Agenda
City of Minnetonka
City Council Regular Meeting
Monday, October 26, 2026
6:00 PM
Council Chambers
14600 Minnetonka Blvd.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Coakley, Foster-Bolton, Maxwell, Wilburn, Calvert, Ramaley, Schack
4. Approval of Agenda
5. Approval of Minutes:
   - A. Oct. 5, 2026 regular meeting minutes
6. Special Matters:
   - A. Metro Transit Presentation - Green Line Extension Update
   - B. Wellness and Safety Specialist Presentation
7. Reports from City Manager & Council Members
8. Citizens Wishing to Discuss Matters Not on the Agenda
9. Bids and Purchases:
   - A. Bids for the Minnetonka Boulevard Lift Station Rehabilitation Project
10. Consent Agenda - Items Requiring a Majority Vote:
    - A. Property Assessed Clean Energy (PACE) special assessment for 10650 Red Circle Drive
    - B. Resolution for the Green Oak Drive Improvement Project
    - C. 2027 general liability insurance and workers' compensation renewals
11. Consent Agenda - Items Requiring Five Votes:
    - A. 2027 DWI Traffic Safety Officer Grant Agreement
    - B. 2027 Towards Zero Deaths (TZD) Traffic Enforcement Grant Agreement
    - C. Resolution approving agreement for donation to the city of vacant land on Martha Lane
12. Introduction of Ordinances:

A. 30-Day Pre-Eviction Notice Ordinance

B. Ordinances amending city code section 710.005 regarding certain fees and city code section 515.015 regarding categories of licenses

13. Public Hearings:

A. Precious Metal Dealer License for Walla LLC, dba Walla Jewelry Company 11300 Wayzata Boulevard

14. Other Business:

A. Certification of delinquent utility charges and fire alarm response fees to the Hennepin County Auditor

B. FEMA Staffing Adequate Fire and Emergency Response (SAFER) Grant

C. Byrne Discretionary Community Project Grant Agreement

D. 2026 Tax Increment Financing (TIF) Management Report

E. Closed meeting to discuss labor negotiation strategies pursuant to Minnesota Statutes section 13D.03.

15. Appointments and Reappointments: None

16. Adjournment

Minnetonka City Council meetings are broadcast live and available for replay on Comcast Channel 16 (SD)/859 (HD) and the city website.

City Council
Agenda Item 5.A
Meeting of October 26, 2026

Title:	Oct. 5, 2026 regular meeting minutes
Report from:	Becky Koosman, City Clerk
Presenter:	Mayor Schack

Action Requested:	Motion
Form of Action:	Minutes
Votes needed:	4 votes

Recommended Action
Motion to approve Oct. 5, 2026 regular meeting minutes.

Strategic Plan Relatability
N/A

Financial Consideration
N/A

ATTACHMENTS:
Minutes

Minutes
Minnetonka City Council
Regular Meeting
Monday, October 5, 2026

1. Call to Order

Mayor Rebecca Schack called the meeting to order at 6:01 p.m.

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

Council Members, Paula Ramaley, Kissy Coakley, Patsy Foster-Bolton, Amanda Maxwell, Kimberly Wilburn (attending remotely due to illness), Deb Calvert and Rebecca Schack were present.

4. Approval of Agenda

Calvert moved, Foster-Bolton seconded a motion to accept the agenda as amended with addenda for Items 12.B, 13.B and 14.A. All voted "yes." Motion carried.

5. Approval of Minutes:

A. September 14, 2026 regular meeting minutes

Foster-Bolton moved, Calvert seconded a motion to approve the minutes. All voted "yes." Motion carried.

6. Special Matters: None

7. Reports from City Manager & Council Members

City Manager Mike Funk reported on upcoming city events and council meetings.

Calvert thanked the Minnetonka Police Department for responding to the gun violence that occurred in Eden Prairie. It was her hope that the people who were dangerous in this community would be separated from dangerous weapons and be held accountable.

Coakley commented on the domestic violence proclamation the governor issued for the State of Minnesota. She asked that staff bring forward a similar proclamation for the Minnetonka City Council to consider.

Coakley discussed an email she received from a resident regarding Purgatory Park noting this resident would like the council to revisit the fencing that was approved. She requested the council consider bringing this item back for reconsideration.

Coakley explained she lived in a home that was in the Homes Within Reach program. She indicated she recently received a letter from the city noting there were smoke detectors and carbon monoxide detectors available to residents living in Homes within Reach homes. She thanked the city for sending out these letters.

Schack stated Purgatory Park could not be discussed at this meeting, but this item could be brought back for further discussion at the study session meeting next week.

Ramaley reported she attended the ICA fundraiser with the mayor.

Ramaley discussed the great work being done by the Libbs Lake Bridge Design Committee.

Ramaley invited the public to attend the Minnetonka Historical Society meeting that would be held on Thursday, Oct. 8 at 6:00 p.m. where the history of the Cullen Nature Preserve would be discussed.

Schack reported she attended the ICA fundraiser last week and she appreciated the great attendance at this event.

Schack thanked all of the residents who attended the recent election forum. She thanked staff for their efforts on this event.

8. Citizens Wishing to Discuss Matters not on the Agenda: None

9. Bids and Purchases: None

10. Consent Agenda – Items Requiring a Majority Vote:

A. Resolution appointing election judges and absentee ballot board for the November 3, 2026 State General Election

Calvert moved, Maxwell seconded a motion to adopt Resolution 2026-087. All voted “yes.” Motion carried.

B. Resolution to adjust 2027 non-union employee benefits

Calvert moved, Maxwell seconded a motion to adopt Resolution 2026-088. All voted “yes.” Motion carried.

C. Three-year enterprise software agreement for ESRI (ArcGIS) software

Calvert moved, Maxwell seconded a motion to approve the three-year enterprise software agreement. All voted “yes.” Motion carried.

D. 2027 Minnetonka City Council calendar

Calvert moved, Maxwell seconded a motion to adopt Resolution 2026-089. All voted “yes.” Motion carried.

11. Consent Agenda – Items Requiring Five Votes:

A. Resolution for the Noise Wall along TH-169

Calvert moved, Foster-Bolton seconded a motion to adopt Resolution 2026-090. All voted “yes.” Motion carried.

Calvert moved, Foster-Bolton seconded a motion to amend the Capital Improvements Program (CIP). All voted “yes.” Motion carried.

Calvert moved, Foster-Bolton seconded a motion to authorize the city engineer to expend the allocated funds for project costs without further council approval, provided the total project costs do not exceed the project budget of $850,000. All voted “yes.” Motion carried.

12. Introduction of Ordinances:

A. Items concerning Endeavor Development at 10700 Bren Road West and adjacent properties

City Planner Susan Thomas gave the staff report.

Calvert expressed concern regarding the number of trees that would be lost through this project. She questioned if any more trees could be preserved on this lot. Thomas noted staff would be looking into the tree inventory further with the applicant.

Calvert discussed how close the building was to the roadway and inquired if the applicant was meeting the city’s right of way requirements. Thomas reported the required setback was 35 feet from the right of way and the proposal was meeting this requirement.

Ramaley explained she was pleased with the proposed changes to the building and thanked the applicant for reevaluating their plan.

