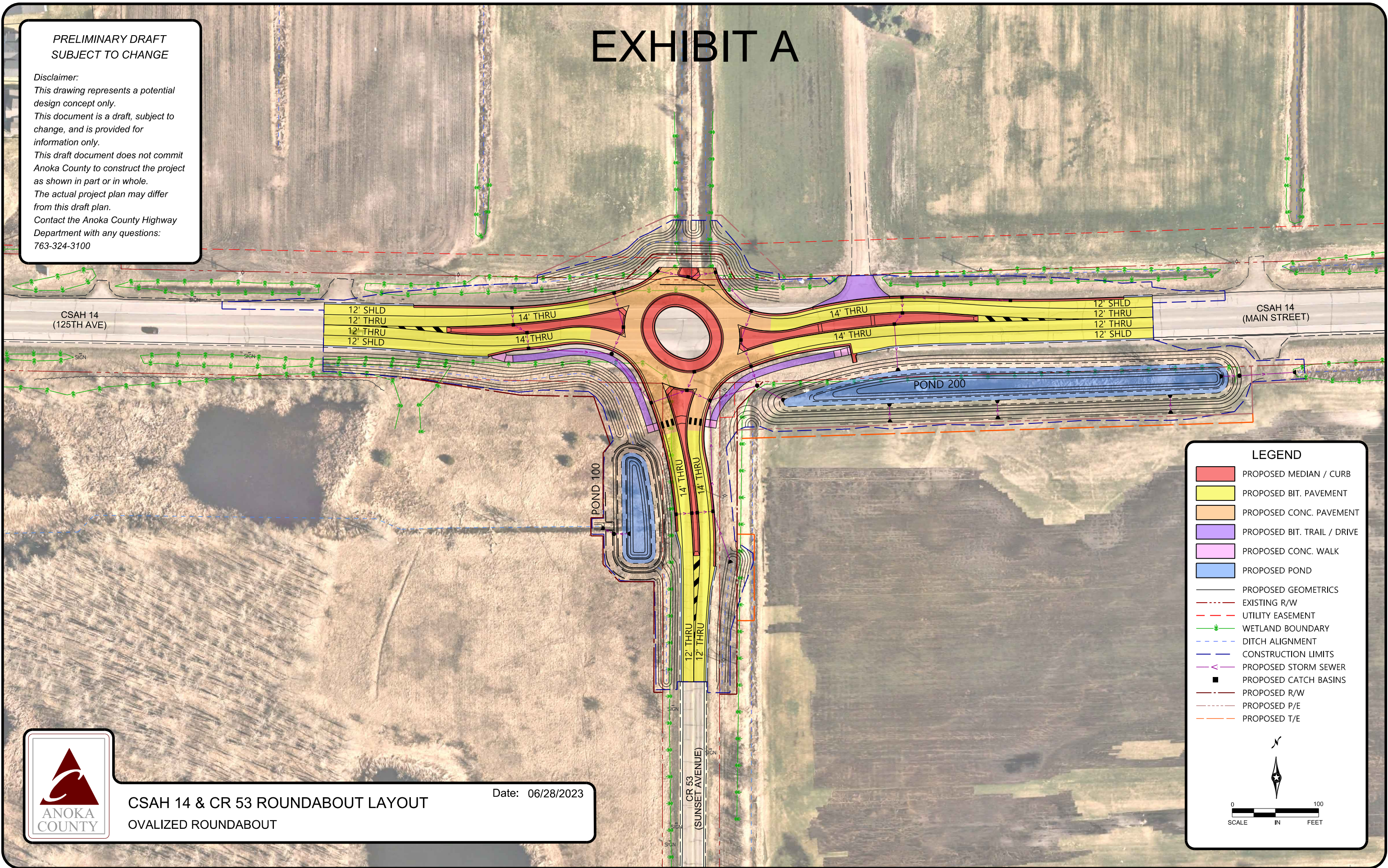
EXHIBIT A

Preliminary Layout

EXHIBIT A

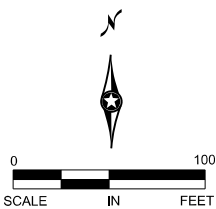
PRELIMINARY DRAFT
SUBJECT TO CHANGE

Disclaimer:
This drawing represents a potential design concept only.
This document is a draft, subject to change, and is provided for information only.
This draft document does not commit Anoka County to construct the project as shown in part or in whole.
The actual project plan may differ from this draft plan.
Contact the Anoka County Highway Department with any questions:
763-324-3100



LEGEND

- PROPOSED MEDIAN / CURB
- PROPOSED BIT. PAVEMENT
- PROPOSED CONC. PAVEMENT
- PROPOSED BIT. TRAIL / DRIVE
- PROPOSED CONC. WALK
- PROPOSED POND
- PROPOSED GEOMETRICS
- EXISTING R/W
- UTILITY EASEMENT
- WETLAND BOUNDARY
- DITCH ALIGNMENT
- CONSTRUCTION LIMITS
- PROPOSED STORM SEWER
- PROPOSED CATCH BASINS
- PROPOSED R/W
- PROPOSED P/E
- PROPOSED T/E



CSAH 14 & CR 53 ROUNDABOUT LAYOUT
OVALIZED ROUNDABOUT

Date: 06/28/2023

EXHIBIT B

Cost Distribution Spreadsheet

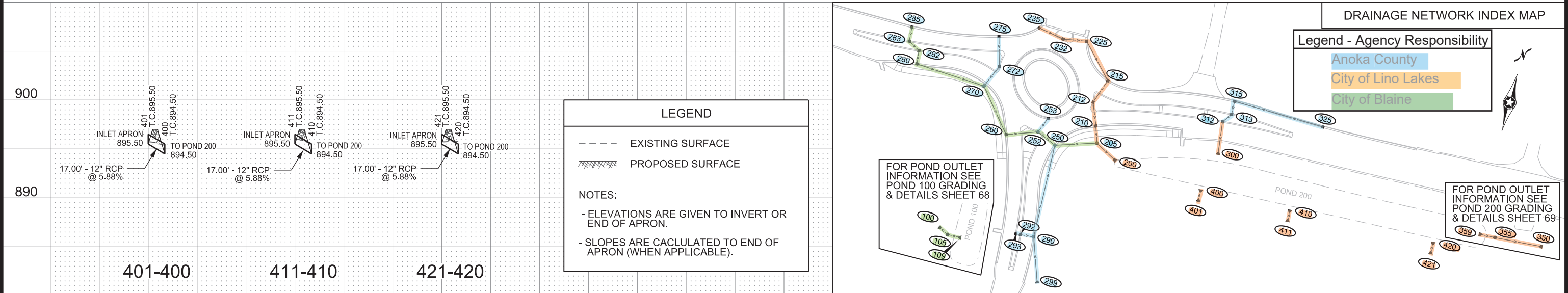
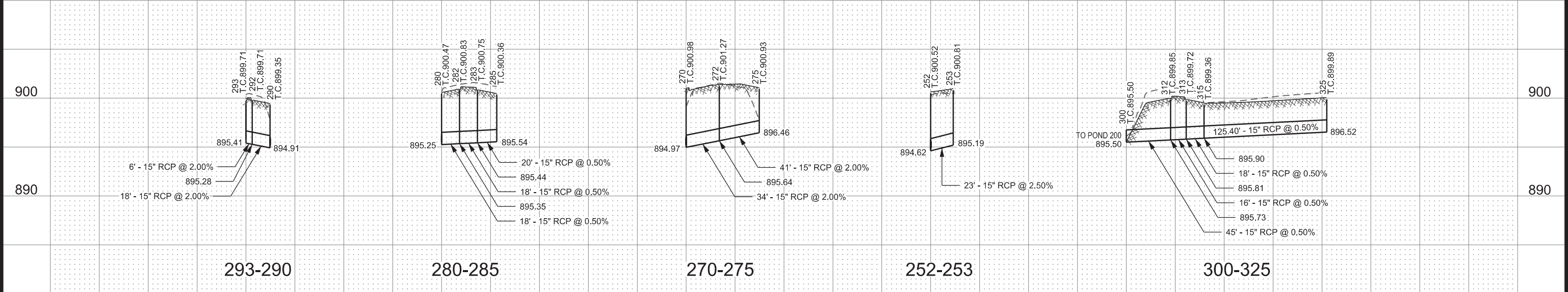
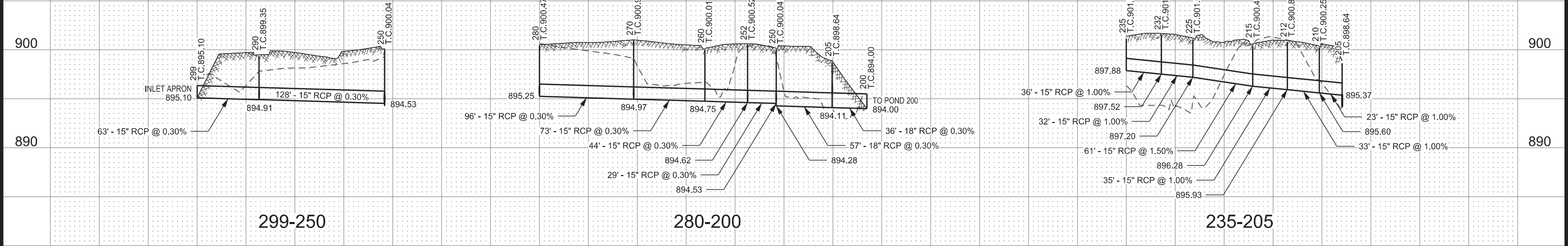
EXHIBIT B

SP 002-614-049 - CSAH 14 (MAIN ST / 125TH AVE NE) AT CR 53 (SUNSET AVE NE) ROUNDABOUT						FEDERAL PARTICIPATING																
ITEM NO.	ITEM DESCRIPTION	UNIT	TOTAL PROJECT QUANTITIES ESTIMATED	ESTIMATE		ANOKA COUNTY SP 002-614-049	ROADWAY QUANTITIES ESTIMATED	ROADWAY COSTS ESTIMATED	CITY OF BLAINE SP 106-020-041	ROADWAY QUANTITIES ESTIMATED	ROADWAY COSTS ESTIMATED	CITY OF LINO LAKES SP 210-020-013	ROADWAY QUANTITIES ESTIMATED	ROADWAY COSTS ESTIMATED	STORM SEWER QUANTITIES ESTIMATED	STORM SEWER COSTS ESTIMATED						
				Unit Cost	Total																	
2021.501	MOBILIZATION	LUMP SUM	1	\$	102,728.00	\$	102,728.00		0.801	\$	82,285.13	0.016	\$	1,643.65	0.030	\$	3,081.84	0.153	\$	15,717.38		
2101.502	CLEARING	EACH	27	\$	210.00	\$	5,670.00	27	\$	5,670.00	\$	-		\$	-		\$	-		\$	-	
2101.502	GRUBBING	EACH	27	\$	160.00	\$	4,320.00	27	\$	4,320.00	\$	-		\$	-		\$	-		\$	-	
2102.503	PAVEMENT MARKING REMOVAL	LIN FT	1029	\$	1.05	\$	1,080.45	1029	\$	1,080.45		\$	-		\$	-		\$	-		\$	-
2104.502	REMOVE SIGN TYPE C	EACH	24	\$	53.00	\$	1,272.00	24	\$	1,272.00		\$	-		\$	-		\$	-		\$	-
2104.502	REMOVE SIGN TYPE D	EACH	1	\$	53.00	\$	53.00	1	\$	53.00		\$	-		\$	-		\$	-		\$	-
2104.502	SALVAGE SIGN TYPE C	EACH	7	\$	53.00	\$	371.00	7	\$	371.00		\$	-		\$	-		\$	-		\$	-
2104.502	SALVAGE SIGN TYPE D	EACH	3	\$	53.00	\$	159.00	3	\$	159.00		\$	-		\$	-		\$	-		\$	-
2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	124	\$	5.25	\$	651.00	124	\$	651.00		\$	-		\$	-		\$	-		\$	-
2104.503	REMOVE PIPE CULVERTS	LIN FT	121	\$	21.00	\$	2,541.00	121	\$	2,541.00		\$	-		\$	-		\$	-		\$	-
2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	119	\$	11.00	\$	1,309.00	119	\$	1,309.00		\$	-		\$	-		\$	-		\$	-
2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	6370	\$	5.50	\$	35,035.00	6370	\$	35,035.00		\$	-		\$	-		\$	-		\$	-
2105.601	DEWATERING	LUMP SUM	1	\$	31,800.00	\$	31,800.00	1	\$	31,800.00		\$	-		\$	-		\$	-		\$	-
2106.507	EXCAVATION - COMMON	CU YD	4961	\$	16.00	\$	79,376.00	4961	\$	79,376.00		\$	-		\$	-		\$	-		\$	-
2106.507	EXCAVATION - MUCK	CU YD	13828	\$	15.00	\$	207,420.00	13828	\$	207,420.00		\$	-		\$	-		\$	-		\$	-
2106.507	EXCAVATION - SUBGRADE	CU YD	1710	\$	23.00	\$	39,330.00	1710	\$	39,330.00		\$	-		\$	-		\$	-		\$	-
2106.507	EXCAVATION - CHANNEL AND POND	CU YD	2337	\$	21.00	\$	49,077.00	2337	\$	49,077.00		\$	-		\$	-		\$	-		\$	-
2106.507	SELECT GRANULAR EMBANKMENT (CV)	CU YD	2824	\$	19.00	\$	53,656.00	2824	\$	53,656.00		\$	-		\$	-		\$	-		\$	-
2106.507	COMMON EMBANKMENT (CV)	CU YD	18528	\$	11.00	\$	203,808.00	18528	\$	203,808.00		\$	-		\$	-		\$	-		\$	-
2112.603	SHOULDER PREPARATION	LIN FT	1160	\$	11.00	\$	12,760.00	1160	\$	12,760.00		\$	-		\$	-		\$	-		\$	-
2118.507	AGGREGATE SURFACING (CV) CLASS 2	CU YD	34	\$	110.00	\$	3,740.00	34	\$	3,740.00		\$	-		\$	-		\$	-		\$	-
2130.523	WATER	M GALLON	5	\$	58.00	\$	290.00	5	\$	290.00		\$	-		\$	-		\$	-		\$	-
2211.507	AGGREGATE BASE (CV) CLASS 5	CU YD	768	\$	58.00	\$	44,544.00	768	\$	44,544.00		\$	-		\$	-		\$	-		\$	-
2211.509	AGGREGATE BASE CLASS 5	TON	836	\$	37.00	\$	30,932.00	759	\$	28,083.00	42	\$	1,554.00	35	\$	1,295.00		\$	-		\$	-
2301.502	DOWEL BAR	EACH	1800	\$	17.00	\$	30,600.00	1800	\$	30,600.00		\$	-		\$	-		\$	-		\$	-
2301.504	CONCRETE PAVEMENT 8.0"	SQ YD	1581	\$	110.00	\$	173,910.00	1581	\$	173,910.00		\$	-		\$	-		\$	-		\$	-
2301.504	CONCRETE PAVEMENT 7.0" SPECIAL	SQ YD	297	\$	130.00	\$	38,610.00	297	\$	38,610.00		\$	-		\$	-		\$	-		\$	-
2301.602	DRILL & GROUT REINF BAR (EPOXY COATED)	EACH	88	\$	16.00	\$	1,408.00	88	\$	1,408.00		\$	-		\$	-		\$	-		\$	-
2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	460	\$	2.10	\$	966.00	460	\$	966.00		\$	-		\$	-		\$	-		\$	-
2360.509	TYPE SP 9.5 WEARING COURSE MIX (2.B)	TON	83	\$	130.00	\$	10,790.00	25	\$	3,250.00	31	\$	4,030.00	27	\$	3,510.00		\$	-		\$	-
2360.509	TYPE SP 12.5 BITUMINOUS MIXTURE FOR PATCHING	TON	139	\$	120.00	\$	16,680.00	139	\$	16,680.00		\$	-		\$	-		\$	-		\$	-
2360.509	TYPE SP 12.5 WEARING COURSE MIX (4.C)	TON	1058	\$	130.00	\$	137,540.00	1058	\$	137,540.00		\$	-		\$	-		\$	-		\$	-
2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3.C)	TON	530	\$	101.00	\$	53,530.00	530	\$	53,530.00		\$	-		\$	-		\$	-		\$	-
2411.502	CONCRETE FLUME	EACH	5	\$	1,800.00	\$	9,000.00	5	\$	9,000.00		\$	-		\$	-		\$	-		\$	-
2451.507	COARSE AGGREGATE BEDDING (CV)	CU YD	37	\$	64.00	\$	2,368.00		\$	-		\$	-		\$	-		\$	-	37	\$	2,368.00
2501.502	12" RC PIPE APRON	EACH	6	\$	2,000.00	\$	12,000.00		\$	-		\$	-		\$	-		\$	-	6	\$	12,000.00
2501.502	15" RC PIPE APRON	EACH	4	\$	1,900.00	\$	7,600.00		\$	-		\$	-		\$	-		\$	-	4	\$	7,600.00
2501.502	18" RC PIPE APRON	EACH	12	\$	2,300.00	\$	27,600.00		\$	-		\$	-		\$	-		\$	-	12	\$	27,600.00
2501.502	12" RC PIPE SEWER DES 3006 CLASS V	LIN FT	9	\$	150.00	\$	1,350.00		\$	-		\$	-		\$	-		\$	-	9	\$	1,350.00
2503.503	15" RC PIPE SEWER DES 3006 CLASS V	LIN FT	1115	\$	101.00	\$	112,615.00		\$	-		\$	-		\$	-		\$	-	1115	\$	112,615.00
2503.503	18" RC PIPE SEWER DES 3006 CLASS III	LIN FT	110	\$	120.00	\$	13,200.00		\$	-		\$	-		\$	-		\$	-	110	\$	13,200.00
2503.503	18" PVC PIPE SEWER	LIN FT	140	\$	190.00	\$	26,600.00		\$	-		\$	-		\$	-		\$	-	140	\$	26,600.00
2506.502	CONST. DRAINAGE STRUCTURE DESIGN SPECIAL	EACH	2	\$	12,700.00	\$	25,400.00		\$	-		\$	-		\$	-		\$	-	2	\$	25,400.00
2506.502	CASTING ASSEMBLY	EACH	25	\$	1,100.00	\$	27,500.00		\$	-		\$	-		\$	-		\$	-	25	\$	27,500.00
2506.503	CONST. DRAINAGE STRUCTURE DESIGN H	LIN FT	26	\$	580.00	\$	14,964.00		\$	-		\$	-		\$	-		\$	-	26	\$	14,964.00
2506.503	CONST. DRAINAGE STRUCTURE DES 48-4020	LIN FT	80	\$	770.00	\$	61,831.00		\$	-		\$	-		\$	-		\$	-	80	\$	61,831.00
2511.504	GEOTEXTILE FILTER TYPE 3	SQ YD	231	\$	5.00	\$	1,155.00	231	\$	1,155.00		\$	-		\$	-		\$	-		\$	-
2511.507	RANDOM RIPRAP CLASS II	CU YD	53	\$	140.00	\$	7,420.00	53	\$	7,420.00		\$	-		\$	-		\$	-		\$	-
2521.518	4" CONCRETE WALK	SQ FT	4889	\$	8.50	\$	41,556.50	4889	\$	41,556.50		\$	-		\$	-		\$	-		\$	-
2521.518	6" CONCRETE WALK	SQ FT	1437	\$	19.00	\$	27,303.00	1437	\$	27,303.00		\$	-		\$	-		\$	-		\$	-
2531.503	CONCRETE CURB & GUTTER DESIGN R418	LIN FT	284	\$	32.00	\$	9,088.00	284	\$	9,088.00		\$	-		\$	-		\$	-		\$	-
2531.503	CONCRETE CURB & GUTTER DESIGN B418 (MOD)	LIN FT	1395	\$	35.00	\$	48,825.00	1395	\$	48,825.00		\$	-		\$	-		\$	-		\$	-
2531.503	CONCRETE CURB & GUTTER DESIGN B424	LIN FT	1587	\$	27.00	\$	42,849.00	794	\$	21,438.00	351	\$	9,477.00	442	\$	11,934.00						

EXHIBIT B-1

Drainage Network Responsibilities

EXHIBIT B-1

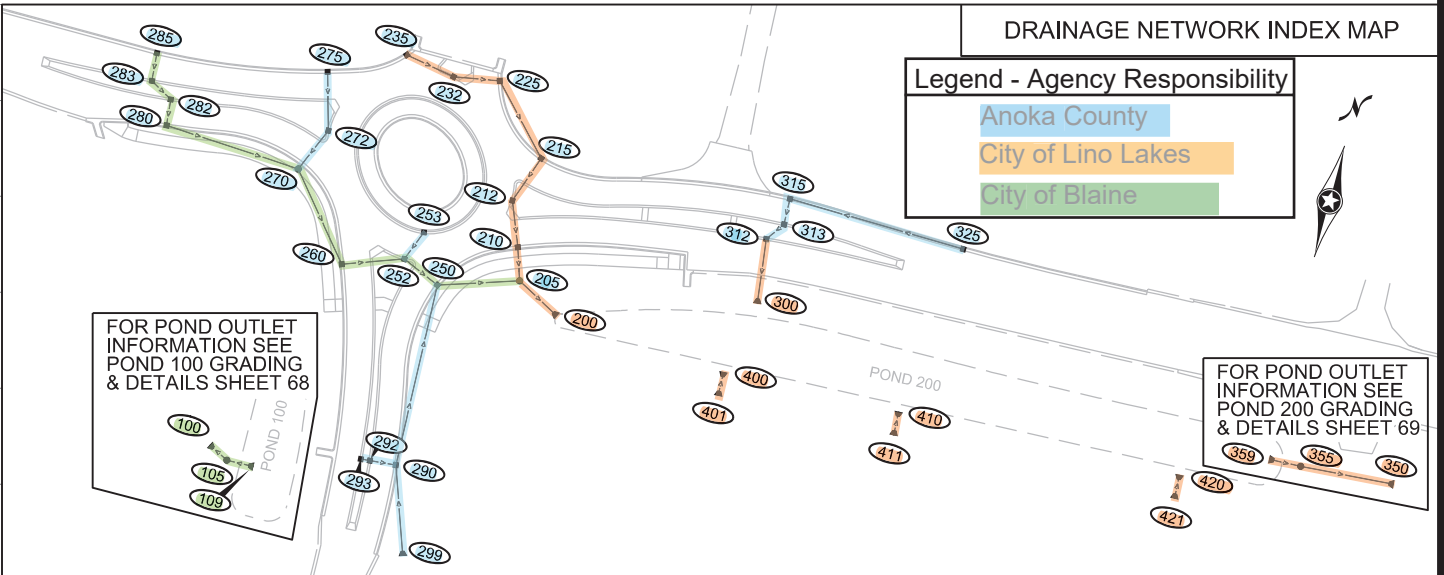


LEGEND

--- EXISTING SURFACE
--- PROPOSED SURFACE

NOTES:

- ELEVATIONS ARE GIVEN TO INVERT OR END OF APRON.
- SLOPES ARE CALCULATED TO END OF APRON (WHEN APPLICABLE).



NO	DATE	BY	CKD	APPR	REVISION
NAME: P:\002-614-049 - Sunset RAB\Plan\002614049_DR-2.dgn					
10/11/2023 1:55:16 PM					

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: AARON P. ANDERSON

SIGNATURE: _____

DATE: _____ LICENSE NO. 58657

DRAWN BY BTU DATE 10/10/23

DESIGN BY BTU DATE 10/10/23

CHECKED BY APA DATE 10/10/23

ANOKA COUNTY
HIGHWAY DEPT.

SP 002-614-049
SP 210-020-013
SP 106-020-041

DRAINAGE PROFILES AND LEADS

Sheet 67 of 119 Sheets

Page 74 of 278

EXHIBIT C**FOR PROJECTS CONSTRUCTED IN ANOKA COUNTY**

<u>ITEMS</u>	<u>COUNTY SHARE</u>	<u>CITY SHARE</u>
Concrete Curb & Gutter	50%	50%
Concrete Curb & Gutter for Median and Center Island Construction	100%	0%
Concrete Median	100%	0*1
Concrete Sidewalk	0%	100%
Concrete Sidewalk Replacement	100%	0%
Bikeways	0%	100%
Bikeway Replacement	100%, Unless existing trail not placed at edge of R/W	0%
Construction or Adjustment of Local Utilities	0%	100%
Grading, Base and Bituminous	100%	0%
Storm Sewer	based on state aid letter*2	based on state aid letter*2
Driveway Upgrades	100%, in-kind	100%, of up-grades
Traffic Signals, new (communities larger than 5,000) w/ State Aid approved SJR	½ the cost of its legs of the intersection	the cost of its legs of the intersection plus ½ the cost of the County legs of the intersection
Traffic Signals, replacement (communities larger than 5,000) w/ State Aid approved SJR	the cost of its legs of the intersection	the cost of its legs of the intersection
Traffic Signals, new & replacements (communities less than 5,000) w/ State Aid approved SJR	100%	0%
Traffic Signal, w/o State Aid approved SJR	0%	100%
EVP	0%	100%
Engineering Services	*3	*3
Right-of-Way	100%*4	0%
Street Lights	0%	100%
Noise Walls	100%, if not previously notified*5	100%, if previously notified*5

- *1 The County pays for 100% of Standard Median Design such as plain concrete. If a local unit of government requests decorative median such as brick, stamped concrete, or landscaping, the local unit will pay the additional cost above the cost of standard median.
- *2 In the event no State Aid is being used, or in the event the state aid letter does not determine cost split percentages, drainage cost shares will be computed by the proportion of contributing flow outside the County right of way to the total contributing flow.
- *3 Engineering shall be paid by the Lead Agency except that any participating agency will pay construction engineering in the amount of 8% of the construction costs paid by that agency.
- *4 In the event that the Township or City requests purchase of right-of-way in excess of those right-of-ways required by County construction, the Township or City participates to the extent an agreement can be reached in these properties. For instance, a Township or City may request a sidewalk be constructed alongside a County roadway which would require additional right-of-way, in which case the Township or City may pay for that portion of the right-of-way. Acquisition of right-of-way for new alignments shall be the responsibility of the Township or City in which the alignment is located. This provision may be waived by agreement with the County Board if the roadway replaces an existing alignment and the local unit of government takes jurisdiction of that existing alignment. In addition, any costs, including right-of-way costs, incurred by the County because a Township or City did not acquire sufficient right-of-way during the platting process or redevelopment process as requested by the County shall be paid by the Township or City.
- *5 Notification includes any letter to the agency indicating that noise will potentially be an issue in the future, likely received during the Plat Review Process. Maintenance shall be the responsibility of the agency paying for the initial installation. When the County is the responsible agency, it shall pay 100% of Standard Noise Wall Cost. If a local agency requests decorative noise walls, the requesting agency will pay the additional cost above the cost of standard noise wall.



City of Blaine Staff Report

File Number: RES 23-182

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Approval of Consent Agenda: - Sheila Sellman, City Planner

Agenda Item # 8.8

Resolution Granting Final Plat Approval to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0028/EES)

Executive Summary

The applicant is proposing to subdivide one existing parcel into three parcels to facilitate the construction of two additional buildings in a currently vacant portion of the property. Staff recommends approval.

Background

Planning Commission Public Hearing	10/10/23
City Council (Preliminary Plat)	11/06/23
City Council (Final Plat)	11/20/23
Action Deadline	01/06/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

The final plat is consistent with the approved preliminary plat, Resolution No. 23-163.

Zoning

The property is zoned Regional Commercial (B-3) and is located in the Highway Overlay District.

Land Use Designation

The property is guided Community Commercial (CC). The proposed commercial development is consistent with that designation.

Surrounding Zoning and Uses

The adjacent uses are:

- North: Bowlero (Zoned B-3)
- West: Detached townhomes across Ulysses Street (zoned DF - Development Flex)
- East: Highway 65
- South: A garage door company and an auto repair business across 113th Ave (zoned B-3)

Existing Conditions

The 3.3 acre property has an existing 13,600 square foot multitenant commercial building on the east side of the site. The west side of the site is vacant land.

History

The property was platted as Brunswick Bowl Addition in 2006 and a conditional use permit was approved in 2007 for two buildings on a lot. This lot was intended to have two approximately 13,000 square foot buildings on the one lot. When the first building was built, it was initially occupied by Regency Beauty School. It is now occupied by several retail and medical uses. The second building was never built.

As part of that review, the east and west property lines were designated as the front property lines with the north and south property lines being designated as side property lines. The zoning code specifies that a property has a maximum of two front yards and that any additional yards abutting public streets shall be designated as rear or side yard by the Zoning Administrator.

Evaluation of Request

Plat

The current property owner is seeking to subdivide the existing lot into three lots. One for the existing building and two lots to the west for new buildings. There are no minimum lot sizes in the B-3 district and the applicant has provided concept plans for each lot demonstrating how a conforming building could be located on the property.

Setbacks

Currently, the one existing lot has two front yards (east and west) and two side yards (north and south). With the subdivision, no lot will have more than two yards abutting a public right of way, therefore, all yards abutting a public right of way are considered front yards. The applicable setbacks for each lot are:

Lot 1:

- Front yards (west and south): 50 foot building, 30 foot parking
- Side yards (north and east): 20 foot building, 10 foot parking

Lot 2:

- Front yard (south): 50 foot building, 30 foot parking
- Side yards (east and west): 20 foot building, 10 foot parking
- Rear yard (north): 20 foot building, 10 foot parking

Lot 3:

- Front yards (east and south): 50 foot building, 30 foot parking
- Side yards (north and west): 20 foot building, 10 foot parking

The required setbacks are being met on the existing building and proposed concept plans, except for the internal parking setback which is proposed as shared parking with zero lot line (the requested CUP), and the parking setback from 113th, which is the subject of the requested variance.

Tree Preservation

A tree removal plan was not submitted. If tree removal is necessary, it will be reviewed as part of the building permit and will be subject to the standard tree replacement requirements.

Park Dedication

Park dedication for commercial properties is paid on a per acre basis and was paid when this property was platted in 2006. No further park dedication is required.

Grading/Storm Drainage

The developer is proposing to grade the lot as shown on the Coon Creek Watershed District and city approved grading, drainage, erosion protection and sediment control plans prepared by the developer's engineer. The plans include existing drainage patterns (contours) with flow arrows, soil boring locations, perimeter site protection, tree preservation, tree clearing limits, custom grading, proposed grading contours, proposed drainage patterns with flow arrows, storm water management, SWPPP information, temporary erosion protection Best Management Practices (BMPs), and temporary sediment control BMPs information for the site. The SWPPP may be included in the construction plan sheet(s) or prepared as a separate document and included in the development construction contract specifications.

Utilities

Standard water and Sanitary Sewer Access Charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on all lots.

Wetlands/Watershed/FEMA

The developer will need to submit the project to Coon Creek Watershed District (CCWD). Review, approval and permits are required prior to city plan approval and start of site work.

Access/Street Design/Sidewalks/Trails

The development is proposing to gain/provide access from Ulysses Street and 113th Avenue via the existing driveway access points. No additional access will be granted.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the preliminary plat. The Planning Commission does not review final plats.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing on the preliminary plat were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the city website.
4. Posted (sign) on the property with contact information for the Planning Department.

Notifications are not required for final plats.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Zoning and Location Map
2. Final Plat



City of Blaine

Signature Copy

Resolution: RES 23-182

Resolution Granting Final Plat Approval to Subdivide One Lot into Three Lots to be Known as Blaine Crossing II Addition at 1351 113th Avenue NE. Kraus Anderson Development Company (Case File No. 23-0028/EES)

WHEREAS, an application has been filed by M & E REALTY CO, Case File No. 23-0064 for a final plat known as Blaine Crossing II Addition; and

WHEREAS, said case involves the division of land in Anoka County, Minnesota, described as follows:

Lot 2, Block 1, BRUNSWICK BOWL ADDITION, Anoka County, Minnesota

WHEREAS, the Blaine City Council granted preliminary plat approval on November 6, 2023, subject to the conditions as contained in Blaine City Council Resolution No. 23-163; and

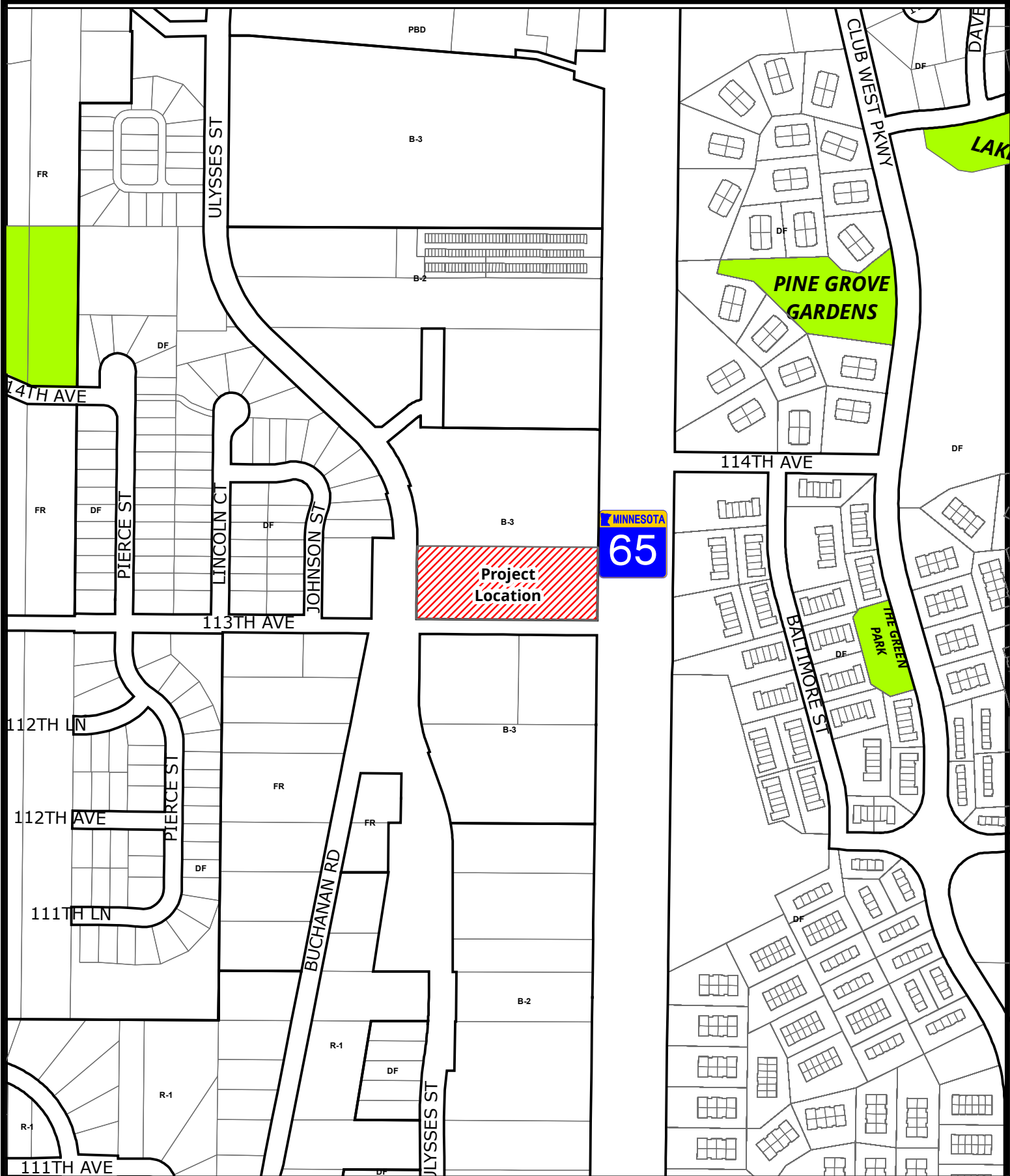
WHEREAS, the final plat is in general conformance with the approved preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that final plat approval for Blaine Crossing II Addition per Section 75-33 of the subdivision regulations is hereby granted subject to the listed conditions.

NOW, THEREFORE, BE IT FURTHER RESOLVED The Mayor, City Clerk and City Manager are hereby authorized to execute any and all necessary documents, agreement and releases related to the approval, recording or administration of Blaine Crossing II Addition.

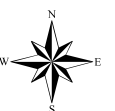
1. The applicant is responsible for recording plat mylars with Anoka County and providing proof of recording to the City prior to issuance of building permits on lots 1 and 2.
2. Water and sanitary services will be obtained from existing service stubs along Ulysess Street. Coordination of the use of the stub services will need to occur to allow for utility services on all lots.

PASSED by the City Council of the City of Blaine this 20th day of November, 2023.



Case File No. 23-0028 Blaine Crossing II Addition

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



KNOW ALL PERSONS BY THESE PRESENTS: That M & E Realty Co., a Minnesota corporation owner of the following described property situated in the County of Anoka, State of Minnesota, to wit:

Lot 2, Block 1, BRUNSWICK BOWL ADDITION, Anoka County, Minnesota

Has caused the same to be surveyed and platted as BLAINE CROSSING II ADDITION, and does hereby dedicate to the public for public use the public way(s) and the drainage and utility easements as created by this plat.

In witness whereof said M & E Realty Co., has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

M & E Realty Co.

Signature _____ Printed Name, Title _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, as _____ of M & E Realty Co., a Minnesota corporation, on behalf of the corporation.

Signature _____ Printed Name, Notary _____
Notary Public, _____ County, _____
My Commission Expires _____

SURVEYORS CERTIFICATION

I Max L. Stanislawski do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this Plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Max L. Stanislawski, Licensed Land Surveyor,
Minnesota License No. 48988

STATE OF MINNESOTA
COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 20____, by Max L. Stanislawski.

Signature _____ Printed Name, Notary _____
Notary Public, _____ County, Minnesota
My Commission Expires January 31, 20____

CITY COUNCIL, CITY OF BLAINE, MINNESOTA

This plat of BLAINE CROSSING II ADDITION was approved and accepted by the City Council of the City of Blaine, Minnesota at a regular meeting thereof held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Blaine, Minnesota

By: _____, Mayor By: _____, Clerk

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

Charles F. Gitzen, Anoka County Surveyor

COUNTY AUDITOR/TREASURER

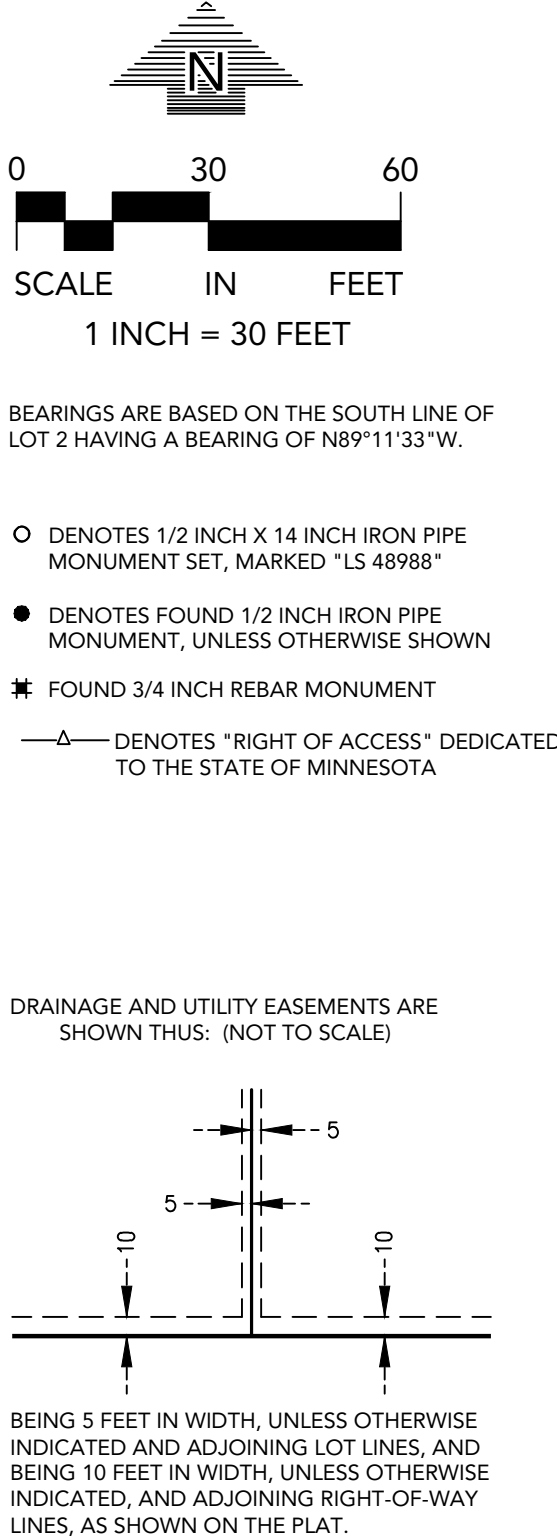
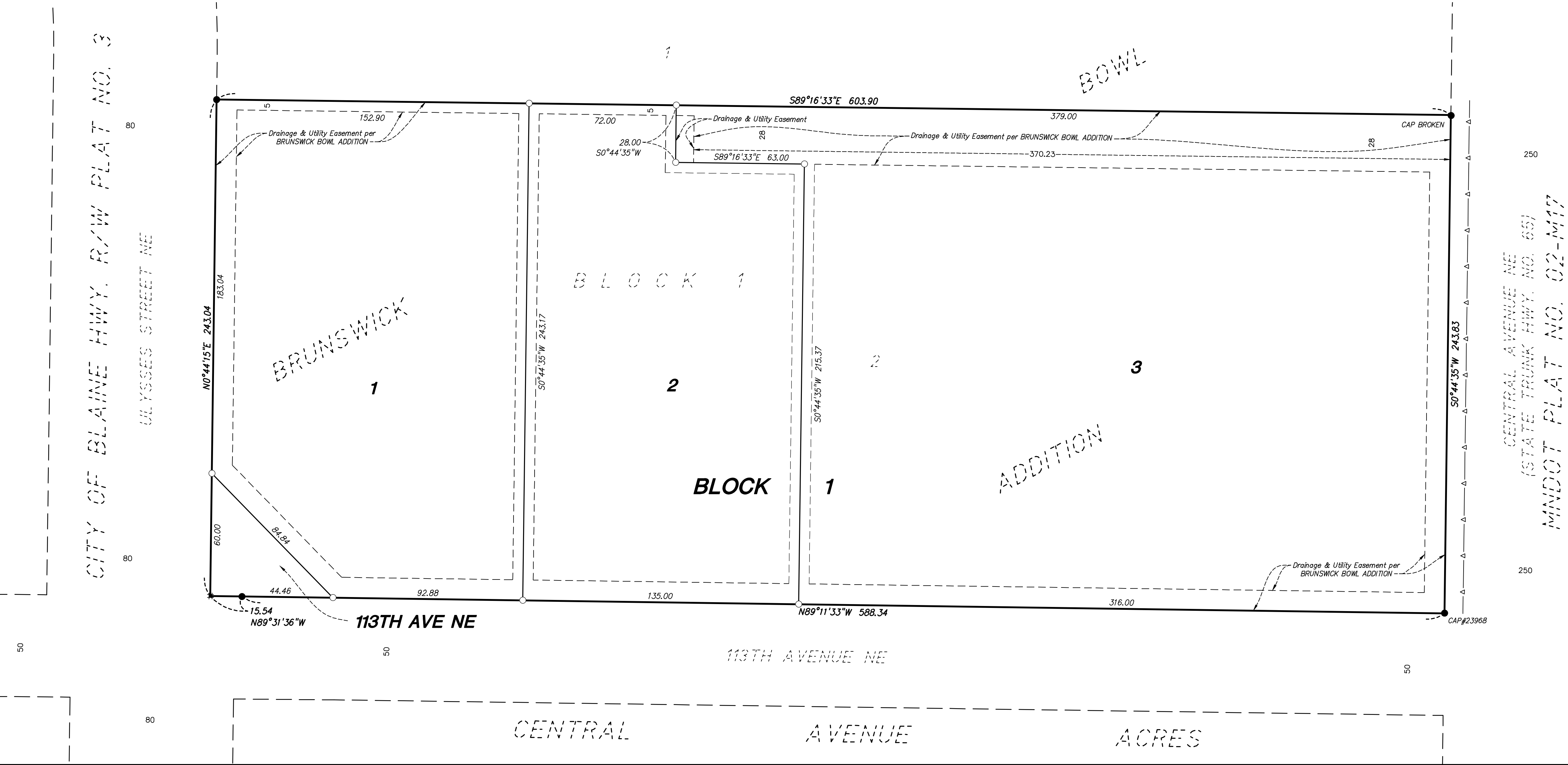
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

By: _____ Property Tax Administrator By: _____, Deputy

COUNTY RECORDER/REGISTRAR OF TITLES
COUNTY OF ANOKA, STATE OF MINNESOTA

I hereby certify that this plat of BLAINE CROSSING II ADDITION was filed in the office of the County Recorder/Registrar of Titles for public record on this _____ day of _____, 20____, at ____ o'clock ____M. and was duly recorded as Document Number _____.

By: _____ County Recorder/Registrar of Titles By: _____, Deputy





City of Blaine Staff Report

File Number: 2023-535

Agenda Date	Status
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November 20, 2023

In Control	File Type
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City Council

Motion

7:00 PM - Public Hearing and Items Published for a Certain Time - Cathy Sorensen, City Clerk

Agenda Item # 9.1

Approve Renewal of Currency Exchange Licenses

Executive Summary

Council is asked to hold a public hearing to consider approval of currency exchange license renewals.

Background

Staff has received the attached correspondence regarding currency exchange license renewals from the Minnesota Department of Commerce for the following locations:

SJB Enterprises Inc., d/b/a/ Your Exchange, 10545 University Avenue NE, Blaine, MN

AL\$ Check Cashing LLC, 1434 93rd Lane NE, Blaine, MN

The renewal requests were forwarded to the Police Department for review; no items of concern were raised.

Strategic Plan Relationship

This item relates to the Growth Management strategic priority in the 2020-2023 strategic plan by providing additional opportunities for businesses to thrive while ensuring safe practices are employed.

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

Notice of this hearing was published in the *Blaine-Spring Lake Park Life-Columbia Heights-Fridley Life* paper.

Staff Recommendation

Hold public hearing and after testimony, by motion, approve the renewals of the currency exchange licenses for SJB Enterprises Inc., d/b/a/ Your Exchange and AL'\$ Check Cashing LLC.

Attachment List

1. Dept. of Commerce-SJB Enterprises Inc Renewal
2. Dept. of Commerce-AL'\$ Check Cashing Renewal

October 26, 2023

Sent via e-mail and USPS to:

Csoresen@blainemn.gov

City of Blaine

Attention: City Clerk – Cathy Sorensen

10801 Town Square Drive NE

Blaine, MN 55449

RE: Currency Exchange License Renewal for 2024

Dear Ms. Sorensen:

The following currency exchange licensee has applied to renew their currency exchange license to operate at:

SJB Enterprises Inc
d/b/a Your Exchange
10545 University Ave NE
Blaine, MN 55434
NMLS Branch #1550658

Pursuant to Minnesota Statutes Chapter 53A.04, we are notifying your office that a complete currency exchange license renewal application has been filed with the Department of Commerce. The renewal application included the names of the officers and owners of the licensee, background checks on each of the owners and officers from the Minnesota Bureau of Criminal Apprehension, a fee schedule of all fees to be charged by the currency exchange office, a \$10,000 surety bond valid through December 31, 2024, and the \$500 renewal fee. If you wish to receive a copy of the complete currency exchange license renewal application form that was filed with this office, please call Gail Groop at 651-539-1593 or email to gail.groop@state.mn.us, and the renewal form will be emailed to you.

Minnesota Statutes Chapter 53A.04 requires the Department of Commerce to submit any application for licensure as a currency exchange to the governing body of the local unit of government in which the currency exchange business is located. The law further requires the governing body to give published notice of its intention to consider the issue and shall solicit testimony from interested persons, including those in the community in which the licensee is located. If the governing body has not approved or disapproved the issue within 60 days of receipt of the application, concurrence is presumed. The governing body shall have the sole responsibility for its decision. The state shall have no responsibility for that decision. Your cooperation in forwarding this information to the proper unit within your organization is appreciated.

Your reply must be received within 60 days of receipt of this letter. If you have any questions, please contact me at the telephone number or email listed below.

Warm regards,

Melissa Knoepfler

Melissa Knoepfler

Financial Institutions Division

651-539-1722

melissa.knoepfler@state.mn.us

October 26, 2023

Sent via e-mail and USPS to:

csorensen@blainemn.gov

City of Blaine

Attention: City Clerk – Cathy Sorensen

10801 Town Square Drive NE

Blaine, MN 55449

RE: Currency Exchange License Renewal for 2024

Dear Ms. Sorenson:

The following currency exchange licensee has applied to renew their currency exchange license to operate at:

Al'S Check Cashing LLC
1434 93rd Lane NE
Blaine, MN 55449
NMLS #1532374

Pursuant to Minnesota Statutes Chapter 53A.04, we are notifying your office that a complete currency exchange license renewal application has been filed with the Department of Commerce. The renewal application included the names of the officers and owners of the licensee, background checks on each of the owners and officers from the Minnesota Bureau of Criminal Apprehension, a fee schedule of all fees to be charged by the currency exchange office, a \$10,000 surety bond valid through December 31, 2024, and the \$500 renewal fee. If you wish to receive a copy of the complete currency exchange license renewal application form that was filed with this office, please call Gail Groop at 651-539-1593 or email to gail.groop@state.mn.us, and the renewal form will be emailed to you.

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Warm regards,

Melissa Knoepfler

Melissa Knoepfler

Financial Institutions Division

651-539-1722

melissa.knoepfler@state.mn.us



City of Blaine Staff Report

File Number: RES 23-173

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

7:00 PM - Public Hearing and Items Published for a Certain Time - Sheila Sellman, City Planner

Agenda Item # 9.2

Resolution Granting a Conditional Use Permit Amendment for a Recreational Use and a Restaurant with an Approximately 2,350 Square Foot Outdoor Dining Area and Live Entertainment in the PBD (Planned Business District) Zoning District at 10650 Baltimore Street NE, Suite 100. The Ball Park Twin Cities (Case File No. 23-0080/EES)

Executive Summary

The Ball Park received a conditional use permit for indoor recreation and outdoor dining as Resolution 23-45. The applicant is proposing modifications to the plans that relocate the outdoor dining from the east (rear) side of the building to the west and south sides (front and side), and is also now proposing live entertainment. A CUP amendment is required for the proposed modifications.