Maxwell questioned when trees can be exempted from mitigation. Thomas reported under the tree protection ordinance, the city restricts the number of trees that can be removed from a site, but then the city further requires mitigation for all of the trees that are removed unless that tree was within a footprint of the building or parking lot.

Schack asked if staff was concerned about the amount of earth work that would have to occur to complete this project. Thomas explained this proposal does include quite a bit of earth moving in order to create a building of this size. She reported 30 feet of fill would have to be brought in on the south side of the building and retaining walls would have to be constructed.

Schack invited the applicant to come forward at this time.

Joe Bergman, Endeavor Development, thanked staff for the detailed presentation. He commented on the modifications that were made to the building in order to be more compliant with city requirements. He reported the topography of this site was very challenging. He stated he was looking forward to moving this project forward and noted he would have more finalized plans in the next month for the city to consider.

Calvert appreciated the attractive building that was brought forward by the applicant, but requested the planning commission review the tree loss when this matter is further considered. She encouraged the applicant to come forward with a robust landscaping plan for this project.

Ramaley indicated she would like to see sustainable planning efforts brought into this plan.

Maxwell suggested the stormwater management be held underground in order to retain additional trees.

Schack commented she supported finding a way to make this project work, while also balancing the goals of the city. She stated she was worried about the topography of this property. She discussed how the large retaining walls would be different from the other properties within Opus, but she was hopeful the city could find a way to make this project work.

Ramaley moved, Calvert seconded a motion to introduce the ordinance and refer it to the planning commission. All voted “yes.” Motion carried.

Schack recessed the city council meeting.

Schack reconvened the city council meeting.

B. Zoning Ordinance

Community Development Director Julie Wischnack and City Planner Susan Thomas gave the staff report.

Maxwell asked what the process would be for setting a maximum on the allowed impervious surface for zoning districts other than residential. Thomas explained engineering staff members were continuing to have

conversations with stormwater consultants in order to finalize these numbers.

Coakley questioned if affordability would be addressed within the zoning code. Wischnack commented further on how achieving affordable housing was multi-faceted.

Ramaley stated she was confused with the proposed density requirements and what the requirements were per acre. Wischnack reviewed the city's density requirements as proposed by staff to meet the Met Council requirements.

Calvert appreciated the industrial use standards and high resource facilities language that was written into the code. She asked if additional language could be included to address low frequency noise and the decommissioning of industrial uses. She wanted the proper language in place to ensure the city did not have heat islands being created from data centers. Thomas explained the city's consultant reviewed broad standards from across the country in order to address high resource facilities. She commented another study could be done on how to address data centers. Wischnack indicated staff has done heavy work and she believed the city was leading when it comes to high resource uses.

Ramaley recommended staff further consider how energy rates were being impacted in communities with data centers. She suggested escrows be required for high resource uses should decommissioning be needed.

Maxwell requested further information regarding the requirements for twinhomes with common walls. Thomas discussed the requirements that were in place for twinhomes with a common wall.

Ramaley requested the planning commission further consider on the affordability and attainability requirements. She asked that the planning commission also consider neighborhood character and aesthetics, noting there were concerns that the older neighborhoods would be turned into tracts of twinhomes. She wanted to learn more about how McMansions were being addressed and questioned why CUP and IUP's would only be considered by the planning commission going forward.

Coakley questioned if duplexes and triplexes were included in the code language or did the language only address twinhomes and ADU's. She supported the city having a diverse housing stock. Thomas explained triplexes and quads or rows of townhomes would be allowed in the medium density residential (MDR) housing district.

Foster-Bolton requested the planning commission talk about the work group, who served on this group, and what was agreed upon by the work group.

Calvert commented on the setbacks for the 13 different village centers. She expressed concern with how some of the village centers have zero front yard setbacks and others have a 10 foot front yard setback. Thomas reported she would put this on her list for clarification, noting staff had visited each village center and considered the existing setbacks.

Maxwell requested the planning commission further consider where drive thrus should and should not be allowed. She indicated she would also like the commission to further discuss the benefits of roundabouts.

Ramaley indicated she would like the commission to discuss the benefits of two unit housing, if there was any data and what was being done in other communities.

Coakley requested the commission consider how to get to affordable units with triplexes and twinhomes.

Calvert commented she would like the commission to consider building height and resource use. She suggested the requirement for blank walls facing trails be further considered noting vegetation or living murals may be another option. She believed there was a lot more to explore when it comes to duplexes and affordability, especially if developers were going to begin converting existing homes into duplexes. She asked if 10 foot side yard setbacks were supported by the city noting the current requirement was 35 feet. She requested the city's tree requirements not be bent as she wanted to see the city's tree canopy protected.

Coakley questioned if the city had open pieces of land that housing could be built on. Wischnack reported the five properties the city owns that were developable were within the economic improvement program. She provided the council with further information on how the property on Roland Road developed.

Foster-Bolton stated she wanted to ensure the code language was modernized and forward thinking. She discussed how she used to live in a duplex and noted her duplex was the only one on the block. She supported more duplexes coming into the community.

Ramaley discussed how 40% of lots in the community were less than one-half acre in size. She understood the city needed more and varied housing types and commented on how the council worked to be change managers. She thanked staff and the working group for all of their efforts on the code. She asked if the resiliency menu applied to medium density projects. Thomas reported these requirements would apply to multi-unit residential buildings.

Ramaley requested the planning commission consider challenging single family home developers to complete a cost of operation for the homes constructed.

Schack thanked the council for their feedback and comments on the code. She understood the twinhome language was contentious at this time. She recognized that a lot of work was being done to address this topic. She thanked the residents, boards, commissions, working group and staff for all of their efforts on this project.

Coakley moved, Maxwell seconded a motion to introduce the ordinance, provide feedback, and refer it to the planning commission. All voted "yes." Motion carried.

13. Public Hearings:

A. Temporary on-sale liquor license for Boom Island Brewing Company, 5959 Baker Road, Suite #320

Community Development Director Julie Wischnack gave the staff report.

Schack opened the public hearing.

Laura McCauley, Boom Island Brewing representative, explained the second annual Drink or Treat event would be held on Saturday, Oct. 24. She explained nine breweries would be attending the event, along with food trucks and live music. She indicated there would be costume contests and other fun events.

There being no further comments from the public, Schack closed the public hearing.

Calvert moved, Maxwell seconded a motion to grant the temporary liquor license. All voted "yes." Motion carried.

B. On-sale wine, 3.2% malt beverage, and 2AM, liquor licenses to Shake Shack Minnesota LLC, at 1809 Plymouth Road, Suite 1

Community Development Director Julie Wischnack gave the staff report.

Schack opened the continue the public hearing.

There being no comments from the public, Schack closed the public hearing.

Foster-Bolton moved, Calvert seconded a motion to continue the public hearing from Aug. 31 and grant the licenses. All voted "yes." Motion carried.

14. Other Business:

A. Resolution approving two variances (tree removal and front yard setback) and a stipulated order for the proposed redevelopment at 16820 Edgewood Avenue

City Planner Susan Thomas gave the staff report.

Calvert stated this was a difficult request for her to consider. She indicated the council may be inclined to vote no on something that meets city ordinance and noted this variance request does not meet any city ordinances. She questioned what the legal ramifications were for denying this request. City Attorney Erik Nilsson explained the city is not obligated to grant variances, rather the applicant had the burden of proof to establish their entitlement to the variance. He commented on the practical difficulties that have to be established by the applicant and one of those were the unique circumstances not created by the applicant. He reported with this case, the tree removal was created by the applicant. He advised the path forward for the applicant was through a variance given how the lot was currently in violation with city code.

Foster-Bolton asked how staff determined the size of the trees that were removed. Thomas commented on how staff visited the site and reviewed previous aerial photos to determine the size of the trees that were removed.

Coakley stated it appears this property owner was boxed in and could not move forward with any type of project with out a variance approval. Nilsson advised the determination on the variance would have to be made by the council.

Coakley inquired if the city was being consistent with a previous resident who cut down trees prematurely when it comes to fines and restoration. Wischnack reported she recalled the previous situation noting more trees were removed and a higher fine was charged by the city. She indicated the other resident had a harder time fitting all of the replacement trees on the lot. She explained the same fine and fee schedule was used for both cases.

Coakley questioned if the fine amounts could be increased. Wischnack explained this would require a city code amendment.

Schack invited the applicant to come forward at this time.

Farhad Hakim, 16820 Edgewood Avenue, clarified he has lived in this neighborhood for over 15 years. He explained he has cut down trees over the past 15 years and he had never heard about the city’s tree protection ordinance. He indicated he was trying to stay in the neighborhood with his

family and wanted to complete an addition to his home. He commented on the poor condition his home and yard was in when he purchased it. He understood how much the neighborhood loved trees and stated his main goal was to clean up his property from the previous owner. He stated his family was struggling right now due to the construction loan that had been taken out. He indicated he was a football coach, soccer coach and he was a part of this community. He stated he was not trying to intentionally cause harm to the city or the neighborhood, but rather was hoping to be able to complete an addition to his home so he could remain a part of this community.

Maxwell stated as sad as she was about the loss of the trees, she supported treating this application in the same manner as previous applications. She indicated the proposed setback would align with the neighboring homes and for this reason she would be supporting the requested variances.

Calvert thanked the applicant for coming forward and addressing the council. She commented she was concerned with the number of trees that were lost and discussed how the city works diligently to protect the tree canopy. While she was sympathetic with the applicant, she noted she was inclined to vote no on the request.

Wilburn indicated she was not happy about the tree loss. However, she noted she was inclined to support staffs recommendation in order for the city to receive the proper mitigation and fines.

Coakley explained she originally supported voting no, but after hearing from Councilmember Maxwell her mind was changed. She noted she wanted the council to remain consistent when it came to tree loss, mitigation and fines.

Ramaley supported the council remaining consistent as well. She suggested the city educate the public on the city's tree removal and tree protection standards in hopes of avoiding avoid this situation in the future.

Ramaley moved, Maxwell seconded a motion to adopt Resolution 2026-091 and a stipulated order for the proposed redevelopment at 16820 Edgewood Avenue. All voted "yes." Motion carried.

15. Appointments and Reappointments: None

16. Adjournment

Wilburn moved, Calvert seconded a motion to adjourn the meeting at 8:55 p.m. All voted "yes." Motion carried.

Respectfully submitted,

Becky Koosman
City Clerk

City Council
Agenda Item 6.A
Meeting of October 26, 2026

Title:	Metro Transit Presentation - Green Line Extension Update
Report from:	Kjerstin Yager, Economic Development Coordinator
Submitted Through:	Alisha Gray, EDFP, Economic Development and Housing Manager Julie Wischnack, Community Development Director Mike Funk, City Manager
Presenter:	Jim Alexander, Green Line Extension Project Director, and various team members

Action Requested:	Informational
Form of Action:	Report
Votes needed:	N/A

Summary Statement
Members of the METRO Green Line Extension project will update council on the upcoming launch date and recent progress.

Recommended Action
Information only. No formal action.

City Council
Agenda Item 6.B
Meeting of October 26, 2026

Title:	Wellness and Safety Specialist Presentation
Report from:	Sarah Donovan, Human Resources Manager
Submitted Through:	Moranda Dammann, Assistant City Manager Mike Funk, City Manager
Presenter:	Keela Hollman, Wellness and Safety Specialist

Action Requested:	Informational
Form of Action:	Other
Votes needed:	N/A

Summary Statement
The Wellness and Safety Specialist position was added as a new position by the City Council in 2024 to enhance the City's employee wellness and workplace safety initiatives. The Wellness and Safety Specialist will provide an overview of the position's key responsibilities, accomplishments, and initiatives implemented over the past two years, highlighting the impact of this position on the City's ongoing commitment to employee health, wellness, and safety.

Recommended Action
Receive an informational update on the Wellness and Safety Specialist position, including key initiatives and accomplishments over the past two years.

Strategic Plan Relatability
N/A

Financial Consideration
N/A

Background
In 2024, the City of Minnetonka established the Wellness and Safety Specialist position to provide dedicated support and coordination for the City's employee wellness and workplace safety programs. The position was created to strengthen existing initiatives, enhance employee engagement, and support a more proactive and comprehensive approach to workplace health and safety.

Over the past two years, the Wellness and Safety Specialist has worked to build upon the City's established wellness and safety efforts while identifying opportunities for improvement and growth. Key areas of focus have included coordinating the City's Wellness and Safety Committees, supporting employee wellness initiatives, and strengthening workplace safety practices across departments.

Notable efforts have included launching a nutritional program for employees called Launch My Health

and implementing regular safety walkthroughs to proactively identify and address potential workplace hazards. The safety walkthrough process continues to evolve, with additional refinements and improvements planned for 2027.

The Wellness and Safety Specialist will provide the City Council with an overview of the position's responsibilities, key accomplishments, and ongoing initiatives. The presentation will also highlight how the addition of this position has supported the City's commitment to fostering a safe, healthy, and supportive work environment for employees.

City Council
Agenda Item 9.A
Meeting of October 26, 2026

Title:	Bids for the Minnetonka Boulevard Lift Station Rehabilitation Project
Report from:	Mike Kuno, P.E., Deputy Public Works Director
Submitted Through:	Will Manchester, P.E., Public Works Director Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Will Manchester, P.E., Public Works Director

Action Requested:	Motion
Form of Action:	Contract/Agreement
Votes needed:	4 votes

Summary Statement
The Minnetonka Boulevard Lift Station Rehabilitation Project proposes to replace critical mechanical, electrical and communications components of the existing lift station located at 12425 Minnetonka Boulevard.

Recommended Action
1. Motion to award the contract for the Minnetonka Boulevard Lift Station Rehabilitation Project No. 26907, to Minger Construction Companies, Inc. in the amount of $357,500.00.
2. Motion to authorize the deputy public works director to expend the allocated funds for the project costs without further council approval, provided the total project costs do not exceed the project budget of $630,000.00.