Background

Planning Commission Public Hearing	Not Applicable
City Council (Conditional Use Permit)	11/20/23
Action Deadline	01/13/24

Staff report prepared by Elizabeth Showalter, Community Development Specialist, and Teresa Barnes, Project Engineer

Zoning

The property is zoned PBD (Planned Business District) and is located in the Highway 65 Overlay District.

Surrounding Zoning and Uses

The surrounding properties are also zoned PBD. The property is surrounded by:

- Sherwin Williams and Crisp & Green/Five Guys are in the parking lot shared with the subject property.
- To the north (across 107th Avenue) - Target and the Victory Village shopping center.

- To the east (across Baltimore Street) - Bricks Pub, Fairfield by Marriot, retail building.
- To the south - Best Western.
- To the west - Highway 65.

Existing Conditions

The site is currently occupied by an approximately 65,000 square foot multitenant retail building on an 8.2 acre lot.

History

The building was constructed as a Gander Mountain in 2005.

In 2018, the building was converted to a multi tenant retail building in case file PC18-0028. The CUP allowed for general retail, professional office, and restaurants (not including outdoor dining). The Fun Lab was the first tenant, which received a CUP for recreation to operate a family entertainment center (PC 18-0016). In 2019, a CUP was approved for Planet Fitness to operate a fitness center in the middle tenant space (PC19-0042). At this time, the applicant is requesting a CUP for the use of the remaining tenant space in the building.

In 2021, a CUP and plat was approved for the construction of a new building in the existing parking lot, with Crisp and Green and Five Guys as the tenants (PC21-0014).

A CUP was approved on March 20, 2023 for The Ball Park to allow for indoor recreation and 2,700 square feet of outdoor dining space.

Evaluation of Request

The applicant is requesting a conditional use permit for outdoor dining, live entertainment, and recreation. Outdoor dining and live entertainment requests are reviewed for compatibility with neighboring properties and potential nuisance concerns. Indoor recreation is primarily reviewed for parking considerations since there is not a set parking requirement for recreation in the code.

Site Plan

The building is existing. The only site change proposed is the construction of an approximately 2,700 square foot outdoor dining area on the front (west) and south (side) of the building. The property abuts three public streets. The sides fronting Highway 65 and Baltimore Street are designated as front yards with the side fronting 107th Avenue as a side yard, and the southern property line as a side yard as well.

The existing building and parking lot meet the required 50-foot building and 30-foot parking setbacks in the front yards and the 15-foot building and parking setbacks in the side yards.

The outdoor dining areas are proposed on the paved space on the west (front) side of the building, and adding a paved space to the south (side) side of the building between the building and an existing stormwater pond. The property is surrounded by other commercial uses and staff does not anticipate incompatibility with nearby uses. The applicant is proposing to fence the outdoor dining area, but did not specify the proposed fencing. Consistent with other similar outdoor dining approvals, staff recommends a condition that the fence be maintenance free and be either wrought iron style, wood-look composite/vinyl or an equivalent, with no chain link permitted. Conditions are included in the

resolution addressing other potential issues with outdoor dining including amplified music, control of litter, and advertising. The applicant will be required to pay Sewer Access Charges (SAC) for the build out in general, which will include the outdoor dining area.

The applicant is also requesting to have live entertainment. The property is surrounded by commercial and industrial uses. A CUP was issued to The Rusty Bumblebee earlier this year for indoor and outdoor live entertainment with the only requirement being to follow the city's noise ordinance.

The applicant's plans include an outdoor wiffleball field in the rear of the building. This is not permitted by the PBD zoning, which allows for indoor recreation as a conditional use. The applicant has been informed that they may either apply for a rezoning to B-3 (Regional Commercial), which allows indoor or outdoor recreation as a conditional use, or apply for a text amendment to the PBD code to allow outdoor recreation as a conditional use. Either of those options would require a public hearing before the Planning Commission and first and second reading by the City Council. Staff will provide additional analysis if either of those applications is submitted.

Parking

Parking is shared between the uses on the subject property (Fun Lab, Planet Fitness and The Ball Park Twin Cities), and the Crisp & Green/Five Guys building. The total parking required for the existing uses is 196 stalls out of the 330 stalls on the property, leaving 134 stalls available.

The applicant calculated the stalls required for the non-recreational uses, applying the ratios in the city code.

- Kitchen - 8
- Indoor dining - 41
- Bar - 10
- Outdoor dining - 23

Parking for recreational uses is determined through the conditional use permit. The analysis includes an area at the front of the space that will be used for check-in with snacks and merchandise available, four batting lanes, six batting simulators and seating adjacent to the batting areas.

Previous parking requirements for similar uses have included:

- X-Golf was required to have four stalls per golf simulator (each simulator can accommodate a group of up to four people), and the ratios for restaurant use were applied to the seating and kitchen areas.
- Fun Lab was calculated at one stall per 300 for the whole use (including dining areas), which is a common parking requirement for community center type uses.
- Batting cages used to be located at 9240 Baltimore Street (now a multitenant office building). The parking requirement applied to the CUP in 1989 for the use was three stalls per batting cage to account for users, people waiting, and staff. This use was just batting cages; there was no restaurant use.
- Bowling alleys have a specific code requirement of five spaces per lane plus one space for every 400 square feet of area not used for bowling.

The applicant's original CUP application indicated that 15 stalls would be sufficient for the recreational area based on their anticipated use.

Based on the 1989 approval, three stalls will be required for each batting cage and simulator, for a total of 30 stalls. There is an additional 5,100 square feet of floor area in the recreation area for seating, check-in, and a strength area. Applying the 1/400 requirement that is applied to areas of bowling alleys not used by the lanes, results in an additional 6 parking stalls. This results in a total parking need for The Ball Park Twin Cities of 118 stalls. The overall parking ratio using this analysis is one stall per 170 square feet. The site currently has 134 stalls available after accounting for the other uses sharing the parking lot (Fun Lab, Planet Fitness, Crisp and Green, and Five Guys).

Additionally, the parking demand for the various tenants sharing parking is compatible as the large patio will not be used during the winter and poor weather conditions when Planet Fitness is the busiest, which should help reduce parking demand at any given time.

Architecture

The building is constructed of concrete panels, brick, stone, glass, and EIFS. When the building was constructed, the property was not located in the HOD (Highway Overlay District), and the architectural standards for the PBD district were met at the time (properties zoned PBD were not included in the overlay until 2020). Both the PBD and HOD required three premium materials be present on each elevation. The rear elevation of the building does not meet that requirement but is considered legal nonconforming since it met the requirements at the time of construction.

Additionally, that wall is heavily screened by mature trees and is not visible from the right-of-way. The staff report from the time the building was constructed indicated that the intent of the HOD standards were met.

Landscaping and Tree Preservation

The site meets the landscaping standards currently. Five trees are proposed to be removed to accommodate the outdoor dining area. To meet the landscaping and tree preservation standards, an equal number of trees must be replaced. The applicant is proposing five new lilac trees and one new linden tree. Ornamental trees cannot be used to meet the tree replacement requirements, so the replacement trees must be either 2.5 caliper inch overstory trees or 6-foot conifer trees. This change is listed in the conditions of approval.

Grading/Storm Drainage

Minor grading will occur for the construction of the outdoor patio area. Existing drainage patterns are maintained.

Utilities

The proposed development will utilize the existing utilities into the building. No new connections are proposed.

Standard water and sanitary sewer access charges (WAC & SAC) become due with each building permit at the rate established at the time the building permit is issued.

Wetlands/Watershed/FEMA

There are no wetlands or FEMA flood plains on the existing site. A Coon Creek Watershed District review is not required.

Access/Street Design/Sidewalks/Trails

The development will utilize the existing access points to the existing parking area. No new access points will be granted. No additional street design, sidewalks or trails will be required.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the City prior to any site work.

Conditional Use Permit

A city exercises "quasi-judicial" authority when considering a CUP application. This means the city's role is limited to applying the standards in the ordinance to the facts presented by the application. The city acts like a judge in evaluating the facts against the standards.

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
 - The use will not create an excessive burden on public facilities or utilities.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
 - The use is consistent with the mixed commercial character of the area including a variety of restaurant, entertainment, and hospitality uses.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
 - The only change in appearance proposed is the removal and replacement of five trees and installation of an outdoor dining area. The outdoor dining area will have a decorative fence and landscaping to provide an attractive appearance.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
 - The use is consistent with the purpose of the code and the district. The purpose of the PBD district includes encouraging attractive and enduring business neighborhoods.
6. The use shall not be in conflict with the comprehensive plan of the City.
 - The use is consistent with the comprehensive plan.
7. The use will not cause traffic hazards or congestion.
 - The proposed development will not result in any additional traffic hazards or additional congestion in the area.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.

- The proposed development, once constructed, will have the required utility services, adequate roads, and necessary drainage facilities to service the proposed development.

Attachment List:

Zoning and Location Map

Applicant Narrative

Floor Plan

Resolution 23-45

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The public hearing is being held at the City Council meeting, therefore no review or recommendation was received from the Planning Commission. Conditional use permits for changes in commercial or industrial tenants not neighboring residential areas are often referred directly to the City Council to expedite the review process for the applicant.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City website.

Staff Recommendation

By motion, adopt the Resolution.

Attachment List

1. Attachments
2. Council Memo and Responses to Public Questions



City of Blaine

Signature Copy

Resolution: RES 23-173

Resolution Granting a Conditional Use Permit Amendment for a Recreational Use and a Restaurant with an Approximately 2,350 Square Foot Outdoor Dining Area and Live Entertainment in the PBD (Planned Business District) Zoning District at 10650 Baltimore Street NE, Suite 100. The Ball Park Twin Cities (Case File No. 23-0080/EES)

WHEREAS, an application has been filed by Duck Hill LLC as Conditional Use Permit Case File No. 23-0080 for The Ball Park Twin Cities; and

WHEREAS, said case involves the property described as follows:

Lot 1 Block 1 BALTIMORE THIRD ADDITION

WHEREAS, the Blaine City Council held a public hearing on November 20, 2023, and recommended approval regarding said Conditional Use Permit Amendment; and

WHEREAS, the Blaine City Council has reviewed said case on November 20, 2023; and

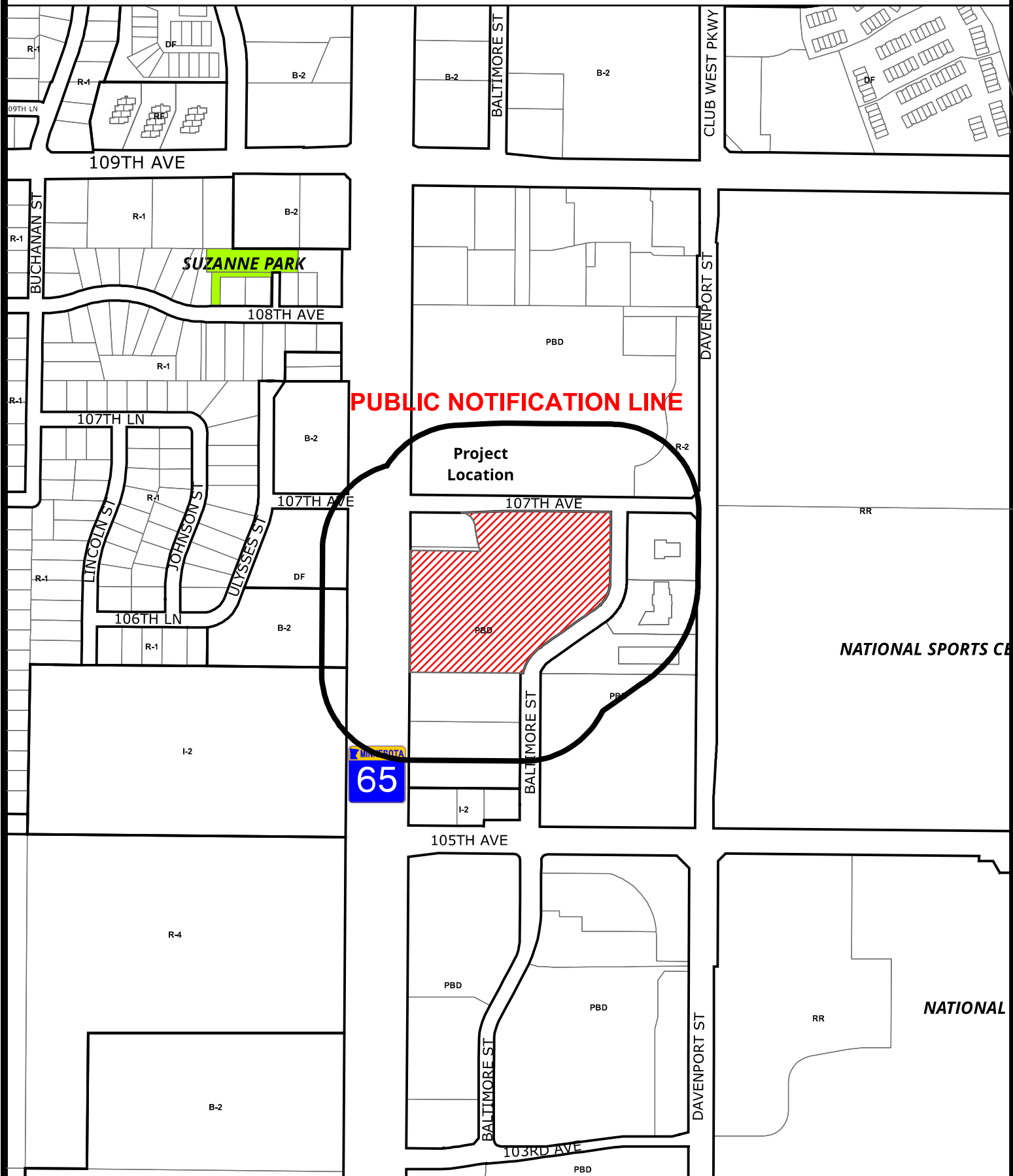
WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.52 and 27.04 of the Zoning Ordinance to allow a recreational use and an approximately 2,350 square foot outdoor dining area and live entertainment in a PBD (Planned Business District) zoning district with the following conditions:

1. The outdoor dining area is subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Metropolitan Council to determine the amount required for this use.
2. No outdoor advertising on building or patio area without obtaining a permit.
3. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
4. Exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort, per the Minnesota Building Code.
5. Fencing around the outdoor dining area shall be maintenance free and either solid wood look composite or vinyl, wrought iron style or equivalent. Chain link fencing is not permitted.
6. Provide manufacturing specifications and requirements for propane heater use and clearance from combustibles if they are to be used on site.
7. No activity shall take place outside anywhere other than the designated outdoor dining area. The outdoor wiffleball area shown on the submitted plans is not permitted by this Conditional Use Permit.

8. Music, including any live entertainment, shall comply with Article IV, Division 2 of the Blaine City Code, which pertains to noise.
9. This resolution voids Resolution 23-45.

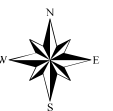
PASSED by the City Council of the City of Blaine this 20th day of November, 2023.



BlaineMN.gov

Case File No. 23-0080 The Ball Park Twin Cities

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180





Conditional Use Permit Amendment Request

Project Narrative

The Ball Park Twin Cities
10650 Baltimore St NE, Ste 100
Blaine, MN 55449

The Ball Park Twin Cities, is seeking an amendment to its current approved Conditional Use Permit. The Ball Park in consultation with its General Contractors, Architects and business partners, have altered and improved its site plan to increase the value of offering to the current property, the business and ultimately the customers it seeks to serve.

Shifting Patio from its original design location

From the original plan, the restaurant and entertainment experience have been moved to the “front of house” while the performance area and batting cages have been moved to the “back of house.” This improvement requires moving the patio from the back of the property to the front. The patio will be fenced in and furnish 122 seats as well as two fire pits that provide a comfortable and elevated patio experience.

Addition of live music

As a part of this amendment request, The Ball Park is seeking permission to host live music both inside and outside from time to time.

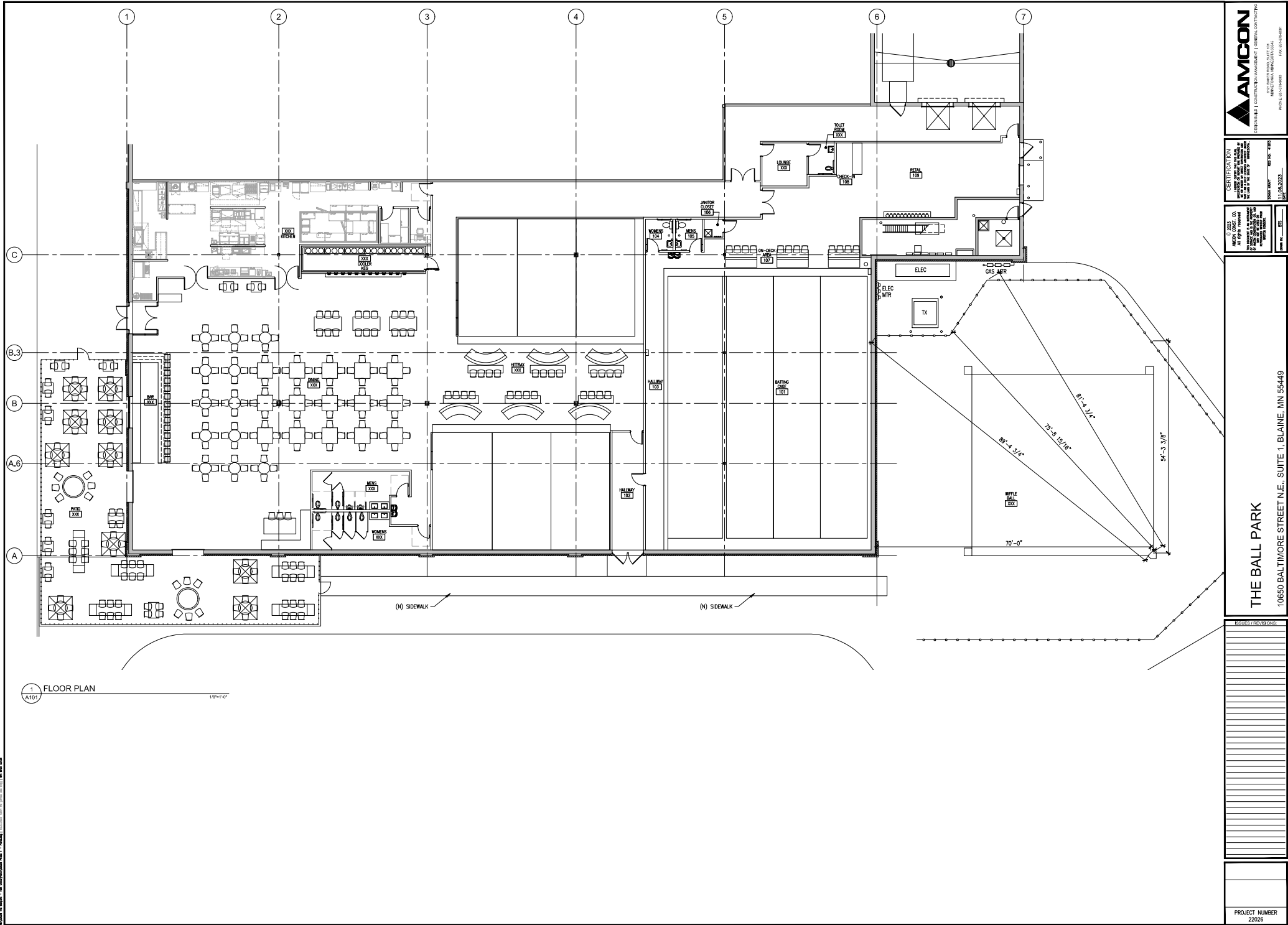
The Ball Park Twin Cities is committed to bringing an elevated restaurant and entertainment experience to the city of Blaine, its residents, and all of its visitors. As such, The Ball Park commits to complying with all legal and regulatory guidelines.

The restaurant and the patio are on track and scheduled to be open early Spring 2024.

We believe this amendment will significantly improve the value of our offering and add an elevated restaurant and entertainment experience in the city of Blaine. We respectfully request your approval of this amendment. If there are any questions or more information is needed, please let us know.

Thank you for your consideration.

The Ball Park Ownership Team.





AMCON
ARCHITECTURAL MATERIALS COMPANY
10000 BAYVIEW AVENUE
SUITE 100
BAYVIEW, MI 48164
PHONE 810-574-0000 FAX 810-574-0001

CERTIFICATION
I, the undersigned, being a duly qualified and licensed architect, do hereby certify that the above is a true and correct copy of the original as submitted to me by the owner for the purpose of recording the same.

DATE: 08/08/2023
BY: [Signature]
FOR: [Signature]

2023
I, the undersigned, being a duly qualified and licensed architect, do hereby certify that the above is a true and correct copy of the original as submitted to me by the owner for the purpose of recording the same.

DATE: 08/08/2023
BY: [Signature]
FOR: [Signature]

THE BALL PARK
10650 BALTIMORE STREET N.E., SUITE 1, BLAINE, MN 55449

PROJECT NUMBER
22026



City of Blaine
Anoka County, Minnesota
Signature Copy

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Resolution: RES 23-45

File Number: RES 23-45

Granting a Conditional Use Permit for a Recreational Use and a Restaurant with an Approximately 2,700 Square Foot Outdoor Dining Area in a PBD (Planned Business District) Zoning District at 10650 Baltimore Street NE, Suite 100. The Ball Park (Green Car Entertainment, LLC) (Case File No. 23-0025/EES)

WHEREAS, an application has been filed by Duck Hill LLC (Green Car Entertainment) as Conditional Use Permit Case File No. 23-0023 for The Ball Park; and

WHEREAS, said case involves the property described as follows:

Lot 1 Block 1 BALTIMORE THIRD ADDITION

WHEREAS, the Blaine City Council held a public hearing on March 20, 2023, regarding said Conditional Use Permit; and

WHEREAS, the Blaine City Council has reviewed said case on March 20, 2023; and

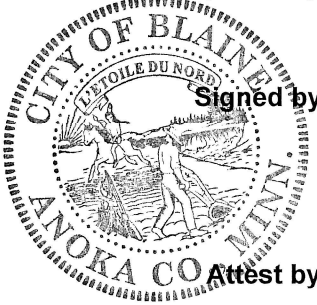
WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 30.52 and 27.04 of the Zoning Ordinance to allow a recreational use and an approximately 2,700 square foot outdoor dining area in a PBD (Planned Business District) zoning district with the following conditions:

1. All trees being removed must be replaced by 2.5 caliper inch overstory trees or 6-foot conifer trees. Ornamental trees do not meet this requirement. The submitted plans show five trees being removed, therefore five replacement trees meeting the size requirements are required.
2. The outdoor dining area is subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Metropolitan Council to determine the amount required for this use.
3. Plans for amplified music or a public address system for the outdoor dining area is to be reviewed by the City and approved by the management company prior to installation. Noise level of the music in the outdoor dining area is not to exceed normal conversation level.
4. No outdoor advertising on building or patio area without obtaining a permit.
5. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.

6. Exit doors in any railing or fence in the outdoor dining area shall be openable from the inside without the use of a key or any special knowledge or effort, per the Minnesota Building Code.
7. Fencing around the outdoor dining area shall be maintenance free and either solid or wrought iron style. Chain link fencing is no permitted.
8. Provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
9. No activity shall take place outside anywhere other than the designated outdoor dining area.
10. The juice bar area on the submitted plans (dated 2/1/2023) shall be converted to check-in and merchandise sales.

PASSED by the City Council of the City of Blaine this 20th day of March, 2023.



Signed by

Tim Sanders, Mayor

Date March 20, 2023

Attest by

Catherine Sorensen, CMC, City Clerk

Date March 20, 2023

Council:

The Ball Park is a proposed restaurant/indoor recreation use located at 10650 Baltimore Street. This is in a portion of the former Gander Mountain space near Crisp and Green and Five Guys. The applicant received a conditional use permit on March 20, 2023 for a restaurant, indoor recreation use and outdoor patio. All uses in the Planned Business District require a conditional use permit. The applicant is requesting an amendment to the originally approved CUP to move the patio from the east side of the building to the west side, and live entertainment. The mayor has previously disclosed an ownership interest in the business. He has abstained from any actions related to this project. A public hearing is scheduled before the City Council on November 20th and subsequent consideration of the CUP amendment.

Staff is aware that certain councilmembers have received questions from residents regarding the item on the November 20 regular meeting for the Ball Park. As such, the city manager has requested that I share information related to the concerns/questions with the entire Council.

Staff and the attorney's responses are in red below. In summary, the appropriate process and procedures either based on state statute, city code and/or guidance from the League of Minnesota Cities have been followed.

The questions and responses will be included in the packet.



Erik Thorvig, EDFP

Community Development Director

City of Blaine

Community Development Department
10801 Town Square Drive NE, Blaine MN 55449

p: 763-785-6147

[BlaineMN.gov](https://www.blainemn.gov)

From: Lori Saroya <lsaroya@blainemn.gov>

Sent: Tuesday, November 14, 2023 2:38 PM

To: Michelle Wolfe <mwolfe@blainemn.gov>; Erik Thorvig <ethorvig@blainemn.gov>; Sheila Sellman <ssellman@blainemn.gov>

Subject: Community concerns: The Ball Park

Director Thorvig, City Manager Sellman, & City Manager Wolfe,
I have received numerous emails and calls from residents about The Ball Park (Green Car Entertainment, LLC). Here is quick summary of the questions and concerns I am hearing from the community:

Conflict of interest:

-What is the mayor's ownership interest in this project? The mayor disclosed at the March 20, 2023 meeting that he had an "ownership component with the application which constitutes a conflict of interest" and recused himself from the dais and abstained from the vote. Minutes from the March 20, 2023 meeting are attached.

-What are the conflicts of interest and have we consulted with a neutral (not employed by the city) attorney? Minnesota state law recognizes two broad categories of conflicts of interest with regard to a public official's involvement in a matter before a city council or public body upon which that individual serves. These are contractual conflicts of interest and non-contractual conflicts of interest. Contractual conflicts of interest is codified under Minnesota Statute Chapter 471, and arises in matters where the public official has a personal financial interest in any sale, lease or contract of which they have authority to take part in authorizing in their official capacity. For the matter in question there is no sale, lease or contract being considered by the City relating to this project so the contractual conflict of interest is not applicable.

The other conflict recognized under state law is a non-contractual conflict of interest. This is a common law conflict of interest interpreted by the courts in a similar manner as contractual conflicts of interest. A non-contractual conflict arises in matters where a public official has a personal financial interest in an official non-contractual action to be considered by the public body. Here, because the Mayor is a member of the ownership group that is requesting official action of the City Council he has a non-contractual conflict of interest. When a public official has a non-contractual conflict of interest relating to an official action before the City Council that official must recuse themselves from participation in that decision including participation in discussion amongst the board and recusal from any vote. This matter has come before the Council on two separate occasions (CUP in March and liquor license application with minutes attached) and each time the Mayor has physically removed himself from the dais and sat in the gallery with other members of the public without participating in discussions or casting any vote. The physical removal from the dais is the appropriate action to take by a member with a conflict of interest to ensure there is no implication that the public official participated in the action in any way. Any elected official is entitled to have financial interests in matters that may come before the council, similar to any member of the public, so long as that official does not participate in the action when it is brought before the board for consideration (except that an official may participate in the same manner any regular member of the public may participate, but cannot participate in any official capacity).

-Is this typical? Do we have examples of previous mayors, or mayors from other cities, who enter into business deals in their city? **It's not uncommon for elected officials to have either real estate or business interests in a city they represent. When a conflict of interest exists as outlined above, elected officials should abstain from participating in the item when it comes before the body for any official action.**

-Is this project related to the 105th redevelopment and sports entertainment district? It raises "eyebrows" when the city is spending nearly \$40 million to build a baseball stadium and the mayor owns a baseball-themed restaurant with batting cages nearby. **This project is not related to the 105th redevelopment district. The Ball Park restaurant proposal existed prior to any discussions/introductions regarding a baseball stadium in Blaine**

Process/Preferential Treatment:

-What was the mayor's role in securing the site? Did he "pull strings" or "influence" anyone; was he given "priority"? **Staff is not privy to any private negotiations done by the business and landlord to secure property. The City is not aware of any undue influence or improper conduct regarding those negotiations and any agreement between the parties.**

-How does the mayor's business align with community needs, and how can we ensure it is not getting unfair advantages over local businesses? **The proposed type of business is allowed within the Planned Business District zoning district. All uses in the Planned Business District require a conditional use permit. A conditional use permit was originally granted on March 20, 2023 for a restaurant, recreational use and outdoor patio. Similar types of businesses have received approvals elsewhere in the city.**

-What other developers/business owners sought to purchase this space and were denied? **Again, staff is not privy to private negotiations done by a business and property owner to secure property or other discussions that the property owner may have had with other prospective tenants and the city is not aware of any other negotiations or denials regarding this space. The space has been vacant since the closure of Gander Mountain in 2017.**

-Does the "outdoor entertainment" refer to outdoor music/bands? Will this create noise concerns for residents? For example, there is a manufactured home park right across the highway. **Part of the CUP amendment request is for live entertainment, which could occur either indoors or outdoors. With any restaurant that has live entertainment outdoors, applicable noise ordinances must be met. For example, the Rusty Bumblebee recently received approval for live entertainment outdoors and a conditional of approval was that it must follow the city's noise ordinance. This condition exists for this application. The closest residential property is Blaine International Village, which is approximately 1,200 feet away, across Highway 65. Given the distance, and noise produced by Highway 65, noise is not anticipated to be an issue.**

Lack of transparency:

-When an elected official is involved in a business deal in his own city, residents have the right to expect 110% transparency. Why wasn't this project sent to the planning commission? Who makes that decision on whether or not to send it to the planning commission? **The mayor publicly disclosed his interest in this project when it previously came before council and further emphasized his involvement by recusing himself from those discussions. Blaine City Code, Chapter 27, Section 27.049(e)(8) allows the zoning administrator to place CUP**

applications directly on the city council agenda, provided the city council holds the required public hearing and required notification of the public hearing is provided. This is done in an effort to provide timely customer service to a business/applicant however still respect the public process. There have been a total of 28 CUP applications that have been sent directly to the City Council since 2021. Public hearings occurred at the City Council meetings. This is typically done when there are no residential properties within the notification area and the project involves an existing building.

-Have we consulted with the League of MN Cities on how to navigate a CUP when the mayor is an owner? Are they aware? The League of Minnesota has produced a document related to various potential conflicts of interest that may arise with elected officials. Specifically, the league has advised that “When a Councilmember applies for a license or a permit that requires council approval, the member’s personal (often financial) interest should prevent their participation in the decision making process”. The league also advises the following for city officials if a conflict of interest exists:

- Consult the city attorney.
- Disclose the interest as early as possible (orally and in writing).
- Not attempt to influence others.
- Not participate in any discussions (when possible, leave the room when the governing body is discussing the matter).
- Follow the statutory procedures provided for the contracting exceptions.
- Abstain from voting or taking any other official actions unless the city attorney determines that there is no prohibited conflict of interest.

The document also states:

Since a city council must deal with land matters within its jurisdiction, it is almost inevitable that such (land use) decisions will affect property owned or used by one of its members.

1. Property ownership: Whether or not property ownership disqualifies a councilmember from participating in a land use decision will depend (to some extent) on the nature of the decision and the numbers of persons or properties affected. At one extreme is adoption of a new zoning ordinance (or a comprehensive revision of an existing ordinance) that may impact all property in the city. In that situation, the councilmember’s interest is not personal, and they should be able to participate. If this was not allowed, such ordinances might never be adopted. At the other extreme is the application for a zoning variance or special use permit (such as the Ball Park application) that only applies to a councilmember’s property. Such a specific, personal interest would likely disqualify the member from participating in the proceedings. However, the councilmember should still be able to submit the required application to the city.
2. Zoning: The attorney general has advised that a council is not prevented from rezoning property owned by a councilmember (or property owned by their client). However, the councilmember may not participate in those proceedings.

The mayor, or any elected official that has a conflict of interest should abstain from

participating in formal discussions or voting on an item. The mayor abstained for the original CUP approval in March 2023, and will be doing so again.

-Where is this project at right now? It seems that the CUP was already approved in March 2023 without public input and awareness. What does the amendment do? The business is in the process of redesigning the interior space and submitting building permit applications. A conditional use permit amendment is being requested because the business is changing the layout and moving the outdoor patio space from the rear of the building to the front. They are also requesting live entertainment which requires an amendment to the CUP. When the original CUP was approved in March, notice was provided to property owners within 350', posted in the newspaper and on the city's webpage and social media. A public hearing was held by the City Council and no one appeared. This same process has been followed for the public hearing that the Council will hold on Monday.



Erik Thorvig, EDFP

Community Development Director

City of Blaine

Community Development Department
10801 Town Square Drive NE, Blaine MN 55449

p: 763-785-6147

[BlaineMN.gov](https://blainemn.gov)



City of Blaine Staff Report

File Number: RES 23-149

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Administration - Erik Thorvig, Community Development Director

Agenda Item # 11.1

Resolution to Approve Term Sheet with Elevage/Bader for the 105th Avenue Redevelopment Project

Executive Summary

Background

An update was provided to the City Council on November 13, 2023, regarding the 105th Avenue Redevelopment project. Significant time has been spent over the last six months negotiating various agreements with the MASC/NSC that outline mechanisms to allow the developer the ability to ground lease land from MASC for private development.

During this negotiation, the developer wasn't able to move forward with various aspects of the site planning, engineering, etc., as the project scope would have been impacted if there wasn't the ability to develop MASC property. Now that these agreements are in place, the developer is now able to move forward with various site planning items such as environmental review, engineering, negotiating with potential end users, etc. Additionally, there are discussions regarding financing of the turf field project and other components of the redevelopment at the city level.

Any formal action on project financing will not occur until early 2024. Given that the developer needs to spend time and dollars on the aspects mentioned above immediately to stay on schedule, there needs to be some clarity on the overall expectations of both the City and the Developer.

These expectations are outlined in the form of a term sheet. The term sheet will identify various roles and responsibilities of both the City and the Developer over the next six months. The term sheet is non-binding and does not commit the City to anything formally, but lays out a road-map for the project and expectations of each party to stay on schedule and achieve the ultimate vision. Attorneys for both parties are preparing the term sheet and it will be made available to the City Council by Friday, November 17. Much of the information identified in the term sheet was presented to the City Council at the workshop on November 13.

Strategic Plan Relationship

The 105th Avenue Redevelopment Project is identified as a strategic priority.

Board/Commission Review

Not applicable.

Financial Impact

Any financial components of the term sheet are still non-binding and would require formal action by the City Council in the future.

Public Outreach/Input

Not applicable.

Staff Recommendation

By resolution, adopt the term sheet.

Attachment List

1. Term Sheet



City of Blaine

Signature Copy

Resolution: RES 23-149

Resolution to Approve Term Sheet with Elevage/Bader for the 105th Avenue Redevelopment Project

WHEREAS, the City and Elevage/Bader entered into a predevelopment agreement on December 21, 2022 for the 105th Avenue Redevelopment area; and

WHEREAS, various negotiations and planning have occurred over the last year to advance the redevelopment project; and

WHEREAS, the developer is at a point where significant dollars and time need to be spent to advance the project towards development; and

WHEREAS, various aspects of the redevelopment project will require financial commitments by the City of Blaine; and

WHEREAS, the City and Developer seek clarity on the roles, responsibilities and obligations of each party will be over the next six months; and

WHEREAS, a non-binding term sheet has been prepared outlining the roles, responsibilities and obligations of each party.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine hereby approves the term sheet and authorizes the mayor to execute the document.

PASSED by City Council of the City of Blaine this 20th day of November, 2023.

105th DEVELOPMENT TERM SHEET

EB Blaine Development LLC, the Blaine Economic Development Authority, and the City of Blaine (collectively the “Parties”) have drafted this Term Sheet (this “Term Sheet”) to describe the currently anticipated roadmap to complete the 105th Redevelopment based on what has been accomplished to-date and what is anticipated and understood needs to occur hereafter.

RECITALS

- A. **Preliminary Agreement.** The Blaine Economic Development Authority (the “EDA”) and EB Blaine Development LLC, successor to Elevage Development Group LLC (the “Developer”), are parties to that certain Preliminary Development Agreement dated in December, 2022, as amended (the “Preliminary Agreement”). The Preliminary Development Agreement was entered into in furtherance of the 105th Development as envisioned in the Blaine Town Center Master Plan, dated May 27, 2022.
- B. Under the terms of the Preliminary Agreement, the EDA and the Developer agreed to pursue a mixed-use development (the “Development”) on certain real property in the City of Blaine partially owned by the EDA and partially owned by other entities, including the Minnesota Amateur Sports Commission (“MASC”) (collectively, all of the real property included in the Development is known as the “Redevelopment Property”). The Preliminary Agreement includes three “Phases” of activities of the Developer and the EDA in the pursuit of the Development. The parties agree that Phase I has been completed and Phase II has commenced and is underway. Specifically, the Developer and the EDA are in the process of fulfilling their respective undertakings under Sections 4 and 6 of the Preliminary Agreement.
- C. **Next Steps.** To ensure continued and substantive progress on the Development, the City, the EDA, and the Developer have set forth in this Term Sheet the mutually understood next steps and sequence of events upon which all parties may commonly understand in order to coordinate and collaborate on the Development. In acknowledgment of the significant work undertaken by both parties to date, the positive progress toward Phase 3 of the Preliminary Agreement, and the acknowledgment in 7(b)(ii) of the Preliminary Agreement that the EDA and the Developer will establish milestones for the implementation of the Land Acquisition Strategy, the Developer and the EDA wish to enter into this Term Sheet to identify specific and agree to milestones with respect to certain items.
- D. **Turf Fields.** National Sports Center (NSC), as general contractor for and on behalf of MASC, has entered into a construction contract with Dimke Excavating for the construction of ten lighted artificial turf all-purpose fields and one natural grass non-lighted all-purpose field at the National Sports Center located in the City of Blaine, State of Minnesota (collectively, the “Turf Fields”). The City has agreed to fund the construction of the Turf Fields out of City-issued bonds in an amount not to exceed \$12 million. Any remaining amounts for the Turf Field construction will be covered by NSC or MASC. As set forth in that certain Site Control Agreement by and among the Developer, MASC and the City, MASC has agreed to enter into a pre-negotiated “Ground Lease” between MASC

and the Developer for sixteen (16) acres of real property (the “MASC Property”) and a Reciprocal Easement and Operating Agreement (“REOA”) between MASC, the Developer, and the City. The Ground Lease and the REOA secure the majority of the necessary real estate for the West District Development. The remainder of the necessary real estate is part of the EDA Property as provided in the Preliminary Agreement.

- E. **West District Development.** For what is presently referred to as the “West District Development”, the Developer plans to construct sports-entertainment related improvements, which may include a minor-league baseball stadium, a food hall, a hotel, and a sports-entertainment complex on the MASC Property. The EDA, under the terms of a pre-negotiated REOA will construct and operate a public plaza on an adjacent MASC-owned parcel. The improvements and development described in this Section, currently projected to include a baseball stadium, food hall, hotel, sport-entertainment complex, and public plaza, together with all parking, improvements, related structures, and infrastructure and utilities are known herein as the “West District.”
- F. **East District** On the remaining portion of the Redevelopment Property not included in the West District, the Developer plans to construct residential, commercial, office and hotel buildings, parking structures, and certain additional public improvements to be owned and maintained by the City (collectively, the “East District”).
- G. **Sequencing/Phasing.** Turf Field Construction is first, followed soon thereafter by work and construction on the West District, followed by work on the East District. As a result, this Term Sheet provides more specifics on the next steps for the West District development and fewer specifics on the East District Development.
- H. **Current Status, Investment and Progress.** The Developer and the EDA have invested significant time and resources into the pursuit of the Development to date. Specifically, the EDA has purchased or secured the right to purchase a portion of the EDA Property as defined in the Preliminary Agreement. The EDA anticipates securing the right to purchase the remainder of the EDA Property within the first or second quarter of 2024. The EDA and the Developer have negotiated the Site Control Agreement with MASC to facilitate the Developer’s land lease under the terms of the Ground Lease.

TERMS

The Developer, the EDA and the City agree to the following that the following action items are contemplated in accordance with the terms of the Preliminary Agreement for 105th Development project:

1. Turf Fields.

- a. **Turf Field Bonds.** The City is working with the County and the School District to secure City-issued, general obligation bonds and seeks to submit to the City Council for approval on February 5, 2023, or as soon as practical thereafter, a resolution

authorizing City-issued, general obligation bonds whose net proceeds will be \$12M (the “Turf Field Bonds”). The City will use the Turf Field Bonds proceeds to fund the construction of the Turf Fields. On or before March 28, 2024, the City anticipates receiving the proceeds of and settlement of the Turf Field Bonds.

- b. **Site Control Agreement.** As a condition to approval of the Turf Field Bonds, prior to or contemporaneous with the City issuing the Turf Field Bonds, the Developer, the City and MASC will have fully executed the Site Control Agreement and the City and the Developer will be reasonably satisfied that MASC remains obligated to enter into the pre-negotiated form of the Ground Lease and REOA when appropriate for the West District Development.

3. Development.

- a. **Environmental Review/AUAR.** An Alternative Urban Areawide Review (AUAR) process will soon be initiated to be completed as soon as practical in 2024. The City will be the “Responsible Governmental Unit” (“RGU”). The AUAR is a planning tool to understand the environmental effects of development and is required prior to development being undertaken.
- b. **Development Agreement.** By June 15, 2024, the Developer and the EDA will have negotiated a final Master Development Agreement (the “Contract” as provided in the Preliminary Agreement) for the West District Development. Such Master Development Agreement shall also include references to the East District Development in concept and acknowledgment of the Developer’s ongoing right to develop East District. The Parties acknowledge that specific designs and financing plans for the East District Development will likely not be complete as of June 15, 2024 and agree that the Master Development Agreement referenced in this section will be amended to include the specific provisions of the East District Development prior to commencement of such East District Development. At the time the initial Master Development Agreement is ready for execution, the following actions will have been completed or substantially undertaken with respect to the West District Development: (1) terms of purchase for the Development Parcels, (2) Private and Public Financing Sources and Uses, (3) Project Pro Forma, (4) Economic Feasibility, (4) Development Drawings & Elevations, and (5) Site Plan
- c. **105th Development Financing.** On or before June 15, 2024, the Developer and the City will have identified the private and public financing needs for the Development.
- d. **Site Control of EDA Property.** On or before June 15, 2024, the City will have acquired or will have the right to acquire all of the real property constituting the “EDA Property” as defined in the Preliminary Agreement.

4. West District Development.

- a. **Construction start date goal – June 15, 2024.** The following is based on a June 15, 2024 construction start date.
 - b. **Concept Plan and Preliminary Bond Resolution.** In the first quarter of 2024, the Developer will have submitted to the City for review and approval, the Developer’s concept design for the West District. At its next regularly scheduled City Council meeting or the one thereafter, the City will have reviewed, commented upon, and approved the West District concept design. The City will also approve a Preliminary Bond Resolution in the approximate amount of \$30 million to fund the West District Development.
 - c. **Plan Sets and Approvals.** Contingent on the Developer submitting to the City all required applications, plans, reports, data, and receiving an approved AUAR, the City will have approved and entitled the Developer’s plans for the West District;
 - d. **Ground Lease, Project Approvals, Bond Financing.** On or before June 15, 2024, the Developer and MASC shall have entered into the Ground Lease, the Developer, the City and MASC shall have entered into the REOA, the Developer will have secured necessary governmental approvals to construct the West District Development.
 - e. **West District Financing.** On or before June 15, 2024, the City will have approved and authorized a public-financing package mutually agreeable to the City and the Developer, and including, but not limited to, the sale of approximately \$30 million in City-issued, general obligation bonds (the “West District Bonds”), and any associated tax abatement and repayment plan, the proceeds of which the City will loan to the Developer to fund the construction of a portion of the improvements planned for the West District. The Developer and the City will have negotiated and entered into mutually agreeable loan and financing documents pertaining to the public-financing elements of the West District, including, but not limited to, documents pertaining to the proceeds of the West District Bonds.
 - f. **Purchase Agreement.** On or before June 15, 2024, the Developer and the EDA will have negotiated and entered into the “Purchase Agreement” as defined in the Preliminary Agreement, with respect to the portion of the West District that constitutes EDA Property.
5. **East District Development.** On or before September 15, 2024:
- a. **City Approvals.** Contingent on the Developer submitting to the City all required applications, plans, reports, data, and receiving an approved AUAR, the City will have approved and entitled the Developer’s plans for the East District;
 - b. **Land Use/Zoning Approvals.** The Developer and the City will have negotiated and entered into mutually agreeable planned unit development, conditional use, and any other related development agreements pertaining to the East District, which

may be included in the Master Development Agreement referenced in Section 3(b) above (collectively, the “Contract” for the East District as further defined in the Preliminary Agreement).

- c. **Purchase Agreement.** the Developer and the EDA will have negotiated and entered into the “Purchase Agreement” as defined in the Preliminary Agreement with respect to all of the property in the East District; and
 - d. **Financing.** The Developer shall have demonstrated to the reasonable satisfaction of the City that the Developer and its project partners are in receipt of equity, financing, or financing commitments sufficient to facilitate the development of the East District.
6. In acknowledgment of the complexity of the Development, a Party may elect to extend any of the dates contained herein relevant to an action to be undertaken by it by up to ninety (90) days by providing not less than ten (10) days’ written notice to the other Parties.

The Parties acknowledge that the above constitutes the desired and anticipated timeline for the Development, subject to the negotiation, execution and delivery of mutually satisfactory binding agreement(s) as described above.

[SIGNATURE BLOCKS - EB BLAINE DEVELOPMENT LLC, THE BLAINE ECONOMIC DEVELOPMENT AUTHORITY, AND THE CITY OF BLAINE]

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City of Blaine

Staff Report

File Number: RES 23-190

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Administration - Jason Zimmerman, Finance Director

Agenda Item # 11.2

Declaring the Official Intent of the City to Reimburse Certain Expenditures Related to the 105th Area Redevelopment Project from the Proceeds of Tax-Exempt Bonds

Executive Summary

On November 6, 2023 the City Council approved a funding agreement with the National Sports Center Foundation (NSCF) which requires the city to provide the NSCF with up to \$500,000 for preparation work related to the construction of ten turf fields. This compensation is part of the overall financing structure that has been proposed to facilitate the 105th Avenue Redevelopment Project. While the city isn't obligated to issue bonds to participate in financing the remaining \$11,500,000 required to complete the turf field project construction, the attached reimbursement resolution follows Internal Revenue Service (IRS) regulations allowing the city to reimburse itself using debt sale proceeds for the initial \$500,000 of project related expenditures.

Background

For the City to spend money in the present, but reimburse itself from the issuance of debt obligations in the future, a reimbursement resolution is required by federal law. A reimbursement bond is tax-exempt, the proceeds of which are allocated to prior expenditures originally paid from sources other than bond proceeds. A proper reimbursement allocation results in the proceeds being treated as spent for the governmental purpose of the original expenditures, even though the actual moneys are used to replenish the funds originally used to pay the expenditures.

The current reimbursement regulations arose largely as a response to the potential abuse of arbitration-motivated reimbursement transactions. Essentially, an issuer could identify a bounty of old and cold governmental expenditures paid out of its general funds and then issue tax-exempt bonds to "reimburse" those funds. Since the tax-exempt proceeds would be deemed spent on those governmental purposes, the moneys could be freely invested for the purpose of generating arbitrage profits.

The enclosed resolution authorizes the city to reimburse itself for any project related expenditures associated with the funding agreement between the City of Blaine and the NSCF that occurs prior to any bonding related to this project, should the Council authorize additional financial participation beyond the initial distribution of up to \$500,000. The general requirements of tax regulations relating to the reimbursement of expenditures are as follows:

- The Declaration must be made no later than sixty days after payment of project costs, except the following expenditures;
 - Costs of bond issuance;
 - Costs not in excess of the lower of \$100,000 or five percent of the bond proceeds;
 - Preliminary expenditures include architectural, engineering surveying, soil testing, and similar costs that are incurred prior to commencement of construction, rehabilitation or acquisition of a project. Preliminary costs do not include land acquisition, site preparation, and similar costs incident to the commencement of construction. Preliminary expenditures, however, cannot exceed 20% of the issue price of the related reimbursement bond issue
- The Declaration must contain (a) a reasonable description of the project, and (b) the maximum principal amount of bonds expected to be issued for the project;
- The bonds must be issued within the later of (a) 18 months after the payment, or (b) the date the project is placed in service, but not more than three years after the payment.

While a reimbursement resolution doesn't bind the city to issue bonds, failure to adopt a reimbursement resolution and to comply with the reimbursement rules could preclude the reimbursement of project expenditures from the bonds.

Strategic Plan Relationship

Redevelopment of the 105th Avenue area is identified in the Strategic Plan.

Board/Commission Review

N/A

Financial Impact

The attached resolution allows the city to reimburse itself for certain expenditures from the proceeds of bonds. This action is consistent with the funding agreement between the city and the National Sports Center Foundation.

Public Outreach/Input

N/A

Staff Recommendation

Staff recommends the City Council adopt the attached resolution allowing the city to reimburse itself for certain expenditures from the proceeds of bonds.

Attachment List

None



City of Blaine

Signature Copy

Resolution: RES 23-190

Declaring the Official Intent of the City to Reimburse Certain Expenditures Related to the 105th Area Redevelopment Project from the Proceeds of Tax-Exempt Bonds

WHEREAS, the Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (the "Reimbursement Regulations") under the Internal Revenue Code of 1986, as amended (the "Code"), providing that proceeds of tax-exempt bonds used to reimburse prior capital expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City of Blaine, Minnesota, a municipal corporation and a political subdivision of the State of Minnesota (the "City"), expects to incur certain expenditures that may be financed temporarily from sources other than tax-exempt bonds, and later reimbursed from the proceeds of tax-exempt bonds; and

WHEREAS, the City has determined to make a declaration of its official intent (the "Declaration") to reimburse certain capital costs from the proceeds derived from the sale of tax-exempt bonds issued by the City or another political subdivision in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLAINE, MINNESOTA AS FOLLOWS:

1. The City may incur certain capital expenditures in connection with the acquisition, installation, and financing of turf fields on the National Sports Center Campus (collectively, the "Project").
2. The City reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of tax-exempt bonds in a principal amount currently estimated not to exceed \$12,000,000. All reimbursed expenditures related to the Project will be capital expenditures, costs of issuance of the tax-exempt bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.
3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of tax-exempt bonds, except for the following expenditures: (a) costs of issuance of tax-exempt bonds; (b) costs in an amount not in excess of the lesser of \$100,000 or 5% of the proceeds of the tax-exempt bonds; or (c) "preliminary expenditures" up to an amount not in excess of 20% of the aggregate issue price of the tax-exempt bonds that are reasonably expected by the City to finance the Project. The term "preliminary expenditures" includes architectural, engineering, surveying, soil testing, bond issuance and similar costs that are incurred prior to commencement of acquisition, construction, or rehabilitation of the Project, excluding land acquisition, site preparation, and similar costs incident to commencement of construction.
4. A reimbursement allocation with respect to tax-exempt bonds will be made not later than 18 months

after the later of: (i) the date the original expenditure is paid; or (ii) the date the Project is placed in service or abandoned, but in no event more than 3 years after the original expenditure.

5. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the tax-exempt bonds described in paragraph 2 are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of tax-exempt bonds are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such expenditures for which bonds are issued.

6. The action is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.



City of Blaine Staff Report

File Number: RES 23-188

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Administration - Jason Zimmerman, Finance Director

Agenda Item # 11.3

Certify 2023 Delinquent Utility Accounts, Nuisance Abatements, and Other Special Charges to Anoka County

Executive Summary

The Council annually certifies delinquent utilities and unpaid invoices for mowing, false alarms, and meter repairs to Anoka County for collection with the following year's property taxes. This process protects the city by establishing the unpaid amounts as a lien on the related properties. The certification process also serves as the city's collection process.

Background

On September 21, 2023 all customers with a delinquent invoice/bill subject to certification were sent a letter notifying them that if the account was not paid, it would be included in the certification process for collection. If payment is not received before the November 1, 2023 deadline for remittance to the county, the attached resolution authorizes staff to certify the amount due to the Anoka County Auditor for collection with 2024 property taxes. Each account certified to Anoka County will also be charged a \$50.00 certification fee in accordance with the city's fee schedule.

The total amount subject to certification is \$530,280.19; \$526,433.42 is for delinquent utilities and \$3,846.77 is for other invoices. The certifications represent 737 properties, 717 with utility certifications, 7 of which also have delinquent invoices other than utility bills, and 13 with delinquent invoices only. The amount to be certified is \$56,950.01 more than the \$473,330.18 that was initially authorized in 2022. Certification fees amount to \$36,700.

Amounts certified in previous years are as follows:

2022: \$473,330.18

2021: \$423,871.22

2020: \$408,738.75

2019: \$449,337.06

2018: \$451,443.17
2017: \$392,787.93
2016: \$350,340.49
2015: \$546,169.04
2014: \$535,937.12
2013: \$538,126.43
2012: \$594,954.47
2011 :\$554,735.52
2010: \$545,176.51
2009: \$531,238.38

The amount to be certified reflects less than 2% of the total revenues of the City's utility funds. Revenues include billings, interest earned, and various grants, where billings make up the vast majority of revenues.

Strategic Plan Relationship

The collection of delinquent utility bills and invoices provides needed revenue to maintain the City's utility funds and supports the financial sustainability of the City.

Board/Commission Review

N/A

Financial Impact

Delinquent utilities certified to the county for collection represent approximately 2% of annual billings. Nearly 85% of delinquent accounts are collected the following year and nearly 100% are collected within three years of certification.

Public Outreach/Input

N/A

Staff Recommendation

Adopt the following resolution certifying delinquent utilities and unpaid invoices.

Attachment List

1. 2023 Delinquent Certification List



City of Blaine

Signature Copy

Resolution: RES 23-188

Certify 2023 Delinquent Utility Accounts, Nuisance Abatements, and Other Special Charges to Anoka County

WHEREAS, the records of the Public Utilities Billing Department list certain accounts as delinquent; and

WHEREAS, other records of the city list certain invoices for services as delinquent; and

WHEREAS, pertinent Minnesota Statutes authorize certification of the delinquent accounts to the County tax rolls for collection; and

WHEREAS, the amount shall bear interest at the rate of 3.50% per annum from the date of the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that the City Clerk is hereby authorized and directed to certify to the County Auditor the amount of these delinquent accounts, together with a legal description of the premises served, as set forth in the attached document.

BE IT FURTHER RESOLVED by the City Council of the City of Blaine that the County Auditor is hereby requested to record the attached delinquent accounts as part of the tax levy on the premises served to be collected during the ensuing year.

PASSED by the City Council of the City of Blaine this 20th day of November, 2023

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
01-31-23-24-0054	244.81		50.00	294.81	111767-002	
01-31-23-24-0060	324.18		50.00	374.18	111787-002	
01-31-23-31-0005	200.00		50.00	250.00	111799-002	
01-31-23-32-0035	445.90		50.00	495.90	111878-002	
01-31-23-32-0060	194.11		50.00	244.11	112131-002	
01-31-23-32-0081	396.13		50.00	446.13	111924-002	
01-31-23-44-0015	782.82		50.00	832.82	111801-002	
02-31-23-23-0038	2,008.34		50.00	2,058.34	603026-002	
02-31-23-32-0082	673.95		50.00	723.95	602877-000	
02-31-23-33-0133	743.45		50.00	793.45	602761-001	
02-31-23-43-0003	418.12		50.00	468.12	110418-000	
02-31-23-43-0008	335.62		50.00	385.62	110600-000	
03-31-23-12-0041	206.73		50.00	256.73	603078-002	
03-31-23-13-0017	1,020.75		50.00	1,070.75	602698-000	
03-31-23-21-0030	1,452.11		50.00	1,502.11	606414-002	
03-31-23-21-0040	1,550.76		50.00	1,600.76	606402-002	
03-31-23-21-0061	1,043.43		50.00	1,093.43	606464-002	
03-31-23-33-0023	1,123.31		50.00	1,173.31	305582-000	
03-31-23-34-0054	335.62		50.00	385.62	111061-000	
03-31-23-41-0009	246.71		50.00	296.71	602245-000	
03-31-23-41-0025	1,213.49		50.00	1,263.49	602580-000	
03-31-23-44-0014	1,586.90		50.00	1,636.90	602224-001	
03-31-23-44-0100	266.77		50.00	316.77	602466-000	
04-31-23-12-0039	864.24		50.00	914.24	602025-002	
04-31-23-13-0032	501.26		50.00	551.26	601812-000	
04-31-23-14-0020	1,048.06		50.00	1,098.06	602184-001	
04-31-23-14-0043	1,068.34		50.00	1,118.34	602173-000	
04-31-23-14-0046	959.31		50.00	1,009.31	602812-000	
04-31-23-21-0018	738.06		50.00	788.06	110870-000	
04-31-23-21-0028	741.22		50.00	791.22	110837-000	
04-31-23-21-0031	282.61		50.00	332.61	110829-002	
04-31-23-21-0035	815.44		50.00	865.44	110830-000	
04-31-23-21-0045	656.21		50.00	706.21	110869-002	
04-31-23-21-0059	210.40		50.00	260.40	601993-000	
04-31-23-22-0031	1,201.76		50.00	1,251.76	110624-000	
04-31-23-23-0013	1,091.70		50.00	1,141.70	110818-000	
04-31-23-23-0044	696.10		50.00	746.10	110169-000	
04-31-23-23-0067	624.26		50.00	674.26	110648-002	
04-31-23-24-0026	402.88		50.00	452.88	110938-000	
04-31-23-24-0058	919.44		50.00	969.44	601779-000	
04-31-23-24-0069	969.71		50.00	1,019.71	601784-000	
04-31-23-31-0008	241.14		50.00	291.14	110178-004	
04-31-23-31-0021	1,410.22		50.00	1,460.22	601906-001	
04-31-23-33-0023	804.94		50.00	854.94	110621-001	
04-31-23-33-0028	764.12		50.00	814.12	110814-000	
04-31-23-33-0077	635.15		50.00	685.15	110812-001	
04-31-23-33-0087	153.00		50.00	203.00	110795-000	
04-31-23-34-0007	916.19		50.00	966.19	602102-001	
04-31-23-42-0005	1,041.64		50.00	1,091.64	601917-000	
05-31-23-11-0007	759.76		50.00	809.76	600104-000	
05-31-23-11-0028	1,020.84		50.00	1,070.84	600856-000	
05-31-23-11-0048	848.15		50.00	898.15	600829-001	
05-31-23-11-0059	569.83		50.00	619.83	600082-002	
05-31-23-11-0065	170.17		50.00	220.17	600005-000	
05-31-23-11-0077	757.46		50.00	807.46	600103-000	
05-31-23-13-0005	784.91		50.00	834.91	600850-000	
05-31-23-14-0006	439.74		50.00	489.74	600780-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
05-31-23-14-0008	708.19		50.00	758.19	600810-000	
05-31-23-14-0029	349.52		50.00	399.52	600839-000	
05-31-23-14-0045	816.64		50.00	866.64	600805-001	
05-31-23-14-0067	764.43		50.00	814.43	600742-000	
05-31-23-14-0074	931.58		50.00	981.58	600786-000	
05-31-23-21-0033	689.53		50.00	739.53	601106-000	
05-31-23-21-0058	352.26		50.00	402.26	601141-001	
05-31-23-21-0073	813.00		50.00	863.00	601502-000	
05-31-23-22-0005	622.77		50.00	672.77	601129-001	
05-31-23-22-0058	1,127.60		50.00	1,177.60	602273-001	
05-31-23-23-0006	727.67		50.00	777.67	600979-000	
05-31-23-23-0025	733.09		50.00	783.09	601094-001	
05-31-23-23-0046	219.16		50.00	269.16	601189-000	
05-31-23-23-0064	734.16		50.00	784.16	601185-000	
05-31-23-23-0079	668.71		50.00	718.71	601190-000	
05-31-23-24-0011	193.22		50.00	243.22	601437-000	
05-31-23-24-0023	740.06		50.00	790.06	601425-000	
05-31-23-24-0043	497.46		50.00	547.46	601457-001	
05-31-23-24-0048	1,089.69		50.00	1,139.69	601448-000	
05-31-23-24-0056	796.39		50.00	846.39	601475-000	
05-31-23-31-0033	380.08		50.00	430.08	601480-001	
05-31-23-31-0045	818.81		50.00	868.81	600072-000	
05-31-23-31-0054	754.46		50.00	804.46	600421-000	
05-31-23-31-0067	290.65		50.00	340.65	601411-000	
05-31-23-31-0073	992.95		50.00	1,042.95	601754-000	
05-31-23-31-0127	978.79		50.00	1,028.79	601818-001	
05-31-23-32-0043	803.19		50.00	853.19	601075-003	
05-31-23-32-0085	822.84		50.00	872.84	600958-000	
05-31-23-33-0031	157.61		50.00	207.61	600713-000	
05-31-23-33-0065	822.81		50.00	872.81	601468-001	
05-31-23-34-0084	320.51		50.00	370.51	601731-001	
05-31-23-42-0008	493.91		50.00	543.91	600131-000	
05-31-23-42-0010	879.79		50.00	929.79	600130-000	
05-31-23-44-0013	1,009.48		50.00	1,059.48	601679-000	
05-31-23-44-0019	325.80		50.00	375.80	601575-000	
05-31-23-44-0021	865.96		50.00	915.96	601710-000	
05-31-23-44-0034	404.39		50.00	454.39	601661-000	
06-31-23-11-0012	885.10		50.00	935.10	601285-000	
06-31-23-11-0018	703.25		50.00	753.25	601358-000	
06-31-23-11-0027	183.88		50.00	233.88	601383-000	
06-31-23-11-0031	782.37		50.00	832.37	601361-000	
06-31-23-11-0058	798.30		50.00	848.30	601396-001	
06-31-23-11-0067	821.06		50.00	871.06	601319-001	
06-31-23-11-0090	885.93		50.00	935.93	601339-000	
06-31-23-11-0098	802.60		50.00	852.60	601342-000	
06-31-23-13-0008	422.61		50.00	472.61	601252-001	
06-31-23-13-0042	758.63		50.00	808.63	602564-002	
06-31-23-13-0072	1,013.88		50.00	1,063.88	602621-002	
06-31-23-13-0089	964.48		50.00	1,014.48	602553-000	
06-31-23-13-0095	1,125.09		50.00	1,175.09	602398-000	
06-31-23-14-0017	620.56		50.00	670.56	600457-001	
06-31-23-14-0071	1,077.66		50.00	1,127.66	602329-000	
06-31-23-14-0076	991.68		50.00	1,041.68	602672-000	
06-31-23-41-0022	772.83		50.00	822.83	600621-002	
06-31-23-41-0058	833.47		50.00	883.47	600494-001	
06-31-23-41-0109	317.67		50.00	367.67	600710-002	
06-31-23-41-0109	600.35		-	600.35	600710-001	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
06-31-23-42-0032	383.29		50.00	433.29	600635-004	
06-31-23-42-0070	662.62		50.00	712.62	600632-001	
06-31-23-43-0009	306.46		50.00	356.46	600172-000	
06-31-23-43-0012	826.23		50.00	876.23	600256-000	
06-31-23-43-0025	521.41		50.00	571.41	600253-000	
06-31-23-43-0035	684.13		50.00	734.13	600252-002	
06-31-23-43-0054	549.27		50.00	599.27	600216-002	
06-31-23-43-0055	581.82		50.00	631.82	600237-000	
06-31-23-43-0058	186.07		50.00	236.07	600234-000	
06-31-23-43-0083	289.71		50.00	339.71	601408-002	
06-31-23-43-0087	573.36		50.00	623.36	600419-000	
06-31-23-43-0094	623.14		50.00	673.14	600413-001	
06-31-23-43-0100	448.64		50.00	498.64	600400-001	
06-31-23-43-0131	690.02		50.00	740.02	600355-000	
06-31-23-44-0003	383.57		50.00	433.57	600296-004	
06-31-23-44-0026	785.72		50.00	835.72	600291-000	
06-31-23-44-0047	914.25		50.00	964.25	600258-000	
06-31-23-44-0075	406.55		50.00	456.55	600260-000	
06-31-23-44-0085	770.86		50.00	820.86	600312-002	
06-31-23-44-0087	192.80		50.00	242.80	600364-000	
06-31-23-44-0091	690.83		50.00	740.83	600278-000	
07-31-23-11-0054	214.96		50.00	264.96	302200-000	
07-31-23-11-0088	516.90	165.00	50.00	731.90	302111-002	6595
07-31-23-11-0091	609.97		50.00	659.97	301854-000	
07-31-23-11-0103	305.99		50.00	355.99	302607-000	
07-31-23-13-0007	870.35		50.00	920.35	301764-000	
07-31-23-13-0040	717.32		50.00	767.32	301503-000	
07-31-23-13-0047	270.51		50.00	320.51	301465-002	
07-31-23-13-0083	780.36		50.00	830.36	301543-000	
07-31-23-14-0040	859.99		50.00	909.99	301441-000	
07-31-23-14-0071	665.90		50.00	715.90	301972-000	
07-31-23-14-0072	423.48		50.00	473.48	301973-001	
07-31-23-14-0086	733.94		50.00	783.94	302681-000	
07-31-23-14-0088	420.89		50.00	470.89	302719-000	
07-31-23-22-0004	779.28		50.00	829.28	305196-006	
07-31-23-22-0009	223.20		50.00	273.20	304718-002	
07-31-23-22-0027	1,024.01		50.00	1,074.01	304624-000	
07-31-23-22-0073	457.88		50.00	507.88	304903-000	
07-31-23-22-0097	984.54		50.00	1,034.54	305264-000	
07-31-23-23-0111	524.07		50.00	574.07	304778-001	
07-31-23-23-0124	6,609.25		50.00	6,659.25	304966-000	
07-31-23-23-0139	1,167.40		50.00	1,217.40	304982-000	
07-31-23-24-0008	429.46		50.00	479.46	302060-001	
07-31-23-24-0010	568.40		50.00	618.40	302010-001	
07-31-23-24-0012	155.47		50.00	205.47	302072-001	
07-31-23-24-0013	396.17		50.00	446.17	301990-000	
07-31-23-24-0046	940.47		50.00	990.47	304955-000	
07-31-23-24-0068	887.22		50.00	937.22	305241-001	
07-31-23-24-0101	210.45		50.00	260.45	305594-002	
07-31-23-24-0106	980.60		50.00	1,030.60	305100-001	
07-31-23-31-0006	784.17		50.00	834.17	300934-000	
07-31-23-31-0019	749.90		50.00	799.90	300968-000	
07-31-23-31-0033	713.18		50.00	763.18	300925-000	
07-31-23-31-0058	169.82		50.00	219.82	300906-001	
07-31-23-31-0095	662.38		50.00	712.38	301729-001	
07-31-23-32-0022	772.86		50.00	822.86	301028-000	
07-31-23-32-0029	674.13		50.00	724.13	301012-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
07-31-23-32-0030	813.53		50.00	863.53	301023-000	
07-31-23-33-0043	190.41		50.00	240.41	300928-001	
07-31-23-33-0057	774.05		50.00	824.05	301044-001	
07-31-23-33-0069	432.86		50.00	482.86	303013-000	
07-31-23-34-0028	350.00	137.22	50.00	537.22	301009-000	6376
07-31-23-34-0039	770.02		50.00	820.02	300967-001	
07-31-23-34-0070	1,038.08		50.00	1,088.08	300867-000	
07-31-23-34-0092	534.75		50.00	584.75	300808-001	
07-31-23-41-0002	801.87		50.00	851.87	301333-000	
07-31-23-41-0034	349.75		50.00	399.75	301797-001	
07-31-23-41-0036	233.97		50.00	283.97	301796-000	
07-31-23-41-0041	718.23		50.00	768.23	301575-000	
07-31-23-41-0046	436.40		50.00	486.40	301545-002	
07-31-23-41-0060	447.69		50.00	497.69	301634-000	
07-31-23-41-0071	925.55		50.00	975.55	301371-000	
07-31-23-41-0078	399.63		50.00	449.63	301748-000	
07-31-23-41-0081	195.63		50.00	245.63	301330-001	
07-31-23-42-0015	824.40		50.00	874.40	301310-000	
07-31-23-42-0034	177.72		50.00	227.72	301378-001	
07-31-23-42-0079	177.51		50.00	227.51	301266-000	
07-31-23-42-0100	2,090.30		50.00	2,140.30	301365-000	
07-31-23-43-0018	549.66		50.00	599.66	301469-001	
07-31-23-43-0040	725.26		50.00	775.26	301011-000	
07-31-23-44-0033	252.16		50.00	302.16	301869-000	
07-31-23-44-0038	994.77		50.00	1,044.77	301874-000	
08-31-23-11-0064	171.11		50.00	221.11	302965-001	
08-31-23-11-0077	288.01		50.00	338.01	302996-000	
08-31-23-11-0087	729.92		50.00	779.92	302936-000	
08-31-23-13-0017	868.47		50.00	918.47	301592-000	
08-31-23-13-0059	793.51		50.00	843.51	302654-000	
08-31-23-14-0011	187.92		50.00	237.92	301759-000	
08-31-23-14-0012	783.97		50.00	833.97	301706-001	
08-31-23-14-0021	319.96		50.00	369.96	301599-000	
08-31-23-14-0036	1,018.20		50.00	1,068.20	301698-000	
08-31-23-14-0076	741.75		50.00	791.75	301679-000	
08-31-23-21-0029	189.18		50.00	239.18	302663-001	
08-31-23-21-0158	539.84		50.00	589.84	303179-001	
08-31-23-21-0185	632.65		50.00	682.65	303181-000	
08-31-23-22-0012	1,365.25		50.00	1,415.25	302562-000	
08-31-23-22-0037	193.45		50.00	243.45	302638-002	
08-31-23-23-0011	163.88		50.00	213.88	301950-001	
08-31-23-23-0024	151.84		50.00	201.84	301886-000	
08-31-23-23-0051	683.99		50.00	733.99	301924-000	
08-31-23-24-0017	711.11	95.00	50.00	856.11	302560-001	6596
08-31-23-24-0088	933.69		50.00	983.69	302992-000	
08-31-23-24-0095	530.56		50.00	580.56	303076-000	
08-31-23-24-0098	798.79		50.00	848.79	303073-000	
08-31-23-24-0118	632.01		50.00	682.01	303131-000	
08-31-23-32-0011	745.10		50.00	795.10	301631-001	
08-31-23-33-0027	763.03		50.00	813.03	303235-000	
08-31-23-33-0056	758.00		50.00	808.00	303231-000	
08-31-23-34-0023	4,425.61		50.00	4,475.61	4001146-000	
08-31-23-41-0046	1,179.78		50.00	1,229.78	302467-000	
08-31-23-41-0055	987.53		50.00	1,037.53	302441-000	
08-31-23-41-0060	755.99		50.00	805.99	302368-000	
08-31-23-41-0078	240.93		50.00	290.93	110287-000	
08-31-23-41-0101	761.67		50.00	811.67	110192-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
08-31-23-42-0014	988.05		50.00	1,038.05	302173-000	
08-31-23-42-0040	693.69		50.00	743.69	302108-000	
09-31-23-13-0035	480.97		50.00	530.97	303826-000	
09-31-23-14-0080	769.25		50.00	819.25	303688-000	
09-31-23-14-0084	179.16		50.00	229.16	303638-000	
09-31-23-14-0089	157.95		50.00	207.95	303815-000	
09-31-23-14-0321	622.62		50.00	672.62	304369-000	
09-31-23-22-0022	782.49		50.00	832.49	302323-000	
09-31-23-22-0047	953.85		50.00	1,003.85	302290-000	
09-31-23-22-0048	915.67		50.00	965.67	303211-001	
09-31-23-23-0024	758.51		50.00	808.51	110480-000	
09-31-23-23-0042	272.90		50.00	322.90	110452-000	
09-31-23-24-0039	834.25		50.00	884.25	110280-000	
09-31-23-32-0088	1,292.14		50.00	1,342.14	302436-000	
09-31-23-33-0036	193.57		50.00	243.57	110654-001	
09-31-23-33-0038	975.49		50.00	1,025.49	302568-000	
09-31-23-33-0048	1,868.13		50.00	1,918.13	302494-000	
09-31-23-33-0067	928.38		50.00	978.38	302608-000	
09-31-23-33-0081	188.90		50.00	238.90	302376-001	
09-31-23-34-0086	998.64		50.00	1,048.64	305342-001	
09-31-23-34-0093	674.30		50.00	724.30	305056-000	
09-31-23-41-0024	341.51		50.00	391.51	303527-000	
09-31-23-43-0028	1,198.46		50.00	1,248.46	303411-000	
09-31-23-43-0061	831.74		50.00	881.74	303368-001	
09-31-23-43-0071	690.40		50.00	740.40	303443-002	
09-31-23-43-0168	1,539.88		50.00	1,589.88	303308-000	
09-31-23-43-0186	727.67		50.00	777.67	303348-001	
09-31-23-43-0189	172.04		50.00	222.04	303347-001	
09-31-23-44-0082	173.16		50.00	223.16	304075-001	
09-31-23-44-0084	741.18		50.00	791.18	304077-001	
09-31-23-44-0097	743.37		50.00	793.37	304062-001	
09-31-23-44-0103	526.89		50.00	576.89	304058-002	
09-31-23-44-0161	727.06		50.00	777.06	304136-000	
10-31-23-11-0081	1,033.68		50.00	1,083.68	305938-000	
10-31-23-11-0218	184.66		50.00	234.66	305988-001	
10-31-23-11-0247	625.24		50.00	675.24	306059-002	
10-31-23-13-0031	403.43		50.00	453.43	306049-000	
10-31-23-21-0057	584.40		50.00	634.40	702722-001	
10-31-23-21-0128	327.03		50.00	377.03	304754-000	
10-31-23-21-0217	757.25		50.00	807.25	305953-000	
10-31-23-22-0039	177.43		50.00	227.43	304404-000	
10-31-23-22-0130	739.97		50.00	789.97	306084-001	
10-31-23-22-0178	665.45		50.00	715.45	306265-004	
10-31-23-24-0019	273.98		50.00	323.98	305400-000	
10-31-23-24-0035	585.16		50.00	635.16	304619-001	
10-31-23-24-0037	607.52		50.00	657.52	304773-001	
10-31-23-24-0039	1,206.40		50.00	1,256.40	304620-001	
10-31-23-24-0052	185.44		50.00	235.44	304279-001	
10-31-23-24-0064	1,004.92		50.00	1,054.92	305608-000	
10-31-23-32-0032	1,199.64		50.00	1,249.64	304521-000	
10-31-23-32-0038	874.62		50.00	924.62	104174-001	
10-31-23-32-0047	1,117.47		50.00	1,167.47	304683-001	
10-31-23-32-0074	823.51		50.00	873.51	304614-001	
10-31-23-32-0089	587.89		50.00	637.89	104163-000	
10-31-23-34-0003	420.23		50.00	470.23	303643-000	
10-31-23-34-0138	742.64		50.00	792.64	702630-001	
10-31-23-41-0022	839.60		50.00	889.60	304236-001	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
11-31-23-23-0020	893.60		50.00	943.60	305578-000	
12-31-23-13-0029	909.61		50.00	959.61	305084-000	
12-31-23-21-0023	923.67		50.00	973.67	111640-003	
12-31-23-21-0095	1,219.80		50.00	1,269.80	111690-002	
12-31-23-23-0022	698.30		50.00	748.30	111485-003	
12-31-23-31-0050	475.50		50.00	525.50	111189-000	
12-31-23-31-0084	900.81		50.00	950.81	111506-002	
12-31-23-31-0094	172.42		50.00	222.42	111362-002	
12-31-23-33-0082	438.60		50.00	488.60	111193-001	
12-31-23-34-0073	525.32		50.00	575.32	111128-001	
13-31-23-21-0046	196.65		50.00	246.65	111156-001	
13-31-23-22-0013	230.02		50.00	280.02	110913-000	
13-31-23-41-0006	335.62		50.00	385.62	110222-000	
14-31-23-31-0042	1,049.77		50.00	1,099.77	111613-002	
14-31-23-31-0048	607.77		50.00	657.77	111677-002	
14-31-23-33-0024	461.52		50.00	511.52	112175-002	
14-31-23-41-0044	190.68		50.00	240.68	111345-002	
14-31-23-42-0050	220.75		50.00	270.75	111527-003	
14-31-23-43-0005	159.86		50.00	209.86	112138-002	
14-31-23-43-0090	170.74		50.00	220.74	112241-002	
15-31-23-12-0066	1,142.85		50.00	1,192.85	304424-000	
15-31-23-13-0007	335.62		50.00	385.62	110496-000	
15-31-23-22-0062	1,862.11		50.00	1,912.11	304042-000	
15-31-23-23-0004	1,131.02		50.00	1,181.02	111034-000	
15-31-23-31-0018	343.12		50.00	393.12	110437-002	
15-31-23-32-0008	335.62		50.00	385.62	110531-000	
15-31-23-32-0014	335.62		50.00	385.62	111072-000	
16-31-23-11-0032	1,154.85		50.00	1,204.85	701581-001	
16-31-23-21-0073	372.57		50.00	422.57	702106-001	
16-31-23-21-0082	1,193.30		50.00	1,243.30	702035-001	
16-31-23-22-0122	667.43		50.00	717.43	701330-001	
16-31-23-22-0124	1,096.53		50.00	1,146.53	701778-000	
16-31-23-23-0096	190.93		50.00	240.93	701601-001	
16-31-23-23-0141	751.07		50.00	801.07	701748-000	
16-31-23-23-0161	843.04		50.00	893.04	701574-000	
16-31-23-32-0137	897.14		50.00	947.14	701654-000	
16-31-23-32-0145	632.05		50.00	682.05	701298-000	
16-31-23-32-0204	750.97		50.00	800.97	701361-000	
16-31-23-32-0226	476.63		50.00	526.63	701390-002	
16-31-23-33-0149	253.25		50.00	303.25	701019-000	
16-31-23-33-0217	488.41		50.00	538.41	701195-002	
16-31-23-34-0243	384.53		50.00	434.53	701505-002	
16-31-23-34-0244	989.17		50.00	1,039.17	701516-000	
16-31-23-44-0016	782.84		50.00	832.84	110978-000	
16-31-23-44-0029	781.86		50.00	831.86	111002-001	
16-31-23-44-0031	895.43		50.00	945.43	103036-001	
17-31-23-11-0007	1,345.80		50.00	1,395.80	303476-001	
17-31-23-11-0011	1,246.39		50.00	1,296.39	702268-000	
17-31-23-11-0021	285.05		50.00	335.05	702374-000	
17-31-23-11-0042	937.89		50.00	987.89	702620-000	
17-31-23-11-0059	892.07		50.00	942.07	702483-000	
17-31-23-12-0031	174.94	305.00	50.00	529.94	702149-000	6597
17-31-23-14-0227	809.39		50.00	859.39	702381-002	
17-31-23-23-0071	765.63		50.00	815.63	702944-003	
17-31-23-32-0015	750.46		50.00	800.46	702994-002	
17-31-23-32-0035	407.04		50.00	457.04	703024-002	
17-31-23-32-0043	859.90		50.00	909.90	703015-002	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
17-31-23-33-0017	859.64		50.00	909.64	302482-000	
17-31-23-33-0027	905.56		50.00	955.56	701763-000	
17-31-23-33-0038	637.00		50.00	687.00	701741-001	
18-31-23-11-0017	705.77		50.00	755.77	302134-000	
18-31-23-11-0021	705.17		50.00	755.17	302223-002	
18-31-23-11-0050	698.54		50.00	748.54	302758-000	
18-31-23-11-0054	746.12		50.00	796.12	302774-000	
18-31-23-11-0060	925.46		50.00	975.46	302821-000	
18-31-23-11-0072	199.61		50.00	249.61	302871-000	
18-31-23-11-0095	405.32		50.00	455.32	303022-000	
18-31-23-12-0007	469.60		50.00	519.60	301129-001	
18-31-23-12-0009	774.85		50.00	824.85	301128-001	
18-31-23-12-0061	697.56		50.00	747.56	301187-000	
18-31-23-12-0062	391.58		50.00	441.58	302091-000	
18-31-23-12-0068	569.86		50.00	619.86	301175-000	
18-31-23-12-0072	824.88		50.00	874.88	301203-000	
18-31-23-13-0003	414.42		50.00	464.42	301071-001	
18-31-23-13-0024	772.70		50.00	822.70	301137-002	
18-31-23-13-0027	528.15		50.00	578.15	301088-001	
18-31-23-13-0031	792.23		50.00	842.23	303220-002	
18-31-23-14-0038	170.50		50.00	220.50	302813-000	
18-31-23-14-0071	408.78		50.00	458.78	302773-000	
18-31-23-21-0031	306.85		50.00	356.85	300790-000	
18-31-23-21-0067	755.71		50.00	805.71	300649-000	
18-31-23-21-0083	734.27		50.00	784.27	300655-000	
18-31-23-21-0097	830.51		50.00	880.51	301205-000	
18-31-23-21-0106	793.43		50.00	843.43	302257-000	
18-31-23-22-0022	816.17		50.00	866.17	302140-000	
18-31-23-22-0033	716.47		50.00	766.47	301189-000	
18-31-23-24-0045	869.17		50.00	919.17	300624-001	
18-31-23-24-0065	184.77		50.00	234.77	300622-002	
18-31-23-24-0089	541.81		50.00	591.81	300675-000	
18-31-23-31-0015	693.99		50.00	743.99	300108-000	
18-31-23-31-0034	438.57		50.00	488.57	300120-001	
18-31-23-31-0062	852.87		50.00	902.87	300079-001	
18-31-23-31-0065	967.93		50.00	1,017.93	300049-000	
18-31-23-31-0066	966.34		50.00	1,016.34	300201-000	
18-31-23-31-0074	785.16		50.00	835.16	300074-000	
18-31-23-31-0086	1,067.28		50.00	1,117.28	300015-002	
18-31-23-31-0092	379.77		50.00	429.77	300023-001	
18-31-23-31-0095	166.79		50.00	216.79	300067-000	
18-31-23-31-0096	261.03		50.00	311.03	300170-001	
18-31-23-31-0116	805.24		50.00	855.24	300011-001	
18-31-23-33-0029	683.74		50.00	733.74	300500-000	
18-31-23-33-0036	688.33		50.00	738.33	300536-001	
18-31-23-33-0043	712.72		50.00	762.72	300492-000	
18-31-23-34-0021	787.96		50.00	837.96	300387-000	
18-31-23-34-0026	798.19		50.00	848.19	300357-000	
18-31-23-34-0042	214.70		50.00	264.70	300383-000	
18-31-23-34-0044	870.32		50.00	920.32	300427-001	
18-31-23-34-0047	657.63		50.00	707.63	300327-000	
18-31-23-34-0074	987.37		50.00	1,037.37	300379-001	
18-31-23-34-0111	786.70		50.00	836.70	300435-000	
18-31-23-41-0090	841.40		50.00	891.40	703413-002	
18-31-23-42-0010	734.39		50.00	784.39	300189-000	
18-31-23-42-0044	736.76		50.00	786.76	300253-000	
18-31-23-42-0045	717.24		50.00	767.24	300249-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
18-31-23-42-0064	208.16		50.00	258.16	300296-001	
18-31-23-43-0002	775.53		50.00	825.53	300288-000	
18-31-23-43-0025	773.96		50.00	823.96	300335-000	
18-31-23-43-0029	816.99		50.00	866.99	300182-000	
18-31-23-43-0033	369.62		50.00	419.62	300149-000	
18-31-23-43-0036	867.98		50.00	917.98	300300-001	
18-31-23-43-0098	390.42		50.00	440.42	300127-000	
18-31-23-43-0099	715.55		50.00	765.55	300141-000	
18-31-23-43-0109	2,628.80		50.00	2,678.80	300428-000	
18-31-23-44-0031	481.73		50.00	531.73	702209-000	
19-31-23-11-0037	1,064.63		50.00	1,114.63	702216-001	
19-31-23-11-0115	744.90		50.00	794.90	702352-000	
19-31-23-12-0010	987.24		50.00	1,037.24	700710-000	
19-31-23-12-0011	828.53		50.00	878.53	700707-000	
19-31-23-12-0025	860.94		50.00	910.94	700666-002	
19-31-23-12-0026	700.78		50.00	750.78	700651-000	
19-31-23-12-0039	881.51		50.00	931.51	700697-000	
19-31-23-12-0047	560.92		50.00	610.92	700643-001	
19-31-23-12-0072	601.28		50.00	651.28	700727-000	
19-31-23-12-0090	524.59		50.00	574.59	700564-000	
19-31-23-12-0096	974.21		50.00	1,024.21	700607-000	
19-31-23-12-0102	819.27		50.00	869.27	700755-001	
19-31-23-13-0003	243.97		50.00	293.97	700712-000	
19-31-23-13-0005	878.71		50.00	928.71	700674-000	
19-31-23-13-0006	668.35		50.00	718.35	700784-000	
19-31-23-13-0027	472.53		50.00	522.53	700798-002	
19-31-23-13-0031	712.05		50.00	762.05	700793-000	
19-31-23-13-0085	1,102.21		50.00	1,152.21	700741-000	
19-31-23-14-0014	834.17		50.00	884.17	701730-004	
19-31-23-14-0037	416.66		50.00	466.66	701796-001	
19-31-23-14-0044	298.29		50.00	348.29	701797-000	
19-31-23-14-0069	228.65		50.00	278.65	701817-001	
19-31-23-14-0076	805.11		50.00	855.11	701870-001	
19-31-23-21-0012	711.90		50.00	761.90	700426-000	
19-31-23-21-0045	835.90		50.00	885.90	700684-000	
19-31-23-21-0081	824.46		50.00	874.46	700563-000	
19-31-23-21-0104	684.79		50.00	734.79	700485-000	
19-31-23-21-0111	202.37		50.00	252.37	700810-001	
19-31-23-21-0116	736.57		50.00	786.57	700542-001	
19-31-23-22-0024	759.21		50.00	809.21	700492-000	
19-31-23-22-0031	763.46		50.00	813.46	700518-001	
19-31-23-22-0076	32.39		50.00	82.39	4001274-001	
19-31-23-22-0076	139.50		-	139.50	4000117-002	
19-31-23-23-0008	1,132.06		50.00	1,182.06	700113-000	
19-31-23-23-0009	213.75		50.00	263.75	700102-000	
19-31-23-23-0016	894.06		50.00	944.06	700266-000	
19-31-23-23-0051	317.56		50.00	367.56	700421-000	
19-31-23-23-0072	837.40		50.00	887.40	700392-000	
19-31-23-23-0085	381.16		50.00	431.16	700368-001	
19-31-23-24-0011	316.81		50.00	366.81	700121-000	
19-31-23-24-0063	853.81		50.00	903.81	700166-000	
19-31-23-24-0101	365.66		50.00	415.66	700273-000	
19-31-23-24-0104	1,113.77		50.00	1,163.77	700302-001	
19-31-23-31-0035	726.94		50.00	776.94	700191-002	
19-31-23-31-0065	802.32		50.00	852.32	700235-000	
19-31-23-31-0082	863.64		50.00	913.64	700158-000	
19-31-23-31-0088	659.85		50.00	709.85	700183-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
19-31-23-32-0051	625.01		50.00	675.01	700008-000	
19-31-23-32-0058	781.48		50.00	831.48	700066-001	
19-31-23-32-0062	756.44		50.00	806.44	700036-000	
19-31-23-32-0065	361.44		50.00	411.44	700064-001	
19-31-23-32-0082	796.55		50.00	846.55	700060-000	
19-31-23-32-0118	402.46		50.00	452.46	700080-000	
19-31-23-33-0007	687.63		50.00	737.63	102010-002	
19-31-23-34-0037	1,316.88		50.00	1,366.88	103886-000	
19-31-23-34-0053	799.98		50.00	849.98	103652-000	
19-31-23-41-0046	965.64		50.00	1,015.64	702852-001	
19-31-23-42-0044	722.17		50.00	772.17	702701-000	
19-31-23-42-0045	792.97		50.00	842.97	702700-000	
19-31-23-43-0032	830.18		50.00	880.18	103717-000	
19-31-23-44-0047	1,025.55		50.00	1,075.55	102793-000	
20-31-23-22-0035	428.41		50.00	478.41	700886-001	
20-31-23-22-0048	788.86		50.00	838.86	700902-001	
20-31-23-23-0006	547.59		50.00	597.59	700910-001	
20-31-23-23-0010	558.60		50.00	608.60	700871-000	
20-31-23-23-0027	338.74		50.00	388.74	700840-000	
20-31-23-23-0044	306.15		50.00	356.15	700915-000	
20-31-23-24-0022	813.89		50.00	863.89	102598-000	
20-31-23-24-0028	205.50		50.00	255.50	102543-001	
20-31-23-24-0035	848.14		50.00	898.14	102554-000	
20-31-23-24-0036	731.03		50.00	781.03	102555-000	
22-31-23-22-0016	687.71		50.00	737.71	701954-000	
22-31-23-23-0015	1,006.60		50.00	1,056.60	702637-000	
22-31-23-23-0021	953.00		50.00	1,003.00	701711-000	
22-31-23-23-0029	1,094.02		50.00	1,144.02	702155-000	
22-31-23-32-0016	1,653.53		50.00	1,703.53	702478-000	
24-31-23-11-0010	753.50		50.00	803.50	800183-000	
24-31-23-13-0106	230.53		50.00	280.53	800666-001	
24-31-23-13-0108	724.23		50.00	774.23	800664-000	
24-31-23-13-0118	541.08		50.00	591.08	800801-000	
24-31-23-14-0022	718.77		50.00	768.77	801059-000	
24-31-23-14-0028	739.05		50.00	789.05	800237-002	
24-31-23-14-0047	729.38		50.00	779.38	800080-001	
24-31-23-14-0068	750.00		50.00	800.00	801012-000	
24-31-23-14-0070	286.16		50.00	336.16	801005-000	
24-31-23-33-0004	1,058.00		50.00	1,108.00	800814-000	
24-31-23-33-0024	779.62		50.00	829.62	800479-000	
24-31-23-33-0112	189.24		50.00	239.24	801130-000	
24-31-23-34-0026	795.36		50.00	845.36	800768-000	
24-31-23-34-0030	786.39		50.00	836.39	800723-000	
24-31-23-34-0034	201.00		50.00	251.00	800749-000	
24-31-23-34-0042	736.56		50.00	786.56	800695-000	
24-31-23-34-0087	637.55	137.22	50.00	824.77	800751-000	6377
24-31-23-41-0008	174.26		50.00	224.26	800025-000	
24-31-23-41-0012	727.95		50.00	777.95	800045-001	
24-31-23-41-0015	619.39		50.00	669.39	800163-000	
24-31-23-41-0032	775.29		50.00	825.29	800118-000	
24-31-23-41-0039	786.76		50.00	836.76	800069-000	
24-31-23-42-0020	884.46		50.00	934.46	800231-000	
24-31-23-42-0043	784.52		50.00	834.52	800138-001	
24-31-23-42-0084	763.97		50.00	813.97	800229-000	
24-31-23-42-0085	874.85		50.00	924.85	800041-000	
24-31-23-44-0011	529.12		50.00	579.12	4000818-000	
24-31-23-44-0026	1,111.01		50.00	1,161.01	800166-001	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
24-31-23-44-0038	196.65		50.00	246.65	801149-000	
26-31-23-11-0022	739.00		50.00	789.00	800311-000	
26-31-23-11-0032	259.96		50.00	309.96	800720-002	
26-31-23-11-0036	702.34		50.00	752.34	800716-000	
26-31-23-11-0039	721.27		50.00	771.27	800642-001	
26-31-23-11-0049	171.33		50.00	221.33	800551-001	
26-31-23-11-0089	1,106.95		50.00	1,156.95	800406-000	
26-31-23-11-0101	662.16		50.00	712.16	800368-001	
26-31-23-11-0126	193.37		50.00	243.37	800386-002	
26-31-23-11-0130	670.03		50.00	720.03	800383-000	
26-31-23-12-0016	847.06		50.00	897.06	800618-000	
26-31-23-13-0018	772.81		50.00	822.81	800539-001	
26-31-23-13-0051	190.72		50.00	240.72	800845-001	
26-31-23-13-0054	830.83		50.00	880.83	800812-000	
26-31-23-13-0106	832.69		50.00	882.69	800685-000	
26-31-23-13-0112	467.94		50.00	517.94	800762-000	
26-31-23-14-0027	747.37		50.00	797.37	800290-000	
26-31-23-14-0042	315.47		50.00	365.47	800270-000	
26-31-23-14-0052	664.53		50.00	714.53	800999-000	
26-31-23-14-0101	862.41		50.00	912.41	800954-000	
26-31-23-14-0104	332.29		50.00	382.29	800299-000	
26-31-23-21-0011	875.34		50.00	925.34	103628-000	
26-31-23-32-0010	1,714.87		50.00	1,764.87	4001195-002	
27-31-23-33-0031	177.50		50.00	227.50	104061-000	
27-31-23-33-0039	206.46		50.00	256.46	103753-001	
27-31-23-34-0072	830.43		50.00	880.43	110073-000	
27-31-23-34-0076	908.86		50.00	958.86	103991-000	
27-31-23-34-0087	990.11		50.00	1,040.11	103864-000	
27-31-23-34-0108	843.61		50.00	893.61	104103-000	
27-31-23-34-0118	888.18		50.00	938.18	104295-001	
27-31-23-43-0061	1,004.41		50.00	1,054.41	103694-000	
27-31-23-43-0066	986.13		50.00	1,036.13	110065-000	
29-31-23-23-0025	1,061.60		50.00	1,111.60	102742-000	
29-31-23-23-0038	891.63		50.00	941.63	102731-002	
29-31-23-23-0110	766.68		50.00	816.68	102839-000	
30-31-23-11-0034	260.73		50.00	310.73	102676-000	
30-31-23-11-0071	753.28		50.00	803.28	102814-000	
30-31-23-11-0074	887.63		50.00	937.63	102861-000	
30-31-23-11-0088	404.90		50.00	454.90	101411-001	
30-31-23-11-0090	685.85		50.00	735.85	102474-000	
30-31-23-11-0103	895.02		50.00	945.02	104087-000	
30-31-23-12-0022	993.21		50.00	1,043.21	102845-000	
30-31-23-12-0040	818.50		50.00	868.50	102844-000	
30-31-23-12-0073	191.59		50.00	241.59	103390-001	
30-31-23-12-0099	421.27		50.00	471.27	103429-001	
30-31-23-13-0048	828.42		50.00	878.42	101563-000	
30-31-23-13-0067	1,088.94		50.00	1,138.94	101592-000	
30-31-23-14-0009	902.20		50.00	952.20	101449-000	
30-31-23-14-0074	263.26		50.00	313.26	101492-000	
30-31-23-14-0077	860.06		50.00	910.06	101546-000	
30-31-23-21-0155	626.78		50.00	676.78	103596-000	
30-31-23-23-0010	639.23	155.92	50.00	845.15	101383-000	6373
30-31-23-23-0020	733.55		50.00	783.55	101386-000	
30-31-23-23-0045	710.26		50.00	760.26	101251-002	
30-31-23-23-0062	227.02		50.00	277.02	101326-001	
30-31-23-23-0071	784.71		50.00	834.71	101317-000	
30-31-23-23-0075	725.55		50.00	775.55	101268-001	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
30-31-23-24-0006	669.06		50.00	719.06	101859-001	
30-31-23-24-0030	500.27		50.00	550.27	101890-001	
30-31-23-24-0034	438.58		50.00	488.58	101961-001	
30-31-23-24-0053	240.01		50.00	290.01	101891-001	
30-31-23-24-0057	673.31		50.00	723.31	101928-000	
30-31-23-24-0120	824.93		50.00	874.93	101900-000	
30-31-23-24-0136	355.13		50.00	405.13	102586-002	
30-31-23-24-0141	874.37		50.00	924.37	102581-001	
30-31-23-24-0168	736.08		50.00	786.08	102064-000	
30-31-23-24-0180	218.09		50.00	268.09	102327-001	
30-31-23-24-0199	717.65		50.00	767.65	102137-001	
30-31-23-31-0033	819.36		50.00	869.36	102239-000	
30-31-23-31-0069	207.98		50.00	257.98	102288-001	
30-31-23-31-0140	676.22		50.00	726.22	102365-001	
30-31-23-31-0155	564.85		50.00	614.85	102486-000	
30-31-23-32-0020	448.15		50.00	498.15	102604-002	
30-31-23-32-0035	756.50		50.00	806.50	102503-001	
30-31-23-33-0013	771.07		50.00	821.07	100758-000	
30-31-23-33-0021	767.58		50.00	817.58	100802-000	
30-31-23-33-0022	700.65		50.00	750.65	100121-000	
30-31-23-33-0045	732.84		50.00	782.84	101009-001	
30-31-23-33-0046	165.39		50.00	215.39	101012-001	
30-31-23-41-0012	233.69		50.00	283.69	102006-000	
30-31-23-41-0022	359.76		50.00	409.76	102136-002	
30-31-23-41-0083	804.65		50.00	854.65	101950-000	
30-31-23-42-0007	399.99		50.00	449.99	101648-001	
30-31-23-42-0045	684.18		50.00	734.18	101979-001	
30-31-23-42-0102	649.93		50.00	699.93	102223-001	
30-31-23-42-0106	687.24		50.00	737.24	102224-000	
30-31-23-42-0107	503.62		50.00	553.62	102192-000	
30-31-23-42-0112	752.29		50.00	802.29	102156-000	
30-31-23-42-0128	722.37		50.00	772.37	102172-001	
30-31-23-42-0154	808.13		50.00	858.13	102022-000	
30-31-23-42-0167	167.56		50.00	217.56	101798-000	
30-31-23-42-0171	382.09		50.00	432.09	102053-001	
30-31-23-43-0012	703.92		50.00	753.92	102334-000	
30-31-23-43-0014	471.49		50.00	521.49	101789-000	
30-31-23-43-0018	830.92		50.00	880.92	101790-000	
30-31-23-43-0022	706.44		50.00	756.44	101783-000	
30-31-23-43-0023	1,526.71		50.00	1,576.71	101784-000	
30-31-23-44-0004	599.27		50.00	649.27	101852-000	
30-31-23-44-0022	875.64		50.00	925.64	102178-000	
30-31-23-44-0086	270.19		50.00	320.19	101696-002	
30-31-23-44-0102	764.56		50.00	814.56	101744-001	
30-31-23-44-0129	851.25		50.00	901.25	101766-000	
30-31-23-44-0130	184.17		50.00	234.17	101765-001	
30-31-23-44-0151	206.59		50.00	256.59	101809-000	
30-31-23-44-0153	883.15		50.00	933.15	101747-000	
30-31-23-44-0156	704.14		50.00	754.14	101812-001	
31-31-23-11-0025	749.11		50.00	799.11	101194-000	
31-31-23-14-0024	855.26		50.00	905.26	100006-000	
31-31-23-14-0026	845.83		50.00	895.83	100409-000	
31-31-23-14-0031	817.95		50.00	867.95	100433-001	
31-31-23-14-0063	178.40		50.00	228.40	100824-000	
31-31-23-14-0086	564.53		50.00	614.53	100400-001	
31-31-23-21-0024	257.28		50.00	307.28	100662-001	
31-31-23-21-0056	765.11		50.00	815.11	100775-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
31-31-23-21-0058	689.61		50.00	739.61	100240-001	
31-31-23-21-0060	769.73		50.00	819.73	100074-000	
31-31-23-21-0073	360.23		50.00	410.23	100254-000	
31-31-23-22-0011	657.10		50.00	707.10	100637-000	
31-31-23-22-0016	466.46		50.00	516.46	100683-000	
31-31-23-22-0022	682.94		50.00	732.94	100395-000	
31-31-23-22-0055	194.43		50.00	244.43	100533-000	
31-31-23-22-0059	187.20		50.00	237.20	100465-000	
31-31-23-22-0065	852.21		50.00	902.21	100088-000	
31-31-23-22-0137	1,169.83		50.00	1,219.83	101019-000	
31-31-23-23-0024	514.50		50.00	564.50	100079-001	
31-31-23-23-0031	196.28		50.00	246.28	100212-000	
31-31-23-24-0012	796.29		50.00	846.29	100996-000	
31-31-23-24-0016	833.11		50.00	883.11	100331-000	
31-31-23-24-0017	773.30		50.00	823.30	100714-001	
31-31-23-24-0034	677.66		50.00	727.66	100037-001	
31-31-23-41-0021	564.90		50.00	614.90	100330-000	
31-31-23-41-0042	736.56		50.00	786.56	100761-000	
31-31-23-41-0051	704.20		50.00	754.20	100314-001	
31-31-23-41-0060	813.91		50.00	863.91	100604-000	
31-31-23-41-0075	725.35		50.00	775.35	100500-000	
31-31-23-41-0087	409.31		50.00	459.31	100241-001	
31-31-23-41-0110	772.68		50.00	822.68	100678-001	
31-31-23-42-0052	800.28		50.00	850.28	100696-002	
31-31-23-42-0084	700.14		50.00	750.14	100460-000	
31-31-23-44-0033	568.65	847.90	50.00	1,466.55	100778-003	6404, 6421
31-31-23-44-0055	728.30		50.00	778.30	100327-001	
31-31-23-44-0063	778.94		50.00	828.94	100178-001	
31-31-23-44-0084	917.19		50.00	967.19	100199-000	
31-31-23-44-0087	805.84		50.00	855.84	100831-000	
31-31-23-44-0099	561.84		50.00	611.84	100321-001	
31-31-23-44-0106	593.60		50.00	643.60	100983-000	
31-31-23-44-0108	815.98		50.00	865.98	101216-001	
32-31-23-12-0036	981.92		50.00	1,031.92	4000572-000	
32-31-23-23-0006	695.18		50.00	745.18	100185-000	
32-31-23-23-0041	700.35		50.00	750.35	101130-000	
32-31-23-23-0064	754.71		50.00	804.71	100019-000	
32-31-23-23-0083	791.47		50.00	841.47	102628-000	
32-31-23-23-0091	1,254.54		50.00	1,304.54	102942-000	
32-31-23-31-0016	668.92		50.00	718.92	100904-000	
32-31-23-31-0030	189.58		50.00	239.58	101078-000	
32-31-23-31-0040	363.05		50.00	413.05	100424-000	
32-31-23-31-0041	603.16		50.00	653.16	100625-000	
32-31-23-31-0050	832.41		50.00	882.41	101184-000	
32-31-23-32-0029	727.18		50.00	777.18	100339-000	
32-31-23-32-0039	820.36		50.00	870.36	101018-000	
32-31-23-41-0037	687.78		50.00	737.78	101161-001	
32-31-23-42-0012	834.44		50.00	884.44	100948-001	
32-31-23-43-0008	750.01		50.00	800.01	101079-000	
32-31-23-43-0069	789.18		50.00	839.18	103207-003	
32-31-23-43-0070	790.72		50.00	840.72	103141-001	
32-31-23-44-0014	780.59		50.00	830.59	101199-001	
32-31-23-44-0033	494.58		50.00	544.58	100556-000	
32-31-23-44-0050	821.96		50.00	871.96	100264-000	
33-31-23-14-0013	809.48		50.00	859.48	103343-000	
33-31-23-14-0020	983.18		50.00	1,033.18	103255-000	
33-31-23-14-0047	836.75		50.00	886.75	103443-000	

Parcel Number	Delinquent Utility	Outstanding Invoices	Certification Fee	Total Certification	Utility Account Number	Invoice Number
33-31-23-32-0129	797.17		50.00	847.17	103766-001	
33-31-23-33-0038	729.78		50.00	779.78	103491-001	
33-31-23-33-0057	383.58		50.00	433.58	104362-002	
33-31-23-33-0076	394.22		50.00	444.22	104354-002	
34-31-23-12-0031	1,460.86		50.00	1,510.86	102983-000	
34-31-23-21-0016	520.49		50.00	570.49	110091-000	
34-31-23-22-0004	781.57		50.00	831.57	110027-000	
34-31-23-22-0031	976.97		50.00	1,026.97	103059-000	
34-31-23-23-0002	400.22		50.00	450.22	110010-001	
34-31-23-23-0005	190.14		50.00	240.14	110013-000	
34-31-23-23-0031	191.08		50.00	241.08	103085-000	
34-31-23-23-0058	1,910.60		50.00	1,960.60	103225-000	
34-31-23-24-0004	1,031.06		50.00	1,081.06	110275-000	
34-31-23-24-0016	759.33		50.00	809.33	103072-000	
34-31-23-24-0023	199.93		50.00	249.93	103340-002	
34-31-23-24-0025	1,141.07		50.00	1,191.07	103241-000	
34-31-23-24-0041	839.99		50.00	889.99	103137-001	
34-31-23-24-0069	976.64		50.00	1,026.64	103338-000	
34-31-23-31-0002	761.49		50.00	811.49	103174-000	
34-31-23-32-0018	542.16		50.00	592.16	103360-001	
34-31-23-32-0031	454.64		50.00	504.64	103447-000	
34-31-23-34-0003	820.58		50.00	870.58	110044-000	
34-31-23-34-0041	908.74		50.00	958.74	103712-000	
34-31-23-34-0086	227.88		50.00	277.88	104198-000	
34-31-23-42-0014	917.56		50.00	967.56	103573-000	
35-31-23-41-0007	480.62		50.00	530.62	880118-000	
35-31-23-41-0066	809.09		50.00	859.09	880125-000	
35-31-23-41-0100	199.03		50.00	249.03	880083-001	
35-31-23-42-0071	723.55		50.00	773.55	880306-000	
35-31-23-43-0040	633.05		50.00	683.05	880205-001	
35-31-23-43-0065	835.07		50.00	885.07	880313-001	
35-31-23-43-0098	459.25		50.00	509.25	880228-000	
35-31-23-43-0104	173.65		50.00	223.65	880284-000	
35-31-23-44-0017	656.14		50.00	706.14	880011-002	
35-31-23-44-0054	710.55		50.00	760.55	880079-000	
35-31-23-44-0055	696.01		50.00	746.01	880120-000	
36-31-23-22-0013	409.15		50.00	459.15	880366-000	
36-31-23-34-0009	150.31		50.00	200.31	880363-001	
32-31-23-44-0014	329.65		50.00	379.65	101200-000	
05-31-23-14-0084		174.63	50.00	224.63		6391
11-30-24-32-0032		600.00	50.00	650.00		PD1212
12-31-23-21-0020		118.52	50.00	168.52		6456
16-31-23-33-0287		60.00	50.00	110.00		6382
18-31-23-12-0070		99.81	50.00	149.81		6381
19-31-23-22-0076		75.00	-	75.00		PD1189
19-31-23-41-0035		212.03	50.00	262.03		6371
20-31-23-42-0017		75.00	50.00	125.00		PD1240
23-31-23-41-0008		200.00	50.00	250.00		PD1187, PD1203
30-31-23-23-0081		118.52	50.00	168.52		6392
30-31-23-32-0017		120.00	50.00	170.00		6383
31-31-23-32-0014		75.00	50.00	125.00		PD1157
05-31-23-43-0004		75.00	50.00	125.00		PD1242
32-31-23-43-0085	30,422.75		50.00	30,472.75	4001352-001	
Totals	526,433.42	3,846.77	36,700.00	566,980.19		



City of Blaine Staff Report

File Number: 2023-407

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Action Item

Administration - Daniel Schluender, Director of Engineering

Agenda Item # 11.4

Authorizing the Acquisition of Right-of-Way Consistent with State Law for the Ulysses Street and 117th Avenue Roundabout Project, Improvement Project 23-09

Executive Summary

The City Council previously authorized the design and preparation of plans and specifications for improvements to the Ulysses Street and 117th Avenue intersection. The design proposes a roundabout to be constructed at this intersection to provide the best level of service and safety. The proposed improvements require right-of-way as well as permanent and temporary easements to be acquired from adjacent land owners to complete the project as designed. The pending project and need for additional right-of-way and easements has been discussed with the property owners and they are willing to consider offers for these acquisitions. An appraisal was done and a price of \$108,300.00 was negotiated with the Abundant Life Community Church property at 1105 117th Avenue.