Strategic Plan Relatability
Infrastructure & Asset Management

The Minnetonka Boulevard Lift Station Rehabilitation Project supports initiatives to maintain and manage capital assets, preserve long-term investment, ensure reliable service and protect our natural environment supporting desired outcome 5.1, improve reliability and efficiency of utilities and facilities.

Financial Consideration
Yes

The Minnetonka Boulevard Lift Sation Replacement Project is budgeted in 2026 of the 2026 – 2030 Capital Improvement Program.

Background
See attached supplemental background report.

ATTACHMENTS:
Supplemental Background Report
Map

Supplemental Background Report

On Aug. 31, 2026, the city council adopted a resolution ordering the improvements, accepting plans and specifications and authorizing the advertisement for bids for the Minnetonka Boulevard Lift Station Rehabilitation Project No. 26907. The Minnetonka Boulevard Lift Station is located on the south side of Minnetonka Boulevard, between Shady Oak Road and Guilliam Park. The lift station was constructed in 1974 and underwent a rehabilitation in 2005 to install a new valve manhole. The lift station serves approximately 500 homes in an area south of Minnetonka Boulevard, between Interstate 494 and Guilliam Park/Hennepin County Regional Railroad Authority (HCRRA) trail. The lift station pumps into an 8-inch force main that combines with the dual force main systems for Williston Lift Station (southwest quadrant of Williston Road/Minnetonka Boulevard) and Main Lift (east side of Public Works facility) stations, ultimately discharging all three to the south from the junction at Guilliam Park through an 18-inch force main.

Proposed Improvements

The proposed improvements include replacement of the existing pumps, check valves, base elbows, control panel, electrical service and components and communications equipment. The electrical transformer and service will be upgraded as part of the project, which will provide more options for emergency power backup. All work will be constructed within the existing lift station site. Minnetonka Boulevard will remain open to traffic in both directions, but the south shoulder will be closed during the project.

The control panel component of the project is not included in the bid; however, included in the project as specialty work designed and constructed by the city's communications integrator for security purposes.

Bid Opening

Bids were opened electronically for the project on Oct. 5, 2026. Three bids were received in response to the call for bids, and the results are as follows:

Contractor	Total Bid
Minger Construction Companies, Inc.	**$357,500.00**
Pember Companies, Inc.	$395,264.85
PCiRoads, LLC	$507,000.00
Engineer's Estimate	*$594,300.00*

The low bidder, Minger Construction Companies, Inc., has satisfactorily completed similar projects for the City of Minnetonka.

Estimated Project Costs and Funding

The total estimated project cost, including construction, contingency and engineering, for the Minnetonka Boulevard Lift Station Rehabilitation Project (#26907) is $630,000. The 2026-2030 Capital Improvements Program (CIP) includes $750,000 for the 2026 CIP Sewer – System

Sustainability Improvements, which includes $630,000 for this project and $120,000 for televising trunk sanitary sewer.

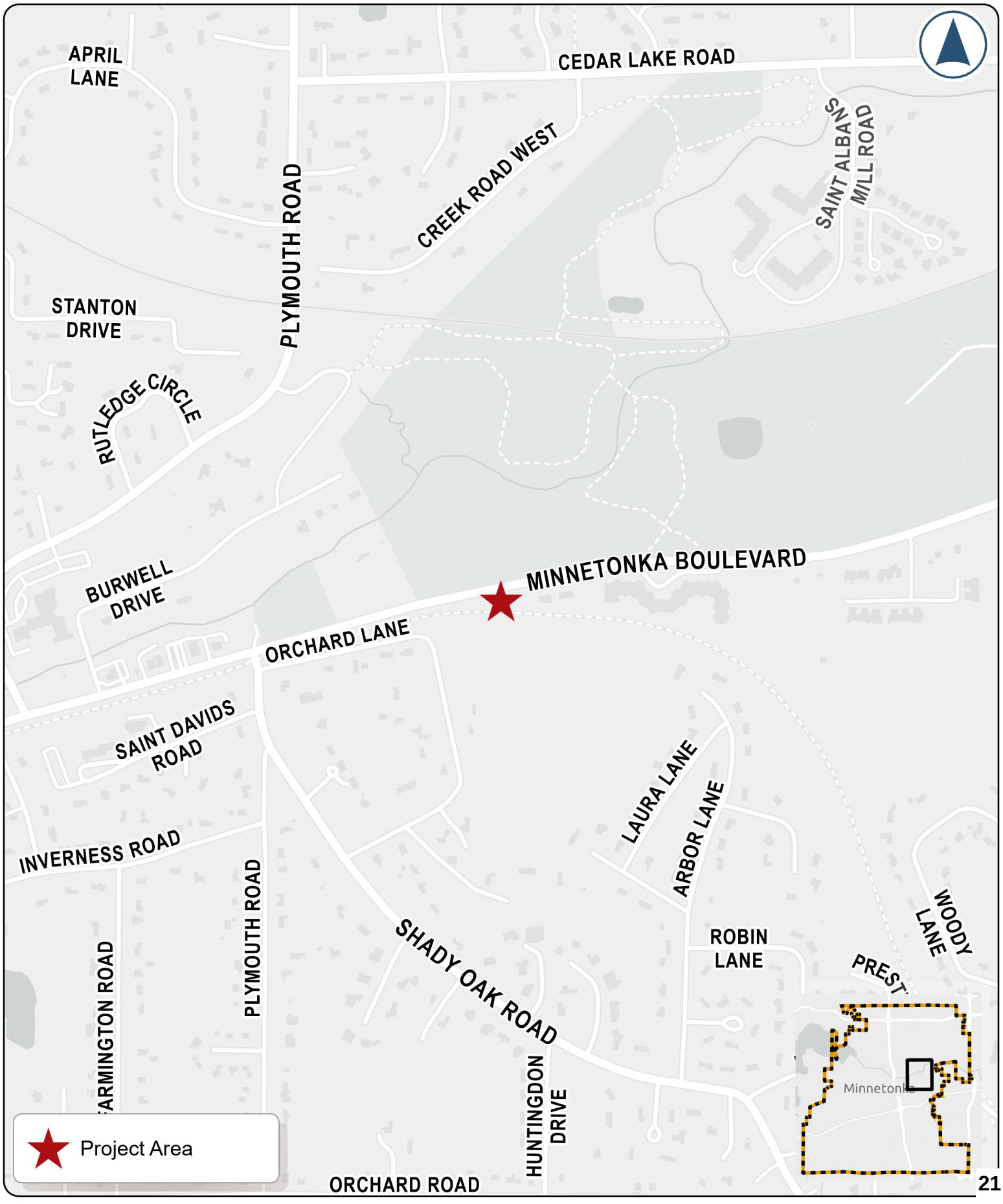
The budgeted amounts for the project are shown below and the fund balance can support the estimated project costs.

	Budget Amount	Proposed Funding	Project Expense
Construction Cost			$360,000
Contingency			$40,000
Fiber Optic Connection			$30,000
Control Panel			$100,000
Engineering and Indirect Costs			$100,000
Utility Fund (2026 CIP #26907)	$750,000	$630,000	
Total Budget	$750,000	$630,000	$630,000

Schedule

If the recommended actions are approved by council, construction is expected to be completed in the summer/fall of 2027.

Minnetonka Boulevard Lift Station Rehab



City Council
Agenda Item 10.A
Meeting of October 26, 2026

Title:	Property Assessed Clean Energy (PACE) special assessment for 10650 Red Circle Drive
Report from:	Kjerstin Yager, Economic Development Coordinator
Submitted Through:	Alisha Gray, EDFP, Housing and Economic Development Manager Julie Wischnack, FAICP, Community Development Director Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Julie Wischnack, FAICP, Community Development Director

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Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	4 votes

Summary Statement
The Geode LLC, the property owner at 10650 Red Circle Drive, has requested an amendment to the original resolution to reflect the final interest rate on its loan. The new resolution would replace Resolution No. 2026-052 adopted by the city council on June 22, 2026.

Recommended Action
Motion to adopt the resolution amending and replacing Resolution No. 2026-052 approving the certification of Property Assessed Clean Energy (PACE) charges for energy improvements on 10650 Red Circle Drive.

Background
The Saint Paul Port Authority (SPPA) is requesting that the city of Minnetonka amend the Property Assessed Clean Energy (PACE) special assessments for 10650 Red Circle Drive, as requested by The Geode LLC, now that the loan has closed and the terms have been finalized.

The interest rate was finalized at 7.89%, which is higher than the rate the city council approved on June 22, 2026. The private capital provider did not include administrative fees in the original request. The assessment amount is $1,104,731. As the administrator of PACE for the City of Minnetonka, the Port Authority has reviewed the assessment and determined that the project conforms with the Minnesota PACE statutes.

ATTACHMENTS:
Attachments
Resolution

MinnPACE

Memo

September 15, 2026

Kjerstin Yager
Economic Development Coordinator
City of Minnetonka
14600 Minnetonka Blvd. Minnetonka, MN 55345

Dear Kjerstin,

The Saint Paul Port Authority (SPPA) is requesting the City of Minnetonka amend the Property Assessed Clean Energy (PACE) special assessments on the following parcels as requested by the property owner now that the loan has closed and terms have been finalized.

Property Owner: The Geode LLC
Parcel ID Number: 36-117-22-34-0014
Address: 10650 Red Circle Dr
Project Details: HVAC, Lighting, water efficiency
Energy Savings: $6,688 a year | 24.6 metric tons of carbon saved
Assessment Amount: ~~$1,150,000~~ $1,104,731
Assessment Start Date (Accrual Date): 01/01/2027
Amortization in Years: 29 years
Interest Rate: ~~not to exceed 7.80%~~ 7.89%

As the administrator of PACE for City of Minnetonka, the Port Authority has reviewed the assessment, and it has determined that the project conforms with the Minnesota PACE statutes. The interest rate was finalized at 7.89%, this is more than the city council approved because the private capital provider did not include administrative fees in the original request. The term and start date remained the same, the assessment will be 29 years beginning in **2027.** I have attached the final amortization. Please take the necessary steps to amend Resolution 2026-052 and approve the request by the Board or delegated authority in the Joint Powers Agreement.

Thank you for your assistance with these exciting projects in the City of Minnetonka. Please let me know if you have any questions.

Sincerely,

Holly Huston
VP of Finance

Saint Paul
PORT AUTHORITY

Loan Amount	$1,104,731.00
Annual Interest Rate	7.89%
Terms (Years)	29
Port Fee	0.10%
First Payment Date	6/1/2027

Amortization Schedule for 2 even Payments per Year.

Payment #	Due Date	Beginning Balance	Principal	Interest	Payment	Ending Balance	Port Fee
1	6/1/2027	$1,104,731.00	$5,416.59	$43,581.64	$48,998.23	$1,099,314.41	$552.37
2	12/1/2027	$1,099,314.41	$5,416.58	$43,581.64	$48,998.22	$1,093,897.83	$552.36
3	6/1/2028	$1,093,897.83	$5,843.96	$43,154.27	$48,998.23	$1,088,053.87	$546.95
4	12/1/2028	$1,088,053.87	$5,843.95	$43,154.27	$48,998.22	$1,082,209.92	$546.95
5	6/1/2029	$1,082,209.92	$6,305.05	$42,693.18	$48,998.23	$1,075,904.87	$541.11
6	12/1/2029	$1,075,904.87	$6,305.04	$42,693.18	$48,998.22	$1,069,599.83	$541.10
7	6/1/2030	$1,069,599.83	$6,802.51	$42,195.71	$48,998.22	$1,062,797.32	$534.80
8	12/1/2030	$1,062,797.32	$6,802.51	$42,195.72	$48,998.23	$1,055,994.81	$534.80
9	6/1/2031	$1,055,994.81	$7,339.23	$41,658.99	$48,998.22	$1,048,655.58	$528.00
10	12/1/2031	$1,048,655.58	$7,339.23	$41,659.00	$48,998.23	$1,041,316.35	$527.99
11	6/1/2032	$1,041,316.35	$7,918.30	$41,079.93	$48,998.23	$1,033,398.05	$520.66
12	12/1/2032	$1,033,398.05	$7,918.29	$41,079.93	$48,998.22	$1,025,479.76	$520.66
13	6/1/2033	$1,025,479.76	$8,543.05	$40,455.17	$48,998.22	$1,016,936.71	$512.74
14	12/1/2033	$1,016,936.71	$8,543.05	$40,455.18	$48,998.23	$1,008,393.66	$512.74
15	6/1/2034	$1,008,393.66	$9,217.10	$39,781.13	$48,998.23	$999,176.56	$504.20
16	12/1/2034	$999,176.56	$9,217.09	$39,781.13	$48,998.22	$989,959.47	$504.19
17	6/1/2035	$989,959.47	$9,944.33	$39,053.90	$48,998.23	$980,015.14	$494.98
18	12/1/2035	$980,015.14	$9,944.32	$39,053.90	$48,998.22	$970,070.82	$494.98
19	6/1/2036	$970,070.82	$10,728.93	$38,269.29	$48,998.22	$959,341.89	$485.04
20	12/1/2036	$959,341.89	$10,728.93	$38,269.30	$48,998.23	$948,612.96	$485.03
21	6/1/2037	$948,612.96	$11,575.45	$37,422.78	$48,998.23	$937,037.51	$474.31
22	12/1/2037	$937,037.51	$11,575.44	$37,422.78	$48,998.22	$925,462.07	$474.30
23	6/1/2038	$925,462.07	$12,488.75	$36,509.48	$48,998.23	$912,973.32	$462.73