Background

In 2019, the Traffic Commission ordered that this intersection be evaluated for safety in its current condition and future needs. The city then hired Bolton & Menk to conduct an Intersection Control Evaluation (ICE) of the intersection of Ulysses Street and 117th Avenue based on the exiting conditions and the new development that was being proposed at or near this intersection.

The Intersection Control Evaluation report results were discussed with the council at a workshop on March 2, 2020. At that time the council directed staff to incorporate the proposed improvements recommended from the Traffic Commission of a modified roundabout from the study into the 5-year capital Improvement Plan. It was identified as a 2023 construction project.

In September 2022 the City Council authorized entering into a contract with Bolton & Menk to provide a preliminary survey and design for the improvement project with Motion 2023-493. An amendment to this contract was approved by City Council to include right-of-way acquisition in April 2023 with Motion 2023-112. Additional information was gathered, including updated traffic counts at the intersection and

a Roundabout Justification Report by Bolton & Menk. The report indicated a roundabout is justified and will provide significant improvements in traffic operations, severe crash reduction, and a safer environment for multimodal users. The preliminary design (see attached layout) has been completed for the roundabout. The proposed improvements require right-of-way as well as permanent and temporary easements to be acquired from adjacent land owners to complete the project.

Through the contract with Bolton-Menk, Henning Professional Services (HPS) is providing right-of-way acquisition services including independent appraisals. Appraisals of the Lowes, Kwik Trip, Cedar Pointe Apartments and Abundant Life Church-Assembly of God properties have been completed. Offers based on these appraisals have been negotiated with the property owners.

At this time, Abundant Life Church-Assembly of God has agreed to a price of \$108,300.00 and assurance in writing that roadway construction of the roundabout will not interfere with their big May 19, 2024 celebration. The appraised value was \$102,300.00.

City Council is being asked to authorize the Mayor and City Manager to acquire the needed easements for the Ulysses Street and 117th Avenue roundabout project from Abundant Life Community Church-Assembly of God.

Strategic Plan Relationship

This improvement is in line with the City's Strategic goal of providing a safe and well maintain transportation network.

Board/Commission Review

Not applicable

Financial Impact

Funding for this project will be paid for from the city's Municipal State Aid (MSAS) fund, this will include the surveying and design cost as proposed.

Public Outreach/Input

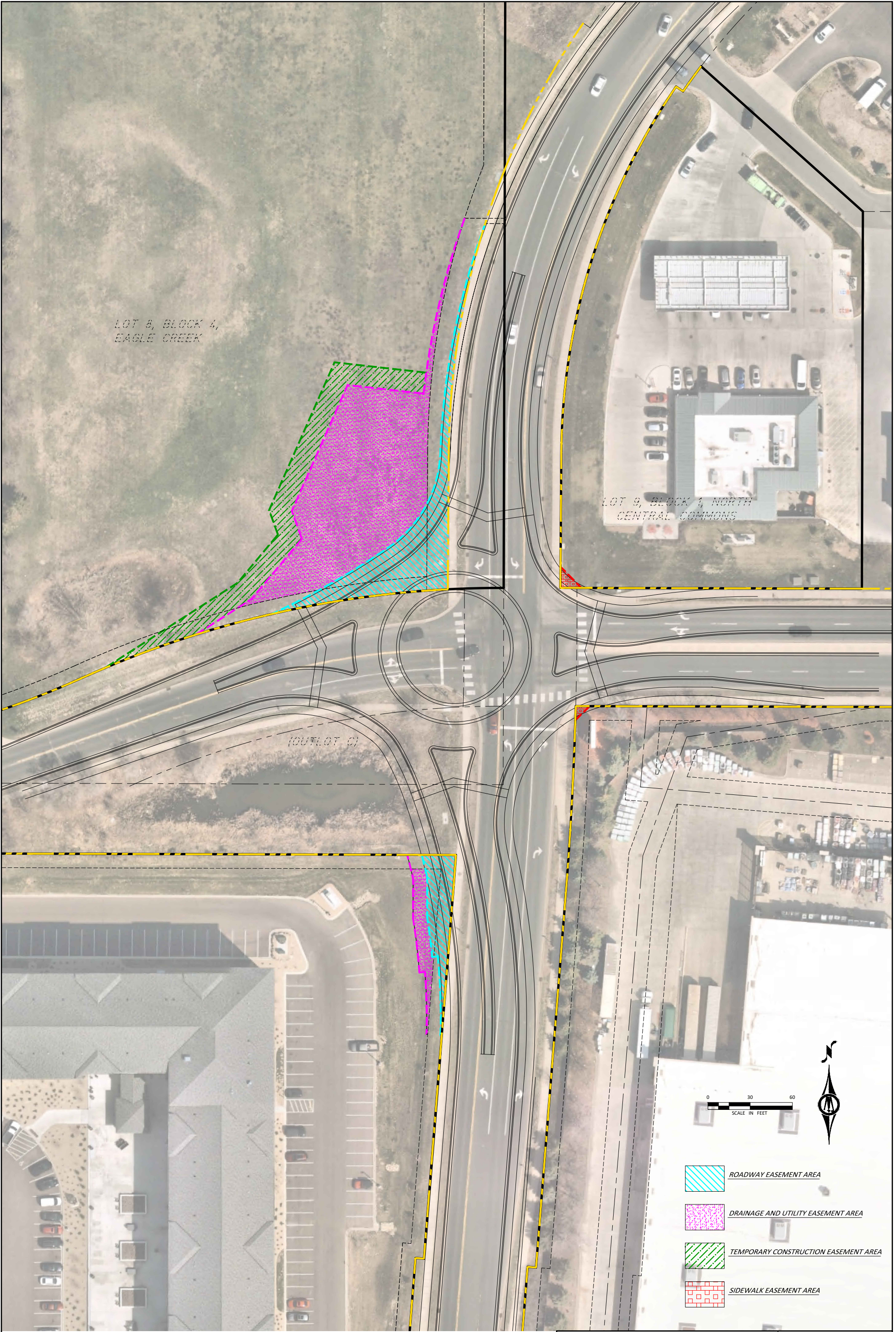
No public outreach/input is needed for this approval. Staff does anticipate additional outreach in the future as the project is developed.

Staff Recommendation

By motion, authorize the Mayor and City Manager to acquire the needed easements at 1105 117th Avenue, Blaine MN for the Ulysses Street and 117th Avenue roundabout project from Abundant Life Community Church-Assembly of God in the amount of \$108,300.00.

Attachment List

1. Design Project Layout
2. Church appraisal \$102,300 - 22316-4
3. Easement Agreement - signed by Owner
4. Easement Exh B-2
5. MOU - signed by Owner



MARKET VALUE APPRAISAL
BEFORE AND AFTER VALUES
PARCEL 4 – CHURCH EXCESS LAND
PART OF 1105 117TH AVENUE NE
BLAINE, MINNESOTA

DATE OF REPORT:
June 22, 2023

PREPARED FOR:
City of Blaine
Engineering Department
10801 Town Square Drive NE
Blaine, MN 55449

PREPARED BY:
Patchin Messner Valuation Counselors
Sunset Pond Executive Offices
13961 West Preserve Boulevard
Burnsville, MN 55337



PATCHINMESSNER

VALUATION COUNSELORS

June 22, 2023

City of Blaine
Engineering Department
10801 Town Square Drive NE
Blaine, MN 55449

ATTN: Mr. Brent Larson, PE

RE: Market Value Appraisal
Before and After Values
Parcel 4 – Church Excess Land
1105 117th Avenue NE
Blaine, Minnesota

Dear Mr. Larson:

At your request, we have appraised the above-referenced property for the purpose of estimating its fee simple market value. It is our understanding that the intended use is to provide valuation guidance in the acquisition of a portion of the subject for a 4,170 SF public roadway easement, a 10,957 SF drainage and utility easement and a 4,694 SF temporary easement. The proposed easements are necessary for the Ulysses Street NE and 117th Avenue NE intersection project.

The subject of this report consists of 6.53 acres of excess land, located in the northwest quadrant of Ulysses Street NE and 117th Avenue NE, Blaine, Minnesota. The subject property is part of the Artisan Church "larger" property located at 1105 117th Avenue NE, Anoka County tax parcel 08-31-23-33-0039. The larger property comprises 585,011 SF, or 13.43 acres and is improved with a 26,534 SF church building that was originally constructed in 1991. However, the improved church site, which occupies the western portion of the property, is unaffected by the partial acquisition. Therefore, due to differences in highest and best use, and considering that the contributory value of the church site is the same in both the before and after conditions, only the affected excess land in the eastern portion of the site (284,375 SF, or 6.53 acres) is valued in the following analysis. Furthermore, since the project will not impact the use of the building, only the excess land and affected site improvements, if any, are appraised.

This appraisal is intended to comply with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation and, the Minnesota Department of Transportation Right-of-Way Manual. Furthermore, this appraisal is presented following the USPAP Standards Rule 2 – 2(a) guidelines for real property appraisal reporting. As such, this report presents only summary discussions of the data and analyses used in the appraisal process. Additional information and documentation concerning the data and analyses of this appraisal have been retained in our files.

Based on inspection of the property, and after consideration of the many factors influencing market value, it is the appraisers' opinion that recommended compensation, or damage, for the partial acquisition of a public roadway easement, a drainage and utility easement and a temporary easement, as of May 31, 2023, is as follows:

Market Value Before the Acquisition	\$1,990,700
Market Value After the Acquisition	<u>\$1,892,400</u>
Indicated Permanent Damages	\$ 98,300
Plus: Temporary Easement	<u>\$ 4,000</u>
Recommended Compensation	\$ 102,300

It should be noted that the above estimate of damages is based on the assumptions as identified on pages 10 and 11 of this report.

Also, this letter of transmittal does not qualify as an appraisal, and the reader is directed to the following report for the data, analyses and conclusions which support these value estimates. The appraisal report is contingent upon the assumptions and limiting conditions submitted within the report. The Contingent and Limiting Conditions section of this report should be thoroughly read and understood before relying on any information or analysis presented herein.

Thank you for allowing our firm to be of assistance in this matter. If you have any questions after reading this report, feel free to contact us at your convenience.

Respectfully submitted,

PATCHIN MESSNER VALUATION COUNSELORS



Nathan A. Wareham
Certified General Real Property Appraiser
Minnesota License 40525462



Jason L. Messner, MAI, CRE
Certified General Real Property Appraiser
Minnesota License 4000836

CERTIFICATION OF NATHAN A. WAREHAM

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.
7. I have made a personal inspection of the property that is the subject of this report.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. No one provided significant real property appraisal assistance to the persons signing this certification or report.
11. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
12. This appraisal cannot be completely understood without reading the Contingent and Limiting Conditions section of this report, which should be thoroughly read and understood before relying on any information or analysis presented herein.
13. As of the date of this report, Nathan A. Wareham has completed the Standards and Ethics Education Requirement for Practicing Affiliates of the Appraisal Institute.



Nathan A. Wareham

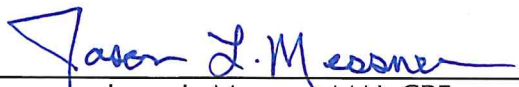


Date

CERTIFICATION OF JASON L. MESSNER

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.
7. I have made a personal inspection of the property that is the subject of this report.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. No one provided significant real property appraisal assistance to the persons signing this certification or report.
11. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
12. This appraisal cannot be completely understood without reading the Contingent and Limiting Conditions section of this report, which should be thoroughly read and understood before relying on any information or analysis presented herein.
13. As of the date of this report, Jason L. Messner has completed the continuing education program requirements for Designated Members of the Appraisal Institute.


 Jason L. Messner, MAI, CRE

6/22/23
 Date

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Fee Owner:	Abundant Life Community Church-Assembly of God
Location:	Part of 1105 117 th Avenue NE Blaine, Minnesota
Date of Valuation:	May 31, 2023
Date of Inspection:	May 31, 2023
Property Appraised:	Real Property (Land Only)
Rights & Interest Appraised:	Fee Simple Market Value
Zoning:	R-1AA, Single Family
Guiding:	Low Density Residential
Property Description:	The subject of this report consists of 6.53 acres of excess land, located in the northwest quadrant of Ulysses Street NE and 117 th Avenue NE in Blaine, MN. The subject property is part of the Artisan Church "larger" property located at 1105 117 th Avenue NE, Anoka County tax parcel 08-31-23-33-0039. The larger property comprises 585,011 SF, or 13.43 acres and is improved with a 26,534 SF church building that was originally constructed in 1991. However, the improved church site, which occupies the western portion of the property, is unaffected by the partial acquisition. Therefore, due to differences in highest and best use, and considering that the contributory value of the church site is the same in both the before and after conditions, only the affected excess land in the eastern portion of the site (284,375 SF, or 6.53 acres) is valued in the following analysis. Furthermore, since the project will not impact the use of the building, only the excess land and affected site improvements, if any, are appraised.
Highest and Best Use:	
Before Condition	Low intensity commercial use, medium density residential use, or a combination of both.
After Condition	Same as in the Before Condition

Site Area:

Before Acquisition Land Area	284,375 SF, or 6.53 Acres
After Acquisition Land Area	280,205 SF, or 6.43 Acres, net of right-of-way
	269,248 SF, or 6.18 Acres, net of right-of-way and new drainage and utility easement

Acquisition Areas:

Roadway Easement	4,170 SF, or 0.096 acres
Drainage & Utility Easement	10,957 SF, or 0.252 acres
Temporary Easement	4,694 SF, or 0.108 acres

Description of Acquisition:

As a result of the 117th Avenue NE and Ulysses Street NE intersection changing to a roundabout, the surrounding public sidewalk improvements will need to be reconfigured and reconstructed. In the case of the subject, a permanent roadway easement, a permanent drainage and utility easement, and a temporary easement are needed in the southeast corner of the property. The proposed permanent roadway easement totals 4,170 SF and is necessary to accommodate a slight shifting of the roadway and sidewalks for the new roundabout. The proposed drainage and utility easement, totaling 10,957 SF, is located adjacent to the permanent roadway easement and the existing perimeter drainage and utility easement. It is primarily needed to accommodate a stormwater drainage pond for the surrounding roadways. Lastly, the 4,694 SF temporary easement is required to provide access and working space for construction of the stormwater pond. The temporary easement will last for a period of 15 months, beginning April 1, 2024, and ending July 1, 2025.

Valuation Conclusions:

Market Value Before the Acquisition	\$1,990,700
Market Value After the Acquisition	<u>\$1,892,400</u>
Indicated Permanent Damages	\$ 98,300
Plus: Temporary Easement	<u>\$ 4,000</u>
Recommended Compensation	\$ 102,300

TABLE OF CONTENTS

LETTER OF TRANSMITTAL	i
CERTIFICATION OF NATHAN A. WAREHAM	iii
CERTIFICATION OF JASON L. MESSNER	iv
SUMMARY OF SALIENT FACTS AND CONCLUSIONS	v
TABLE OF CONTENTS.....	vii
PHOTOGRAPHS OF SUBJECT.....	ix
AERIAL VIEWS OF SUBJECT & LARGER PARCEL.....	xvi
SUBJECT REGIONAL MAP.....	xvii
SUBJECT LOCATION MAP	xviii
PART I: BEFORE ACQUISITION – FACTUAL DATA.....	1
PROPERTY APPRAISED	2
DATE OF APPRAISAL	2
INSPECTION OF THE PROPERTY.....	2
PROPERTY OWNERSHIP	2
SALES HISTORY	3
INTENDED USE	3
CLIENT AND INTENDED USERS	4
PURPOSE OF THE APPRAISAL	4
PROJECT LAYOUT.....	5
PARCEL SKETCH.....	6
COMPETENCY OF APPRAISERS	7
PROPERTY RIGHTS APPRAISED.....	7
MARKET VALUE DEFINED	7
SCOPE OF WORK	8
BEFORE AND AFTER VALUATION	10
ASSUMPTIONS.....	10
PART II: BEFORE ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS.....	12
REGIONAL AND CITY DATA	13
NEIGHBORHOOD DATA	28
LOCATION AND LEGAL DESCRIPTION	30
TAXES AND ASSESSMENT DATA	30

ZONING.....	31
ZONING MAP (ENLARGED).....	34
2040 COMPREHENSIVE LAND USE MAP (ENLARGED).....	35
LAND DESCRIPTION.....	36
ENVIRONMENTAL CONSIDERATIONS	37
ENLARGED PLAT MAP	38
HIGHEST AND BEST USE	39
EXPOSURE AND MARKETING TIME	41
APPRAISAL PROCEDURES AND TECHNIQUES	41
SALES COMPARISON APPROACH	42
PART III: AFTER ACQUISITION – FACTUAL DATA	57
PRELIMINARY PROJECT LAYOUT	58
PARCEL SKETCH.....	59
PROJECT DESCRIPTION	60
DESCRIPTION OF ACQUISITION	60
PART IV: AFTER ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS	61
SITE DESCRIPTION.....	62
HIGHEST AND BEST USE	62
EXPOSURE AND MARKETING TIME	63
APPRAISAL PROCEDURES AND TECHNIQUES	63
TEMPORARY EASEMENT.....	66
AFFECTED SITE IMPROVEMENTS.....	67
FINAL SUMMATION	67
ADDENDA	68
EXHIBIT 1 – ADDITIONAL CHURCH LAND SALES	69
CONTINGENT AND LIMITING CONDITIONS.....	74
APPRAISER QUALIFICATIONS.....	77
CERTIFICATION OF NATHAN A. WAREHAM	78
QUALIFICATIONS OF JASON L. MESSNER.....	79

PHOTOGRAPHS OF SUBJECT

(Photographs Taken on May 31, 2023)



Looking Northwest at Artisan Church's Building Improvement



Looking Northwest at Subject's Excess Land (East of Existing Church Site)

PHOTOGRAPHS OF SUBJECT



Looking North along Dividing Line of Church Site and Excess Land



Looking South along Dividing Line of Church Site and Excess Land

PHOTOGRAPHS OF SUBJECT



Looking East along Southern Property Boundary Toward Southeast Corner
and Proposed Acquisition Area



Looking West along Southern Property Boundary and at Proposed Acquisition Area

PHOTOGRAPHS OF SUBJECT



Looking Northeast at Proposed Acquisition Area in Southeast Corner of Subject



Looking East along Southern Property Boundary and at Proposed Acquisition Area

PHOTOGRAPHS OF SUBJECT



Looking Northwest toward Church from Edge of Proposed Drainage and Utility Easement



Looking Northwest at Subject and Proposed Acquisition Area from Sidewalk
along Ulysses Street NE

PHOTOGRAPHS OF SUBJECT



Looking South along Subject's Eastern Property Boundary at Proposed Acquisition Area



Looking North at Subject at Proposed Acquisition Area

PHOTOGRAPHS OF SUBJECT

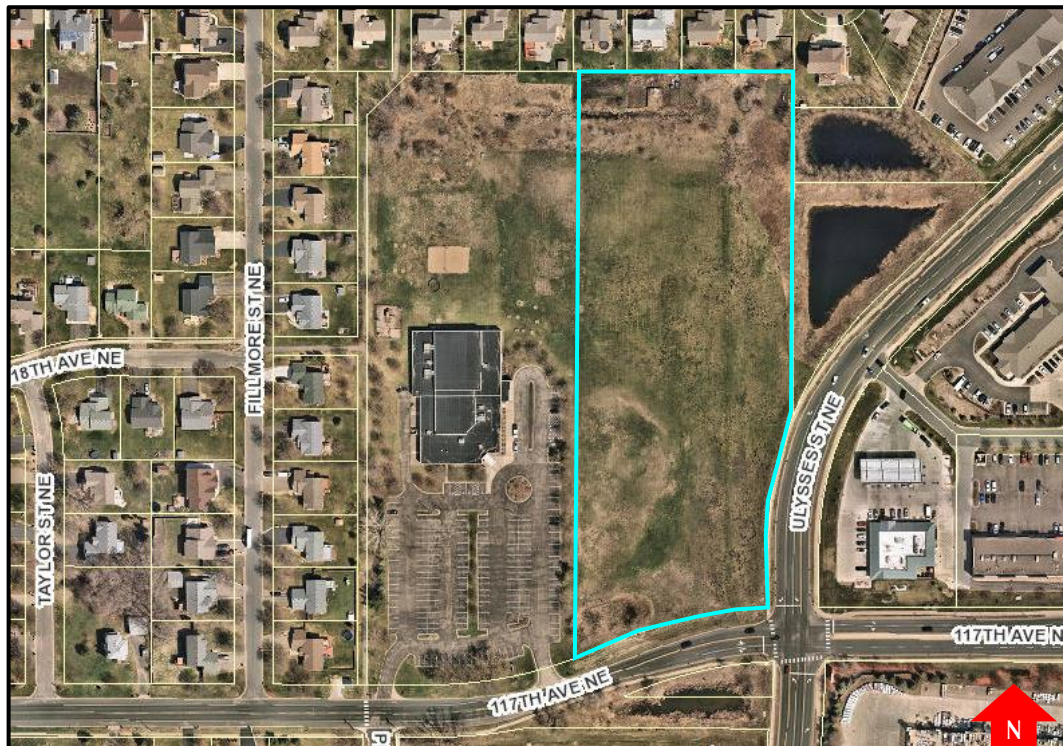


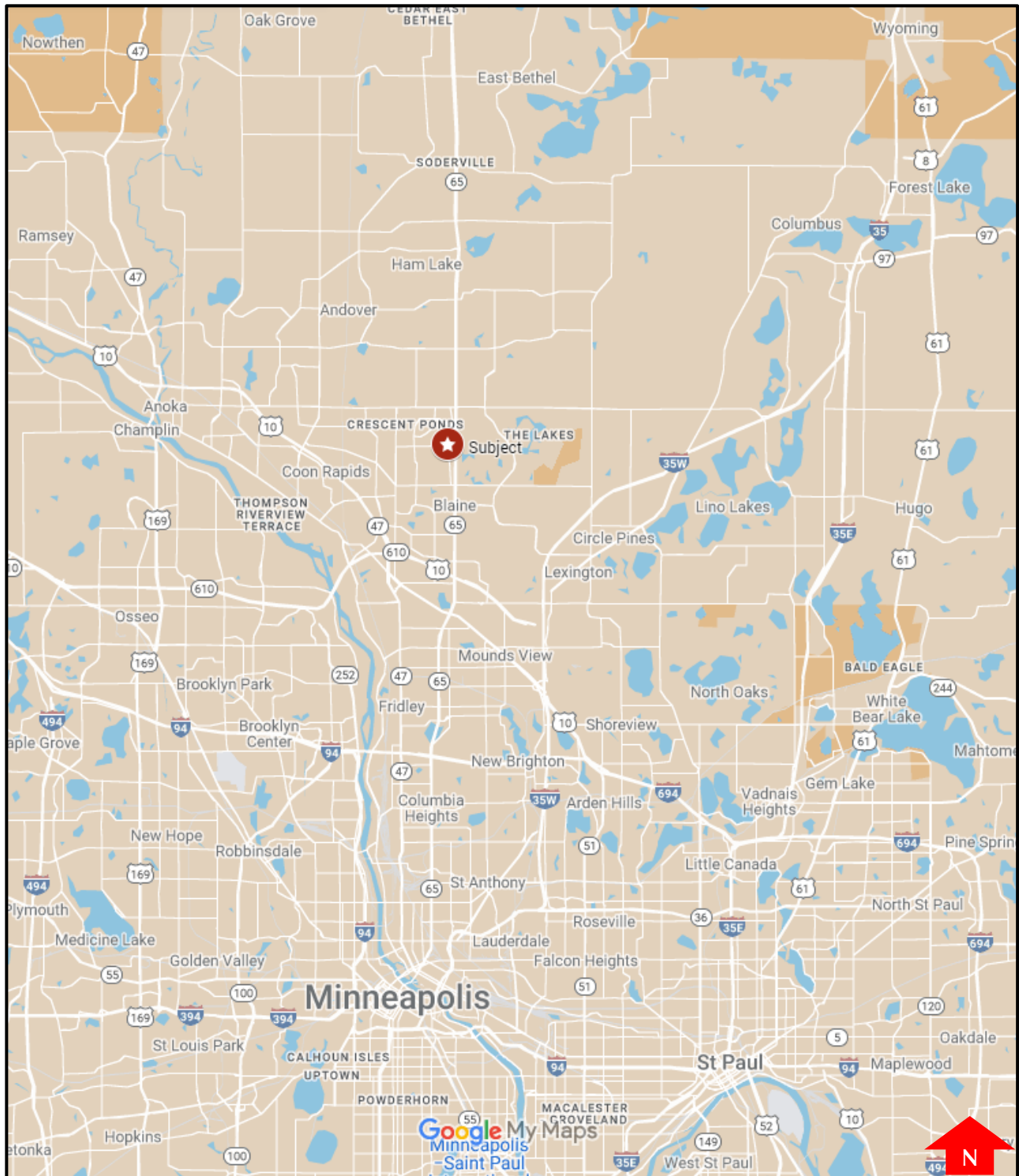
Looking at Pond Adjacent to Northeast Corner of Subject and Toward Future Access Point
along Ulysses Street NE

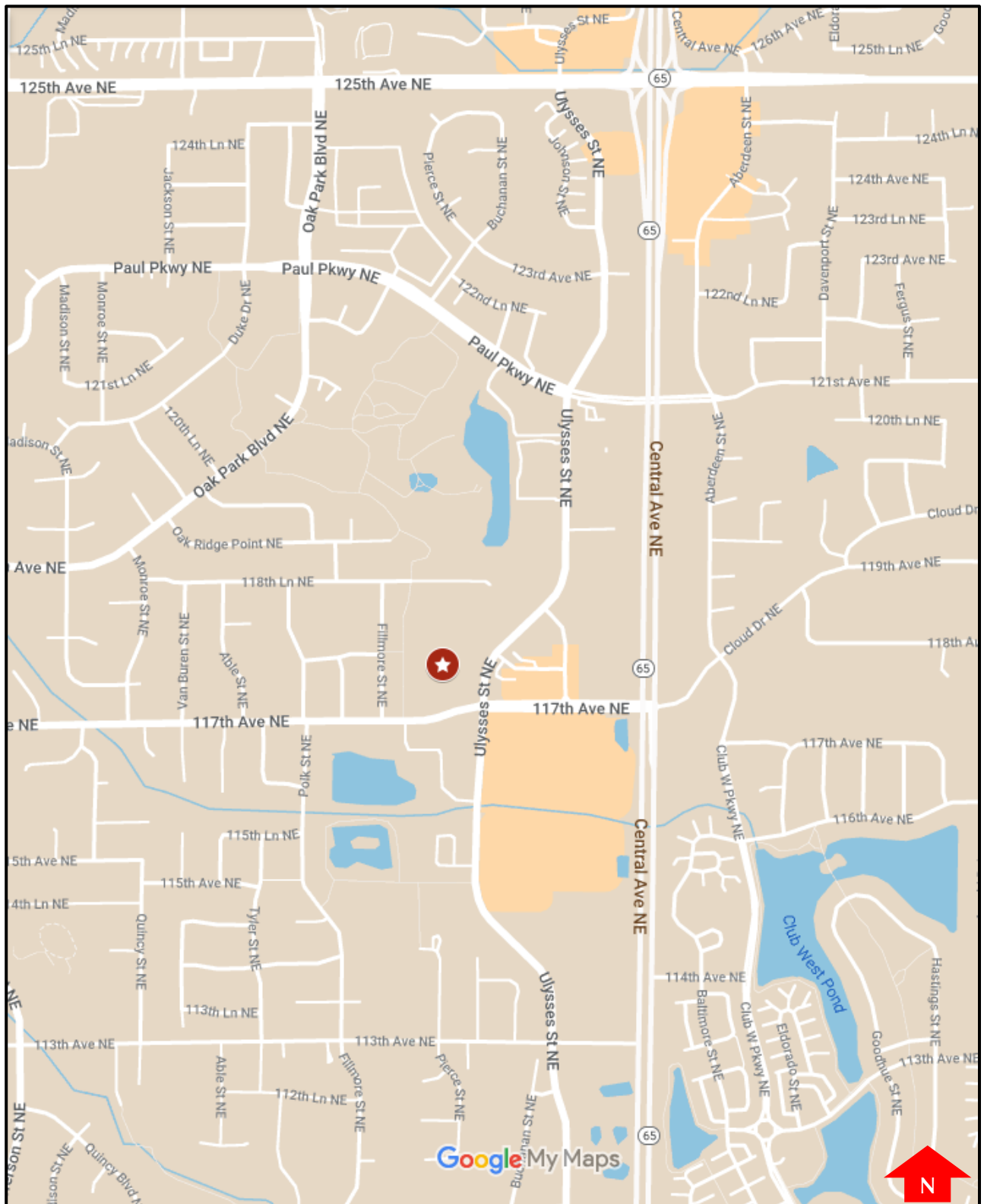


Looking Southeast at Subject Property From Sidewalk along Ulysses Street NE

AERIAL VIEWS OF SUBJECT & LARGER PARCEL



SUBJECT REGIONAL MAP

SUBJECT LOCATION MAP

PART I: BEFORE ACQUISITION – FACTUAL DATA

PROPERTY APPRAISED

The subject of this report consists of 6.53 acres of excess land, located in the northwest quadrant of Ulysses Street NE and 117th Avenue NE, Blaine, Minnesota. The subject property is part of the Artisan Church “larger” property located at 1105 117th Avenue NE, Anoka County tax parcel 08-31-23-33-0039. The larger property comprises 585,011 SF, or 13.43 acres and is improved with a 26,534 SF church building that was originally constructed in 1991. However, the improved church site, which occupies the western portion of the property, is unaffected by the partial acquisition. Therefore, due to differences in highest and best use, and considering that the contributory value of the church site is the same in both the before and after conditions, only the affected excess land in the eastern portion of the site (284,375 SF, or 6.53 acres) is valued in the following analysis. Furthermore, since the project will not impact the use of the building, only the excess land and affected site improvements, if any, are appraised.

DATE OF APPRAISAL

The effective date of this appraisal is May 31, 2023.

INSPECTION OF THE PROPERTY

Nathan A. Wareham and Jason L. Messner conducted an exterior inspection of the subject property on May 31, 2023. Ms. Sonya Henning, the right-of-way agent, and Mr. Brent Larson, project engineer for the City of Blaine, accompanied the appraisers. Representatives of the property owner and Artisan Church, including Sam Grosso, Lead Pastor, Alex Anderson, Pastor of Operations, and another member of church leadership met with the appraisers during the inspection.

PROPERTY OWNERSHIP

According to the title work provided to the appraisers, the subject property is owned by Abundant Life Community Church-Assembly of God.

SALES HISTORY

The Uniform Standards of Professional Appraisal Practice (USPAP) requires that all sales of the subject property during the previous three years be reported and analyzed. Additionally, MnDOT requires a five-year sale history. Therefore, a five-year sales history is conducted. According to public records, there have been no sales of the subject property within the five-year period immediately preceding the date of value. Also, to our knowledge, the subject is not currently listed for sale, and no sales contract is currently pending.

It is noted that during the inspection of the subject, the representatives of the property owner, told the appraisers that the church often receives cold calls from real estate brokers who are interested in listing the excess land for sale. Additionally, there have been a couple instances of developers looking to acquire the southeasterly excess land. These included someone interested in developing a senior living facility and another person interested in developing a car wash; however, neither of these inquiries got to the stages of a purchase agreement nor a formal development proposal to the City. The representatives of the church told the appraisers that the church's "10-year plan" includes eastward expansion into the excess land, primarily for increased surface parking and outdoor event space. However, they said that the church would consider selling off some of the excess land for the right user that is harmonious and not too obstructive.

INTENDED USE

The intended use of this appraisal is to provide valuation guidance in the acquisition of a portion of the subject property for a 4,170 SF permanent roadway easement, a 10,957 SF drainage and utility easement, and a 4,694 SF temporary easement in conjunction with the Ulysses Street NE and 117th Avenue NE intersection project in Blaine.

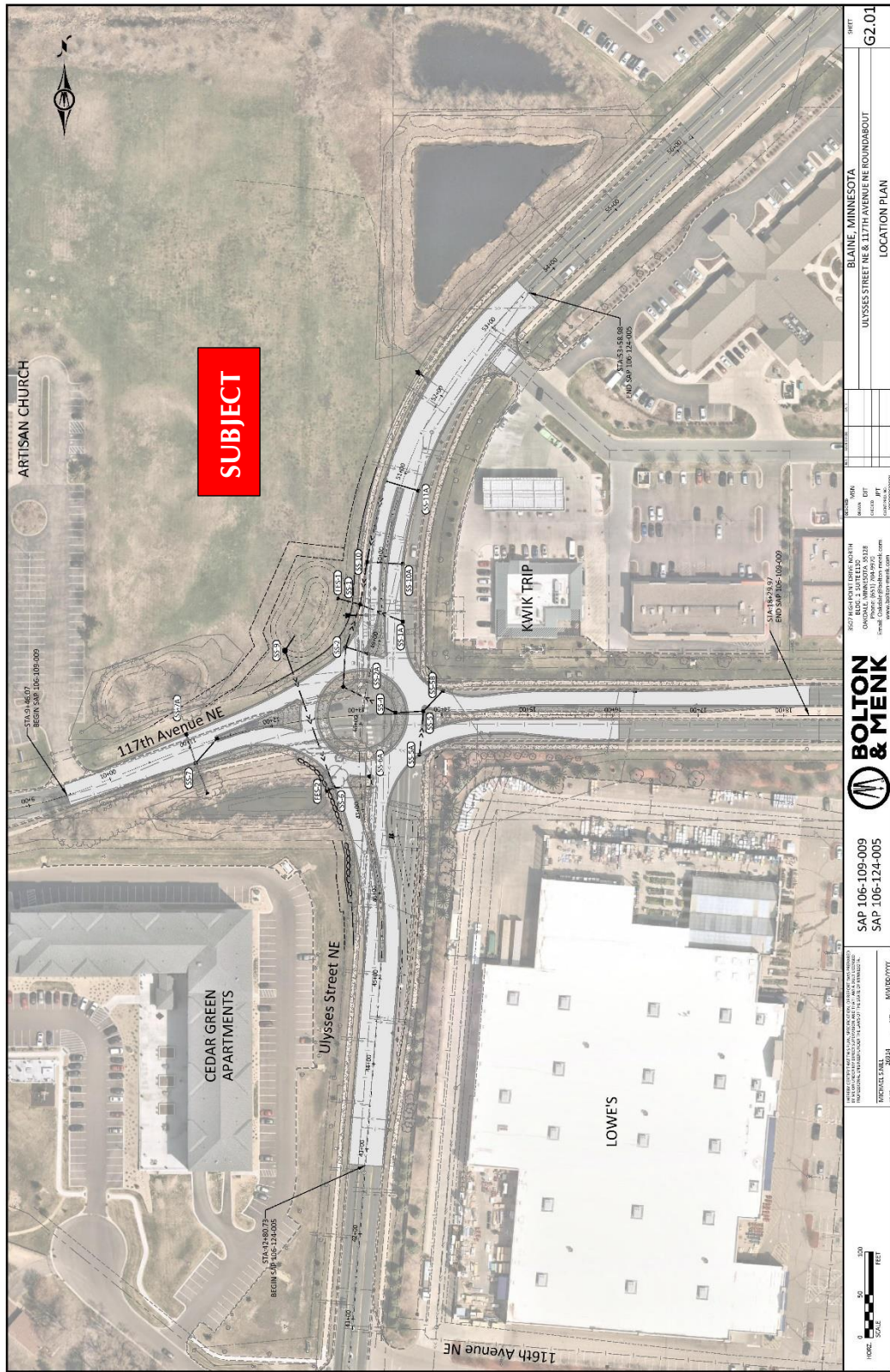
CLIENT AND INTENDED USERS

The client of this appraisal assignment is City of Blaine. The intended users of this appraisal report are the City of Blaine and its representatives in conjunction with the Ulysses Street NE and 117th Avenue NE intersection project in Blaine.

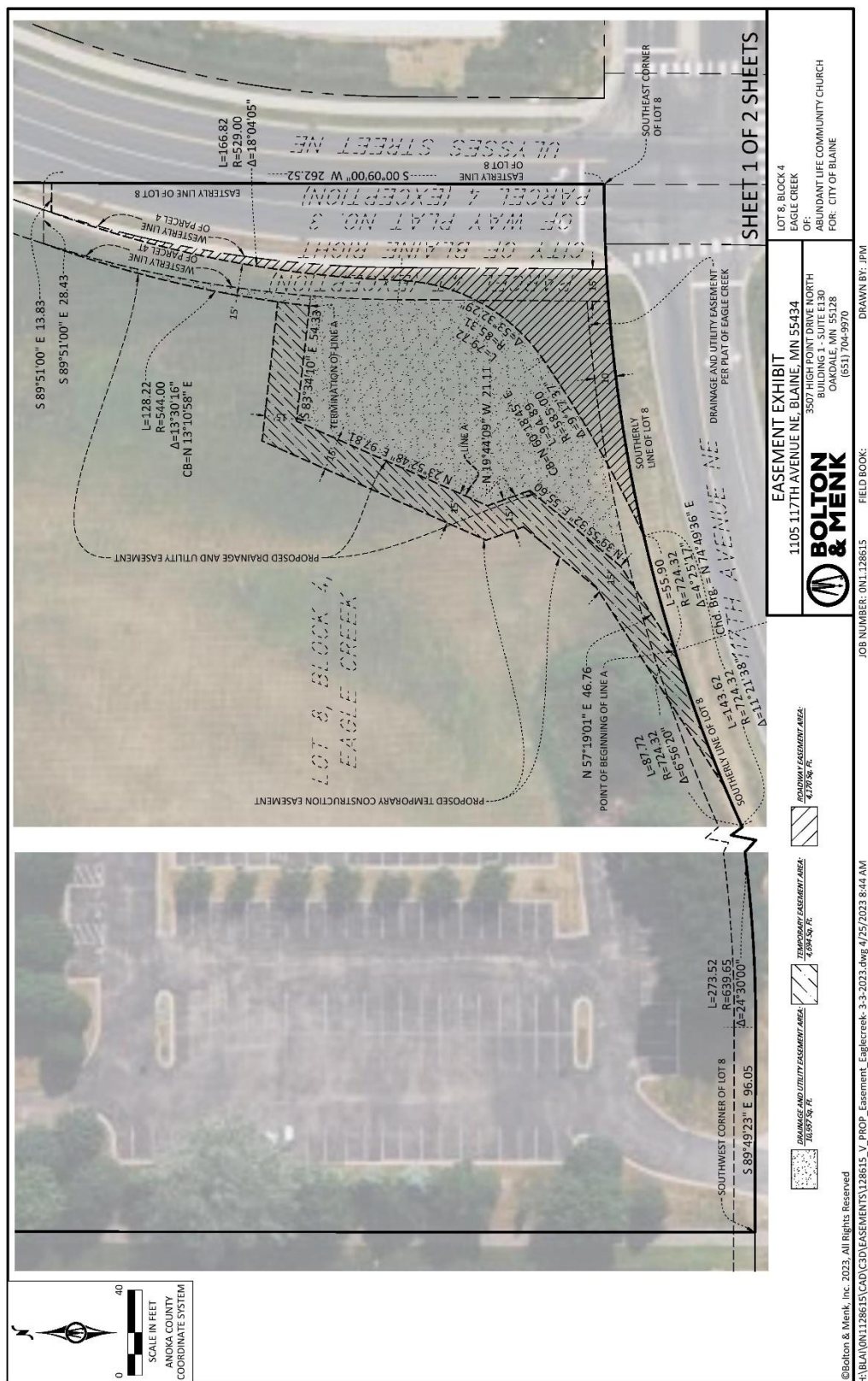
PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the fee simple interest of the subject property, both before and after a partial acquisition of a permanent roadway easement, a drainage and utility easement, and a temporary easement for the Ulysses Street NE and 117th Avenue NE intersection project in Blaine. The improved church site, which occupies the western portion of the property, is unaffected by the partial acquisition. Therefore, only the excess land in the eastern portion of the property and affected site improvements, if any, are appraised. Project exhibits are located on the following pages.

PROJECT LAYOUT



PARCEL SKETCH



COMPETENCY OF APPRAISERS

Nathan A. Wareham and Jason L. Messner, MAI, CRE have both the knowledge and experience to complete this appraisal assignment competently and in compliance with USPAP. Refer to the Appraisers' Qualifications in the Addenda of this report for further details.

PROPERTY RIGHTS APPRAISED

The subject property is appraised by estimating the market value of the fee simple interest of the real estate, subject to existing easements. For use in this appraisal, the fee simple interest in the real estate is subject to the following definition obtained on Page 73 of *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute.

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

MARKET VALUE DEFINED

Market value as utilized in this appraisal report conforms to the following definition obtained from Page 118 of *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute.

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- *Buyer and seller are typically motivated;*
- *Both parties are well informed or well advised, and acting in what they consider their best interests;*
- *A reasonable time is allowed for exposure in the open market;*
- *Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*

- *The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Unless otherwise noted in the appraisal report, market value shall represent cash equivalent terms where the seller receives all cash for their interest. The property may be financed at typical market terms under this definition.

The above definition describes market value as an exchange concept. According to *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute, on Page 200, value in exchange is defined as “a type of value that reflects the amount that can be obtained for an asset if exchanged between parties.”

SCOPE OF WORK

This appraisal report is intended to comply with the Uniform Standards of Professional Appraisal Practice (USPAP) and the Minnesota Department of Transportation Right-of-Way Manual. The data and analyses contained in this report and the appraiser’s files provide the basis for the value conclusions.

Summary of Appraisal Methodology

The function and intended use of this report is to provide valuation guidance for the possible acquisition of a portion of the subject property for a permanent roadway easement, a drainage and utility easement, and a temporary easement. In this analysis, the following data and concepts pertaining to the subject property have been examined.

In completing this assignment, we followed the general procedures outlined below:

1. Nathan A. Wareham and Jason L. Messner conducted an exterior inspection of the subject property on May 31, 2023, and met with representatives of Artisan Church and the subject property owner during the inspection.
2. An analysis and description of the market forces in the Twin Cities metropolitan area, region as a whole, and a description of the city of Blaine are retained in the appraisers’ work file. A description of the neighborhood is based on aerial imagery and a physical inspection of the area.
3. The property analysis is based on the above-referenced physical inspection of the property, along with information from city and county public records. Information

regarding the extent of the acquisition, including a parcel sketch/right-of-way exhibit, was provided by the client.

4. The highest and best use of the subject property, both in the before and after conditions, is analyzed using the data compiled in the afore-mentioned steps, as well as the results of the valuation approach discussed in the following paragraph.
5. The appraisal task is to identify the market influence of a permanent roadway easement, a drainage and utility easement, and a temporary easement in the southeast corner of the subject property.

Specifically, the problem includes ascertaining the diminution in value, if any, directly related to the acquisition. The accepted method of analysis is a comparison of the property under two scenarios. The first scenario values the property in its as is condition as of the date of appraisal. The second scenario values the property, assuming a hypothetical condition that the acquisition has occurred. This is a logical approach to the problem and most closely represents actual market events.

The proposed easements are necessary for reconstructing the intersection of 117th Avenue NE and Ulysses Street NE in Blaine.

Pertinent market data was collected and analyzed in order to develop the valuation approach. Much of this market data was obtained through a search of the REDI Comps database and the Anoka County Assessors' Office. Also, our research includes discussions with city officials, real estate brokers/investors involved in sales transactions, etc.

6. The final estimates of market value for the before and after conditions are reconciled after analyzing the results of the sales comparison approach to land value. The after value is then deducted from the before value. Compensation for affected site improvements, if any, and the temporary easement are then added to the indicated damages to conclude to an estimate of damages due the owner of the subject property for the acquisition.
7. Title work has been provided to the appraisers and is retained in their file. It is also noted that hypothetical conditions or extraordinary assumptions, if any, relied upon in this analysis may affect the assignment results.

From the above data and concepts, we have made the following analyses:

Highest and Best Use of the Subject Property

Application of Appropriate Approaches to Value for the Property – The sales comparison approach is completed, and is necessary for credible results, given the property characteristics and type of value sought. The

cost and income approaches are not considered applicable to arrive at credible results, and are not completed in this analysis.

Correlation of the approaches and their indications of market value to form a Final Estimate of Value

NOTE: In valuing real property for determining compensation resulting from a proposed partial acquisition, it is recognized that the difference in value between the before and after values is attributable to the influence of the acquisition, and constitutes damages. Any diminution in value, or damages, includes the loss of property rights resulting from the acquisition and any potential severance to the remainder that may be attributable to the partial acquisition.

BEFORE AND AFTER VALUATION

This appraisal is being conducted in order to estimate damages caused to the real property from the proposed acquisition of a permanent roadway easement, a drainage and utility easement, and a temporary easement. The accepted method for measuring damages that result because of a partial acquisition is as follows:

1. Value the property as it exists before the acquisition, disregarding project influence.
2. Value the property as it will exist after the acquisition, disregarding any potential special benefit or value enhancement resulting from the project.
3. The difference is the damage caused by the acquisition (recommended compensation).

In the Before Value section of this report, the value of the subject property is estimated as it exists in the before condition. The acquisition and the remainder parcel is described, and then the remainder is appraised in the After Value section of this report. The after value is then deducted from the before value in order to conclude to recommended damages due the owner of the subject property for the acquisition.

ASSUMPTIONS

Given that this appraisal has been prepared in advance of the proposed project, the following assumptions have been made related to planned construction activity.

1. No structural damage will occur to the building improvements as a result of the project.
2. Continuous and suitable access will be maintained to the subject and the church during construction of the project.
3. Construction related to the project will be confined to the easement boundaries or existing right-of-way and not encroach or affect other on-site activities.
4. Any disturbed lawn or sidewalk areas will be restored as part of the project.
5. Any disturbed utilities will be repaired or replaced by the project.
6. If any sprinkler systems are impacted by the project, the irrigation will be reconfigured/repared by the City of Blaine, or the owner will be separately compensated as a direct cost reimbursement.
7. It is the appraisers' understanding that damages for any construction related interference are only compensable to the extent such damages arise from work performed on the subject property or on the part taken from the subject property.

PART II: BEFORE ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS

REGIONAL AND CITY DATA

Location

The subject property is located in the city of Blaine, Minnesota. The city of Blaine is mainly in Anoka County; however, a small portion of the city is located in Ramsey County. Blaine is an outer lying suburb of the Minneapolis/St. Paul metropolitan area. The Minneapolis/St. Paul Metropolitan Area is situated in the north central portion of the United States, approximately 275 miles south of the U.S./Canadian Border and 400 miles northwest of Chicago, Illinois.

Commonly referred to as the "Twin Cities," the Minneapolis/St. Paul metropolitan area is located in the southeastern region of the State of Minnesota at the confluence of the Mississippi and Minnesota Rivers. The Minneapolis/Saint Paul metropolitan area is situated at the crossroads of Interstate 94 (east/west) and Interstate 35 (north/south) and is served by a major international airport. The Metropolitan Council defines the Minneapolis-St. Paul metropolitan area to include seven counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties in Minnesota. Anoka County borders Isanti County to the north, Chisago County to the northeast, Washington County to the east, Ramsey and Hennepin Counties to the south, and Sherburne County to the northwest.

Population

The Metropolitan Council reports the following population estimates for 2021:

- Blaine: 70,979
- Anoka County: 366,888
- Ramsey County: 553,229
- Twin Cities Region (7-county): 3,186,349

In addition, the Metropolitan Council reports the following population trends for the city of Blaine, Anoka County, Ramsey County and the Seven-County Metropolitan Area. The trends are based upon data compiled by the U.S. Census Bureau.

Population Trends								
	2000	2010	2020	2021	2030	2040	Forecasted	
	Census	Census	Census	Estimate	Forecast	Forecast	% Change 2010-2020	% Change 2020-2040
Blaine	45,014	57,186	70,222	70,979	76,700	87,300	27.04%	24.32%
Anoka County	298,084	330,844	363,887	366,888	402,730	443,470	10.99%	21.87%
Ramsey County	511,035	508,640	552,325	553,229	580,010	603,240	-0.47%	9.22%
Seven County Metropolitan Area	2,642,062	2,849,567	3,163,104	3,186,349	3,451,000	3,653,000	7.85%	15.49%
<i>Source: Metropolitan Council and US Census Bureau</i>								

The population data shows that the city of Blaine realized major growth between 2010 and 2020, and is also projected to realize substantial growth between 2020 and 2040. This population increase will be accompanied by growth in new households. Further, as an outer lying suburb of the Twin Cities, Blaine has sufficient undeveloped land to accommodate growth and economic development through new development opportunities, as well as, through redevelopment opportunities that allow for new or denser configurations of housing.

Households

The Metropolitan Council also reports the following household estimates for 2021:

- Blaine: 25,489
- Anoka County: 135,371
- Ramsey County: 219,666
- Twin Cities Region (7-county): 1,254,804

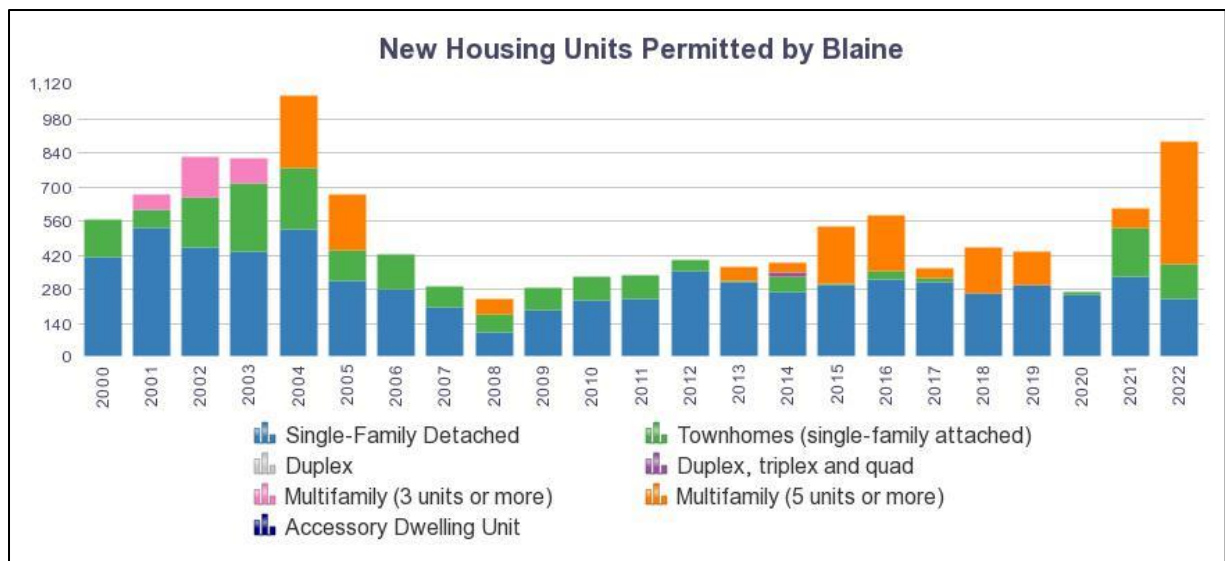
In addition, the Metropolitan Council reports the following population trends for the city of Blaine, Anoka County, Ramsey County and the Seven-County Metropolitan Area. The trends are based upon data compiled by the U.S. Census Bureau.

Household Trends								
	2000	2010	2020	2021	2030	2040	Forecasted	
	Census	Census	Census	Estimate	Forecast	Forecast	% Change 2010-2020	% Change 2020-2040
Blaine	15,926	21,077	25,172	25,489	29,200	33,300	32.34%	32.29%
Anoka County	106,428	112,227	133,879	135,371	153,770	170,610	5.45%	27.44%
Ramsey County	201,236	202,691	218,077	219,666	237,910	248,150	0.72%	13.79%
Seven County Metropolitan Area	1,021,456	1,117,749	1,239,526	1,254,804	1,351,000	1,447,000	9.43%	16.74%
<i>Source: Metropolitan Council and US Census Bureau</i>								

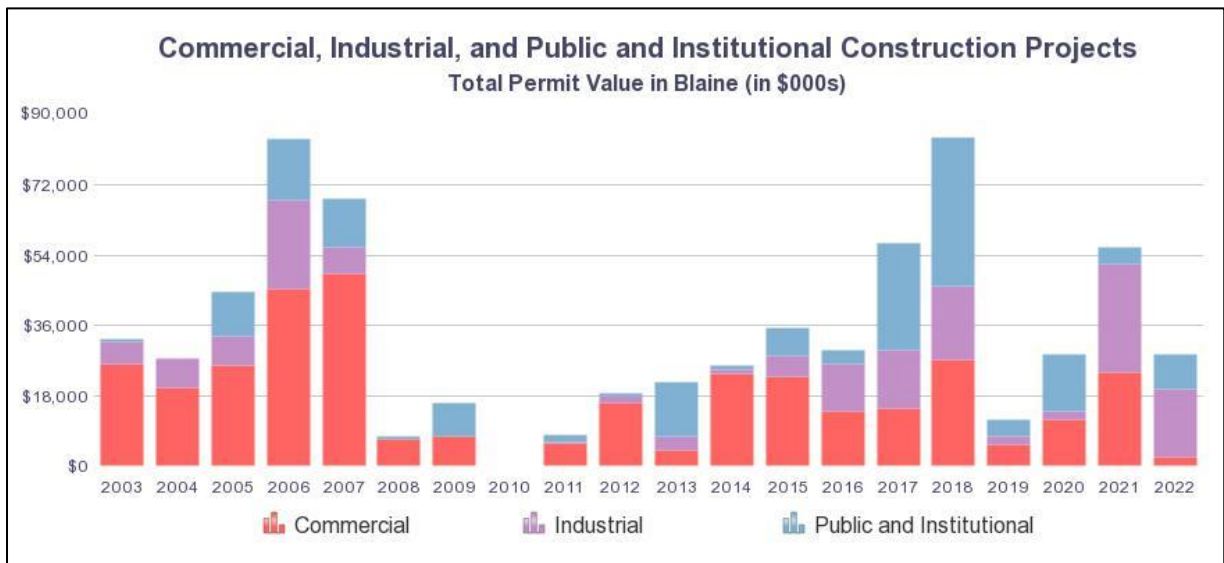
Similar to population, the number of households is expected to experience growth in the region. Growth in the county is also expected to continue at a steady pace. As previously discussed, the city of Blaine has experienced strong growth since 2000. Based on forecasts from the Metropolitan Council, the city is expected to experience continued growth for the foreseeable future.

Construction Activity

Residential construction in Blaine peaked in 2000-2004, then declined from 2005 to 2008. Single-family detached construction activity began to rise in 2009 from the historically low level in 2008 and has continued to show overall stability. With so much undeveloped land in the city of Blaine, it is no surprise that single-family residential construction greatly outpaced townhome and multi-family construction for most of the time between 2008 and 2021. However, multifamily construction outpaced single-family construction in 2022 and also saw elevated levels in 2015, 2016, 2018, and 2019.



As shown on the following graph, industrial development has also outpaced commercial development in Blaine the last two years; however, commercial development was stronger from 2012 through 2019.

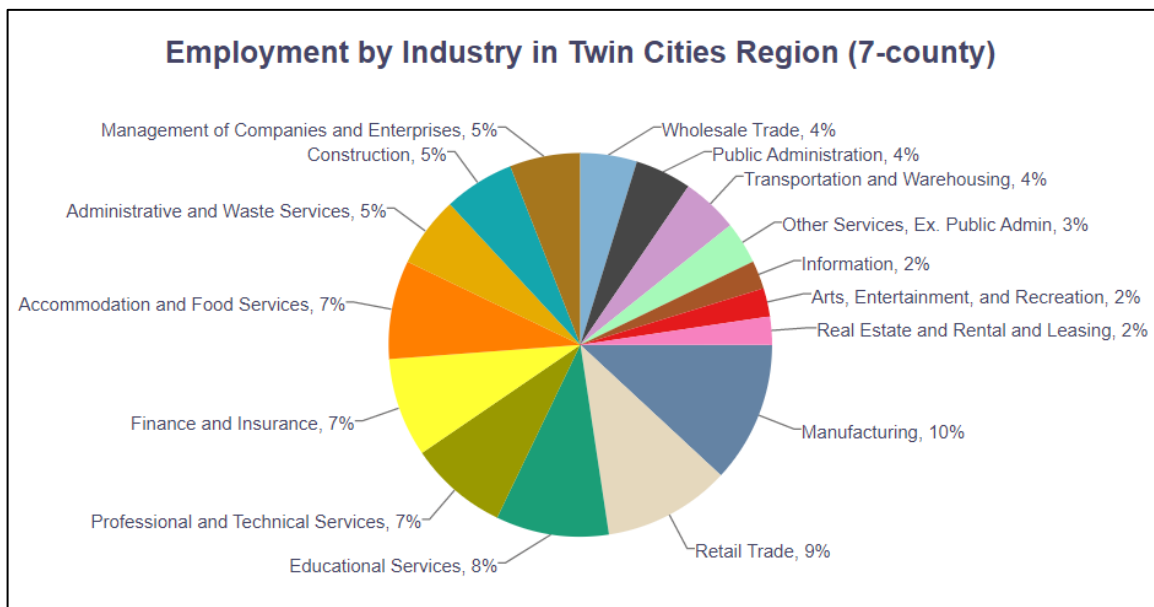
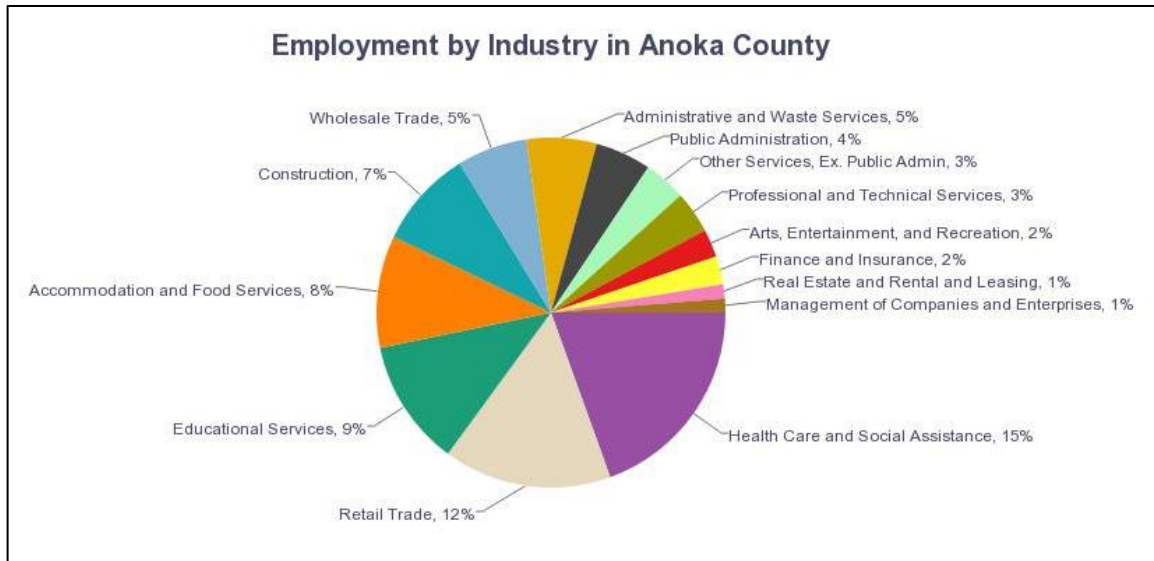


As shown by the following data table, the largest positive change in land use was the parks and recreational category, which increased 10.66% between 2016 and 2020, which was followed by institutional (9.39%). The residential, commercial, and industrial land use categories all experienced similar levels of change between 2016 and 2020.

Generalized Land Use in Blaine					
Land Use	Year				
	2016		2020		
	Acres	Change	Acres	Change	
Residential Total	7,997	N/A	8,494	6.21%	
Single Family Detached	7,111	N/A	7,538	6.01%	
Multifamily	886	N/A	957	7.97%	
Commercial Total	1,009	N/A	1,063	5.35%	
Retail and Other Commercial	908	N/A	946	4.18%	
Office	101	N/A	117	15.51%	
Industrial Total	1,030	N/A	1,086	5.44%	
Industrial and Utility	1,030	N/A	1,086	5.41%	
Institutional Total	511	N/A	559	9.39%	
Park and Recreational	2,345	N/A	2,595	10.66%	
Park, Recreational or Preserve	1,844	N/A	2,094	13.57%	
Golf Course	502	N/A	501	-0.14%	
Mixed Use Total	57	N/A	57	0.00%	
Mixed Use Residential	1	N/A	1	0.00%	
Mixed Use Industrial	30	N/A	30	0.00%	
Mixed Use Commercial and Other	27	N/A	27	0.00%	
Major Roadways	805	N/A	805	0.00%	
Airport	791	N/A	792	0.13%	
Agricultural and Undeveloped Total	6,773	N/A	5,863	-13.44%	
Agriculture	496	N/A	392	-20.92%	
Undeveloped Land	6,277	N/A	5,471	-12.85%	
Open Water	464	N/A	468	0.86%	
Total	21,782	N/A	21,782	0.00%	

Employment

Anoka County and the region have a well-diversified workforce. The following pie charts illustrate the region's employment base in 2021, and reflect that it is not overly dependent on one or two industries for employment.



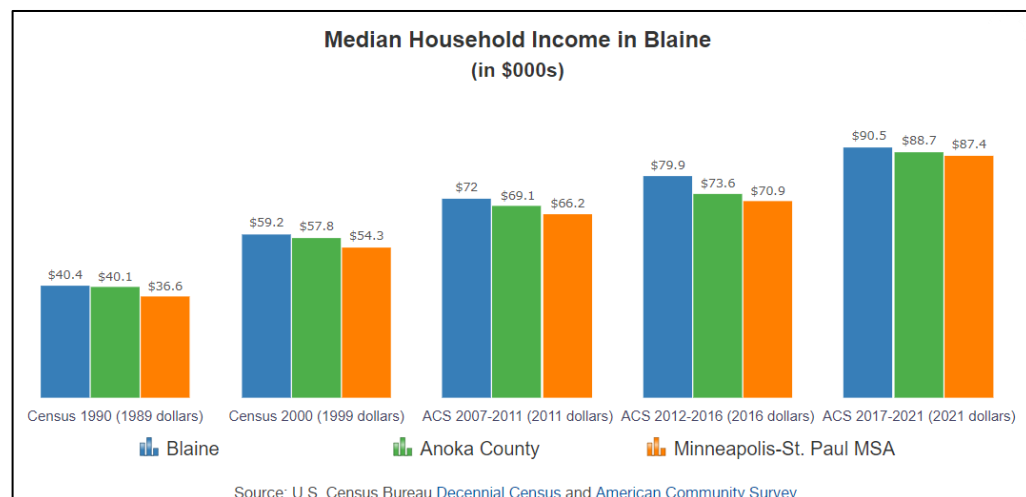
The following table illustrates the unemployment rates in Blaine, Anoka, County, the Seven Count Metropolitan Area, Minnesota, and the United States.

Unemployment Rate (Not Seasonally Adjusted)									
	2000	2010	2016	2017	2018	2019	2020	2021	2022
Blaine	2.6%	7.5%	3.4%	3.1%	2.7%	3.0%	6.1%	3.2%	2.5%
Anoka County	2.7%	8.0%	3.7%	3.4%	3.0%	3.3%	6.5%	3.4%	2.6%
Seven County Metropolitan Area	2.7%	7.2%	3.4%	3.1%	2.8%	3.2%	6.5%	3.4%	2.5%
Minnesota	3.2%	7.4%	3.9%	3.5%	3.0%	3.3%	6.3%	3.8%	2.7%
United States	4.0%	9.6%	4.9%	4.4%	3.9%	3.7%	8.1%	5.3%	3.6%

Source: Minnesota Department of Employment and Economic Development

Income

While the Twin Cities enjoys a diversified economic base, income levels in the region are generally higher than the nation as a whole. The following chart illustrates median income of Anoka County and Blaine compared to the Twin Cities MSA, and demonstrates that income in the subject's community is stronger than the region.



Transportation

The Minneapolis/St. Paul metropolitan area is easily accessible due to the following major highways serving the Twin Cities.

- Interstate 35 -

A major north/south highway, which connects with Duluth, Minnesota to the north and Kansas City, Missouri to the south. In the metro area, I-35 splits with I-35W passing through Minneapolis, while I-35E passes through St. Paul.

- Interstate 94 - A major east/west highway that connects with Milwaukee, Wisconsin/Chicago, Illinois to the east, and Fargo, North Dakota to the west.
- Interstate 494/694 - A major freeway, which loops around the periphery of the Twin Cities.
- U.S. Highway 169 - A north/south route serving the western suburbs.
- U.S. Highway 212 - An east/west route serving the southwestern suburbs.
- U.S. Highway 12/
Interstate 394 - An east/west route, which connects downtown Minneapolis with the western suburbs.
- U.S. Highway 61 - A north/south route serving the eastern suburbs.
- U.S. Highway 10 - A diagonal route extending from Wisconsin to Fargo, North Dakota; it passes through St. Paul and Anoka County.

Other major highways serving the Twin Cities area include State Highway 100, State Highway 77 (Cedar Avenue), Crosstown Highway 62, Lafayette Freeway, and U.S. Highway 52/55.

Minneapolis-Saint Paul International airport, also known as MSP airport, is located less than 10 miles south of downtown Minneapolis and less than 10 miles southwest of downtown Saint Paul. The airport has four runways and two terminal buildings – Terminal 1 and Terminal 2 – each with adjoining parking ramp facilities. The airport serves 163 markets with non-stop service, including 136 domestic and 27 international markets. MSP is the 16th busiest airport in the United States for passengers and 17th for aircraft operations. It is a base for hometown carrier Sun Country Airlines and is Delta Air Lines' second largest hub. MSP transports a total of 31.2 million passengers every year and has a total of 131 gates for arrivals and departures. MSP earned the ASQ award for best airport in North America for the 25-40 million passenger category in 2021 and 2022. The Twin Cities has six reliever airports that support personal, recreational, and business aviation users. The reliever airports are Flying Cloud Airport (Eden Prairie), Crystal Airport, St. Paul Downtown Airport, Anoka County-Blaine Airport, Airlake Airport (Lakeville), and Lake Elmo Airport.

Railroads serving the Twin Cities include Burlington Northern Santa Fe, Union Pacific, Canadian Pacific/Soo Line Railway Company and Amtrak. Also, about 100 trucking firms serve the metropolitan area, making it one of the largest distribution centers in the nation.

Additionally, Blaine is served by Metro Transit's largest Park & Ride, which is located along 95th Avenue and I-35 and has nearly 1,500 parking spaces. Routes served include #250 to downtown Minneapolis, route #252 to the University of Minnesota, and route #262 to downtown St. Paul. Additionally, the Northstar commuter rail connects several northwest suburbs of the Twin Cities to downtown Minneapolis. The nearest station stops to Blaine are Anoka, Coon Rapids – Riverdale, and Fridley.

Utilities

The Minneapolis/St. Paul area, as well as Blaine, is served by municipal water and sewer systems, electricity, telephone service and natural gas. Sewage disposal is regulated by the Metropolitan Waste Control Commission.

The Metropolitan Council controls sewer availability by restricting the area that it will serve. The area served is called the Metropolitan Urban Service Area (MUSA). Through its control of municipal sewer, the Metropolitan Council has been able to direct urban development.

Industry and Economic Climates

Minnesota is home to 15 companies listed on the 2023 Fortune 500 list, as well as privately held firms such as Cargill who is listed #1 on the Forbes 500 list. Large insurance companies based in the Twin Cities include UnitedHealth Group, Thrivent Financial, and the Securian Financial Group Companies. Additionally, the Twin Cities includes the corporate headquarters of US Bank and the regional headquarters of Wells Fargo, two of the largest commercial bank holding companies. Furthermore, Target Corporation, 3M, Best Buy, General Mills and Ecolab are headquartered in the Twin Cities. In addition, the U.S. Government's Ninth Federal Reserve Bank is located in Minneapolis.

Enhanced by the vast and rich agricultural region surrounding the Twin Cities, long-term analysis of economic and demographic data reveals a trend of general growth and stability of the area's well-diversified economy. However, despite the region's virtues, it was not isolated from the national and global economic events that occurred in 2008 and 2009,

which sent the nation into a deep recession. Furthermore, while the national and regional economies experienced significant improvements since 2013, due to the COVID-19 pandemic, high unemployment rates and various events which occurred in the first half of 2020 created economic and business uncertainties that have permeated all aspects of the real estate market. However, unemployment rates and the economy in Minnesota have experienced significant improvements since that time.

As part of the valuation process, an analysis of the market affecting the subject property is conducted. This analysis helps lead to conclusions concerning the marketability and/or income potential of the subject property. In this context, a review of the general metropolitan area market is presented. The information in this market analysis was obtained from various Minneapolis/St. Paul commercial real estate and real estate brokerage publications, such as but not limited to: Cushman & Wakefield, Colliers, CBRE, Newmark, YardiMatrix, Marcus & Millichap, STR, Business Journal, and Finance and Commerce, as well as the Metropolitan Council.

Land

- There is continued strong demand for industrial land, as suburban cities have become more amenable to new projects like bulk distribution centers, meanwhile the likelihood of attracting office development is low. Also, infrastructure projects, including sewer and water extensions and new freeway interchanges, have driven up land prices in certain new industrial zoned/guided areas.
- Industrial users are seeking larger sites that feature convenient access to transportation corridors to accommodate the rapidly increasing space requirements of e-commerce and fulfillment business, and strategically located sites in second-ring suburbs that have access to the interstate system, municipal utilities and workforce population are pushing industrial land pricing up.
- Competition has intensified for contiguous 40-acre parcels that could accommodate multiple buildings ranging upward of 300,000 to 500,000 SF. Large-scale activity includes a 417,000 SF Home Depot distribution center and a 548,000 SF FedEx facility in Rosemount. NorthPoint Development has broken ground on a 3.4 million SF development located on almost 253 acres of land in Cottage Grove.
- Multi-family land continues to experience an availability shortage in the first and second ring suburbs. Developers are turning to redevelopment of non-functional office, retail, and industrial assets closer to the urban core while staking out land positions in more outlying suburban areas.
- Luxury market-rate apartments are continuing to be developed in affluent suburbs, where rents have exceeded expectations. Still, demand is strong for sites that are

within walking distance of popular amenities such as grocery stores or proximate to transit routes.

- Homebuilders continue to seek sites located in suburban cities that have well-regarded public schools. Residential subdivision developments are evolving to include a mix of housing types, price ranges and lot widths. Developers are also focused on constructing townhome products that cater to first-time homebuyers.
- Commercial land demand is primarily coming from individual users that are immune from online shopping. These users include banks, gas stations, grocery stores, and drive-thru quick serve restaurant concepts.
- Demand for office and hospitality land is on hold due to the pandemic raising fundamental questions that are still to be answered in the long-term. Furthermore, vacancy rates for hotels continue to exceed the national average and indicate a lower demand for hotel land.

Retail

- The Twin Cities area is experiencing significant growth in the retail sector due to its robust wage growth, tight labor market, and apartment affordability. Despite concerns about inflation, the Twin Cities continue to see tenant expansion in the retail sector.
- Due to tight fundamentals, the Twin Cities have an annual rent growth of 3%, which is significantly higher than the historical average of 0.3%.
- The suburban retail market in Minneapolis-St. Paul is outperforming its urban counterpart due to the rise of remote jobs. Submarkets such as Apple Valley/Lakeville, Burnsville, Coon Rapids, Eagan, Maple Grove, and Woodbury are seeing significant demand for retail such as banking, large discount stores, and homegrown tenants. Additionally, active concepts for smaller spaces include coffee and quick-service restaurants such as Caribou Coffee, Chipotle, Crisp & Green, Shake Shack, Starbucks, and Sweetgreen.
- The Twin Cities area is predicted to remain relatively balanced for the foreseeable future due to its positive demand growth, despite trailing the national average of market asking rents and having low net deliveries. Annual net absorption for 2022 was about 302,000 SF, which is a six-year high in the metropolitan area.
- The Twin Cities saw low numbers of 780,000 SF in gross deliveries in 2022, and an all-time low in gross deliveries is anticipated for 2023. New construction is primarily focused on mixed-use projects to draw foot traffic. Reimagining strip centers and housing anchored properties are vital to success in looking ahead to the future of the retail market.
- The Twin Cities area is experiencing its highest deal volume recorded in more than 15 years, with fourth quarter sales volumes in 2022 recorded approximately 50 percent higher than the five-year pre-pandemic average. The suburbs in Twin Cities accounted for over 95 percent of total sales volume.

Multi-Family

- The multi-family residential market remains hot and there is still demand for rental units; however, getting construction started on new multi-family projects is the most difficult part of the process.
- Multi-family projects are risky endeavors with rising interest rates, construction costs, and a tight labor market. Even so, construction costs are starting to level off or decline.
- Some developers are moving away from micro units and studios as people spend more time at home. Also, common areas are being designed with the remote worker in mind.
- Investors' appetite for Twin Cities multi-family assets held steady in 2022, hitting \$1.4 billion through November with investor interest almost fairly split between quality segments. This is slightly below the \$1.8 billion transacted in 2021.
- The average per-unit sale price in the Twin Cities topped \$200,000 for the first time at \$206,936, which is a 21.4% increase from 2021. Meanwhile, the U.S. average hit \$215,443, accounting for a 12.0% increase.
- Although some developers pulled out of the market in response to the rent stabilization laws passed in St. Paul in 2021, overall construction activity increased in 2022.
- Developers delivered 14,391 multi-family units in 2022, of which 10,993 units were market-rate and 3,398 units were rent-restricted, resulting in an 11%, 3%, and 46% increase from 2021, respectively. Furthermore, among market-rate products, general-occupancy units hit a new peak with 9,979 units placed in service, while senior housing delivered just over 1,000 units.
- In 2022, first-ring suburbs account for the majority of the multi-family development with more than 3,700 units constructed and senior housing continued to be concentrated in the suburbs at 1,551 units constructed.
- Although Colliers estimated 2023 multi-family production in the Twin Cities to be below that of 2022, the total constructed units is still expected to exceed 13,000 units, at approximately 14,600 units. Furthermore, all multi-family categories are expected to realize lower production rates as compared to the previous year, with the exception of market rate senior rentals.
- The largest multi-family project underway, as of November 2022, was The Fred, a 408-unit development in Edina. Solhem Cos. began work on the project in May 2022, using a \$79.6 million construction loan from Associated Bank. Completion is scheduled for May 2025.
- The Twin Cities average rent in 2022 through November was \$1,469, which is slightly below the U.S. average of \$1,719. Although rent growth in the Twin Cities was relatively flat on a trailing three-month basis through November 2022, apartment rents are forecasted to increase 3.1% in 2023 and 4.1% in 2024, exceeding those in 2022 and 2021.
- Metro-wide vacancy rates for stabilized units remained under 4.5% in 2022.

- Many renters are seeking larger units in more spacious communities. Remote and hybrid work schedules are making commute time less of a factor for renters.
- Many investors are looking towards the suburbs, where apartment metrics have been improving, and household formation increases.
- Upper-tier apartments have benefitted from the strong single-family housing market, as Minneapolis-St. Paul's median home price has continued to increase year-over-year, and apartments are an appealing alternative.
- Construction of the light rail line in the southwest metro area has continued to spark new multi-family development/re-development projects in St. Louis Park, Hopkins, Minnetonka, and Eden Prairie that are in various stages of the planning and development phases.
- Developers have continued to face the challenges of material cost increase, supply chain delays, a shortage of skilled labor, and increasing borrowing rates. Nonetheless, multi-family development has remained resilient and is anticipated to continue in 2023.

Industrial

- Industrial demand in the Twin Cities metro area remains strong, leading to a five-year low vacancy and driving rent growth. Colliers reports that the metro-wide vacancy rate is 2.9%.
- The construction pipeline is disrupted due to economic conditions and cannot keep pace with the continued tenant demand. Less speculative development is occurring in the industrial market in Q1 2023, which can have an upward pressure on rents for existing inventory. This is a change from two years ago when many projects were built on faith.
- Even so, Colliers reports that there is about 7 million square feet of industrial space under construction, which is about a 50% increase from a year ago. Large projects are underway in Maple Grove, Brooklyn Park, Woodbury, Lake Elmo, and Cottage Grove.
- Listed rental rates for warehouse-distribution spaces are around \$7.36 per square foot, up about 24% from last year. Alternatively, competitive space and new construction are running closer to \$8.00 per SF. Some brokers are also seeing up to 5% annual increases on existing leases.
- Select developers are still moving ahead on projects despite higher interest rates and cap rates, which require higher rents to make it work. Furthermore, some lenders who have office loans on their books are more hesitant to put money into the market amid the current office sector challenges.
- The demand for industrial space in the Twin Cities region still exceeds supply, and experts expect the industrial market to withstand the challenges posed by the higher interest rates and uncertain economic environment.

- While higher interest rates have slowed the sales of industrial buildings, they have not yet impacted leasing activity. Consumer and business demand for fast delivery has led to sustained tenant demand for industrial space. Tenants are still seeking last-mile space and these sites are becoming harder to find.
- The amount of new industrial construction has slowed, and investors have become cautious due to uncertainty in the market. Obtaining financing for all commercial real estate deals has become more difficult and expensive, and sellers are holding onto their industrial assets, waiting for the right sales price before closing deals. In terms of improved properties for sale, one broker estimates that there is only 1/10th of what was on the market two years ago.

Hotel

- Although the Twin Cities hotel market was negatively impacted by the pandemic, the Minneapolis-St. Paul market over the past several months has experienced occupancy improvement vs. 2022.
- The overall February 2023 occupancy rate in Minnesota was 46%, which is 2.7% greater than the February 2022 occupancy rate, but well below the national average of 60%.
- STR reports that the local markets with the highest February 2023 occupancy were Bloomington (56.7%) and Rochester (51.1%). The Minneapolis occupancy came in at 33.6%.
- STR reports that Minnesota's statewide February 2023 Revenue per Available Room (RevPAR), was \$53.14 with a year-over-year increase of around 14%.
- Transportation Security Administration (TSA) data showed the Q1 2023 travel volume (6,338,563 people) increased to near pre-pandemic levels last seen in 2019 (Q1 2019: 6,319,469 people)
- The hotel market continues to experience competition from Airbnb and other short-term rental options. Short-term rentals have achieved higher RevPAR and occupancy levels compared to hotels.
- In 2022, six new hotels opened in five buildings in downtown Minneapolis. However, this was primarily due to the fact that planning for new hotels began before the pandemic. Furthermore, downtown Minneapolis hotels remain two-thirds empty as of the beginning of 2023.
- Hotel sales activity in the Twin Cities rebounded in 2021 and 2022; however, many of the top sales in Minneapolis-St. Paul were sold at bargain prices. The top deal of 2022, the \$30.7 million sale of Hotel Ivy in downtown Minneapolis, is barely half the price of the \$60.55 million sale of Marquette Hotel. It is also noted that the 2021 sale of Marquette Hotel is nearly \$14 million less than the sale price in 2016. Additional hotel sales are the La Quinta Inn & Suites by Wyndham Minneapolis Bloomington for \$14.25 million, the Best Western Plus Bloomington Mall of American for \$13.2 million and the Quarterdeck Resort in Nisswa for \$11

million. Furthermore, the Hilton Minneapolis Hotel sold for \$225 million in a foreclosure auction.

- Reportedly, the rebound in business is luring investors to strong hotel properties, even in outstate locations.
- There is uncertainty going forward as workforce challenges, inflation, COVID-related debt, and uneven conditions across sectors are lingering causes of concern.
- Overall, the Twin Cities are not a high leisure travel destination and primarily rely on business and conference guests. Furthermore, the corporate and business markets have rebounded slower than leisure, sports, and conventional travel. Even so, Minneapolis-St. Paul's hospitality and tourism industries continue to recover and are expected to return to or exceed pre-pandemic levels over the next few years.

Office

- At the national level, office demand suffered again in Q1 2023. Leasing activity declined 23% quarter-over-quarter, hitting levels seen during the height of the pandemic in mid-2020. Absorption was negative for the 11th quarter out of the past 12, and the national office vacancy rate increased by 60 basis points to 18.6%. Construction activity is being impacted by the higher cost of capital, lingering supply chain issues, labor costs and general doubt related to the office sector.
- The Minneapolis-St. Paul office market and submarkets feature a total supply of 120.2 million SF of office space with an overall vacancy rate of 16.3%.
- Office space vacancies in the Minneapolis-St. Paul office market are steadily rising as companies implement hybrid and remote work policies as a by-product of the COVID-19 pandemic.
- The Minneapolis-St. Paul office market recorded negative 398,086 SF of overall absorption, in Q1 2023. Despite elevated vacancy, gross asking rental rates increased slightly to \$30.13/SF, which is justified by increased landlord concessions including tenant improvement allowances and free rent. Prime Class A office space will continue to have strong demand as tenants desire experience and quality. Class B and Class C properties will see lower levels of activity.
- The Class B office building vacancy rate has risen 6.38% quarter-over-quarter, contrasting both Class A and Class C. Class A vacancy rates have fallen 27 basis points, and Class C has decreased 130 basis points.
- In 1Q 2023, the highest vacancy rates are found in the Minneapolis CBD, I-394 Corridor, I-494 Corridor, and St. Paul CBD. Lower vacancy rates can be found in the Northwest, Midway, and Suburban St. Paul submarkets.
- In the Minneapolis market, Q1 leasing activity reached 824,811 sq. ft., 9% below the average leasing activity of the prior four quarters. The majority of leasing activity in Q1 was focused on Class A space with 451,127 sq. ft. of activity, representing 55% of total leasing velocity this quarter.

- Minneapolis sublease availability rose slightly to 3.8M sq. ft. in Q1 2023. This represented 18% of the total available space in the market and 5% of the net rentable area. Since Q1 2020, there has been 2.1M sq. ft. of sublease space added to the market as tenants have continued to navigate changes in workplace strategies and economic shifts.
- Investment sales in the Minneapolis office market had a volume totaling \$109 million in Q1, a 45% decrease year-over-year. These Q1 sales were predominately led by suburban sales, with 74% of total sales volume.
- Strong suburban leasing activity is likely to continue, especially in the western and southwestern suburbs.
- The Minneapolis-St. Paul real estate market is looking toward adaptive reuse of office buildings, both into industrial and multi-family buildings. Key factors for conversion include floorplate, location, and price. Minneapolis's mayor has indicated government assistance may be available to convert obsolete office space into residential.
- Overall, a 3-to-5-year period of uncertainty is expected in the Minneapolis-St. Paul office market as the market navigates the future of office demand and a new equilibrium is found.

Investment and Capital Markets

- Some market participants think that interest rates may never drop to the levels seen in 2021 and 2022, which were largely a result of the pandemic and economic policy that focused on recovering from COVID-19. Investors do not necessarily need rates to fall back to a historic low, they just need to know where rates will settle.
- Investors hate uncertainty and there is nothing certain about today's economy. Three bank failures early in 2023 have added to this cautiousness.
- Retail capital markets' activity in 2022 surpassed the Twin Cities three-year pre-pandemic average by about 50 percent. It recorded its highest deal volume in more than 15 years at \$1.8 billion in 2022, well above the five-year pandemic average of \$390 million. The Twin Cities is ranked among the 15 highest cap rates for major markets nationally and the current retail cap rate of 7.1% exceeds the national average of 6.7%.
- The largest single-asset sale in more than three years was the ± 380,000 SF Galleria shopping center in Edina, which was purchased by a local private buyer in March 2022 for \$150 million (\$394 per SF).
- In the industrial sector, Class A and B cap rates have shot up and sit just below the 6% mark, unless you can find a highly motivated one-off investor. 2023 is forecasted to be a year of outlier investors, as a significant amount of capital remains sidelined due to a tightening debt market. Cap rates are expected to bounce between the low to high 5% mark and a much higher portion of deals will close

off-market than typical. Even so, double digit year-over-year rent growth will keep values shifting upward despite cap rate volatility.

- Industrial development yields are likely to shift downward from 2022's high of $\pm 7\%$ to the mid to high 6% range.
- Industrial investment sales volume dropped 5% in 2022; however, this figure remains above the \$2 billion mark.

Summary

In summary, prior to the COVID-19 pandemic, most markets were expected to experience continued demand and increased pricing. The Twin Cities had gained favor with international and national investors who are interested in bulk industrial, multi-family, core Class A office, and well positioned grocery-anchored retail centers. Sellers of top-quality assets in prime locations with predictable income streams, a strong tenant base and good credit were expected to see the most demand.

However, the COVID-19 pandemic affected the nation and created uncertainty for the U.S. economy. Remote working, telehealth, drive-through and curb-side pick-up became the new norm. Even so, Industrial investment remained in strong demand. Further, while urban core multi-family residential experienced a pause at the beginning of the pandemic, this submarket has rounded. Meanwhile, the suburban multi-family market has remained strong, and the single-family market also experienced strong demand, with limited for sale inventory. Conversely, demand for hotel and office properties remains lower, but upward trends are projected over the next few years. Overall, the impacts of the pandemic have improved significantly. Alternatively, with the more recent increases in interest rates, the short-term outlook for the Twin Cities metropolitan area remains cautiously optimistic.

NEIGHBORHOOD DATA

The subject is located along the west side of the Central Avenue (MN-65) corridor in Blaine. More specifically, the subject is located in the northwest quadrant of the Ulysses Street NE and the 117th Avenue NE intersection, which is currently not signalized, and a four way stop. The Central Avenue corridor is a north-south principal arterial and is the primary commercial node for the City of Blaine. Several large and small retailers are located along the roadway and some of the larger retailers include Menards, Kohl's, Target, Aldi, Walmart, and Lowe's. Ulysses Street NE serves as frontage/backage road for the west

side of MN-65 and property uses west of Ulysses Street NE are primarily residential. There are also several parks proximate to the subject including Hidden Pond Park, Happy Acres Park, Northwood Park, Jaycee Park, and the Blaine Baseball Complex.

The neighborhood is well located with Highway 65 to the east and Highway 10 to the south. Furthermore, Interstate 35 is approximately four miles to the southeast, which provides regional access to the Twin Cities metropolitan area and stretches all the way to Duluth, Minnesota to the north. The subject is located approximately three miles north of Fogerty Ice Area, which features two indoor ice rinks and a third sheet of ice dedicated for curling. Furthermore, the subject is less than two miles northwest of the National Sports Center, a 600-acre multi-sport complex in Blaine that features a soccer stadium, over 50 full-sized soccer fields, a golf course (Victory Links), a velodrome, a meeting and convention facility, and eight sheets of ice. The eight sheets are part of the Schwan Super Rink, which is the largest ice arena complex in the world. Other notable properties proximate to the subject include the Anoka County-Blaine Airport (Janes Field) and TPC Twin Cities, a private golf club. The airport is located east of the subject on the other side of MN-65 and TPC Twin Cities is about one mile southeast of the subject. TPC Twin Cities hosted the 3M Championship, a senior tour professional golf tournament, between 2001 and 2018, and since 2019, the course has hosted an annual PGA Tour event, the 3M Open.

The neighborhood is also served by all modern utilities, including municipal water and sanitary sewer. Public improvements include bituminous surfaced streets, concrete curb and gutter, concrete sidewalks, and an in-ground storm sewer system. In conclusion, the neighborhood is anticipated to remain viable into the future.

Neighborhood traffic volumes are summarized as follows.

Neighborhood Traffic Volumes (AADT)		
Roadway	AADT	Year
Central Avenue (T.H. 65)		
North of 117th Ave NE	37,525	2021
South of 117th Ave NE	45,500	2017
117th Avenue NE		
East of Ulysses Street NE	11,617	2021
West of Ulysses Street NE	4,395	2021
Ulysses Street NE		
North of 117th Ave NE	9,240	2021
South of 117th Ave NE	7,166	2021
113th Avenue NE		
West of Central Avenue	1,584	2021
Paul Parkway NE		
West of Central Avenue	4,100	2019

LOCATION AND LEGAL DESCRIPTION

Location: Part of 1105 117th Avenue NE
Blaine, Minnesota

Property Identification
Number: Part of 08-31-23-33-0039

Legal Description: The following legal description is for the entirety of Anoka County tax parcel 08-31-23-33-0039; however, as previously discussed, the subject of this report is only the excess land of the church property, which is the land east of the church site.

Lot 8, Block 4, Eagle Creek Subdivision, Anoka County, Minnesota

TAXES AND ASSESSMENT DATA

The three most recent years of tax and assessment data for the larger church property are summarized below. It is noted that the special assessments are for waste management fees.

TAX AND ASSESSMENT DATA			
Property Identification No.	08-31-23-33-0039		
Market Value Summary	January 2, 2021	January 2, 2022	January 2, 2023
Land	\$2,250,000	\$2,700,000	\$3,090,000
Improvements	\$1,742,600	\$1,718,400	\$1,867,900
Total	\$3,992,600	\$4,418,400	\$4,957,900
Real Estate Taxes Summary	Payable 2022	Payable 2023	Payable 2024
General Taxes	Exempt	Exempt	N/A
Special Assessments	\$1,362.90	\$1,362.90	N/A
Total	\$1,362.90	\$1,362.90	N/A
Effective Tax Rate	N/A	N/A	N/A
Analysis of Assessor's Market Value			
Year	2021	2022	2023
Land Area (SF)	585,011 SF	585,011 SF	585,011 SF
Land Value per SF	\$3.85	\$4.62	\$5.28

ZONING

Zoning is administered by the City of Blaine. As depicted on the Blaine Zoning and 2040 Future Land Use Maps that follow, the subject is zoned R-1AA, Single Family and guided Low Density Residential by the Blaine 2040 Comprehensive Plan. Given that the subject is part of a church property, which are often zoned and guided residential due their current use, the appraisers asked Sheila Sellman, City Planner for the City of Blaine, if the excess land was not associated with the church, what would be the property's likely zoning and guiding. Ms. Sellman was hesitant to suggest that the property would have a different zoning/guiding than what it currently is because the property is adjacent to a single-family development, which is north of the subject.

Even so, the appraisers have analyzed the surrounding land uses of the subject, the surrounding land uses of other churches in Blaine and nearby communities to determine the likelihood of a change in future land use for the excess land. While some churches in Blaine are zoned/guided "residential" and surrounded by single-family residential uses, there are cases where a church property is not zoned/guided "residential", as evidenced below.

Identity & Location	Zoning	Guiding	Surrounding Land Uses
A) Renovation Church 12390 Fraizer St. NE Blaine, MN	PBD	Planned Commercial	Single-family villas, Townhomes, Daycare, Kwik Trip
B) Oak Park Community Church 12050 Aberdeen St. NE Blaine, MN	B-4	Community Commercial	Single-family homes, Commercial/Office Building, Wells Fargo
C) Chain of Lakes Church 2650 125th Avenue NE Blaine, MN	DF	Medium Density Residential	Single-Family Villas and Townhomes
D) Hope Church 1264 109th Ave. NE Blaine, MN	R-1	Low Density Residential	Single-family homes, Townhomes, VFW post, Walgreens
E) Christ Lutheran Church 641 89th Ave. NE Blaine, MN	R-1	Low Density Residential	Church/School, Single- Family Homes, Shopping Center

Zoning

It is noted that the examples of church properties on the previous page do not have excess land and that any change in zoning and/or future land use would require a comprehensive plan amendment and need to be approved by the City Council. Therefore, while the appraisers have strong reason to believe that the zoning/guiding of the subject excess land could be amended, there is some uncertainty as to what the zoning/guiding would be changed to and would ultimately depend on what types of uses are looking to be developed. Based on some of the newer churches developed in Blaine and examples of churches in other municipalities selling excess land to developers, the appraisers opine that it is reasonable to assume that the excess land could be developed with a daycare, a single-story office building like the one located at 11820 Ulysses Street NE (adjacent to northeast corner of subject), low-to-medium density residential uses, a church or similar community use, or a combination of any of these uses.

Again, since any change in land use would require a comprehensive plan amendment and approval by the City Council, the appraisers have only summarized the subject's existing zoning and guiding. However, the appraisers have reviewed other zoning districts and future land uses and this information is retained in the appraisers work file.

R-1AA, Single-Family District

The purpose of this district is to allow low-density single-family units in developing portions of the city where sanitary sewer and water services are available. This district establishes lot sizes and house sizes that are slightly larger than those of the R-1 District.

Permitted uses in the R-1AA District include the following:

- Single-family detached dwellings
- Group family daycare
- State licensed residential care facilities serving six or fewer persons

Conditional uses in the R-1AA District include but are not limited to the following:

- Boarding houses
- Churches
- Schools
- Golf courses

Bulk requirements for the R-1AA, Single-Family District are as follows:

Front yard setback—Thirty (30) feet

Side yard setback—Ten (10) feet

Corner lots—Twenty (20) feet

Rear yard setback—Thirty (30) feet

Garages and accessory buildings shall have rear and side yard setbacks of not less than five (5) feet and corner yard setbacks of not less than 20 feet.

Conditional use permits under [section] 29.3604(b), (c), (d) and (e) shall have the following setbacks; building—Fifty (50) feet front, rear and side; parking—Thirty (30) feet front, rear and side.

Minimum lot size—Ten thousand eight hundred (10,800) square feet

Lot width—Eighty (80) feet

Lot width corner—Ninety (90) feet

Minimum frontage—Sixty (60) feet

Minimum depth—One hundred twenty-five (125) feet

Maximum building height shall not exceed two and one-half (2½) stories or thirty (30) feet, whichever is less.