24	12/1/2038	$912,973.32	$12,488.74	$36,509.48	$48,998.22	$900,484.58	$462.73
25	6/1/2039	$900,484.58	$13,474.11	$35,524.11	$48,998.22	$887,010.47	$450.24
26	12/1/2039	$887,010.47	$13,474.11	$35,524.12	$48,998.23	$873,536.36	$450.24
27	6/1/2040	$873,536.36	$14,537.22	$34,461.01	$48,998.23	$858,999.14	$436.77
28	12/1/2040	$858,999.14	$14,537.21	$34,461.01	$48,998.22	$844,461.93	$436.77
29	6/1/2041	$844,461.93	$15,684.21	$33,314.02	$48,998.23	$828,777.72	$422.23
30	12/1/2041	$828,777.72	$15,684.20	$33,314.02	$48,998.22	$813,093.52	$422.23
31	6/1/2042	$813,093.52	$16,921.69	$32,076.54	$48,998.23	$796,171.83	$406.55
32	12/1/2042	$796,171.83	$16,921.68	$32,076.54	$48,998.22	$779,250.15	$406.54
33	6/1/2043	$779,250.15	$18,256.81	$30,741.42	$48,998.23	$760,993.34	$389.63
34	12/1/2043	$760,993.34	$18,256.81	$30,741.42	$48,998.23	$742,736.53	$389.62
35	6/1/2044	$742,736.53	$19,697.27	$29,300.95	$48,998.22	$723,039.26	$371.37
36	12/1/2044	$723,039.26	$19,697.27	$29,300.96	$48,998.23	$703,341.99	$371.37
37	6/1/2045	$703,341.99	$21,251.39	$27,746.84	$48,998.23	$682,090.60	$351.67
38	12/1/2045	$682,090.60	$21,251.38	$27,746.84	$48,998.22	$660,839.22	$351.67
39	6/1/2046	$660,839.22	$22,928.12	$26,070.10	$48,998.22	$637,911.10	$330.42
40	12/1/2046	$637,911.10	$22,928.12	$26,070.11	$48,998.23	$614,982.98	$330.42
41	6/1/2047	$614,982.98	$24,737.15	$24,261.08	$48,998.23	$590,245.83	$307.49
42	12/1/2047	$590,245.83	$24,737.14	$24,261.08	$48,998.22	$565,508.69	$307.49
43	6/1/2048	$565,508.69	$26,688.91	$22,309.31	$48,998.22	$538,819.78	$282.76
44	12/1/2048	$538,819.78	$26,688.91	$22,309.32	$48,998.23	$512,130.87	$282.75
45	6/1/2049	$512,130.87	$28,794.67	$20,203.56	$48,998.23	$483,336.20	$256.07
46	12/1/2049	$483,336.20	$28,794.66	$20,203.56	$48,998.22	$454,541.54	$256.06
47	6/1/2050	$454,541.54	$31,066.56	$17,931.66	$48,998.22	$423,474.98	$227.27
48	12/1/2050	$423,474.98	$31,066.56	$17,931.67	$48,998.23	$392,408.42	$227.27
49	6/1/2051	$392,408.42	$33,517.72	$15,480.51	$48,998.23	$358,890.70	$196.21
50	12/1/2051	$358,890.70	$33,517.71	$15,480.51	$48,998.22	$325,372.99	$196.20
51	6/1/2052	$325,372.99	$36,162.26	$12,835.96	$48,998.22	$289,210.73	$162.69
52	12/1/2052	$289,210.73	$36,162.26	$12,835.97	$48,998.23	$253,048.47	$162.68
53	6/1/2053	$253,048.47	$39,015.47	$9,982.76	$48,998.23	$214,033.00	$126.53
54	12/1/2053	$214,033.00	$39,015.46	$9,982.76	$48,998.22	$175,017.54	$126.52
55	6/1/2054	$175,017.54	$42,093.79	$6,904.44	$48,998.23	$132,923.75	$87.51
56	12/1/2054	$132,923.75	$42,093.78	$6,904.44	$48,998.22	$90,829.97	$87.51
57	6/1/2055	$90,829.97	$45,414.99	$3,583.24	$48,998.23	$45,414.98	$45.42

58	12/1/2055	$45,414.98	$45,414.98	$3,583.24	$48,998.22	$0.00	$45.41

Resolution No. 2026-

Resolution Amending and Replacing Resolution No. 2026-052 Approving the Certification of Property Assessed Clean Energy (PACE) Charges for Energy Improvements on 10650 Red Circle Drive

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Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1 Background

1.01. The Minnetonka City Council approved the joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) by Resolution No. 2014-075 on July 21, 2014, designating the Port Authority to implement and administer Property Assessed Clean Energy (PACE) improvement financing on behalf of the County and providing for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 and as needed in connection with that program.

1.02. The Minnetonka City Council approved the amendment and replacement of Resolution No. 2014-075 with Resolution No. 2015-025 on April 20, 2015. The Port Authority requested this amendment to the agreement to ensure that it reflected the PACE program it had developed and the funding sources that may finance a project.

1.03. After imposition of the special assessments, the county shall collect such assessments and remit them to the city. The city, in turn, will remit them to the Port Authority for use in the repayment of the loan and the county will take all actions permitted by law to recover the assessments, including without limitation, reinstating the outstanding balance of assessments in accordance with Minnesota Statutes § 429.071, Subd. 4.

1.04. The property owner of 10650 Red Circle Drive, on behalf of itself and its successors and assigns, acknowledges in the Petition for Special Assessment dated June 8, 2026, that it is obligated to pay the assessment and waives any and all procedural and substantive objections to the assessments, including waiving any right under state and local law to challenge or contest the actual assessment amount or term.

1.05 On June 22, 2026, the city council adopted Resolution No. 2026-052 approving the certification of PACE charges for energy improvements on 10650 Red Circle Drive. After the loan closed and terms were finalized, the Port Authority asked the city to amend the PACE special assessment(s) and previously adopted resolution to reflect those final terms as requested by the property owner, The Geode LLC.

Section 2 Council Action

2.01 After imposition of the special assessments, the county will collect the assessment payments twice a year and remit them to the city. The city, in turn, will remit them to the St. Paul Port Authority for use in the repayment of the loan.

2.02. The county will take all actions permitted by law to recover the assessments, including, without limitation, reinstating the outstanding balance of assessments when the land returns to private ownership, in accordance with Minn. Stat. §429.071, subd. 4.

2.03. The special assessment will be certified to the County Treasurer-Auditor and entered into the tax lists for the following year.

2.04. The annual installment and interest for current and delinquent collections or payoffs will be collected and disbursed at the same time and in the same manner as real property taxes, in accordance with Minn. Stat. §§ 276.11 and 276.111.

2.05. The special assessment, with accruing interest, is a lien upon the benefited property until paid.

2.06. The Minnetonka City Council hereby authorizes the city manager to extend the proposed special assessment plus accruing interest on the property set forth and listed below:

Property Owner: The Geode LLC
Parcel Number: 36-117-22-34-0014
Assessment Amount: $1,104,731
Interest Rate: 7.89%
Finance Period: 29 years
Accrual Date: 1/01/2027

2.07. The Minnetonka City Council authorizes the city manager to extend the proposed special assessment plus interest on the properties identified herein and record this assessment against the properties with the Hennepin County Recorder.

2.08 This resolution replaces Resolution No. 2026-052.

Adopted by the city council of the City of Minnetonka, Minnesota, on October 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:

Certification:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on October 26, 2026

_____

Becky Koosman, City Clerk

City Council
Agenda Item 10.B
Meeting of October 26, 2026

Title:	Resolution for the Green Oak Drive Improvement Project
Report from:	Chris Long, P.E., Assistant City Engineer
Submitted Through:	Phil Olson, P.E., City Engineer Will Manchester, P.E., Public Works Director Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Will Manchester, P.E., Public Works Director

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	4 votes

Summary Statement
The Green Oak Drive Improvement project proposes to expand connectivity of the Opus roadway network by reversing the direction of traffic on Green Oak Drive. This change in traffic will create a one-way system around the new Opus station and future Opus park area, improving access to these critical locations within Opus.