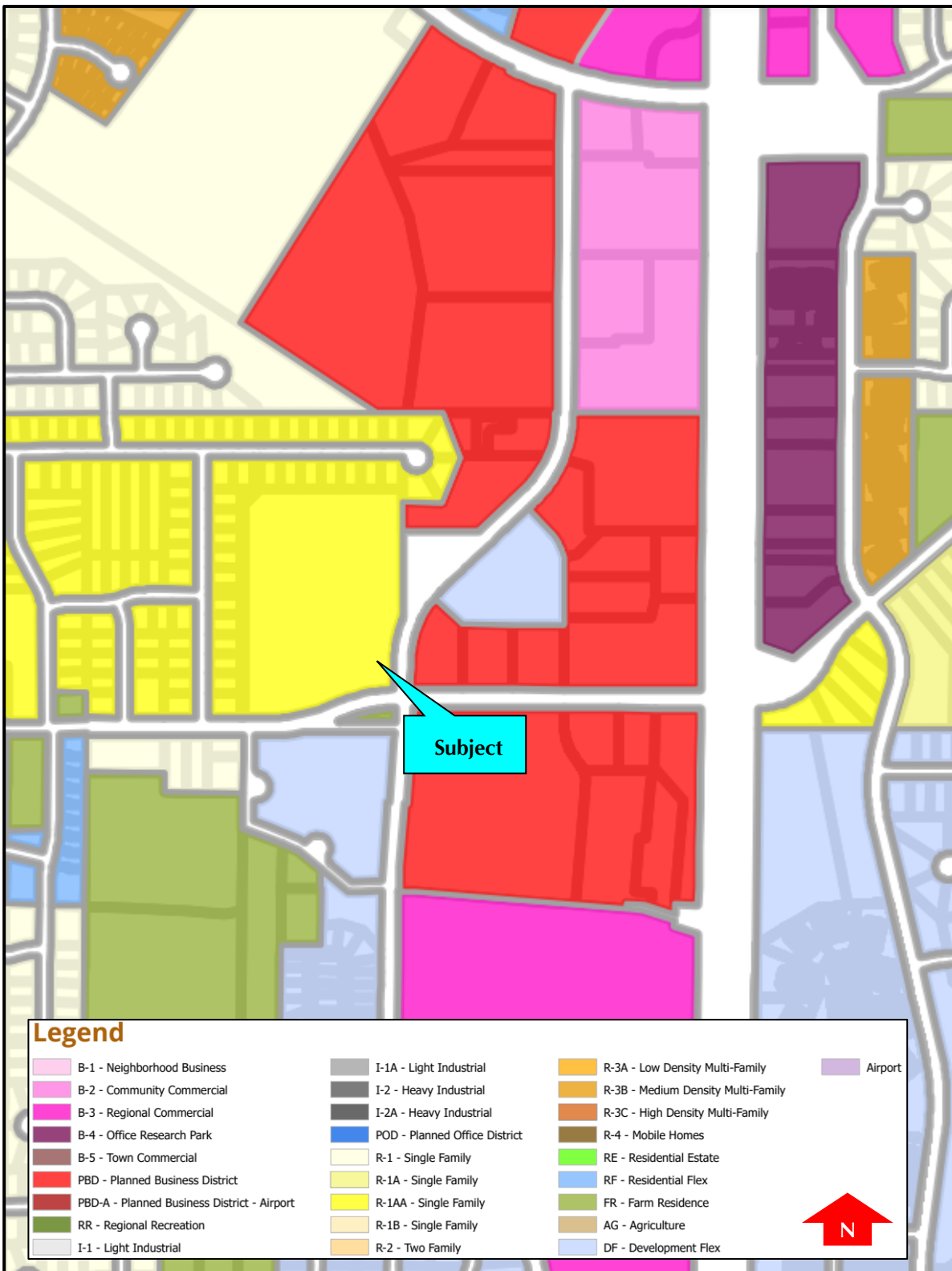
Guiding

According to the Blaine 2040 Comprehensive Plan, the description of the Low Density Residential land use category is residential purposes, including mostly single-family homes and manufactured homes. The density guidelines are 2.5 to 6.0 units per acre.

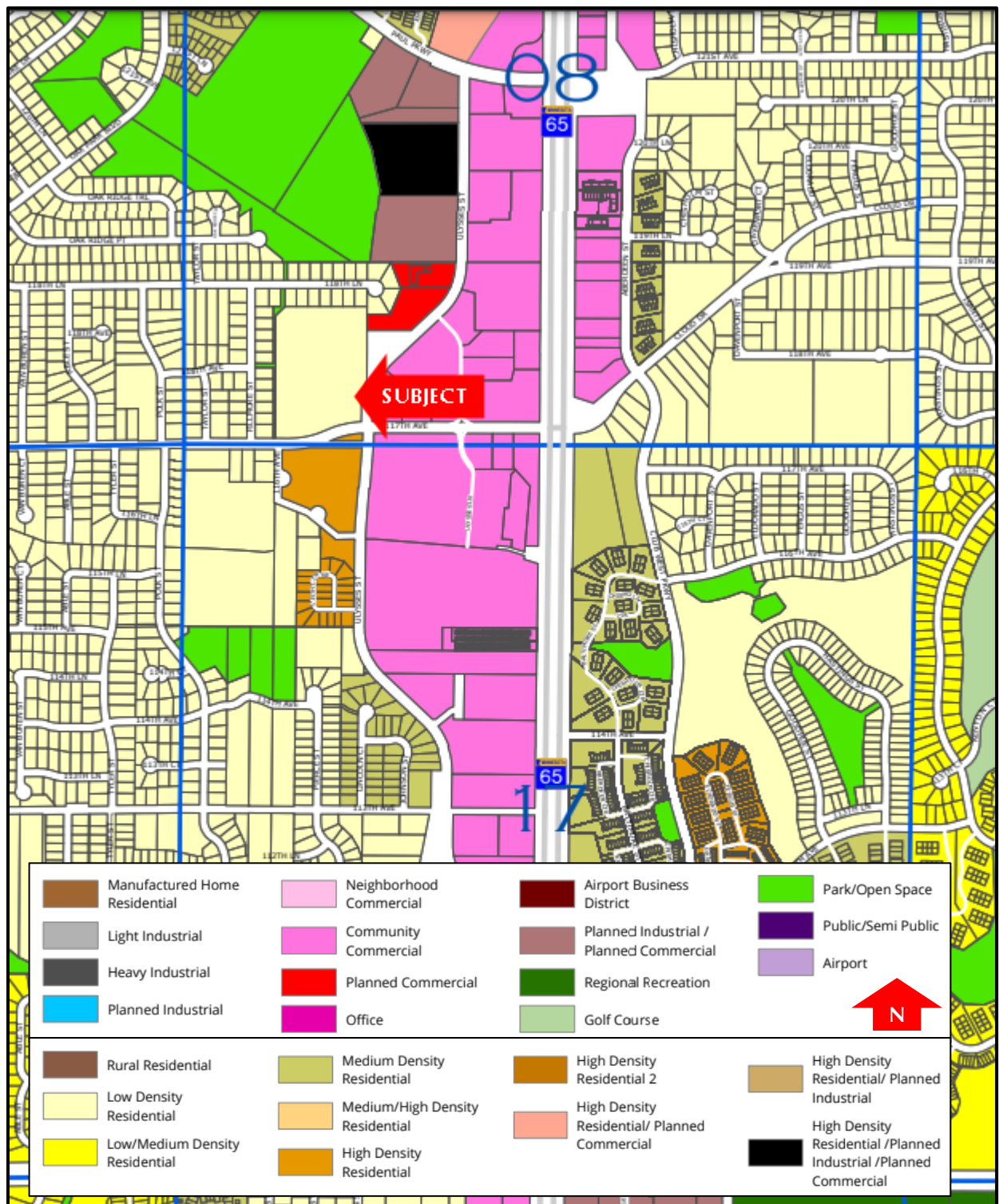
Summary

As discussed, the appraisers believe that a change in land use (zoning/guiding) is reasonably probable given the other uses at the intersection of Ulysses Street NE and 117th Avenue NE and the fact that the other communities have been amenable to new uses for excess land that has been sold by churches.

ZONING MAP (ENLARGED)



2040 COMPREHENSIVE LAND USE MAP (ENLARGED)



LAND DESCRIPTION

Land Area:

284,375 SF, or 6.53 Acres
Source: Anoka County GIS (estimated by appraisers)

It is noted that the total area of the larger parcel (church and excess land) is 585,011 SF, or 13.43 acres.

Shape:

Effectively Rectangular

Street Improvements:

117th Avenue NE is a four-lane roadway with dedicated turn lanes that runs east/west. Ulysses Street NE is a two-lane road that runs parallel with M.N. 65 and acts as a frontage/backage road. MN Highway 65 (T.H. 65 or Central Avenue) is a principal arterial that runs north-south through the city and serves as a key commuter route to the I-694 corridor and further south to downtown Minneapolis.

Street Frontage:

The subject has approximately 310 LF of frontage along 117th Avenue NE and 307 LF of frontage along Ulysses Street NE.

Street Access:

While the subject does not currently have any curb cuts, according to the City of Blaine engineering department, the future access point for the subject is located along Ulysses Street NE, effectively in-line with the private roadway along the north side of Kwik Trip, just south of the drainage pond that is adjacent to the subject. Alternatively, the church’s existing easterly curb cut along 117th Avenue NE could be shared with the subject and possibly widened.

Traffic Counts:

Traffic Volumes		
	AADT	Year
117th Avenue NE (East of Ulysses St. NE)	11,617	2021
117th Avenue NE (West of Ulysses St. NE)	4,395	2021
Ulysses Street NE (North of 117th Ave. NE)	9,240	2021
Ulysses Street NE (South of 117th Ave. NE)	7,166	2021

Soil Conditions:

The soils appear stable and suitable for typical construction practices. However, neither soils tests nor engineering data have been provided to the appraisers in conjunction with this appraisal.

Topography:

The topography is generally level and open, with a gentle slope downward to the east. There is a drainage basin located in the southwest corner of the site and a ditch in the northwest portion of the site. Additionally, the northern and northeast portions of the site contain natural vegetation.

Flood Hazard: The western portion of the subject is located in Zone X, an area with minimal flood risk. No flood hazard analysis has been conducted. The eastern portion of the subject is located in Zone A, which is an area with a 1% annual change of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed evaluations are not performed for such areas; no depths or base flood elevations are shown within these zones.

Community Panel Number: 27003C0336E
Effective Date: December 16, 2015

Utilities: All public utilities are available to the site.

**Easements &
Encumbrances:** Based on the title work provided to the appraisers and the following plat map, the subject is encumbered by a perimeter drainage and utility easement.

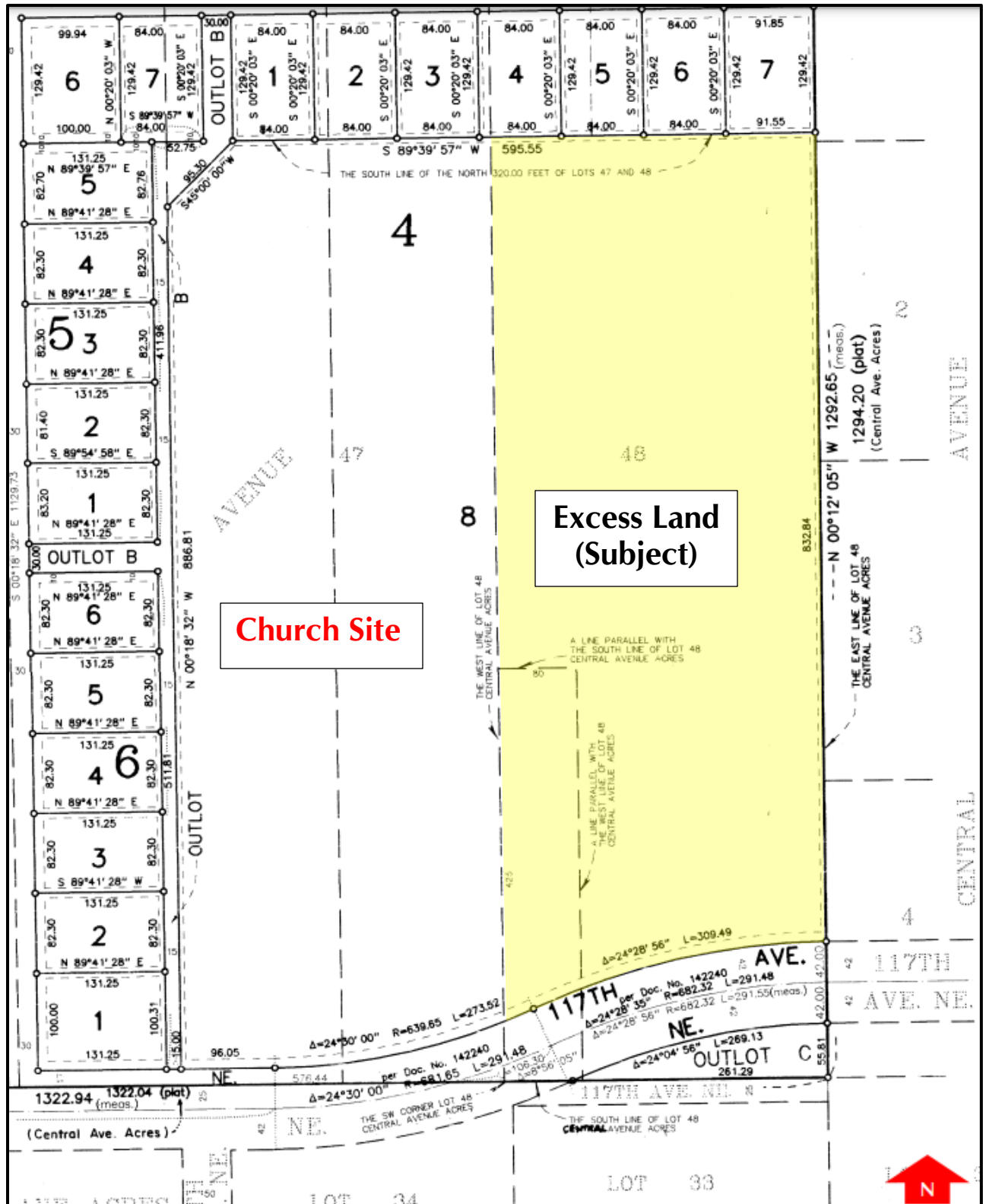
The appraisers are not aware of any other apparent easements or encumbrances that would have a significant effect upon the subject's market value or marketability.

ENVIRONMENTAL CONSIDERATIONS

It is assumed that no environmental concerns such as PCBs, toxic and hazardous soil or ground water contamination exist upon the subject as of the date of this appraisal report.

However, the reader is advised that neither appraiser is qualified to perform inspections concerning the existence or absence of environmental concerns. If any environmental contaminants do exist within the subject property, the assignment results would likely be different.

ENLARGED PLAT MAP



HIGHEST AND BEST USE

Highest and best use is defined in *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute as follows:

The reasonably probable use of property that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

As described in *The Dictionary of Real Estate Appraisal*, Fifth Edition, Appraisal Institute, the highest and best use, as vacant and as improved, is further distinguished as follows:

Highest and best use of land or site as though vacant - Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.

Highest and best use of property as improved - The use that should be made of a property as it exists. An existing improvement should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one.

As Vacant

In order to determine highest and best use of the subject property, as vacant, the following factors must be considered when addressing possible uses.

1. Legally Permissible
2. Physically Possible
3. Financially Feasible
4. Maximally Productive

The first test of highest and best use involves identifying those uses which are legally permissible. Legal restrictions can include public restrictions such as zoning and building codes, and private restrictions such as deed restrictions and protective covenants.

The subject is located in the city of Blaine, with a base zoning classification of R-1AA, Single Family and a comprehensive land use designation of Low Density Residential. Alternatively, as outlined in the Zoning section of this report, it is the appraisers' opinion that a rezoning/comprehensive land use amendment is reasonably probable for several compatible/complimentary uses with the surrounding developments. As evidenced by several sales of excess land owned by churches throughout the Twin Cities, possible uses

may include medium density residential (townhomes), assisted living/ memory care facility, or a daycare. Further, the appraisers do not believe that single-family residential development is the highest and best use of the subject. Even so, given the single-family development to the north and the church to the west, the City would likely not approve a high-density development and it would not be in the best interest of the current owner to sell the site to an intense user that would block the church's visibility.

The site has sufficient size, with a land area of 284,375 SF, or 6.53 acres, to accommodate a variety of commercial or residential uses. Furthermore, the topography is generally level and open, with a gentle slope downwards towards the east. Additionally, there is a small drainage basin the southwest corner of the site and a ditch in the northwest portion of the site. Also, the terrain and soils are assumed conducive for building construction; however, it is noted that the eastern portion of the site is located in Flood Zone A, which is an area with a 1% annual change of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed evaluations are not performed for such areas; no depths or base flood elevations are shown within these zones. Therefore, due to limited information regarding this area, the appraisers assume this area is considered buildable without being raised.

Additionally, all public utilities are present, and the subject has good access to the surrounding area. While the site does not currently have a curb cut, according to the City of Blaine engineering department, the future access point for the subject is located along Ulysses Street NE, effectively in-line with the private roadway along the north side of Kwik Trip, just south of the drainage pond that is adjacent to the subject. Given the traffic volume, visibility, and surrounding land uses, the subject is well suited for low intensity commercial use, medium density residential use, or a combination of both. Also, as evidenced by the comparable land sales and other residential and commercial development projects that are in various stages of development or recently completed, these types of uses continue to be financially feasible. However, given rising interest rates and construction costs, the development activity in most cities is far less than it was a couple of years ago.

Given the above, the highest and best use of the subject, as vacant, is low intensity commercial use, medium density residential use, or a combination of both.

EXPOSURE AND MARKETING TIME

The following definitions are taken from *The Dictionary of Real Estate Appraisal*, Seventh Edition, Appraisal Institute:

Exposure Time: 1) *The time a property remains on the market;* 2) *An opinion, based on supporting market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.*

Marketing Time: *An opinion of the amount of time to sell a property interest at the concluded market value or at a benchmark price during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which precedes the effective date of an appraisal.*

Exposure time of nine to twelve months would be required to sell the subject property, based on the value stated herein. Marketing time, including due diligence and closing, is estimated at up to twelve months.

APPRAISAL PROCEDURES AND TECHNIQUES

Three traditional approaches to value are widely accepted in the appraisal of real property. These three approaches are briefly described below.

Cost Approach - Considers the current cost of replacing a property, less the depreciation from three sources: physical deterioration, functional obsolescence and external obsolescence. A summation of the market value of the land, assumed vacant, and the depreciated replacement cost of the improvements provides an indication of the total value of the property.

Sales Comparison Approach - Produces an estimate of value by comparing the subject property to sales and/or listings of similar properties in the same or competing areas. This technique is used to indicate the value established by informed buyers and sellers in the market.

Income Approach - Based on an estimate of the subject property's possible net income. The net income is capitalized to arrive at an indication of value from the standpoint of an investment. This method measures the present worth of anticipated future benefits (net income) derived from a property.

The appraisal assignment is to estimate the fee simple market value of the subject property, both before and after a partial acquisition of a permanent roadway easement, a drainage

and utility easement, and a temporary easement. Since the acquisition only affects a portion of the excess land near the 117th Avenue NE and Ulysses Street NE intersection, only the value of the land and affected site improvements, if any, are appraised. The sales comparison approach is the preferred, and most common, technique for valuing land. Therefore, only the sales comparison approach to value is performed in this appraisal.

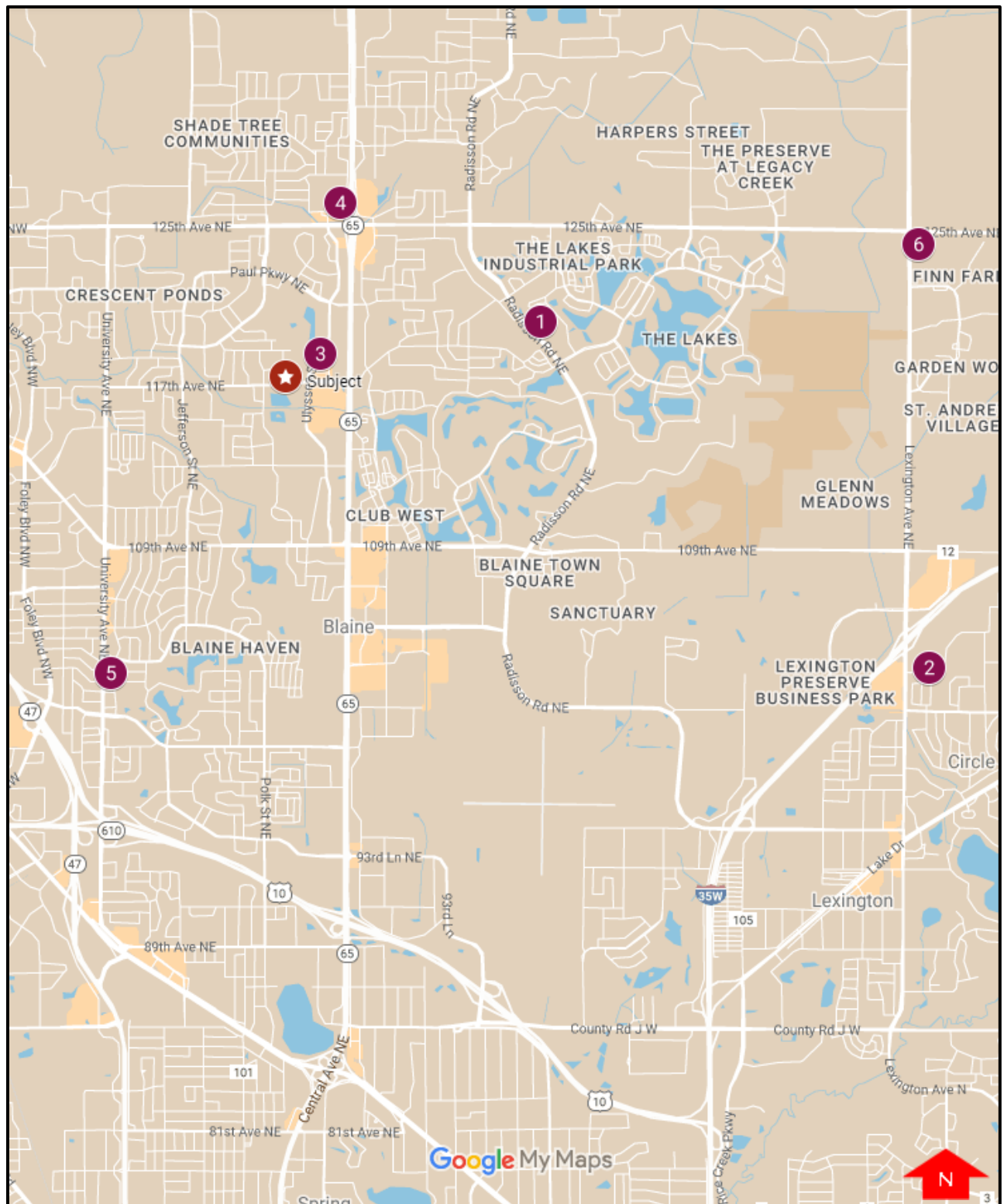
SALES COMPARISON APPROACH

In the sales comparison approach, sales of land comparable to the subject are gathered and analyzed. The sale prices are adjusted for market conditions and other relevant variations. The adjusted prices are reduced to some common unit of comparison, such as price per acre, or price per square foot. The appraiser analyzes this information and derives a unit value applicable to the property. When applied to the appropriate unit measure, this value results in an estimate of the market value of the land. The comparable land sales are summarized on a per square foot basis.

The validity of this approach is based on the assumption that continuity exists between similar properties of like adequacy and their market values. The reliability of this technique is dependent upon the availability of sales data and the degree of comparability of the sales analyzed. To apply this approach to the subject, information has been sought on recent sales of land that are similar in terms of highest and best use, locational attributes, size and appeal.

The sales used in this analysis are presented on a location map, followed by individual write-ups, an adjustment grid, and narrative analysis to arrive at a value estimate for the subject's land.

COMPARABLE LAND SALES LOCATION MAP



LAND SALE 1



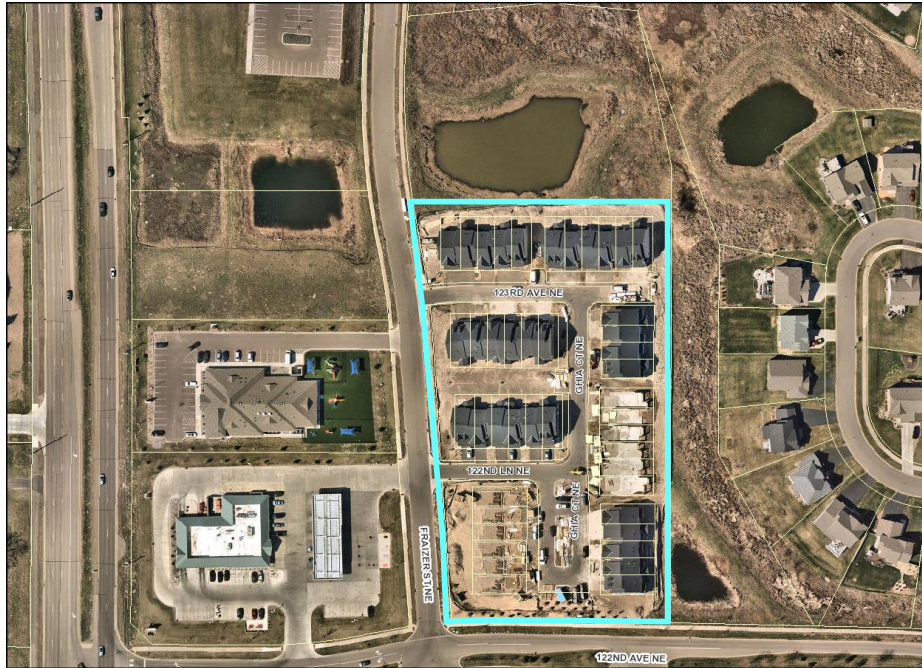
PROPERTY INFORMATION	Address:	11985 & 11967 Radisson Road NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	09-31-23-42-0003 & - 0004	Intend. Use:	76-Unit Townhome Project
	Zoning:	Development Flex	Guiding:	High Density Residential
	Shape:	Generally Rectangular	Terrain:	Part Wooded, Gently Sloping
	Size in SF:	365,992	Size in Ac:	8.40
SALE INFO	Buyer(s):	R.E.C. Inc.		
	Seller(s):	United Properties Residential LLC		
	Date of Sale:	4/7/2023	Cond. of Sale:	Arm's-Length, Included Non-Land Components
	Sale Price:	\$2,400,000	Price per SF:	\$6.56
	Plus Demo Costs:	\$30,000	Adj. Sale Price:	\$6.64
REMARKS	This is the assemblage of two single-family home properties for a 76-unit townhome project. The seller, United Properties, got these two properties under contract in 2021 and had plans approved by the City to develop an 88-unit senior living co-op building (Applewood Pointe). Ultimately, United Properties abandoned the project and decided to sell the property. United Properties negotiated a sale to R.E.C. Inc. (Ron Clark Construction & Design) and executed two sales on April 7, 2023. They purchased the site for \$1.9 million and then sold the site to R.E.C. Inc. for \$2.4 million. According to a representative of R.E.C. Inc., while the transaction was arm's-length, the sale price included all of the due diligence work that United Properties had done along with most of the planning for the 76-unit townhome including the rezoning and comprehensive plan amendment, which was estimated to be between \$250,000 and \$300,000 in non-land components.			

LAND SALE 2



PROPERTY INFORMATION	Address:	4313 Ball Road NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	24-31-23-23-0009	Intend. Use:	Assisted Living
	Zoning:	Development Flex	Guiding:	Planned Ind.-Com.
	Shape:	Slightly Irregular	Terrain:	65% Upland, Mostly Wooded
	Size in SF:	133,294	Size in Ac:	3.06
SALE INFO	Buyer(s):	S.A. Lewis, LLC		
	Seller(s):	Creative Capital Holdings, LP		
	Date of Sale:	3/21/2022	Cond. of Sale:	Arm's-Length
	Sale Price:	\$425,000	Price per SF:	\$3.19
REMARKS	This site along Ball Road NE, just south of I-35W, proximate to Walmart and Goodwill was purchased for the development of a 24-unit memory care assisted living facility. The northwest portion of the site consists of unbuildable natural wetland and there is also a public stormwater basin located along much of the southern property boundary. As such, approximately 2.0 acres, or 65% percent of the site was considered developable. According to the buyer, this was an off-market, arm's-length, transaction that came about through word of mouth and he believed the sale price was at market; however, he did note that their appraisal came in slightly above the sale price. The buyer was reportedly also looking at other sites in Blaine and other surrounding communities.			

LAND SALE 3



PROPERTY INFORMATION	Address:	NEQ of 122nd Ave. NE & Frazier St. NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	12-31-23-22-0034 & -0015 (old)	Intend. Use:	44 Townhome Units
	Zoning:	Development Flex	Guiding:	High Density Residential
	Shape:	Rectangular	Terrain:	Gen. Level & Open
	Size in SF:	196,020	Size in Ac:	4.50
SALE INFO	Buyer(s):	Pulte Homes of Minnesota LLC		
	Seller(s):	AKM Farm LLC		
	Date of Sale:	4/1/2021	Cond. of Sale:	Arm's-Length
	Sale Price:	\$950,000	Price per SF:	\$4.85
REMARKS	This is a publicly marketed, arm's-length, transaction. The buyer purchased the site to develop a 44-unit townhome development known as Revere Park. The property is proximate to the intersection of Lexington Avenue NE and 125th Avenue NE. Surrounding land uses include single-family homes and villas to the north, east, and southeast, a Kwik Trip gas station and convenience store and daycare to the west, and a church to the northwest. It is noted that as part of the platting process the outlots, which contain stormwater ponding improvements, to the north and east were dedicated to the City. As such, the net area is 4.50 acres, all of which are developable.			

LAND SALE 4



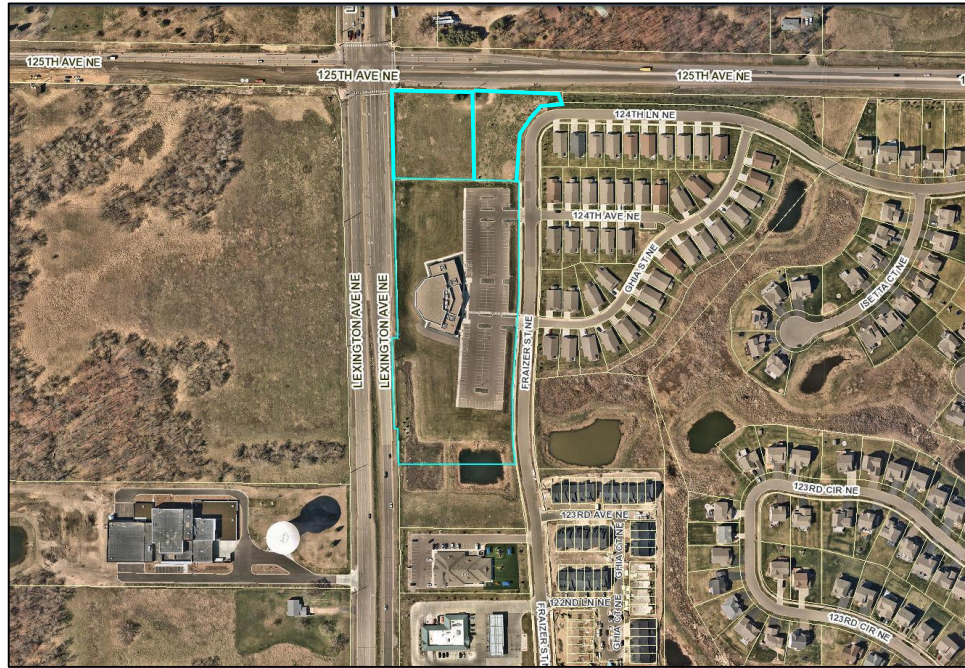
PROPERTY INFORMATION	Address:	12612 Central Avenue NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	05-31-23-34-0145	Intend. Use:	Daycare
	Zoning:	Development Flex	Guiding:	Community Commercial
	Shape:	Rectangular	Terrain:	Level & Open
	Size in SF:	108,464	Size in Ac:	2.49
SALE INFO	Buyer(s):	Twin Cities Brothers LLC		
	Seller(s):	Gateway Green LLC		
	Date of Sale:	8/30/2019	Cond. of Sale:	Arm's-Length
	Sale Price:	\$650,000	Price per SF:	\$5.99
REMARKS	This site is located along Central Avenue NE, which is a frontage road for Central Avenue (MN-65), just north of the 125th Avenue NE interchange. This is a publicly marketed, arm's-length, transaction. The property was exposed to the open market for a period of about 1.5 years and there were no price changes from the original list of \$650,000. The buyer has developed a daycare (The Goddard School of Blaine) on the site. Adjacent property uses include an apartment building to the north, a single-family residential development to the west, and commercial uses to the south.			

LAND SALE 5



PROPERTY INFORMATION	Address:	xxxxx University Avenue	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	19-31-23-33-0001, -0002, -0003	Intend. Use:	Townhomes
	Zoning:	Development Flex	Guiding:	High Density Residential
	Shape:	Rectangular	Terrain:	Level & Open
	Size in SF:	135,035	Size in Ac:	3.10
SALE INFO	Buyer(s):	G.E. Knutson, Inc.		
	Seller(s):	ProGrowth Bank & Blaine University Partners, LLC		
	Date of Sale:	5/2/2019	Cond. of Sale:	Arm's-Length
	Sale Price:	\$1,350,000	Price per SF:	\$10.00
	Plus Demo Costs:	\$125,000	Adj. Sale Price:	\$10.92
REMARKS	This is the assemblage of three aging office buildings that were razed for a 43-unit, for-sale, townhome development known as South Terrace Cove. Demolition costs are estimated to be approximately \$125,000. The site sits in the northeast quadrant of University Avenue (C.R. 51) and 102nd Lane NW. The site is surrounded by single-family residential uses to the west, north, and east, and some office uses to the south. Cub - Blaine West and the surrounding commercial district which also includes restaurants and a Walgreens is located approximately 0.5 miles north.			

LAND SALE 6



PROPERTY INFORMATION	Address:	12390 Frazier Street NE	County:	Anoka
	City:	Blaine	State:	MN
	PID(s):	12-31-23-22-0077, -0004, -0073	Intend. Use:	Church
	Zoning:	PBD	Guiding:	Planned Commercial & Community Commercial
	Shape:	Rectangular	Terrain:	Mostly Level & Open
	Size in SF:	385,070	Size in Ac:	8.84
SALE INFO	Buyer(s):	Renovation Church		
	Seller(s):	KR Farm Land Holdings, LLC; Classic Acquisitions, LLC; Classic Holdings East, LLC		
	Date of Sales:	August 2017 & 2022	Cond. of Sale:	Above/Below Market
	Sale Price:	\$2,392,267	Price per SF:	\$6.21
REMARKS	This is a three-part assemblage of land by Renovation Church in Blaine. The first purchase was in August 2017 and included 6.53 acres of land located along Lexington Avenue NE. The sale price was \$1,092,267, or \$3.84 per SF, and according to a representative of the buyer, this was the maximum amount the church was able to buy and the seller "came down" to their offer. As such, this sale was likely below market. Subsequently, in December 2019 the adjacent property owner to the south donated their 1.46-acre parcel to the church. It is noted that roughly half of this property was stormwater ponding/basin improvements. The church was built in 2020/2021.			

REMARKS (Continued)	It is noted that while the conditional use permit was unanimously approved, a couple of City Council members questioned this type of property use for an area zoned Planned Business District. They would have preferred this land to be reserved for a business use that pays property taxes, rather than a church use which does not, considering the limited amount of land zoned or guided commercial/business and this type of land has a higher tax rate than residential land. Then, in August 2022, Renovation Church purchased the adjacent two parcels to the north for their expansion needs. These properties were held by a common owner and before they were put on the open market, the church approached with motivated interests. These two parcels, totaling 2.31 acres, were purchased for \$1.3 million, or \$12.92 per SF; however, a representative of the buyer stated that they paid above market because they did not want the parcels to be listed for sale and they needed this area to accommodate parking for their northward building expansion, which includes office space and classrooms.
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COMPARABLE LAND SALES ADJUSTMENT GRID														
Sale Data	Subject	Sale 1		Sale 2		Sale 3		Sale 4		Sale 5		Sale 6		Average
Location	1105 117th Avenue NE Blaine, MN	11985 & 11967 Radisson Road NE Blaine, MN		4313 Ball Road NE Blaine, MN		NEQ of 122nd Ave. NE & Frazier St. NE Blaine, MN		12612 Central Avenue NE Blaine, MN		xxxxx University Avenue Blaine, MN		12390 Frazier Street NE Blaine, MN		
Land Size (SF)	284,375 SF	365,992 SF		133,294 SF		196,020 SF		108,464 SF		135,035 SF		385,070 SF		
Land Size (AC)	6.53 AC	8.40 AC		3.06 AC		4.50 AC		2.49 AC		3.10 AC		8.84 AC		
Recorded Sale Price		\$2,400,000		\$425,000		\$950,000		\$650,000		\$1,350,000		\$2,392,267		
Price Per SF		\$6.56		\$3.19		\$4.85		\$5.99		\$10.00		\$6.21		\$6.13
Transactional Adjustments														
Unadjusted Sale Price			\$2,400,000		\$425,000		\$950,000		\$650,000		\$1,350,000		\$2,392,267	
Property Rights	Fee Simple	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	Fee Simple	\$0	
Adjusted Sale Price			\$2,400,000		\$425,000		\$950,000		\$650,000		\$1,350,000		\$2,392,267	
Financing	Cash to Seller	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	Cash to Seller	0%	
Adjusted Sale Price			\$2,400,000		\$425,000		\$950,000		\$650,000		\$1,350,000		\$2,392,267	
Conditions of Sale	Typical	See Explanation of Adj.	-\$275,000	Arm's-Length	0%	Arm's-Length	0%	Arm's-Length	0%	Arm's-Length	0%	Above/Below Market	0%	
Adjusted Sale Price			\$2,125,000		\$425,000		\$950,000		\$650,000		\$1,350,000		\$2,392,267	
Other Expenditures	N/A	Demo Costs	\$30,000	N/A	\$0	N/A	\$0	N/A	\$0	Demo Costs	\$125,000	N/A	\$0	
Adjusted Sale Price			\$2,155,000		\$425,000		\$950,000		\$650,000		\$1,475,000		\$2,392,267	
Market Conditions	5/31/23	4/7/2023	1.00	3/21/2022	1.04	4/1/2021	1.09	8/30/2019	1.15	5/2/2019	1.16	August 2017 & 2022	1.13	
Adjusted Sale Price			\$2,155,000		\$442,000		\$1,035,500		\$747,500		\$1,711,000		\$2,703,262	
Adjusted Sale Price Per SF			\$5.89		\$3.32		\$5.28		\$6.89		\$12.67		\$7.02	\$6.85
Property Adjustments														
Location	Good	Similar	1.00	Inferior	1.20	Similar	1.00	Similar	1.00	Superior	0.95	Superior	0.95	
Zoning / Guiding	R-1AA / Low Density Residential	Development Flex / High Density Residential	0.95	Development Flex / Planned Ind.-Com.	0.95	Development Flex / High Density Residential	0.95	Development Flex / Community Commercial	0.95	Development Flex / High Density Residential	0.95	PBD / Planned Commercial & Community Commercial	0.95	
Size	284,375 SF	365,992 SF	1.02	133,294 SF	0.95	196,020 SF	0.97	108,464 SF	0.93	135,035 SF	0.95	385,070 SF	1.02	
Shape	Rectangular	Generally Rectangular	1.00	Slightly Irregular	1.00	Rectangular	1.00	Rectangular	1.00	Rectangular	1.00	Rectangular	1.00	
Terrain	Gen. Level & Open	Part Wooded, Gently Sloping	1.05	65% Upland, Mostly Wooded	1.30	Gen. Level & Open	1.00	Level & Open	1.00	Level & Open	1.00	Mostly Level & Open	1.00	
Other	None	None	1.00	None	1.00	None	1.00	None	1.00	None	1.00	None	1.00	
Net Adjustment			1.02		1.41		0.92		0.88		0.86		0.92	
Gross Adjustment			0.12		0.60		0.08		0.12		0.15		0.12	
Indicated Subject Price Per SF			\$6.01		\$4.68		\$4.86		\$6.06		\$10.90		\$6.46	\$6.50

Explanation of Adjustments

Property Rights:	All of the sales represent the transfer of fee simple interests. Therefore, no adjustments are necessary.
Financing:	No unusual financing was discovered that would have an impact on the sale price. Therefore, no adjustments are necessary.
Conditions of Sale:	All of the comparables were typical arm's-length transactions. However, the seller of Comparable 1 had done all of the due diligence work and had done most of the planning for the buyer's 76-unit townhome project, including getting the property rezoned and a comprehensive land use plan amendment. The buyer expects that about \$250,000-300,000 of the sale price was related to non-land components, such as entitlements. Therefore, the appraisers have made a downward \$275,000 adjustment to Comparable 1 for conditions of sale. Comparable 6 included two sales, one in 2017 for the church site and one in 2022 for parking lot expansion. According to a representative of the buyer, the 2017 sale price was all that Renovation Church was able to afford and the seller "came down" to their number, indicating that this was a below market transaction. Alternatively, the 2022 sale was off-market, and the church was highly motivated to purchase the adjacent land to north to serve their expansion needs. A representative of the buyer opined that they paid above market for this sale. Overall, the conditions of Comparable 6 are offsetting. Thus, no adjustment is applied. No conditions of sale adjustments are made to the other comparable sales.
Other Expenditures:	Estimated demolition costs are added to Comparables 1 and 5.
Special Assessments:	None noted.
Market Conditions:	This adjustment reflects differences in market conditions between the date of valuation and the date the comparables sold. The valuation date of this appraisal is May 31, 2023. The comparable sales occurred between August 2017 and April 2023. It is noted that Comparable 6 had sale dates of August 2017 and August 2022.

Commercial land prices in Twin Cities suburbs were appreciating in the mid-2010s; however, that growth began slowing down around 2017 and 2018 as consumer habits began changing due to the greater availability of doorstep delivery. The commercial and retail real estate markets were also negatively impacted by the COVID-19 pandemic. Still, demand remained for commercial sites as evidenced by the comparable sales.

Alternatively, townhome residential land prices were increasing at a relatively steady rate until early/mid-2020 when the COVID-19 pandemic negatively impacted the real estate industry. However, demand/activity rebounded in the second half of 2020 and into 2021, even while construction costs remained elevated. Similar growth occurred in 2022; however, the Federal Reserve sharply raising interest rates in mid-2022 started to affect future development and market activity. Considering the above, a 3% upward adjustment per annum is made through 2019, a 5% upward adjustment is made per annum from 2020 up to 2023, and no market adjustment is applied thereafter.

Location:	This adjustment is based upon observations of both the subject and the comparables. Factors such as frontage and traffic counts on the adjoining roadways, demand generators, surrounding land use, site amenities, and corner versus interior lot were considered when making this adjustment.
Zoning / Guiding:	As previously stated, the subject is zoned R-1AA, Single Family and guided Low Density Residential. However, as discussed, the appraisers believe that it is reasonably probable to rezone the subject if a development was complimentary to the surrounding area. Even so, a potential buyer would consider the cost/risk of getting a zoning change approved. All of the comparables have zoning and guiding designations that allow a wider range of uses than the current zoning/guiding of the subject. Therefore, a downward 5% adjustment for zoning/ guiding is made to each of the comparable sales.
Size:	Typically, a smaller site will command a higher unit price than a larger site, all else being equal. This is generally true in the subject market. As such, size adjustments are applied to the comparables based on a 5% inverse curve.
Shape:	The subject is generally rectangular in shape, and full utilization of the site is not impeded. All of the

comparables have similar shapes to the subject that do not impede development and no shape adjustments are made.

Terrain:

The subject is generally open and level, with a gentle slope downward to the east. It also features a small basin in the southwest corner of the site and a ditch in the northwestern portion of the site. Even so, the site is almost 100% developable. Comparables 3, 4, and 5 are 100% developable and Comparables 1 and 6 are almost 100% developable. The terrain of these comparables is considered similar to the subject and no terrain adjustment is applied to these comparables. Alternatively, Comparable 2 features 65% upland due to wetland and a stormwater basin. While the non-upland is not developable, it can be used for things such as satisfying setback requirements, calculating non-impervious surface area and green space. Therefore, while this land has far less utility the developable upland, it retains some utility. In this case, the non-developable areas are believed to have a contributory value that is approximately 10% of what the developable upland is worth. As such, a 30% upward terrain adjustment is applied to Comparable 2.

Analysis

The comparable sales range in unadjusted price from \$3.19 per SF to \$10.00 per SF, with an average of \$6.13 per SF and a median of \$6.10 per SF. After the adjustment process, the comparable sales range in unit price from \$4.68 per SF to \$10.90 per SF, with an average of \$6.50 per SF and a median of \$6.04 per SF.

As a group, the comparable sales provide a reasonable indication of the subject's market value and share general similarities with the subject. All of the comparables are located in Blaine and have been developed or are being developed with uses that would be appropriate for the subject. Comparables 1, 3, and 5 were purchased for medium-high density townhome development, Comparable 2 was purchased for a memory care facility, Comparable 4 was purchased for a daycare, and Comparable 6 was purchased for a church. Therefore, each comparable is generally granted equal weight in our analysis. Alternatively, even after the adjustment process, Comparable 5 is somewhat of an outlier.

Additionally, the appraisers note the 2015 land sale of 11748 Ulysses Lane NE, which is now Edgemont Place (senior memory care facility). This 3.90-acre sold for \$1,140,000, including buyer paid special assessments of \$15,000, which works out to \$6.71 per SF.

Considering that this site is across the street from the subject and is improved with a use that could possibly be developed on a portion of the subject, some weight is granted to this sale, but it is recognized that the sale price would be adjusted upward for market conditions and downward for size.

In addition to the comparable sales used in the preceding analysis, the appraisers have also researched land that was purchased by a church or excess land that was sold by a church. These additional sales are summarized on the following sales summary grid. Also, aerials of these sales can be found in Exhibit 1 in the Addenda of this report.

ADDITIONAL CHURCH LAND AND EXCESS CHURCH LAND SALES							
Location	Sale Date	Sale Price	Site Size		Price per SF	Comments	
A) 4325 Zachary Lane Plymouth	5/24/2023	\$630,000	87,120 SF	2.00 AC	\$7.23	2-acre wooded site that was split off from Pilgrim United Methodist Church along Rockford Road. Site is being developed with a 32-unit assisted living/memory care facility	
B) 9350 Upland Lane N Maple Grove	12/22/2022	\$1,198,593	108,970 SF	2.50 AC	\$11.00	Site was split off from Maple Grove Covenant Church and is being developed with a medical office building. Several other medical office buildings nearby.	
C) 12691 Hanson Boulevard Coon Rapids	4/13/2022	\$300,000	81,457 SF	1.87 AC	\$3.68	Partially wooded site split off of Church of God. Site is being developed with 11 townhome units.	
D) NEC of 117th Avenue N & Champlin Drive Champlin	12/16/2021	\$1,625,000	325,076 SF	7.46 AC	\$5.00	Site was purchased by Riverway Church, who is planning to build a 40,000 SF facility. A 2.32-acre outlot will be created that features a delineated wetland; however, it could support future site development.	
E) 2021 Upper 55th Street W Inver Grove Heights	10/12/2021	\$550,000	93,961 SF	2.16 AC	\$5.85	Mostly wooded site was split off of Cross Roads Church and developed with Babcock Crossing, a 49-unit affordable apartment building.	
F) North of 165th Street W Lakeville	7/22/2021	\$825,000	262,667 SF	6.03 AC	\$3.14	Level and open site that was split off from Hosanna Church. D.R. Horton purchased to develop 52 attached townhome units (Crystal Park).	
G) 16757 Five Hawks Avenue SE Prior Lake	5/28/2020	\$253,000	56,628 SF	1.30 AC	\$4.47	Site was split off from Faith Evangelical Lutheran Church along Highway 13. Buyer purchased to develop a daycare.	
H) 145 Engler Boulevard Chaska	5/7/2020	\$228,000	85,325 SF	1.96 AC	\$2.67	Site was split off of Sheperd of the Hill Presbyterian Church. The buyer was Twin Cities Habitat for Humanity, Inc., which is developing 8 townhome units.	

The sales above ranged from \$2.67 per SF to \$11.00 per SF, with an average of \$5.13 per SF and a median of \$4.47 per SF. The excess church land sales were purchased for uses such as an assisted living/memory care facility, a medical office building, townhome units, an affordable apartment building, and a daycare. Based on the above, these additional sales are generally supportive of the comparable sales previously discussed and provided examples of what types of uses may be appropriate for the subject.