Recommended Action
Motion adopting the resolution ordering the improvements, authorizing preparation of plans and specifications and authorizing easement acquisition for the Green Oak Drive Improvement Project, Project No. 25607.

Strategic Plan Relatability
Infrastructure & Asset Management

The Green Oak Drive Improvement project improves traffic flow in the Opus area, providing a safe transportation network as well as connecting to Opus Station and Green Line Extension. This is in-line with desired outcome 5.2, safe, quality, well-maintained roadway system.

Financial Consideration
Yes

The roadway improvements are budgeted in 2025 of the 2025-2029 Capital Improvements Program (CIP). This project is part of the OPUS TIF District Improvements that will be financed by current and future tax increment revenue generated within the district. The improvements were delayed to 2027 due to other construction activity in the area.

Background
See attached supplemental background report.

ATTACHMENTS:
Supplemental Background Report
Resolution
Map

Supplemental Background Report

In April 2013, the city completed the Opus Transportation Study to prepare for changes to the roadway network associated with the upcoming light rail project. The study recommended to improve traffic flow and connectivity within Opus, creating a “Central Area” of one-way roads around the Opus Green Line Extension station. Since 2013, the light rail improvements have been constructed and the city has continued to develop the concept of a central park in this same “Central Area”, furthering the need for improved roadway connectivity in this area.

In early 2021, the city completed the Opus Alternate Urban Area Review (AUAR), a planning study and environmental analysis of the Opus area anticipated development and infrastructure. The purpose of the study was to help guide future planning decisions and produce a plan to identify responsible infrastructure while allowing growth and managing environmental impacts during development. The traffic model associated with Opus AUAR includes the improvements proposed with this project.

On May 21, 2026, an informational open house was held. One resident attended the open house; however, city staff have been communicating directly with the businesses adjacent to the project, as well as a number of businesses in the area.

Proposed Improvements

Improvements are proposed at the intersections of Bren Road East, Opus Parkway and Bren Road West to reverse flow of Green Oak Drive, to now travel north. Based on the reversal and realignment, the signal at the intersection of Green Oak Drive and Bren Road East is no longer needed and will be removed with the project, eliminating future maintenance and costs related to the signal. Additionally, minor storm sewer improvements are needed due to the proposed roadway changes.

Easement Acquisition

Temporary and permanent easements will be required from approximately four properties to construct and maintain the proposed improvements. Staff will further define easement limits as the design proceeds, continue to meet with property owners and follow the acquisition process necessary for construction of the project.

Estimated Project Costs and Funding

The total estimated construction costs, including engineering, administration, and contingency, are $2,850,000. The table below shows the city costs and funding necessary for the project, which are identified for construction in 2025 in the 2029-2029 CIP.

	Budget Amount	Proposed Funding	Expense
Construction Costs			$1,500,000
Contingency			$400,000
Engineering, Administration, and Indirect Costs			$450,000
Easement Acquisition			$500,000
Opus TIF Improvements	$5,500,000	$2,850,000	
Total Budget	$5,500,000	$2,850,000	$2,850,000

Schedule

If the recommended actions are approved by council, easement acquisition will begin this fall and bids will be received this winter. Construction is planned for summer 2027.

Resolution No. 2026-XXX

Resolution ordering the improvements, authorizing preparation of plans and specifications, and authorizing easement acquisition for the Green Oak Drive Improvement Project, Project No. 25607

Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. The project concept layout was prepared by and/or under the direction of the engineering department and presented at the city council study session on Feb. 9, 2026 and Oct. 26, 2026.

1.02. The concept layout was received by the city council and the project is to be known as:

Green Oak Drive Improvement Project, Project No. 25607.

Section 2. Council Action.

2.01. The improvements are hereby ordered as proposed in the concept layout and the preparation of plans and specifications are hereby authorized.

2.02. The city engineer is hereby designated as the engineer for this improvement. They may retain any professional help they deem necessary.

2.03. The city attorney and the city engineer are hereby authorized to acquire necessary easements by negotiation or condemnation.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Oct. 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

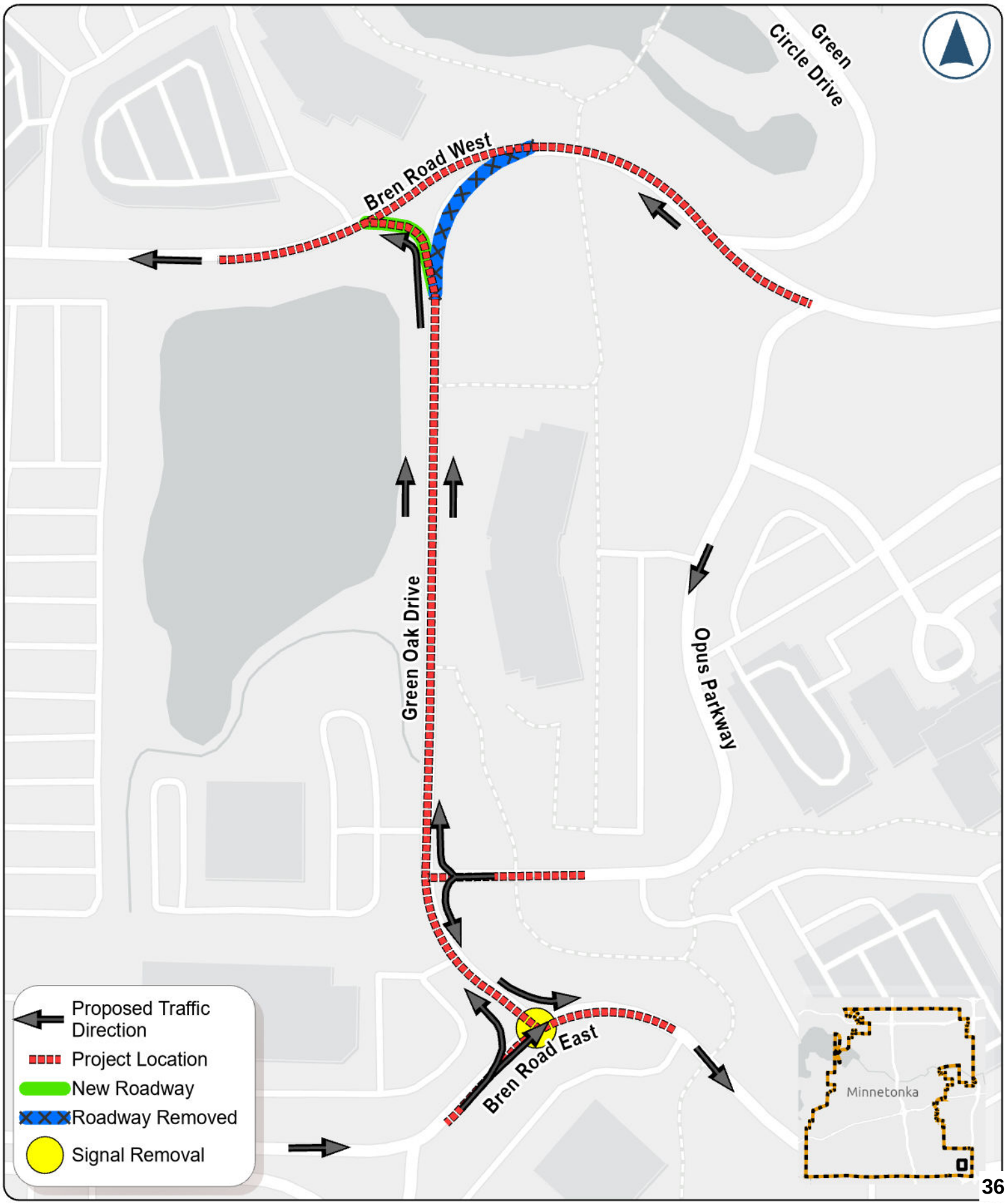
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on Oct. 26, 2026.