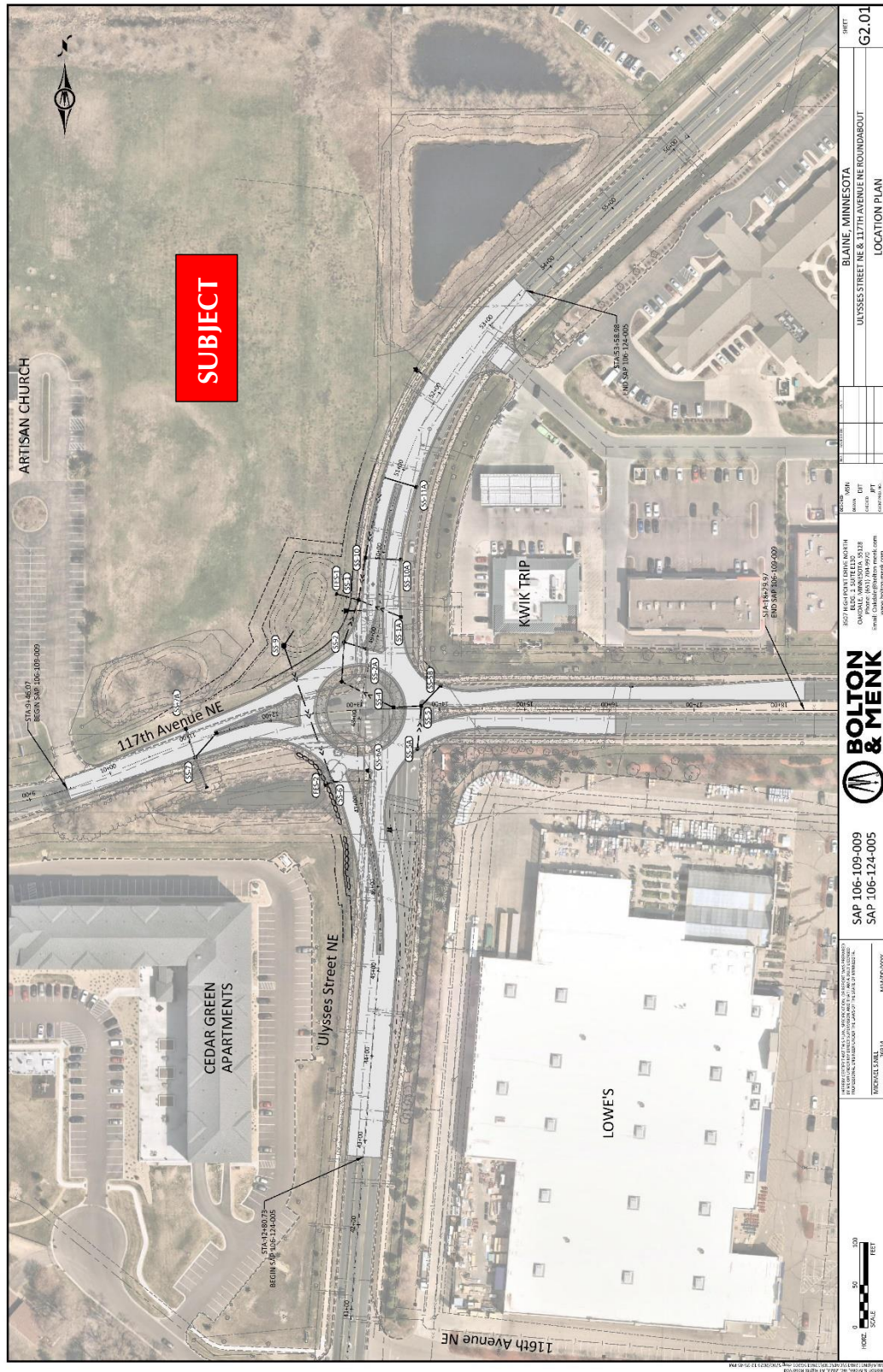
All things considered, the comparables are generally given similar weight in the analysis; however, given the subject's proximity to the MN-65 (Central Avenue) corridor and the surrounding land uses, the appraisers conclude to a value slightly above the adjusted average and median of the comparable sales. Therefore, the market value of the subject land, as of May 31, 2023, is estimated to be \$7.00 per SF. Thus:

$$\begin{array}{rcll} 284,375 \text{ SF} & \times & \$7.00 \text{ per SF} & = & \$1,990,625 \\ & & \text{Rounded to} & & \$1,990,700 \end{array}$$

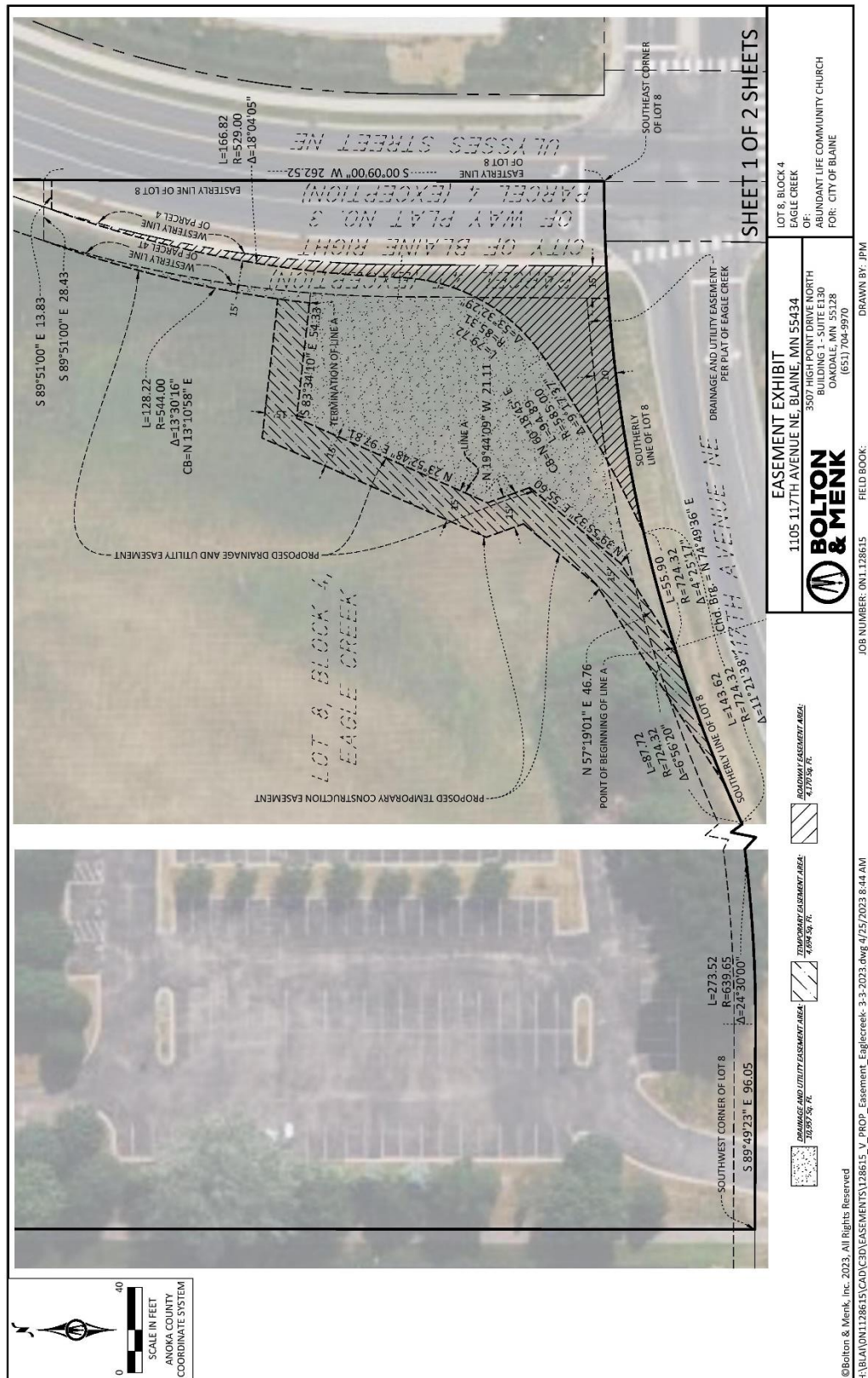
It is noted that the above estimate of value is a blended unit value, recognizing that the subject is encumbered by an existing perimeter drainage and utility easement.

PART III: AFTER ACQUISITION – FACTUAL DATA

PRELIMINARY PROJECT LAYOUT



PARCEL SKETCH



PROJECT DESCRIPTION

The City of Blaine is planning a construction project at the intersection of 117th Avenue NE and Ulysses Street NE. To address increasing congestion and a higher-than-normal crash history, an Intersection Control Evaluation (ICE) was completed for the intersection in 2020. Based on the findings of this evaluation, additional analysis, and the City Council decision, the intersection of 117th Avenue NE and Ulysses Street NE will be reconstructed as a single lane roundabout during the summer of 2024. The proposed project will improve the operations and safety of the intersection for vehicles, bicyclists, and pedestrians.

DESCRIPTION OF ACQUISITION

As a result, the City of Blaine has proposed a partial acquisition of the subject property which includes a permanent roadway easement, a drainage and utility easement, and a temporary easement in the southeast corner of the site. The proposed permanent roadway easement totals 4,170 SF and is needed to accommodate a slight shifting of the roadway and sidewalks for the new roundabout. The proposed drainage and utility totaling 10,957 SF is located adjacent to the permanent roadway easement and the existing perimeter drainage and utility easement. It is required to accommodate a stormwater drainage pond for the surrounding roadways. While it is being sized for this project, it could be tied into and expanded by any development on the subject. Lastly, the 4,694 SF temporary easement is necessary to provide access and working space for construction of the stormwater pond. The temporary easement will last for a period of 15 months, beginning April 1, 2024, and ending July 1, 2025. Exhibits depicting the project area and acquisition area are included on the previous pages.

PART IV: AFTER ACQUISITION – DATA, ANALYSIS AND CONCLUSIONS

SITE DESCRIPTION

The subject property is valued again in the after condition. The after value is based on the following described property.

Size:	280,205 SF, or 6.43 acres, net of right-of-way
Shape:	Effectively the Same as in the Before Condition
Street Improvements:	In the After Condition, the intersection of 117 th Avenue NE and Ulysses Avenue NE will be improved with a roundabout and new sidewalks.
Street Frontage:	Effectively the Same as in the Before Condition
Access:	Same as in the Before Condition
Traffic Counts:	Assumed to be the Same as in the Before Condition
Soil Conditions:	Same as in the Before Condition
Topography:	Same as in the Before Condition
Flood Hazard:	Same as in the Before Condition
Utilities:	Same as in the Before Condition
Building Description:	Same as in the Before Condition
Site Improvements:	Same as in the Before Condition
Easements & Encumbrances:	Same as in the Before Condition. Additionally, as a result of the project, the subject will be encumbered by a 4,170 SF permanent roadway easement and a 10,957 SF drainage and utility easement in the southeast corner of the site. Furthermore, a temporary easement will encumber 4,694 SF in the southeast corner of the site for a period of 15 months, beginning April 1, 2024, and ending July 1, 2025.

HIGHEST AND BEST USE

In the after condition, the site is reduced to 6.43 acres, net of right-of-way, or 98.5% of the size in the before condition. Additionally, 10,957 SF, or 0.25 acres, of the remainder are encumbered by a new drainage and utility easement. While the permanent drainage and

utility easement impacts an area in the southeast corner of the site, adjacent to public right-of-way, this easement is almost entirely within future building setback requirements when considering the proposed additional right-of-way due to the slight shift of the intersection towards the subject. Furthermore, the visibility of the site will not change due to the drainage and utility easement. Therefore, the highest and best use of the subject remains the same as in the before condition.

EXPOSURE AND MARKETING TIME

Same as in the Before Condition

APPRAISAL PROCEDURES AND TECHNIQUES

As in the before condition, the after value of the subject land is estimated via the sales comparison approach to value.

In the after condition, the subject property's size is reduced to 280,205 SF, or 6.53 acres, net of the public roadway easement (new right-of-way), or 98.5% of its size in the before condition. Additionally, 10,957 SF, or 0.25 acres in the southeast corner of the site are encumbered by a permanent drainage and utility easement that is primarily needed for stormwater ponding. Even so, the highest and best use of the subject remains unchanged. Therefore, the same comparable sales are used in the after condition as were used in the before condition to estimate the land value of the subject property. The comparable land sales grid and narrative analysis are located in the Before Value section of this report. The concluded overall blended value in the before condition was \$1,990,700 or \$7.00 per SF, for the subject land.

Again, the land area valued by the sales comparison approach in the after condition has an estimated size of 280,205 SF. Of this 280,205 SF, 10,957 SF will be newly encumbered by a permanent drainage and easement for ponding purposes. Thus, the subject totals 269,248 SF (280,205 SF – 10,957 SF), net of the new permanent easements. Considering the above, the overall unit price for the unaffected land in the after condition is the same as the before condition, or \$7.00 per SF.

Public Roadway Easement

The first matter to consider is the proposed permanent public roadway easement, which is considered equivalent to taking fee ownership of the land. The public roadway easement totals 4,170 SF and is in the southeast corner of the site, and much of this area is encumbered by the existing perimeter drainage and utility easement. As such, this area has no contributory value in the after condition.

Permanent Drainage and Utility Easement

The next item to consider is the proposed permanent drainage and utility easement. This proposed easement totals 10,957 SF and is located in the southeast portion of the site, adjacent to the proposed public roadway easement and the existing perimeter drainage and utility easement. It is necessary to reconfigure the subject's existing perimeter drainage and utility easement due to a shifting of the right-of-way and for the construction and maintenance of storm water control improvements for the surrounding public roadways, including a retention pond.

While the impact of the proposed permanent easement is generally not distinguishable from market sales, it is often desirable to perform an analysis that recognizes that the easement will extinguish, or take, certain rights of ownership. Ownership of property can be viewed as a "bundle of rights."

We are appraising the fee simple interest of the subject property, subject to existing easements. The fee simple interest is the most complete form of ownership, and includes the right to use real estate, to sell it, to lease it, to give it away, or to choose to exercise all or none of these rights. By definition, an easement is an interest in real property that conveys use, but not ownership, of a portion of an owner's property. Therefore, the owner still has the right to sell or gift an area affected by an easement. In general, use of land can be broken down into the following categories:

- Property Use
- Building Coverage
- On-Site Parking & Driveways
- Open space and Landscaping
- Ingress & Egress
- Setback Requirements
- Density Credits

Given that the easement will be used for ponding purposes, which limits surface use of the land and reduces utility to the owner, this area has substantially less utility than in the before condition. In this particular case, the drainage and utility easement may be used by the owner in the future to meet development design standards such as setback requirements, non-impervious surface calculations, green space, and density requirements. Additionally, while the pond is being sized for this project, any future development of the subject will require on-site stormwater control and the owner/developer could tie into this pond by expanding its capacity. The appraisers also note that based on the setbacks of the other properties at and around the intersection of 117th Avenue NE and Ulysses Street NE, much of the proposed drainage and utility easement is within future required building setbacks. Also, the proposed easement will not affect the visibility of the subject. As such, no severance damages are concluded to for the subject.

Even so, due to the loss of property rights and reduced utility in the area encumbered by the permanent drainage and utility easement, it is the appraisers' opinion that the fee value of the land affected by this easement will be reduced in value by approximately 90%. Thus, the remaining contributory value of the subject encumbered by the permanent drainage, utility, sidewalk and wall maintenance easement is \$0.70 per SF (\$7.00 per SF x 10%).

Summary

Therefore, the market value of the subject's land as of May 31, 2023, in the after condition, is calculated as follows:

Unaffected Land	269,248 SF x \$7.00 per SF =	\$1,884,736
Land Encumbered by New Drainage and Utility (Pond) Easement	10,957 SF x \$0.70 per SF =	<u>\$ 7,670</u>
Total Market Value		\$1,892,406
		<i>Rounded to \$1,892,400</i>

TEMPORARY EASEMENT

The last item to consider is the 4,694 SF temporary construction easement, which will be for a period of 15 months, beginning April 1, 2024 and ending July 1, 2025. The easement is adjacent to the permanent easement acquisition areas and is needed to provide adequate room for access and maneuvering of equipment, along with tying-in grades, during the construction project. The temporary easement is typically viewed as a loss in potential rental income or return to the land. A common technique for estimating the value of a temporary easement is the "lost rent concept." Using this method, a fair rent is paid to the land area within the easement, for the duration of the easement.

The value of the easement is calculated by estimating a land rent for the area encumbered. Again, the unaffected land in the after condition is estimated to have a unit value of \$7.00 per SF in the after condition. In the appraisers' opinion, a reasonable annual rental rate would be 10% of the fee value of the land affected by the easement. This rate also includes reimbursement for property taxes paid by a typical, non-exempt owner during this time period.

Thus, the annual market rent for this area is estimated to be \$3,285.80 (\$7.00 per SF x 4,694 SF x 10%). The future income stream is then discounted to a present value by utilizing a discount rate. In this case, a discount rate of 5% is applied. Based on a 15-month temporary construction easement, compensation for the area encumbered is calculated as follows:

Annual Market Rent	\$3,285.80
Divided by 12 Months	$\div 12$
Monthly Market Rent	\$ 273.82
Present Value Discounted at 5% for 15 months	\$3,973.56
Rounded to	\$4,000.00

AFFECTED SITE IMPROVEMENTS

As stated in the Assumptions section of this report, any disturbed lawn or sidewalk areas will be restored as part of the project. Therefore, no damages are concluded to for affected site improvements.

FINAL SUMMATION

Based on the preceding data and analysis, the appraisers' final summation of damages to the subject property, as of May 31, 2023, is presented as follows:

Market Value Before the Acquisition	\$1,990,700
Market Value After the Acquisition	<u>\$1,892,400</u>
Indicated Permanent Damages	\$ 98,300
Plus: Temporary Easement	<u>\$ 4,000</u>
Recommended Compensation	\$ 102,300

ADDENDA

EXHIBIT 1 – ADDITIONAL CHURCH LAND SALES



Additional Land Sale A (Plymouth)



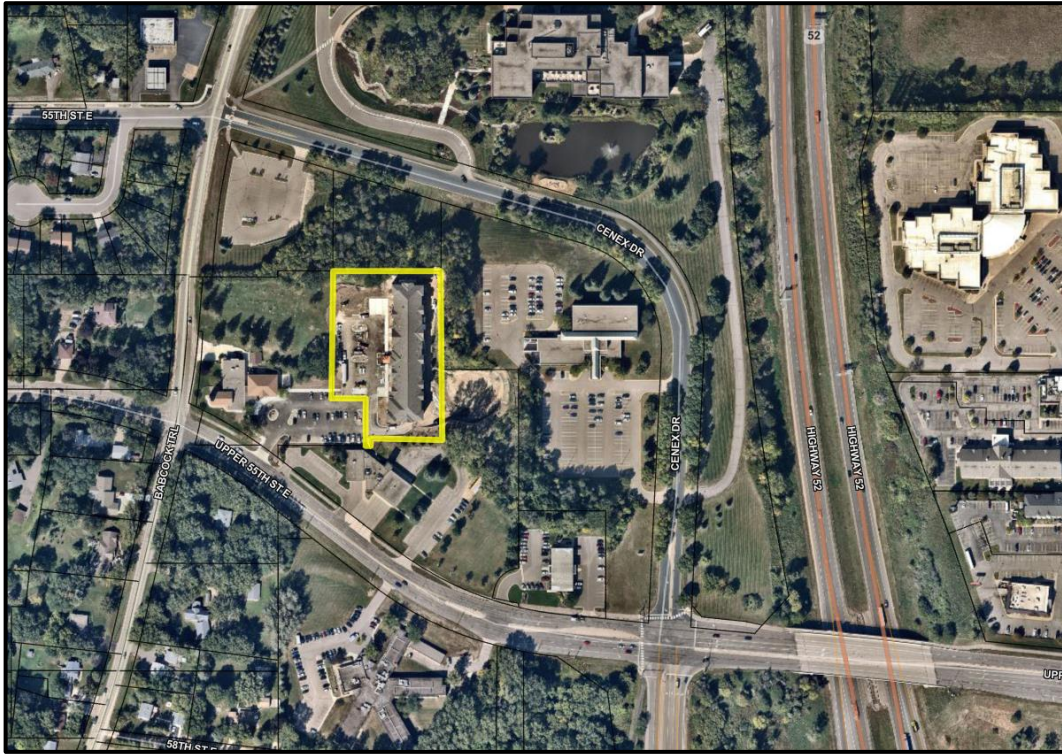
Additional Land Sale B (Maple Grove)



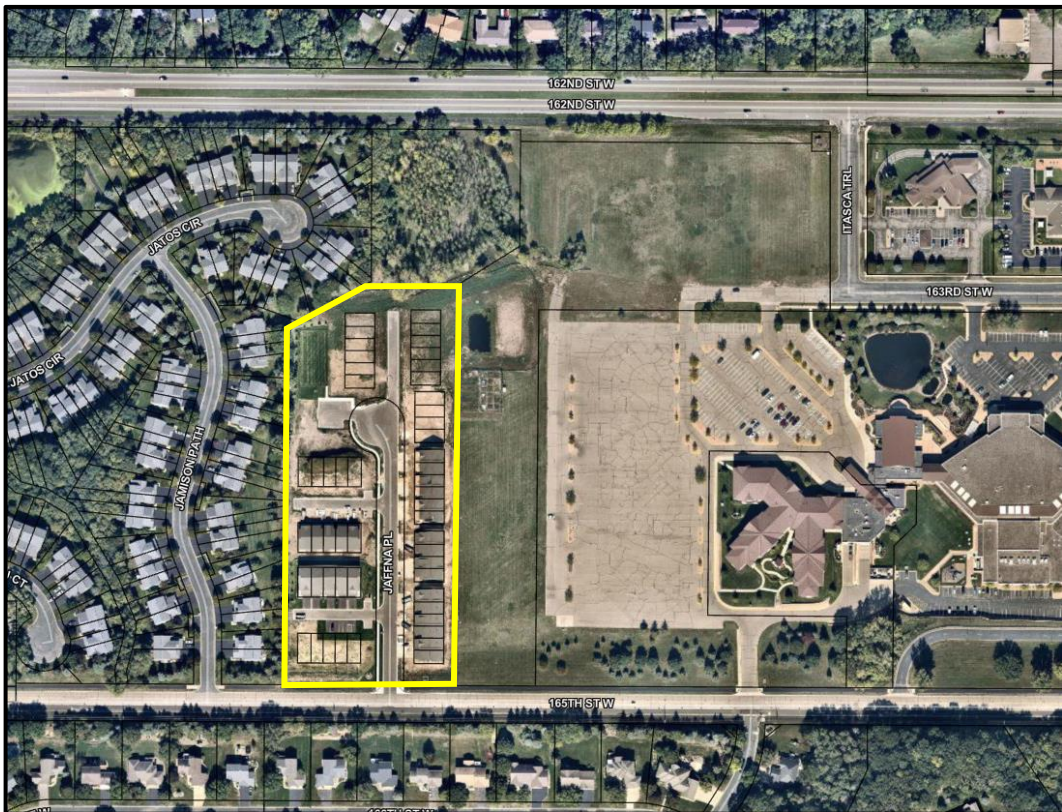
Additional Land Sale C (Coon Rapids)



Additional Land Sale D (Champlin)



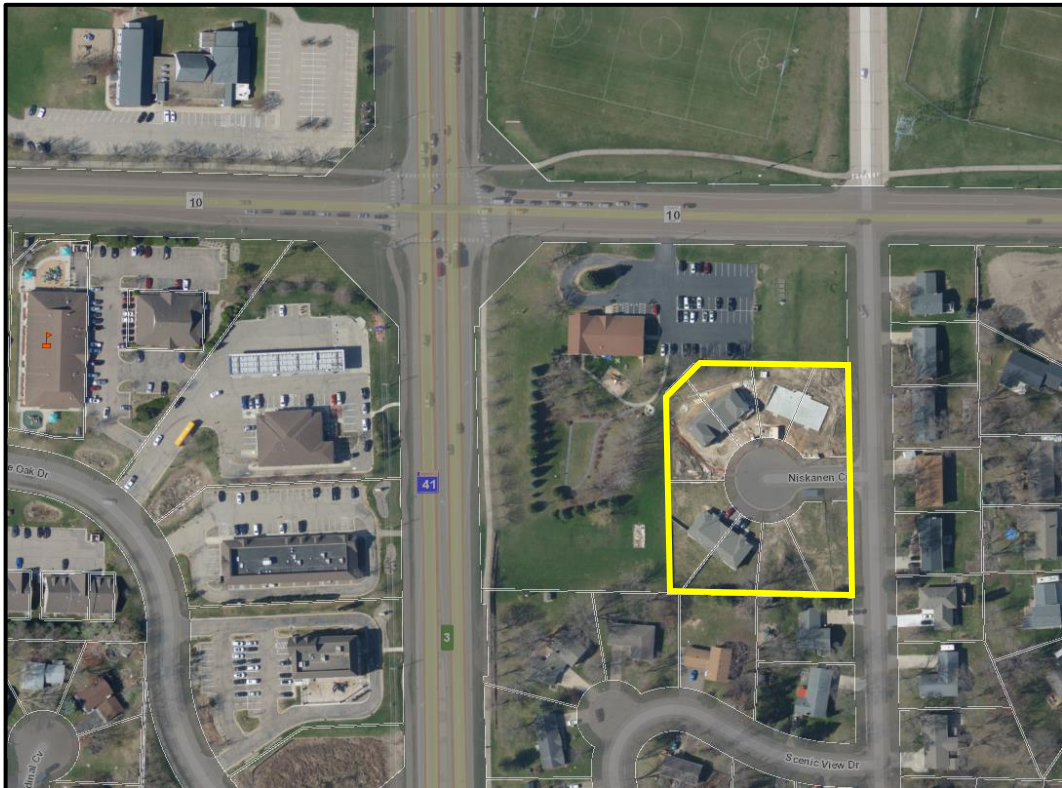
Additional Land Sale E (Inver Grove Heights)



Additional Land Sale F (Lakeville)



Additional Land Sale G (Prior Lake)



Additional Land Sale H (Chaska)

CONTINGENT AND LIMITING CONDITIONS

CONTINGENT AND LIMITING CONDITIONS

The value estimates and conclusions in the appraisal are made subject to these assumptions and conditions:

1. No title search has been made and the reader should consult an appropriate attorney or title insurance company for accurate ownership data. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The legal description, furnished or otherwise, is assumed to be correct. No responsibility is assumed for the legal description or for matters including legal or title considerations.
3. The information contained in this report is not guaranteed, but it has been gathered from reliable sources. The appraiser(s) certify that, to the best of their knowledge and belief, the statements, information and materials contained in the appraisal are correct.
4. All value estimates in this report assume stable soil and any necessary soil corrections are to be made at the seller's expense, unless otherwise noted.
5. The site plan, if any, in this report is included to assist the reader in visualizing the property, but we assume no responsibility for its accuracy.
6. The market value herein assigned is based on conditions which were applicable as of the effective date of appraisal, unless otherwise noted.
7. The appraiser(s) that signed this report shall not be required to prepare for, or appear in court, or before any board or governmental body by the reason of the completion of this assignment without predetermined arrangements and agreements.
8. Surveys, plans and sketches may have been provided in this report. These documents may not be complete or be drawn exactly to scale.
9. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person, other than the party to whom it is addressed, without the written consent of the appraiser, and in any event only in its entirety.
10. Information in the appraisal relating to comparable market data is more fully documented in the confidential file in the office of the appraiser.
11. All studies and field notes are secured in our files for future reference.
12. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report. It is also assumed that the utilization of the land and any improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted within the report.

13. The distribution of the total valuation in this report between land and any improvements, if stated, applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
14. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the appraisal report.
15. The appraiser was not aware of the presence of soil contamination on the subject property, unless otherwise noted in this appraisal report. The effect on market value due to contamination was not considered in this appraisal, unless otherwise stated.
16. The appraiser was not aware of the presence of asbestos or other toxic contaminants in any building(s) located on the site, unless otherwise noted in this report. The effect on market value, due to contamination was not considered in this appraisal, unless otherwise stated.
17. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any detrimental environmental conditions, or for any expertise or engineering knowledge required to discover such substances. The client is urged to retain an expert in this field, if desired.
18. The value stated in this report is fee simple, assuming responsible ownership and management, unless otherwise indicated. This appraisal recognizes that available financing is a major consideration by typical purchasers of real estate in the market, and the appraisal assumes that financing is or was made available to purchasers of the property described herein.
19. The appraiser has neither present nor contemplated interest in the property appraised and employment is not contingent upon the value reported.
20. Unless otherwise stated in this report, the appraiser has not made a survey or analysis to determine whether any buildings on the property are in compliance with "The Americans with Disabilities Act" (ADA). If the property is not in compliance with the ADA, it could have a negative effect on the value of the property.
21. The property is appraised free and clear of any or all liens or encumbrances, unless otherwise stated.

APPRAISER QUALIFICATIONS

CERTIFICATION OF NATHAN A. WAREHAM

PROFESSIONAL AFFILIATIONS

Practicing Affiliate, Appraisal Institute

Certified General Real Property Appraiser, Minnesota License No. 40525462

BUSINESS EXPERIENCE

Patchin Messner Valuation Counselors, Associate Appraiser, January 2017 to Present
Dakota County Assessor's Office, Commercial Appraisal Intern, 2016 (summer)
Bloom Commercial Real Estate, Retail Brokerage Intern, 2016 (spring)

EDUCATIONAL BACKGROUND

Bachelor of Science Degree in Real Estate, University of St. Thomas
Bachelor of Arts Degree in Finance, University of St. Thomas

SPECIALIZED REAL ESTATE TRAINING

Real Estate Principles, University of St. Thomas, 2015
Real Estate Market Analysis, University of St. Thomas, 2015
Real Estate Law, University of St. Thomas, 2016
Real Estate Finance/Investments, University of St. Thomas, 2016
Real Estate Development, University of St. Thomas, 2016
Basic Appraisal Principles, McKissock Educational Services, 2017
Basic Appraisal Procedures, McKissock Educational Services, 2017
National USPAP 15-Hour Course (2016-2017), McKissock Educational Services, 2017
Supervisory Appraiser/Trainee Appraiser Course, North Star Chapter, 2017
Business Practices and Ethics, North Star Chapter, 2018
Statistics, Modeling and Finance, McKissock Educational Services, 2018
General Appraiser Site Valuation and Cost Approach, North Star Chapter, 2020
General Appraiser Income Approach, North Star Chapter, 2022
National USPAP 7-Hour Update Course, North Star Chapter, 2022
General Appraiser Report Writing & Case Studies, Appraisal Institute, 2022
General Appraiser Market Analysis and Highest & Best Use, Appraisal Institute, 2022
Expert Witness for Commercial Appraisers, McKissock Educational Services, 2022
Commercial Appraisal Review, McKissock Educational Services, 2022
General Appraiser Sales Comparison Approach, North Star Chapter, 2023

RELATED EXPERIENCE

Assisted in the 2017 Dakota County property tax assessment; primarily focused on multi-family properties.

APPRAISAL CLIENTS

Carver County	Great River Energy
City of Buffalo	Hennepin County
City of Burnsville	Henning Professional Services, Inc.
City of Chanhassen	Kimley-Horn
City of Cottage Grove	Lennar Corporation
City of Elk River	Metropolitan Council
City of Minnetonka	Minnesota Department of Transportation
City of South St. Paul	Scott County
City of St. Louis Park	Stinson LLP
City of St. Paul	WSB & Associates, Inc.
Dakota County	Xcel Energy
DeWitt LLP	

QUALIFICATIONS OF JASON L. MESSNER

PROFESSIONAL AFFILIATIONS

MAI Member, Appraisal Institute

CRE Member, The Counselors of Real Estate

Certified General Real Property Appraiser, Minnesota License No. 4000836

Certified General Real Property Appraiser, North Dakota License No. TP-219038

Certified General Real Property Appraiser, Iowa, License No. CG04070

Member, Minneapolis Area Association of Realtors

Member (No. 6591), International Right of Way Association

BUSINESS EXPERIENCE

Patchin Messner Valuation Counselors, President/Principal, 2001 to Present

Patchin Messner Appraisals, Inc., Principal, 1995 to 2000

Peter J. Patchin & Associates, Inc., Associate Appraiser, 1986-1994

Century 21 Granite City Real Estate, Residential Salesperson, 1985

EDUCATIONAL BACKGROUND

Bachelor of Science Degree, St. Cloud State University, majored in Real Estate, graduated Magna Cum Laude, 1986

Associate in Arts Degree in Business Administration, Willmar Community College, graduated with honors, 1984

SPECIALIZED REAL ESTATE TRAINING

Basic Valuation Procedures, American Institute of Real Estate Appraisers, 1986

Real Estate Appraisal Principles American Institute of Real Estate Appraiser, 1986

Capitalization Theory and Techniques (Part A), A.I.R.E.A., Minneapolis, MN, 1987

Standards of Professional Practice, A.I.R.E.A., Minneapolis, MN, 1988; Appraisal Institute, Minneapolis, MN, 1994

Capitalization Theory and Techniques (Part B), A.I.R.E.A., Minneapolis, MN, 1989

Case Studies in Real Estate Valuation, American Institute of Real Estate Appraisers, Minneapolis, MN, 1990

Report Writing & Valuation Analysis, Appraisal Institute, Minneapolis, MN, 1991

SEMINARS ATTENDED

Appraisal Institute

Condemnation: Legal Rules and Appraisal Practices

Special-Purpose Properties: The Challenges of Real Estate Appraising in Limited Markets

New Industrial Valuation

The Road Less Traveled: Special Purpose Properties

National Uniform Standards of Professional Appraisal Practice Update

The Appraiser as Expert Witness

The Appraisal of Local Retail Properties

Valuation of Detrimental Conditions in Real Estate

Analyzing Distressed Real Estate

Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)

Fundamentals of Separating Real Property, Personal Property, and Intangible Business Assets

Appraising the Appraisal: Appraisal Review-General

Complex Litigation Appraisal Case Studies

Real Estate Valuation in Condemnation Appraising in Minnesota

APPRAISAL EXPERIENCE

Preparation of appraisals for condemnation, tax appeal, litigation, financing, debt restructuring, acquisition/disposal, and special assessment appeal. Properties appraised include: office buildings, warehouses, service stations, manufacturing plants, medical and veterinary clinics, shopping centers,

restaurants, apartment buildings, subsidized housing, research and redevelopment buildings, grain elevators, flour mills, special-purpose properties, lands, air rights, avigation easements, utility easements, highway easements, and environmentally impaired properties. Specialize in litigation valuation of commercial, industrial, development land and investment properties.

RELATED EXPERIENCE

Participant in the writing of The Effect of Contamination on The Market Value of Property, Federal Highway Admin.; Office of Right-of-Way, Washington, DC, 1993

Faculty participant at the Hazardous Waste Litigation seminar, Minnesota Institute of Legal Education, 1995

Adjunct lecturer on environmental appraisal issues, University of St. Thomas, Minneapolis., MN, 1996 and 2002

Faculty participant at the Annual Right-of-Way Professionals Conference, Minnesota Department of Transportation, 2004, 2005 and 2007

Metro/Minnesota Chapter of the Appraisal Institute; Education Coordinator – 1997 through 2001, Secretary – 2001, Vice President – 2002, President – 2003, Region III Representative - 2008 through 2011. National Board of Directors of the Appraisal Institute, 2012 through 2016 and 2021 to present.

APPRAISAL CLIENTS

Alliant Techsystems, Inc.
Bank of America
B.P. Oil Pipeline Company
Burlington Northern Railroad Company
Campbell Soup Company
Ceridian Corporation
CMC Heartland Partners
Deluxe Check Corporation
Equitable Life Assurance Co.
Exxon Mobil Corporation
Farm Credit Services
First Bank Systems
Great River Energy
Honeywell, Inc.
IBM Corporation
IDS Financial Services
Internal Revenue Service
Jostens, Inc.
LaSalle National Bank
Lockheed Martin
Louisville Regional Airport Authority

Medtronic, Inc.
Metropolitan Airports Commission
Minneapolis Community Planning and Economic Development (CPED)
Minnesota Department of Transportation
3M Corporation
Northwest Airlines, Inc.
Northwestern Mutual Life Insurance Co.
Old Dutch Foods
Philips Lighting
Resolution Trust Corporation
Reynolds Metals Company
Soo Line Railroad Company
Unisys Corporation
University of Minnesota
U.S. Environmental Protection Agency
U.S. Fish & Wildlife
U.S. Postal Service
Wells Fargo
Williams Pipeline Company
Xcel Energy

Other clients include various Cities (Andover, Belle Plaine, Bloomington, Brooklyn Center, Burnsville, Cambridge, Chanhassen, Chaska, Cokato, Columbia Heights, Crystal, Duluth, Elk River, Farmington, Jordan, Lake City, Lino Lakes, Marshall, Medina, Minneapolis, Minnetonka, New Brighton, New Prague, Osseo, Prior Lake, Ramsey, Richfield, Robbinsdale, Rochester, St. Paul, St. Louis Park, Savage, Shakopee and Victoria), and Counties (Anoka, Benton, Brown, Carver, Clay, Dakota, Douglas, Goodhue, Hennepin, Jackson, McLeod, Murray, Nicollet, Otter Tail, Ramsey, Scott, Sherburne, Stearns, Steele and Washington), in the State of Minnesota.

COURT EXPERIENCE

Qualified as an expert witness in Minnesota Tax Court, U. S. District Court (Minnesota), Anoka, Carver, Dakota, Goodhue, Hennepin, Isanti, Rice, Scott, Wabasha, Washington and Wright County District Court and various Commission Hearings.

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT ("Agreement") is dated and effective as of _____, by and between Abundant Life Community Church-Assembly of God, a Minnesota non-profit corporation ("Grantor"), and the City of Blaine, a Minnesota municipal corporation (the "City").

RECITALS

A. Grantor is the owner of a parcel of land located in Anoka County, Minnesota, and legally described on the attached **Exhibit A** (the "Property").

B. The City desires to obtain easements for public right-of-way purposes, drainage and utility purposes, and a temporary easement for construction purposes on, over, under, across, and through certain portions of the Property.

C. Grantor has agreed to grant the easements to the City through the execution of this Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, both parties hereby agree as follows:

1. Grant of Easements. For good and valuable consideration, receipt of which is acknowledged by Grantor, Grantor, for itself, its successors and assigns, hereby declares, creates, grants and establishes:

- a. a permanent easement for public for right-of-way purposes (the "ROW Easement") on, over, under, across and through that portion of the Property as legally described and depicted on the attached **Exhibit B-1** and **Exhibit B-2** (the "ROW Easement Area"); and
- b. a permanent easement for drainage and utility purposes (the "Utility Easement") on, over, under, across and through that portion of the Property as legally described and depicted on the attached **Exhibit B-1** and **Exhibit B-2** (the "Utility Easement Area"); and
- c. a temporary easement for construction purposes (the "Construction Easement"), on, over, under, across and through that portion of the Property as legally described and depicted on the attached **Exhibit B-1** and **Exhibit B-2** (the "Construction Easement Area"). The Construction Easement expires July 1, 2025.

The ROW Easement, Utility Easement, and Construction Easement are collectively, the "Easements" and the Row Easement Area, Utility Easement Area, and Construction Easement Area are collectively the "Easement Areas."

2. Scope of Easements. The easement rights granted in this Agreement are permanent in nature as it relates to the ROW Easement and Utility Easement and temporary in nature as it relates to the Construction Easement and include:

- a. As to the ROW Easement, the rights of the City, its contractors, agents, servants, and assigns, to enter the ROW Easement Area at any time that it may see fit, without notice, to construct, reconstruct, inspect, repair, and maintain said public roadway system over, across, on, under, and through the ROW Easement Area, together with the right to grade, level, fill, drain, pave, and excavate the ROW Easement Area, and the further right to, including, but not limited to, remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said public roadway system.
- b. As to the Utility Easement, the rights of the City its contractors, agents, servants, and assigns, to enter the ROW Easement Area at any time that it may see fit, without notice, to construct, install, reconstruct, inspect, repair, and maintain any public utility, including, but not limited to storm sewer, water mains, storm water facilities, above ground and below ground drainage facilities, underground pipes, conduits, culverts, other utilities and mains, and all facilities and improvements ancillary, incident or related thereto, under, over, across, through and upon the Utility Easement Area.
- c. As to the Construction Easement, the rights of the City its contractors, agents, servants, and assigns, to enter the Construction Easement Area at any time that it may see fit, without notice, to construct, install, and inspect, the improvements construction in the ROW Easement Area and Utility Easement Area.

The Easement rights further include, but are not limited to, the right of ingress and egress over the Easement Areas to access the Easements for the purposes of construction, maintenance, repair and replacement of any and all facilities and improvements ancillary, incident or related the Easements. together with the right to remove obstructions reasonably interfering with the location, construction and maintenance of such public facilities. Grantor shall not place any improvements or landscaping in the Easement Areas.

3. Maintenance of Easement Areas. The Easement Areas shall be kept and maintained by the City at the City's sole cost and expense, in a condition consistent with other City roadways and utilities. Maintenance of the Easement Areas shall include operating, maintaining, repairing and replacing the improvements and other areas within the Easement Areas, unless damaged by Grantor or anyone acting under Grantor in which case costs or repair shall be paid by Grantor.

4. Covenants Run with the Land. The benefits and burdens created by this Agreement shall constitute covenants running with the land and shall benefit and be binding upon all present and future owners, and their respective successors and assigns, of any portion of

the Property and upon each person having any interest therein derived through any owner thereof.

5. Termination of Easement. The Easement declared, granted, established, and conveyed in this Agreement is permanent in nature and may be terminated only by an agreement in writing signed by both parties. As and to the extent required for any reason, the parties agree to execute a recordable document to memorialize, record, or effect any such termination.

6. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of both parties, and their successors and assigns.

7. Entire Agreement and Modification. This Agreement represents the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes any and all previous agreements of whatever nature between the parties with respect to the subject matter. This Agreement may not be altered or amended except by an agreement in writing signed by all parties.

8. Governing Law. This Agreement is entered into in and shall be governed by and construed in accordance with the internal laws of the State of Minnesota.

9. Severability. If any term or provision of this Agreement is ever determined to be invalid or unenforceable for any reason, such term or provision shall be severed from this Agreement without affecting the validity or enforceability of the remainder of this Agreement.

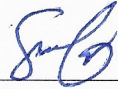
10. Attorneys' Fees. In the event either party is required to enforce the terms of this Agreement through legal action, the prevailing party, as determined by a court of competent jurisdiction, shall be entitled to recover its reasonable attorneys' fees and costs.

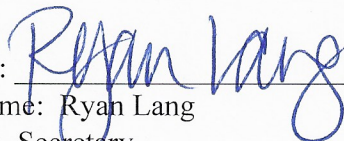
[Signature pages follow.]

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

GRANTOR:

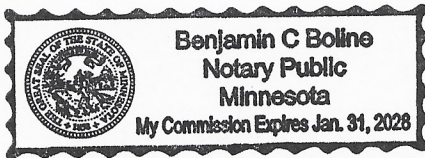
Abundant Life Community Church-Assembly of
God, a Minnesota non-profit corporation

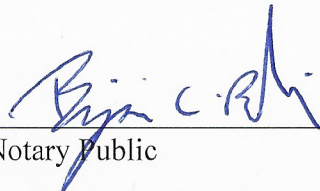
By: 
Name: Samuel Grosso
Its: President

By: 
Name: Ryan Lang
Its: Secretary

STATE OF MINNESOTA)
) ss.
COUNTY OF Anoka)

Personally came before me on October 8, 2023, the above-named Samuel Grosso, President, and Ryan Lang, Secretary, of Abundant Life Community Church-Assembly of God, a Minnesota non-profit corporation, to me known to be the person who executed the foregoing instrument and acknowledged the same on behalf of said non-profit corporation.




Notary Public

[Signature Page to Easement Agreement]

CITY:

City of Blaine,
Minnesota municipal corporation

By _____
Name: Tim Sanders
Title: Mayor

By _____
Name: Michelle Wolfe
Title: City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

Personally came before me on _____, 202__, the above-named Tim Sanders, Mayor, and Michelle Wolfe, City Manager, of the City of Blaine, a municipal corporation organized under the laws of the State of Minnesota, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public

[Signature Page to Easement Agreement]

This instrument was drafted by:

Thomas R. Loonan
Eckberg Lammers, P.C.
1809 Northwestern Avenue
Stillwater, MN 55082

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot 8, Block 4, Eagle Creek, except Parcel 4 of City of Blaine Highway Right-of-Way Plat No. 3, filed as Document Number 481940.001, Anoka County, Minnesota.

Torrens Property
Certificate of Title Nos. 90363 and 90365

PID 08-31-23-33-0039

EXHIBIT B-1

EASEMENT DESCRIPTION

ROW EASEMENT:

A permanent easement for public roadway purposes, over, under and across part of the following described property:

Lot 8, Block 4, EAGLE CREEK, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, overlying Lot 48, CENTRAL AVENUE ACRES, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, EXCEPT that part thereof shown as Parcel 4 of CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota;

Commencing at the southwest corner of said Lot 8; thence South 89 degrees 49 minutes 23 seconds East, assumed bearing along the South line of said Lot 8, 96.05 feet; thence northeasterly, 273.52 feet, along a tangential curve and along said South line, said curve concave to the northwest, having a radius of 639.65 feet, a central angle of 24 degrees 30 minutes 00 seconds to a point of reverse curvature; thence continuing northeasterly along said reverse curve and said South line, 143.62 feet, said curve having a radius of 724.32 feet and a central angle of 11 degrees 21 minutes 38 seconds to the point of beginning; thence northeasterly 94.89 feet, along a non-tangential curve concave to the northwest having a radius of 585.00 feet, a central angle of 09 degrees 17 minutes 37 seconds, and the chord of said curve bears North 60 degrees 18 minutes 45 seconds East to a point of compound curvature; thence northeasterly 79.72 feet, along said compound curve, having a radius of 85.31 feet and a central angle of 53 degrees 32 minutes 29 seconds to a point of reverse curvature; thence continuing northerly 166.82 feet along said reverse curve, said curve having a radius of 529.00 and a central angle of 18 degrees 04 minutes 05 seconds to the westerly line of said Parcel 4; thence South 89 degrees 51 minutes 00 seconds East, 13.83 feet to the easterly line of said Lot 8; thence southerly along said easterly line to the southeasterly corner of said Lot 8; thence westerly along said southerly line to the point of beginning.

UTILITY EASEMENT:

A permanent easement, for public drainage and utility purposes, over, under and across part of the following described property:

Lot 8, Block 4, EAGLE CREEK, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, overlying Lot 48, CENTRAL AVENUE ACRES, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, EXCEPT that part thereof shown as Parcel 4 of CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota:

described as commencing at the southwest corner of said Lot 8; thence South 89 degrees 49 minutes 23 seconds East, assumed bearing along the South line of said Lot 8, 96.05 feet; thence northeasterly, 273.52 feet, along a tangential curve and along said South line, said curve concave

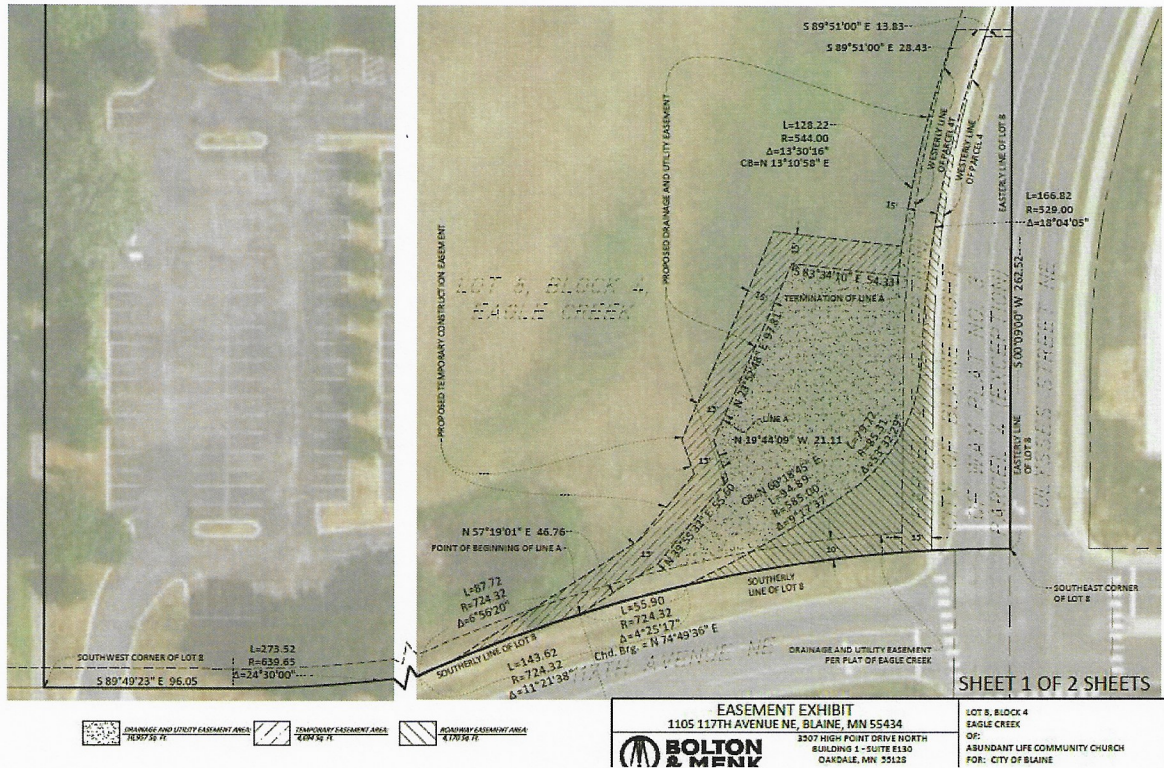
to the northwest, having a radius of 639.65 feet, a central angle of 24 degrees 30 minutes 00 seconds to a point of reverse curvature; thence continuing northeasterly along said reverse curve and said South line, 87.72 feet, said curve having a radius of 724.32 feet and a central angle of 06 degrees 56 minutes 20 seconds to the point of beginning and also to the beginning of a line to be hereinafter known as Line A; thence North 57 degrees 19 minutes 01 seconds East, 46.76 feet; thence North 39 degrees 55 minutes 32 seconds East, 55.60 feet; thence North 19 degrees 44 minutes 09 seconds West, 21.11 feet; thence North 23 degrees 52 minutes 48 seconds East, 97.81 feet; thence South 83 degrees 34 minutes 10 seconds East, 54.33 feet and said Line A there terminating; thence northeasterly 128.22 feet, along a non-tangential curve, concave to the southeast having a radius of 544.00 feet a central angle of 13 degrees, 30 minutes, 16 seconds and the chord of said curve bears North 13 degrees 10 minutes 58 seconds East to the westerly line of Parcel 4T said CITY OF BLAINE RIGHT-OF-WAY PLAT NO. 3; thence South 89 degrees 51 minutes 00 seconds East, 28.43 feet to the easterly line of said Lot 8; thence southerly along said easterly line to the southeasterly corner of said Lot 8; thence westerly along said southerly line to the point of beginning; which lies northerly, northwesterly, and westerly of and contiguous with the following described line; beginning at previously described point A; thence northeasterly 55.90 feet along said previously described southerly line, along a curve, concave to the southeast, having a radius of 724.32 feet and a central angle of 04 degrees 25 minutes 17 seconds and the chord of said curve bears North 74 degrees 49 minutes 36 seconds East; thence northeasterly 94.89 feet, along a non-tangential curve concave to the northwest having a radius of 585.00 feet, a central angle of 09 degrees 17 minutes 37 seconds, and the chord of said curve bears North 60 degrees 18 minutes 45 seconds East to a point of compound curvature; thence northeasterly 79.72 feet, along said compound curve, having a radius of 85.31 feet and a central angle of 53 degrees 32 minutes 29 seconds to a point of reverse curvature; thence continuing northerly 166.82 feet along said reverse curve, said curve having a radius of 529.00 and a central angle of 18 degrees 04 minutes 05 seconds to the westerly line of Parcel 4T, said CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3 and said line there terminating. EXCEPT said parcel 4T.

CONSTRUCTION EASEMENT:

Together with a temporary construction easement being 15 feet in width and the southerly, easterly, and southerly line of which is previously described as Line A and its easterly extension. Said temporary construction easement is to extend by its full width from the South line of said Lot 8 to the westerly line of Parcel 4 of said CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3.

EXHIBIT B-2

DEPICTION OF EASEMENT AREAS



**BOLTON
& MENK**

LOT 8, BLOCK 4
EAGLE CREEK
OF:
ABUNDANT LIFE COMMUNITY CHURCH
FOR: CITY OF BLAINE

RIGHT-OF-WAY DESCRIPTION:

A permanent easement for public roadway purposes, over, under and across part of the following described property:
Lot 8, Block 4, EAGLE CREEK, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, overlying Lot 48, CENTRAL AVENUE ACRES, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, EXCEPT that part thereof shown as Parcel 4 of CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota;
Commencing at the southwest corner of said Lot 8; thence South 89 degrees 49 minutes 23 seconds East, assumed bearing along the South line of said Lot 8, 96.05 feet; thence northeasterly, 273.52 feet, along a tangential curve and along said South line, said curve concave to the northwest, having a radius of 639.65 feet, a central angle of 24 degrees 30 minutes 00 seconds to a point of reverse curvature; thence continuing northeasterly along said reverse curve and said South line, 143.62 feet, said curve having a radius of 724.32 feet and a central angle of 11 degrees 21 minutes 38 seconds to the point of beginning; thence northeasterly 94.89 feet, along a non-tangential curve concave to the northwest having a radius of 585.00 feet, a central angle of 09 degrees 17 minutes 37 seconds, and the chord of said curve bears North 60 degrees 18 minutes 45 seconds East to a point of compound curvature; thence northeasterly 79.72 feet, along said compound curve, having a radius of 85.31 feet and a central angle of 53 degrees 32 minutes 29 seconds to a point of reverse curvature; thence continuing northerly 166.82 feet along said reverse curve, said curve having a radius of 529.00 and a central angle of 18 degrees 04 minutes 05 seconds to the westerly line of said Parcel 4; thence South 89 degrees 51 minutes 00 seconds East, 13.83 feet to the easterly line of said Lot 8; thence southerly along said easterly line to the southeasterly corner of said Lot 8; thence westerly along said southerly line to the point of beginning.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.



Ronald P. Alwin
License Number 17765

04/25/2023
Date

NOTES:
PROPERTY IS TORRENS
CERTIFICATE OF TITLE NO. 90365
PID: 08-31-23-33-0039

DRAINAGE & UTILITY EASEMENT DESCRIPTION:

A permanent easement, for public drainage and utility purposes, over, under and across part of the following described property:
Lot 8, Block 4, EAGLE CREEK, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, overlying Lot 48, CENTRAL AVENUE ACRES, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota, EXCEPT that part thereof shown as Parcel 4 of CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3, according to said plat on file and of record in the office of the County Recorder, in and for, Anoka County, Minnesota:
described as commencing at the southwest corner of said Lot 8; thence South 89 degrees 49 minutes 23 seconds East, assumed bearing along the South line of said Lot 8, 96.05 feet; thence northeasterly, 273.52 feet, along a tangential curve and along said South line, said curve concave to the northwest, having a radius of 639.65 feet, a central angle of 24 degrees 30 minutes 00 seconds to a point of reverse curvature; thence continuing northeasterly along said reverse curve and said South line, 87.72 feet, said curve having a radius of 724.32 feet and a central angle of 06 degrees 56 minutes 20 seconds to the point of beginning and also to the beginning of a line to be hereinafter known as Line A; thence North 57 degrees 19 minutes 01 seconds East, 46.76 feet; thence North 39 degrees 55 minutes 32 seconds East, 55.60 feet; thence North 19 degrees 44 minutes 09 seconds West, 21.11 feet; thence North 23 degrees 52 minutes 48 seconds East, 97.81 feet; thence South 83 degrees 34 minutes 10 seconds East, 54.33 feet and said Line A there terminating; thence northeasterly 128.22 feet, along a non-tangential curve, concave to the southeast having a radius of 544.00 feet a central angle of 13 degrees, 30 minutes, 16 seconds and the chord of said curve bears North 13 degrees 10 minutes 58 seconds East to the westerly line of Parcel 4T said CITY OF BLAINE RIGHT-OF-WAY PLAT NO. 3; thence South 89 degrees 51 minutes 00 seconds East, 28.43 feet to the easterly line of said Lot 8; thence southerly along said easterly line to the southeasterly corner of said Lot 8; thence westerly along said southerly line to the point of beginning; which lies northerly, northwesterly, and westerly of and contiguous with the following described line; beginning at previously described point A; thence northeasterly 55.90 feet along said previously described southerly line, along a curve, concave to the southeast, having a radius of 724.32 feet and a central angle of 04 degrees 25 minutes 17 seconds and the chord of said curve bears North 74 degrees 49 minutes 36 seconds East; thence northeasterly 94.89 feet, along a non-tangential curve concave to the northwest having a radius of 585.00 feet, a central angle of 09 degrees 17 minutes 37 seconds, and the chord of said curve bears North 60 degrees 18 minutes 45 seconds East to a point of compound curvature; thence northeasterly 79.72 feet, along said compound curve, having a radius of 85.31 feet and a central angle of 53 degrees 32 minutes 29 seconds to a point of reverse curvature; thence continuing northerly 166.82 feet along said reverse curve, said curve having a radius of 529.00 and a central angle of 18 degrees 04 minutes 05 seconds to the westerly line of Parcel 4T, said CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3 and said line there terminating. EXCEPT said parcel 4T.

Together with a temporary construction easement being 15 feet in width and the southerly, easterly, and southerly line of which is previously described as Line A and its easterly extension. Said temporary construction easement is to extend by its full width from the South line of said Lot 8 to the westerly line of Parcel 4 of said CITY OF BLAINE HIGHWAY RIGHT-OF-WAY PLAT NO. 3.

Said temporary construction easement to expire July 1st, 2025.

SHEET 2 OF 2 SHEETS

EASEMENT EXHIBIT 1105 117TH AVENUE NE, BLAINE, MN 55434		LOT 8, BLOCK 4 EAGLE CREEK OF: ABUNDANT LIFE COMMUNITY CHURCH FOR: CITY OF BLAINE
	3507 HIGH POINT DRIVE NORTH BUILDING 1 - SUITE E130 OAKDALE, MN 55128 (651) 704-9970	

MEMORANDUM OF UNDERSTANDING

City of Blaine – Ulysses St. NE & 117th Ave. NE Project

Fee Owner(s): Abundant Life Community Church-Assembly of God
PID: 08-31-23-33-0039
Property Address: Part of 1105 117th Avenue NE, Blaine, MN 55434

On this _____ day of _____, 2023, Abundant Life Community Church-Assembly of God, a Minnesota non-profit corporation, Owner(s) of the above-described parcel of property located in the City of Blaine (the "City"), County of Anoka, and State of Minnesota, did execute and deliver a conveyance of real estate rights to the City.

This agreement is now made and entered as a memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owner(s) have been furnished with the approved estimate of just compensation for the property rights acquired and a summary statement of the basis for the estimate. The Owner(s) understand that the acquired property rights are for use in connection with the construction of the city project as listed above.
2. The Owner(s) understand and acknowledge that the Agent for the City has no direct, indirect, present, or contemplated future personal interest in the property or in any benefits from the acquisition of the property rights.
3. That in full compensation for the conveyance of said property, the City shall pay the Owner(s) the sum of **One Hundred Eight Thousand, Three Hundred and no/100 Dollars (\$108,300.00)** for easement(s) and damages. Owner(s) understand that payment by the City must await City Council approval, verification of marketable title, and lender consents, if needed.
4. The City acknowledges the Owner's celebration being held on May 19, 2024 and will continue to work with them on the project start date. No traffic restrictions associated with the roundabout project along 117th Avenue or Ulysses Avenue will commence until after this date.
5. In the event of a clerical error, Owner, whether one or more, agree to cooperate in correcting the error including but not limited to resigning all documents.
6. Additionally: n/a

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Understanding and Easement Document(s) dated _____, 2023 and that these documents and agreements include all oral agreements, representations, and negotiations between the parties.

City of Blaine

Date: _____

By: _____

Printed Name: _____

Title: _____

Date: _____

By: _____

Printed Name: _____

Title: _____

Abundant Life Community Church-Assembly of God

Date: 10/8/23

By: SG
Printed Name: Samuel Grosso
Title: Lead Pastor

Date: 10/8/23

By: Ryan Lang
Printed Name: Ryan Lang
Title: Secretary



City of Blaine Staff Report

File Number: RES 23-183

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Administration - Daniel Schluender, Director of Engineering

Agenda Item # 11.5

Resolution to Receive Feasibility Report and Order Public Hearing for the Sanburnol Drive (85th Avenue) Improvements Project, I/P 23-14

Executive Summary

Council is asked to receive the feasibility report for the Sanburnol Drive (85th Avenue) Improvements Project, Improvement Project No. 23-14.

Background

At the July 5, 2023 City Council meeting, Council initiated the Sanburnol Drive Improvements Project which involves the reconstruction of Sanburnol Drive(85th Avenue) from Elm Drive NE to University Avenue Service Drive and University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road. The Sanburnol Drive (85th Avenue) Improvements project consists of the following:

The proposed joint project between the City of Spring Lake Park and the City of Blaine will reconstruct the following streets:

- Sanburnol Drive NE (last paved in 1997) from University Avenue Frontage Road to Monroe Street
- University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road
- Elm Drive NE (last paved 1997 and 2004)
- 83rd Avenue NE (last paved in 1994).

The north half of Sanburnol Drive is located within the City of Blaine, while the south half lies in Spring Lake Park. The portion of the University Avenue Frontage Road on this proposed project lies entirely within the City of Blaine. Elm Drive and 83rd Avenue both lie entirely within Spring Lake Park.

The City of Blaine will pay for the proportional cost of the Sanburnol Drive (85th Avenue) improvements for the portion of the street within the City of Blaine and the entire costs for the University Avenue

Frontage Road. The City of Spring Lake Park will pay for a proportion of the cost of Sanburnol Drive and the full costs associated with Elm Drive and 83rd Avenue as they lie entirely within the City of Spring Lake Park.

The estimated total project cost is \$1,171,600. The estimated cost split is \$446,575 for the City of Blaine and \$722,025 for the City of Spring Lake Park. For the City of Blaine portion, the estimated amount to be assessed is \$82,937 and the remaining \$ 363,638 is proposed to be paid from the City's Pavement Management Program Fund and the City's Municipal State Aid Funds.

The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

Schedule of Actions

07/05/2023	Initiate Project and Order Preparation of Feasibility Report
07/05/2023	Enter into a Joint Powers Agreement with Spring Lake Park for the Project
11/20/2023	Receive Feasibility Report and Order Public Hearing
December 4, 2023	Hold Public Hearing, Order Improvement, and Order Preparation of Plans and Specifications
December 18, 2023	Approve Plans & Specifications and Order Advertisement for Bids
January, 2024	Open Bids (Spring Lake Park)
March, 2024	Concur with Spring Lake Park on Awarding Contract
May-September, 2024	Construction of Improvements
September, 2024	Assess Improvement
2025	First Assessment Payment Due with Real Estate Taxes

Strategic Plan Relationship

The project aligns with the City's strategic initiatives for providing a Well-Maintained Infrastructure.

Board/Commission Review

Not applicable

Financial Impact

The financial impact is outlined per the JPA with all costs for the construction of the City of Spring Lake Park's portion of Sanburnol Drive (85th Avenue) paid for by the City of Spring Lake Park. The City of Blaine portion of the proposed project would be funded by utilizing assessments, Municipal State Aid funds and Pavement Management funds.

Public Outreach/Input

The project will follow the public outreach guidelines set forth in MN Chapter 429 Statues.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Location Map
2. Feasibitlity Report-signed



City of Blaine

Signature Copy

Resolution: RES 23-183

Resolution to Receive Feasibility Report and Order Public Hearing for the Sanburnol Drive (85th Avenue) Improvements Project, I/P 23-14

WHEREAS, pursuant to Resolution No. 23-110 adopted on the 5th day of July, 2023, by the Blaine City Council, a report has been prepared for the City of Blaine Engineering Department, with reference to the reconstruction of Sanburnol Drive (85th Avenue) from Elm Drive NE to University Avenue Service Drive and University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road;

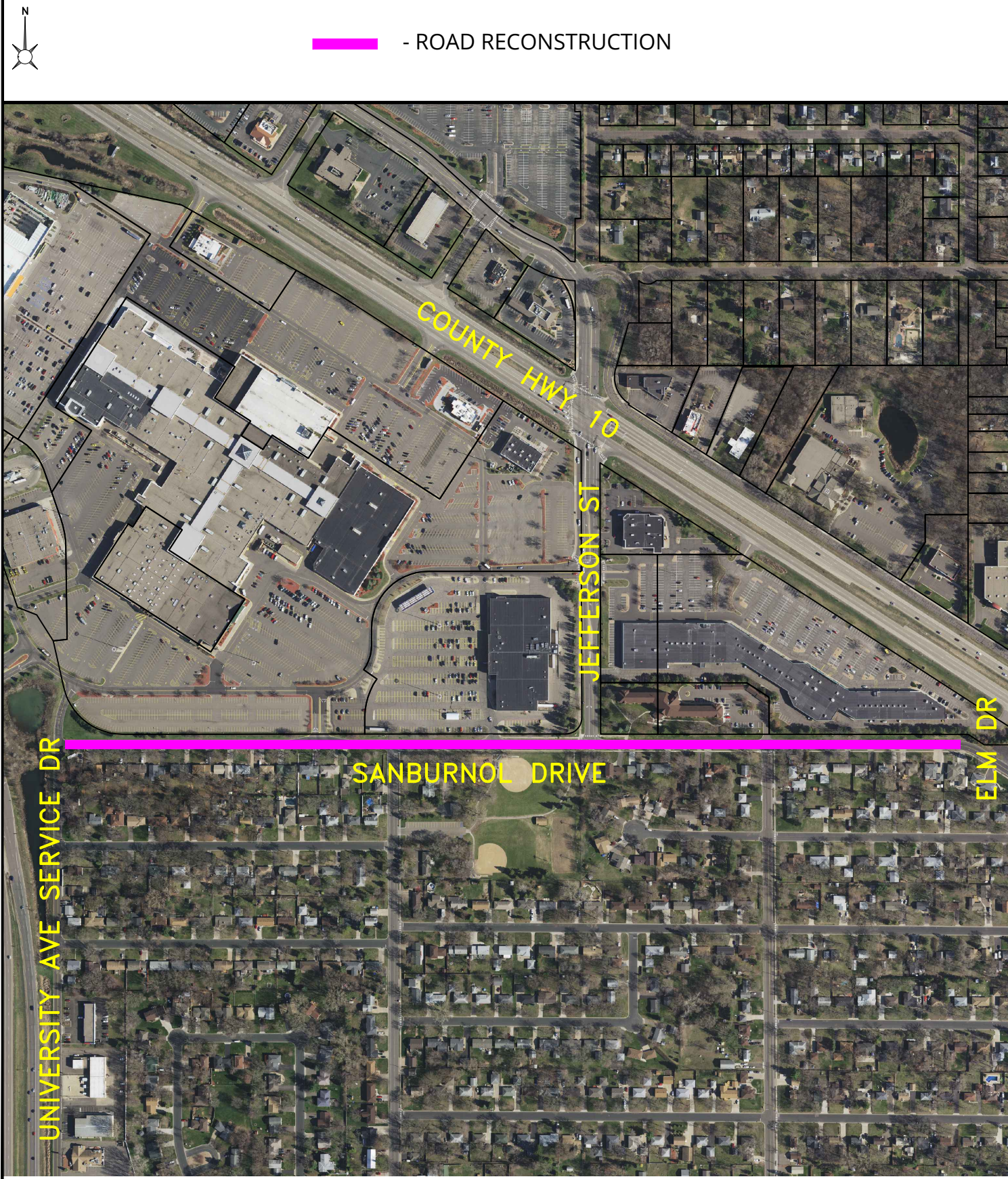
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Blaine as follows:

1. The Council will consider the improvement in accordance with the report finding the improvement necessary, cost-effective, and feasible,
resulting in a benefit to the properties proposed to be assessed and will consider the assessment of benefiting property for all or a portion of
the cost of the improvement pursuant to the Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$1,171,600.
2. A Public Hearing shall be held on such proposed improvement on the 4th day of December 2023, at 7:00 PM in the Council
Chambers of City Hall, and the City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

PASSED by the City Council of the City of Blaine this 20th day of November 2023.

SANBURNOL DRIVE RECONSTRUCTION PROJECT

LOCATION MAP



FEASIBILITY REPORT FOR

IMPROVEMENT PROJECT NO. 23-14
SANBURNOL DRIVE/85TH AVENUE IMPROVEMENTS
CITY OF BLAINE, MINNESOTA

11/13/23

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



Stefan T. Higgins, PE
Assistant City Engineer

Minn. Lic. No. 41290



City of Blaine
10801 Town Square Drive NE
Blaine MN 55449

FEASIBILITY REPORT

PROJECT NO. 23-14 - TABLE OF CONTENTS

EXECUTIVE SUMMARY	FR-1
1. PROJECT HISTORY	FR-2
2. PROJECT AREA CHARACTERISTICS	FR-2
3. PROPOSED IMPROVEMENTS	FR-3
A. Sanitary Sewer	FR-3
B. Water Main	FR-3
C. Street Construction	FR-3
D. Storm Drainage	FR-4
4. IMPACT OF PROPOSED IMPROVEMENTS	FR-4
5. SUMMARY OF ESTIMATED PROJECT COSTS AND FUNDING	FR-5
6. ASSESSMENT METHODOLOGY	FR-6
7. FINANCE	FR-6
A. Finance Director Statement	FR-6
8. PROJECTED SCHEDULE	FR-7
9. PROJECT FEASIBILITY AND RECOMMENDATION	FR-7

EXHIBITS

1. Assessable Parcels
2. Proposed Assessment Roll – Property Assessed by Linear Foot

FEASIBILITY REPORT

PROJECT NO. 23-14

EXECUTIVE SUMMARY

The proposed joint project between the City of Spring Lake Park and the City of Blaine will reconstruct the following streets:

- Sanburnol Drive NE/85TH Avenue NE (last paved in 1997) from University Avenue Frontage Road to Monroe Street
- University Avenue Frontage Road from Sanburnol Drive to Northtown Mall ring road
- Elm Drive NE (last paved 1997 and 2004)
- 83rd Avenue NE (last paved in 1994).

The north half of Sanburnol Drive/85th Avenue (hereafter referred to as Sanburnol Drive) is located within the City of Blaine, while the south half lies in Spring Lake Park. The portion of the University Avenue Frontage Road on this proposed project lies entirely within the City of Blaine. Elm Drive and 83rd Avenue both lie entirely within Spring Lake Park.

The City of Blaine will pay for the proportional cost of the Sanburnol Drive improvements for the portion of the street within the City of Blaine and the entire costs for the University Avenue Frontage Road. The City of Spring Lake Park will pay for a proportion of the cost of Sanburnol Drive and the full costs associated with Elm Drive and 83rd Avenue as they lie entirely within the City of Spring Lake Park.

The estimated total project cost is \$1,171,600. The estimated cost split is \$446,575 for the City of Blaine and \$722,025 for the City of Spring Lake Park. For the City of Blaine portion, the estimated amount to be assessed is \$82,937.05 and the remaining \$363,637.95 is proposed to be paid from the City's Pavement Management Program Fund and City Municipal State Aid Funds.

The project is necessary, cost-effective, and feasible and will result in a benefit to the properties proposed to be assessed.

1. PROJECT HISTORY

The Blaine City Council approved a Joint Powers Agreement with the City of Circle Pines, initiated the project and ordered the preparation of a feasibility report on July 5, 2023, with Resolution No. 23-110.

This report is based on field observations, record drawing information, 2023 aerial photography, and a 2023 topographic survey.

The remainder of this report will focus on Sanburnol Drive and the portion of the University Avenue Frontage Road from Sanburnol Drive to the Northtown Mall ring road as these roads either partially (Sanburnol Drive) or fully (University Avenue Frontage Road) lies within the City of Blaine.

2. PROJECT AREA CHARACTERISTICS

Sanburnol Drive

Sanburnol Drive from the University Avenue Service Drive to Elm Street is an existing urban, bituminous roadway with B618 concrete curb and gutter. The street is 32-foot wide (face of curb to face of curb) and was last paved in 1997. The pavement section is generally four to six inches of bituminous over four to seven inches of aggregate base. Concrete sidewalk is present on the north side of the road from Jefferson Street to the Cub Foods parking lot entrance and on the south side from Terrace Road to Elm Street.

Storm sewer is present and runs along the south side of the street. There are only two catch basins located on the north side of the street at the University Ave Service Drive and near Monroe Street.

Water main is present on the north boulevard (Blaine) and south boulevard (Spring Lake Park). Sanitary sewer (Spring Lake Park) runs down the centerline of the road.

The pavement has reached the point of failure with significant block, transverse and longitudinal cracking and has failed to a point where an overlay is not feasible.

University Avenue Frontage Road

The University Avenue Frontage Road from Sanburnol Drive to the Northtown Mall ring road was constructed in 1989 with a section consisting of 4 inches of bituminous pavement on 4 inches of aggregate base. The road is a 29 foot wide urban section with B618 concrete curb and gutter. No records of pavement rehabilitation activities were found.

This segment of the University Avenue frontage road has sanitary sewer present under the road. No manhole structures are located within this segment.

The pavement has reached the point of failure with significant block, transverse and longitudinal cracking and has failed to a point where an overlay is not feasible.

The proposed project is located in the Coon Creek Watershed District. No portion of the project will impact wetlands as identified on the City's wetland inventory map.

See Exhibit No. 1 for the project location.

3. PROPOSED IMPROVEMENTS

The proposed improvements will include a bituminous replacement of the existing street pavement section, minor spot curb replacement, minor spot sidewalk replacement, pedestrian curb ramp ADA upgrades, and the addition of some catch basin storm sewer structures and pipe. The improvements are necessary, cost-effective, and feasible. Each improvement is further described as follows:

A. Sanitary Sewer

Public Works and Engineering staff has reviewed the existing sanitary sewer along the project corridors and concur that there are no issues with the existing sanitary sewer main.

B. Water Main

Public Works and Engineering staff has reviewed the water main installation dates and water main break data along the project corridors and concur that the existing water main has no issues indicating the need for replacement or repair.

C. Street Construction

The proposed construction will include a bituminous replacement which consists of reclamation of the existing bituminous pavement. This process involves grinding the existing bituminous into a granular/aggregate material to use as a base for new bituminous. The proposed design section will include 5.5-inches of new bituminous over 8-inches of Class 5 or reclaimed material.

Concrete sidewalk currently exists in some portions of the project area. Based on a field review and discussions with the Spring Lake Park Public Works Director, the majority of the existing sidewalk appears to be in satisfactory condition. Since the existing sidewalk is in adequate condition, only minor spot repairs and pedestrian ramp work are proposed. MnDOT State Aid will review the mainline existing sidewalks during the design phase of the project and determine if any mainline sidewalk repairs are necessary to meet ADA standards.

The streets included in this project have existing B618 concrete curb and gutter. Based on a field review and discussions with Spring Lake Park, the majority of the curb appears to be in satisfactory condition. City staff from both cities agree that they prefer to save the curb and gutter if possible. Therefore, it is proposed to limit the replacement of curb and gutter to spot areas. Proposed curb replacement segments include those sections currently showing damage or deterioration and at those locations where storm sewer repairs and pedestrian ramp replacements are proposed.

It is not anticipated that additional right-of-way will be needed for the project.

D. Storm Drainage

The existing storm sewer structures have been inspected by the Spring Lake Park Public Works Director to determine pipe conditions and identify necessary repairs. The majority of the catch basins and leads throughout the project are deemed to be in acceptable condition. Some catch basin structures will be removed and replaced with new structures. All storm sewer structures will receive new castings and concrete adjustment rings.

The spacing of the existing storm sewer inlets (catch basins) on Sanburnol/85th Avenue is insufficient to meet current design standards. It is proposed to add storm sewer inlets on Sanburnol/85th Avenue at approximately 300-feet east of Terrace Road and approximately 300-feet east of Monroe Street. In addition, catch basins will be added on the north side of Sanburnol Street to match what exists on the south side of the road.

4. IMPACT OF PROPOSED IMPROVEMENTS

The proposed street improvements will not create any new maintenance issues for the Public Works staff. The City will work with affected property owners and the Contractor to resolve any situation that may arise during construction. Short term traffic delays, construction dust and noise, and erosion will occur. Efforts to minimize these impacts include the restriction of work hours and dust and erosion control measures included in the project. Any disruptions that occur to existing yards, sprinkler systems, and driveways will be restored.

5. SUMMARY OF ESTIMATED PROJECT COSTS AND FUNDING**Project:** 23-14**Description:** Sanburnol Drive/85th Ave Improvements Project

Cost Item	Percent	Amount
Construction Costs		
Street Construction		\$ 929,800
Water Main		0
Sanitary Sewer		0
Total Construction Costs		\$ 929,800
Administrative Costs		
Engineering	17%	\$ 158,100
Assessment	1%	9,300
Legal	1%	9,300
Administration	3%	27,900
Capitalized Interest	3%	27,900
Bonding	1%	9,300
Total Administrative Costs		\$ 241,800
TOTAL ESTIMATED PROJECT COSTS		\$ 1,171,600

Temporary Funding Source

City Internal Funds

Permanent Funding Source

Assessments, Pavement Management Program Funds (PMP Funds), and MSAS Funds,

Funding

Total Generation from Assessments	\$ 82,937.05
Total Paid from PMP/MSAS Funds	\$ 363,637.95

6. ASSESSMENT METHODOLOGY

It is proposed that the project be assessed as a bituminous replacement project over 5 years in accordance with the City's Assessment Policy. It is proposed to assess this project using the linear foot method for the commercial/industrial/high density residential properties. Proposed assessments are based on a flat rate for bituminous replacement projects of \$29.75 per assessable front foot for commercial/industrial/high density residential properties, and do not include costs for water main or sanitary sewer work.

See Exhibit No. 1 for the parcels proposed to be assessed and Exhibit No.2 for the proposed assessment rolls.

7. FINANCE

The proposed project will be temporarily financed by the City. Permanent funding will be provided by the Pavement Management Program Funds, MSAS Funds, and the costs assessed to the benefiting parcels in accordance with current City Assessment Policy and Minnesota Statutes Chapter 429, Special Assessment Laws.

A. Finance Director Statement

With reference to this Feasibility Report for Improvement Project 23-14 as prepared by the City of Blaine Engineering Department dated November 9, 2023, I find the following:

1. The project will be temporarily funded through existing City internal funds whereupon permanent financing will be obtained through the City's Municipal State Aid Street Funds, Pavement Management Program Funds, and assessments.
2. Sufficient moneys are currently available from the City's internal funds to temporarily fund the special assessment portion of the project. It is estimated that \$82,937.05 will be assessed.



Jason Zimmerman, Finance Director

8. **PROJECTED SCHEDULE**

November 20, 2023	Receive Feasibility Report Order Public Hearing
December 4, 2023	Hold Public Hearing Order Improvements and Order Preparation of Plans and Specifications
December 18, 2023	Approve Plans and Specifications Order Advertisement for Bids
January, 2024	Open Bids (Spring Lake Park)
March, 2024	Concur with Spring Lake Park on Award Contract
May – Sept 2024	Construct Improvements
September 2024	Assess Project
2025	First assessment payment due with real estate taxes

9. **PROJECT FEASIBILITY AND RECOMMENDATION**

The project as proposed is technically and financially feasible, cost effective, and will result in a benefit to the properties proposed to be assessed. It is recommended that the Council accept this report, hold the public hearing, and order the improvements.

EXHIBIT 1

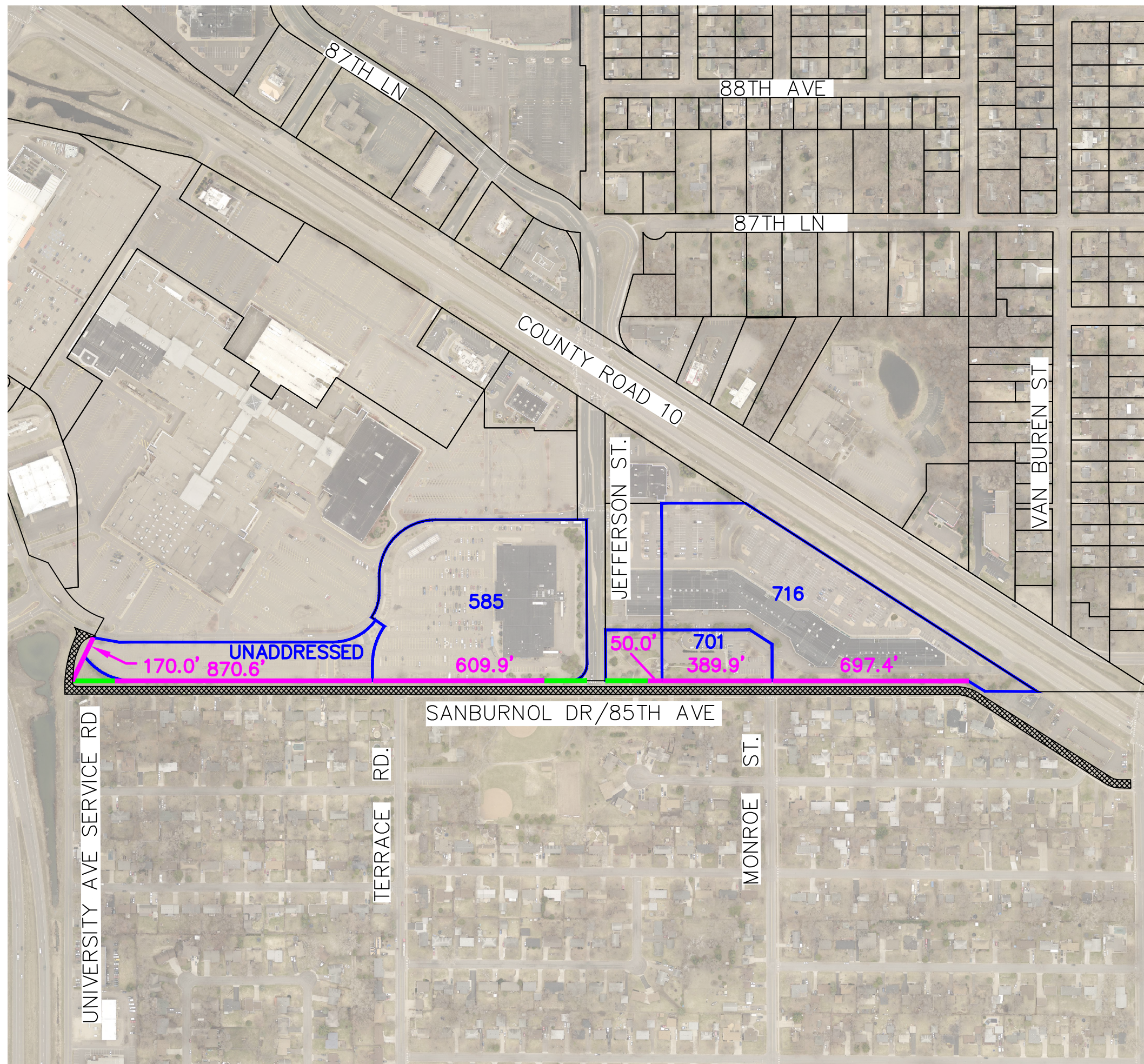
SANBURNOL DR/85TH AVE IMPROVEMENTS PROJECT ASSESSMENT MAP

LEGEND:

- — ASSESSABLE FRONT FOOTAGE
- — 150 FT CORNER LOT CREDIT
- ASSESSED PARCEL
- PROJECT LOCATION



ENGINEERING DEPARTMENT
10801 Town Square Drive, Blaine, Minnesota 55449
Phone (763) 785-6172



PROJECT 23-14
SANBURNOL DRIVE/85TH AVENUE IMPROVEMENTS PROJECT
CITY OF BLAINE
EXHIBIT NO. 2 - COMMERICAL, INDUSTRIAL, HIGH DENSITY RESIDENTIAL PROPERTY
PROPOSED ASSESSMENT ROLL

ASSESSMENT RATE FOR BITUMINOUS REPLACEMENT IS \$29.75 PER FRONT FOOT AS ESTABLISHED IN THE CITY OF BLAINE ASSESSMENT POLICY

PROPERTY PIN	PROPERTY OWNER	PROPERTY ADDRESS	ASSESSABLE FRONT FOOTAGE		ASSESSMENT RATE PER FRONT FOOT	PROPOSED ASSESSMENT
31-31-23-34-0003	SUPER VALU STORES INC	585 NORTHTOWN DR NE	609.9	*	\$29.75	\$18,144.53
31-31-23-34-0011	NORTHTOWN MALL TERRITORIES LLC	100 NORTHTOWN DR NE	1040.6	*	\$29.75	\$30,957.85
31-31-23-43-0047	HIAWATHA LAKE PARTNERS II LLC	701 85TH AVE NE	389.9		\$29.75	\$11,599.53
31-31-23-43-0048	HIAWATHA LAKE PARTNERS II LLC	701 85TH AVE NE	50.0	*	\$29.75	\$1,487.50
31-31-23-43-0049	KRAUS-ANDERSON INC	716 COUNTY ROAD 10 NE	697.4		\$29.75	\$20,747.65
TOTALS:			2787.8			\$82,937.05

NOTES:

*150 FOOT CORNER LOT CREDIT APPLIED TO ASSESSABLE FRONT FOOTAGE



City of Blaine Staff Report

File Number: RES 23-189

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Resolution

Administration - Jerome Krieger, Sr. Recreation Manager

Agenda Item # 11.6

Resolution Accepting a Change Order from T.A. Schifsky & Sons, Inc. in the Amount of \$9,245 for the 2023 Trail Maintenance Project, Improvement Project No. 23-42 and Amending the 2023 Budget

Executive Summary

At the August 21, 2023 council meeting, the City Council awarded the bid for the 2023 Trail Maintenance Project to T.A. Schifsky & Sons, Inc. with Resolution 23-137. The contract was for \$78,971.00. Council also approved a 15% contingency to bring the project budget to \$90,816.65. The 2023 CIP for Trail Maintenance was \$91,000. The project consisted of replacing/adding new ADA compliant pedestrian ramps, seal coating, reclaiming and reconstructing various paved trails throughout the City.

Background

During construction, issues with the existing subgrade for a couple sections of trail were discovered.

Meadowbrook Park - A section of the trail had little to no gravel under the pavement and approximately 250' of the trail had wet organic material that needed to be removed. Approximately 12" of organic material was removed, geotextile fabric and new class 5 aggregate was installed in that area to raise the trail above the adjacent wetland and provide structural support. The cost for this additional work was \$6,185.00.

Happy Acres Park - this entire length of trail had no gravel and the pavement appears to have been placed directly on the sand subgrade. In order to provide enough structural support for the paving trucks and machines to construct this trail, 2" of new class 5 aggregate was placed. The cost for this additional work was \$3,060.00

Change Order 1 increases the contract amount by \$9,245.00 as described above. Final quantities have been received from the contractor and with this change order the total project cost will be \$92,797.00 which exceeds the 15% contingency provided by \$1,980.35.

Council is being asked to approve change order 1 in the amount of \$9,245.00 and approve a budget adjustment for \$2,000.

Strategic Plan Relationship

This project aligns with the City's strategic plan goal of well-maintained infrastructure by providing high quality trail infrastructure.

Board/Commission Review

Not required.

Financial Impact

The 2023 Parks and Trails Capital Improvement Program budget includes \$91,000 for trail improvements (project PRK990500). The current project costs require a project budget of \$93,000. The Parks and Trails Fund is projected to have billboard revenues in excess of the budgeted amount of \$178,000, so the council is requested to increase the 2023 billboard revenue budget by \$2,000 and the trails expense by \$2,000.

Public Outreach/Input

By resolution, approve Change Order No. 1 in the amount of \$9,245, authorize the Senior Parks and Recreation Manager to sign said Change Order No. 1, and approve the associated budget adjustment.

Staff Recommendation

By motion, adopt the resolution.

Attachment List

1. Trail Maintenance



City of Blaine

Signature Copy

Resolution: RES 23-189

Resolution Accepting a Change Order from T.A. Schifsky & Sons, Inc. in the Amount of \$9,245 for the 2023 Trail Maintenance Project, Improvement Project No. 23-42 and Amending the 2023 Budget

WHEREAS, the City of Blaine has awarded the bid for the 2023 Trail Maintenance Project to T.A. Schifsky & Sons, Inc. with Resolution 23-137 for \$78,971; and

WHEREAS, council also approved a 15% contingency to bring the project budget to \$90,816.65; and

WHEREAS, during construction, issues with the existing subgrade for a couple sections of trail were discovered ; and

WHEREAS, Change Order 1 increases the contract amount by \$9,245 ; and

WHEREAS, final quantities have been received from the contractor and with this change order the total project cost will be \$92,797 which exceeds the 15% contingency provided by \$1,980.35; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine, Anoka and Ramsey County, Minnesota as follows:

1. Approval of Change Order No. 1 in the amount of \$9,245.
2. Authorize the Senior Parks and Recreation Manager to sign said Change Order No. 1.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Blaine, to approve the following revenue increases to the 2023 capital plan and budget for project PRK990500:

<u>Fund</u>	<u>Amount</u>
Parks and Trails –Billboard Revenue	\$2,000
(402.)	

BE IT FURTHER RESOLVED the following expenditure increases to the 2023 capital plan and budget for project PRK990500:

<u>Fund</u>	<u>Amount</u>
Parks and Trails – Projects - Contract Cost	\$2,000
(402.50.530.534.6099-4590)	

PASSED by the City Council of the City of Blaine this 20th day of November 2023.



CITY OF BLAINE

Payment Form

10801 Town Square Drive NE, Blaine, Minnesota 55449

(763) 785-6172 FAX (763) 785-6139

Project No.: 22-42
Project Description: 2023 Blaine Trail Maintenance Project

Payment Number: 1 (Partial)
This Payment Through: 10/31/23

Contractor: T.A. Schifsky & Sons, Inc.
Award Date:
Completion Date:

Original Contract Amount: \$78,971.00
Current Contract Amount: \$88,216.00
Percent of Contract Complete: 105%

CHANGE ORDERS TO CONTRACT

Change Order #	Date Approved	Amount
CO #1		\$9,245.00
TOTAL		\$9,245.00

SUMMARY OF PAYMENTS TO CONTRACTOR

Estimate #	Month	Amount Paid
TOTAL		\$0.00

TOTAL AMOUNT EARNED TO DATE	\$92,797.00
TOTAL AMOUNT RETAINED THIS ESTIMATE (5%)	\$4,639.85
TOTAL AMOUNT DUE TO CONTRACTOR	\$88,157.15
TOTAL AMOUNT OF PREVIOUS PAYMENTS	\$0.00
TOTAL AMOUNT DUE THIS PAYMENT	\$88,157.15

THIS IS TO CERTIFY THAT ALL ITEMS SHOWN ARE FOR THE WORK COMPLETED TO DATE.

SIGNATURES:

Inspector

City Engineer

Contractor

Date

Date

Date

Project No.: 23-42
Project Description: 2023 Blaine Trail Maintenance Project

Contractor: T.A. Schifsky & Sons, Inc.

Payment Number: 1 (Partial)

This Payment Through: 10/31/23

BID ITEMS

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE	PERCENT COMPLETE
1	REMOVE CONCRETE PEDESTRIAN RAMP	SF	135	\$15.00	135	\$2,025.00	135.00	\$2,025.00	100%
2	REMOVE CONCRETE CURB	LF	15	\$25.00	0	\$0.00	0.00	\$0.00	0%
3	BITUMINOUS TRAIL RECLAMATION (P)	SY	1,219	\$10.00	1,219	\$12,190.00	1,219.00	\$12,190.00	100%
4	ASPHALT EMULSION SEAL COAT	SY	2,164	\$4.00	2,164	\$8,656.00	2,164.00	\$8,656.00	100%
5	TYPE SP 9.5 WEARING COURSE MIXTURE (2,B)	TON	142	\$175.00	165.32	\$28,931.00	165.32	\$28,931.00	116%
6	CONCRETE PEDESTRIAN RAMO (6")	SF	135	\$50.00	135	\$6,750.00	135.00	\$6,750.00	100%
7	TRAFFIC CONTROL	LS	1	\$10,000.00	1	\$10,000.00	1.00	\$10,000.00	100%
8	COMMON TOPSOIL BORROW (LV)	CY	33	\$125.00	40	\$5,000.00	40.00	\$5,000.00	121%
9	TURF ESTABLISHMENT	LS	1	\$10,000.00	1	\$10,000.00	1.00	\$10,000.00	100%
				\$78,971.00		\$83,552.00		\$83,552.00	

CHANGE ORDER NO. 1

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE	PERCENT COMPLETE
1A	MEADOW BROOK SUBGRADE CORRECTION	LS	1	\$6,185.000	1	\$6,185.00	1.00	\$6,185.00	100%
2A	HAPPY ACRES PARK CLASS V	TON	68	\$45.00	68	\$3,060.00	68.00	\$3,060.00	100%
				\$9,245.00		\$9,245.00		\$9,245.00	
GRAND TOTAL				\$88,216.00		\$92,797.00		\$92,797.00	



City of Blaine

Staff Report

File Number: ORD 23-2536

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Ordinance

Administration - Brian Podany, Safety Services Manager/Police Chief

Agenda Item # 11.7

First Reading - Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession

Executive Summary

Council is asked to hold first reading of an ordinance updating the current code regarding drug paraphernalia to reflect the new cannabis products law.

Background

Council is asked to hold first reading of an ordinance updating the current code regarding drug paraphernalia to more accurately reflect the new cannabis products law and move the language from Offenses Involving Underage Persons to new Sec. 50-3. - Drug Paraphernalia.

This session the Minnesota Legislature removed the state level crime of possessing drug paraphernalia. Staff is recommending the City amend the ordinance to continue to criminalize transportation or possession of such items based on the new law Statute 342.09 except in conjunction with cannabis . The new law also defines cannabis paraphernalia: "Subd. 18. Cannabis paraphernalia. "Cannabis paraphernalia" means all equipment, products, and materials of any kind that are knowingly or intentionally used primarily in:

- (1) manufacturing cannabis products;
- (2) ingesting, inhaling, or otherwise introducing cannabis flower or cannabis products into the human body; and
- (3) testing the strength, effectiveness, or purity of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products."

While the city does not have the authority to regulate the possession and transportation of cannabis paraphernalia as it is expressly permitted by statute, this amendment would still provide law enforcement the ability to stop or expand searches based on non-cannabis paraphernalia now that the law is silent.

Strategic Plan Relationship

N/A

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

Notice of this ordinance amendment was published on the City's website.

Staff Recommendation

Attachment List

None



City of Blaine

Signature Copy

Ordinance: ORD 23-2536

First Reading - Ordinance Amending Chapter 50, Offenses and Miscellaneous Provisions, Article VI. - Offenses Involving Underage Persons, Sec. 50-312. - Opium-Smoking Paraphernalia; Possession

~~Sec. 50-312. Opium-smoking paraphernalia; possession.~~

~~No person shall use, possess or have under such person's control for use any stem, bowl, pipe, lamp, yen hock, or other opium-smoking paraphernalia or cannabis indica or cannabis sativa or marijuana smoking paraphernalia or accessories used for the smoking or inhalation of opium or cannabis indica or cannabis sativa or marijuana.~~

~~(Code 1963, § 104.04; Code 1980, § 13-10)~~

Chapter 50 - Offenses and Miscellaneous Provisions

Article I. - In General

Sec. 50-3. - Drug Paraphernalia

It is unlawful for any person knowingly or intentionally to use or possess drug paraphernalia.

For the purposes of this Section, drug paraphernalia is defined as all equipment, products, and materials of any kind, except those used in conjunction with permitted uses of controlled substances pursuant to state law, which are knowingly or intentionally used primarily in:

- (1) manufacturing a controlled substance;
- (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance; or
- (3) enhancing the effect of a controlled substance.

Drug paraphernalia does not include the possession, manufacture, delivery, or sale of:

- (1) hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections;
- (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance; or
- (3) cannabis paraphernalia as defined by Minnesota Statute §342.01 Subd. 18.

INTRODUCED and read in full this 20th day of November, 2023.

PASSED by the City Council of the City of Blaine this ____ day of _____, 2023.



City of Blaine

Staff Report

File Number: ORD 23-2532

Agenda Date	Status
November 20, 2023	
In Control	File Type
City Council	Ordinance

Administration - Cathy Sorensen, City Clerk

Agenda Item # 11.8

An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine

Executive Summary

Council is asked to hold second reading and adopt an interim ordinance establishing a moratorium prohibiting the sale, testing, manufacturing, cultivating, commercial transporting, delivery, and distribution of hemp and cannabis products in the city to provide time to consider reasonable restrictions on time, place, and manner of operation for businesses and receive information and guidance from the newly-created Office of Cannabis Management.

Background

This legislative session, Minnesota adopted a new law legalizing adult-use cannabis. Along with legalizing adult-use cannabis, the legislature adopted a series of laws creating various licensing schemes for cannabis businesses and hemp businesses, creating the Office of Cannabis Management to regulate the cannabis and hemp industry, and, importantly for Minnesota cities, setting forth options for local control by cities. Retail sales of these new products are expected to begin in 2025. There are many local control options the council could consider in advance of the retail sale and manufacturing of cannabis and hemp products and to ensure the city has time to study and consider reasonable restrictions on the time, place, and manner of operation of cannabis and hemp businesses, an interim ordinance can be used to prohibit any new retail and manufacturing cannabis businesses from commencing operations until January 2025 and hemp businesses for one year. The interim ordinance may be repealed earlier, should council elect to do so. The sale of cannabinoids under Minn. Stat. 151.72 and hemp industry as regulated by the Minnesota Department of Agriculture are not impacted by this interim ordinance.

The purpose of this interim ordinance is to allow the city time to address this new law, consider the needs of the community, and provide guidance to those who may be considering these businesses by providing clear direction on time, manner, and place for the eventual locations. Discussions will be needed with regard to the number of licenses the council would like to allow within the requirements of

the law in addition to where locations should be established such as near schools and parks. While the city wants to be strategic and thoughtful in this process we hope to complete the study soon in order to allow businesses to plan. While a business is not able to open a dispensary until the state develops licensing procedures the state could potentially issue licenses to businesses before the city has adopted zoning regulations. To avoid the possibility of legal nonconformity/grandfathering rights to sell cannabis where the city later determines cannabis cannot be sold or manufactured, an interim moratorium is recommended and allows prospective businesses information on the process for licensing and zoning regulations.

Strategic Plan Relationship

N/A

Board/Commission Review

N/A

Financial Impact

N/A

Public Outreach/Input

A public hearing was held on November 6 with two individuals sharing comments that while they were not opposed to the moratorium specifically they encouraged the city to learn more about the benefits of cannabis and offered assistance as the council conducted the study.

Staff Recommendation

Hold second reading and adopt the interim ordinance prohibiting the operation of cannabis businesses and hemp businesses in the City of Blaine under Minn. Stat. 342.13(e) and 462.355 subd. 4.

Attachment List

None



City of Blaine

Signature Copy

Ordinance: ORD 23-2532

An Interim Ordinance Prohibiting the Operation of Cannabis Businesses and Hemp Businesses in the City of Blaine

The City of Blaine does ordain: (Added portions are underscored and deleted portions are shown in overstrike.)

Section 1. The purpose of this interim ordinance is to authorize studies to be conducted, protect the planning process, and protect the health, safety, and welfare of the City on the following basis and for the following reasons:

- (1) The State of Minnesota passed the new regulation of Adult Use Cannabis Law, Chapter 63 of Minnesota Session Law – 2023, Regular Session (Statutes Chapter 342), much of which became effective as of August 1, 2023.
- (2) The State of Minnesota's new cannabis law established the Office of Cannabis Management tasked with issuing licenses for and regulating the operation of various types of cannabis businesses and hemp businesses.
- (3) Statutes Chapter 342 does not include a specific date for the Office of Cannabis Management to begin issuing licenses to cannabis businesses and hemp businesses.

Section 2. The regulation of Adult-Use Cannabis Legislation took effect on August 1, 2023 and empowers municipalities to adopt an interim ordinance prohibiting the operation of a cannabis business within its jurisdiction. This ordinance is adopted to provide for adequate time for study, analysis, and finalization of City Code amendments regarding time, place, and manner of the operation of a cannabis business within the City.

Section 3. Pursuant to Minnesota Statutes, Section 342.13(e), on August 9, 2023, the City Council held a public hearing, after notice duly published as required by law, and the views of all interested persons with respect therefore presented at the hearing having been considered.

Section 4. Pursuant to Minnesota Statutes, Section 342.13(e) and 462.355 Subd. 4, an interim ordinance is hereby adopted authorizing the City to conduct studies regarding the impacts of cannabis businesses and hemp businesses to determine whether and what revisions to the City Code or other regulations on the time, place, and manner of cannabis business operations and hemp business operations are warranted for the purpose of protecting the planning process and the health, safety, and welfare of the residents and businesses of Blaine.

Section 5. Pursuant to Minnesota Statutes, Section 342.13 (e), the operation of any cannabis businesses in the City of Blaine is prohibited by this interim ordinance from and after its passage and publication according to law and continuing until January 1, 2025.

Section 6. Pursuant to Minnesota Statutes, Section 462.355, subdivision 4, the operation of any hemp

businesses in the City are prohibited by this interim ordinance from and after its passage and publication according to law and continuing for a period of twelve (12) months from the effective date of this ordinance or to the longest period permitted by law.

Section 7. Violation of any portion of this ordinance shall be a misdemeanor punishable by imprisonment for up to 90 days and a fine of \$1,000.00 or both, plus the costs of prosecution. Each day that a violation occurs shall be considered a separate offense. The City may enforce any provision of this ordinance by mandamus, injunction or any other appropriate civil remedy in any court of competent jurisdiction.

Section 8. This interim ordinance shall be in full force and effect from and after its passage and publication according to law.

INTRODUCED and read in full this 6th day of November, 2023.

PASSED by the City Council of the City of Blaine this 20th day of November, 2023.