_____

Becky Koosman, City Clerk

Green Oak Drive Improvement Project



City Council
Agenda Item 10.C
Meeting of October 26, 2026

Title:	2027 general liability insurance and workers' compensation renewals
Report from:	Sarah Donovan, Human Resources Manager
Submitted Through:	Darin Nelson, Finance Director Erik Nilsson, City Attorney Moranda Dammann, Assistant City Manager Mike Funk, City Manager
Presenter:	Moranda Dammann, Assistant City Manager

Action Requested:	Motion
Form of Action:	Contract/Agreement
Votes needed:	4 votes

Summary Statement
The city council will consider the proposed insurance package for the city's 2027 policy term and formally authorize the coverage options for the package policies and workers' compensation policy as outlined by staff.

Recommended Action
1. Motion to renew the city's insurance policies through the League of Minnesota Cities Insurance Trust (LMCIT) for package policies with the following options: $25,000/$150,000/1,000 deductible for the package policies, Defense Cost Reimbursement (Open Meeting Law Coverage) and no waiver of statutory limits.
2. Motion to authorize renewal of the LMCIT workers' compensation policy with a $10,000 deductible.

Strategic Plan Relatability
N/A

Financial Consideration
Yes

The premiums fit within the 2027 budget allocation.

Background

LMCIT Program
The city has been a member of the LMCIT since the early 1980s. The program continues to offer the broadest coverage for municipal operations at very reasonable rates. LMCIT also offers a program for the return of excess premiums based on successful experience ratings, and the city continues to receive dividends for the general liability program. Staff recommends that the city remain in the LMCIT program.

Package Policies
The coverage provided by the package policies include:

- **General Liability**, which provides coverage when the city is liable for incidents such as sewer backups, injuries incurred on city property, employee actions, errors and omissions for elected officials, and Mobile Property/Inland Marine (coverage for vehicles not licensed for road use, such as the Zambonis).
- **Property**, which provides coverage for physical losses to city- owned facilities. Coverage is purchased for the replacement of structures and contents due to damage by fire or acts of nature.
- **Automobile**, which provides liability and physical damage coverage for all city vehicles.

Premiums and Recommended Coverage

Premiums
The city's package policy premium increased from $581,822 to $613,705. The primary factor for the increase was an increase in the city's liability and auto rating. This rating is based on the actual cost of the city's claims during a three-year period.

Staff recommends the city stay with the $25,000 per claim and $150,000 annual deductibles.

Open Meeting Law
Staff recommends that the city continue with the Defense Cost Reimbursement coverage at $50,000 per member and $250,000 aggregate

Waiver of Statutory Limits
LMCIT writes its coverage to exceed the liability caps for governmental agencies. Staff continues to recommend that the city not waive those statutory limits.

These premiums are paid from the Insurance Fund, and a sufficient balance is maintained in that fund for these expenditures.

Workers' Compensation
The premium quotation for renewal of the city's worker's compensation for the upcoming insurance year through LMCIT, minus credits for a $10,000 per occurrence deductible, is $879,481. The 2025/2026 premium was $1,193,953. The decrease is primarily due to annual adjustments in class code rates.

The city's mod factor decreased from 0.91 to 0.83. The mod factor relates to the frequency and severity of an employer's claims over a three-year period, and it is used to calculate the premium. A mod factor of 1.00 is considered average for an employer's particular industry.

This workers' compensation premium fits within the 2027 budget allocation.

City Council
Agenda Item 11.A
Meeting of October 26, 2026

Title:	2027 DWI Traffic Safety Officer Grant Agreement
Report from:	Rachel Meehan, Patrol Captain
Submitted Through:	Scott Boerboom, Police Chief Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Rachel Meehan, Patrol Captain

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	5 votes

Summary Statement
The Minnetonka Police Department requests approval to enter into a grant agreement with the State of Minnesota, acting through its Department of Public Safety ("State"). The grant provides $165,000 in funding to support a dedicated DWI and Traffic Safety Officer position from November 1, 2026, through September 30, 2027.

This position allows the department to focus specifically on impaired driving enforcement and traffic safety initiatives, with the goal of enhancing roadway safety and reducing traffic-related injuries and fatalities.

Recommended Action
Motion to adopt the resolution authorizing the police department to enter into a 2027 DWI Traffic Safety Officer Grant Agreement with the State of Minnesota, acting through its Department of Public Safety.

Strategic Plan Relatability
N/A

Financial Consideration
No

The grant award of $165,000 is expected to cover the cost of one police officer's wages and benefits. No additional City funding is anticipated.

Background
Hennepin County consistently experiences a high number of DWI incidents compared to other counties, making impaired driving enforcement an important public safety priority. To support these efforts, the State of Minnesota, through the Department of Public Safety's Office of Traffic Safety, offers the DWI

Traffic Safety Officer Grant program.

Minnetonka's experience, along with that of neighboring cities, has demonstrated positive results from this program, including reductions in DWI incidents and improvements in roadway safety.

The City of Minnetonka has recieved this grant annually since 2023, including during the current funding cycle. Acceptance of the 2027 grant award will allow the department to continue its focused impaired driving enforcement and traffic safety efforts within the community.

The dedicated DWI Traffic Safety Officer position will be filled by a current member of the traffic unit, so no new position will be created. This approach allows the department to continue its existing staffing structure while maintaining a focused effort on impaired driving enforcement and traffic safety initiatives.

This grant program is available annually, and the department intends to continue applying for future funding opportunities to sustain these enforcement efforts.

ATTACHMENTS:
Resolution
Agreement

Resolution No. 2026-

Resolution approving the Minnetonka Police Department to enter into the 2027 DWI Traffic Safety Officer Grant Agreement with the State of Minnesota, acting through its Department of Public Safety

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Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. The Minnetonka Police Department seeks to enter into a 2027 DWI Traffic Safety Officer Grant Agreement with the State of Minnesota, acting through its Department of Public Safety ("State"). This grant will support the position of a dedicated DWI and Traffic Safety Officer during the period from November 1, 2026 through September 30, 2027. The total award for this grant is $165,000.

Section 2. Council Action.

2.01. The Minnetonka Chief of Police is hereby authorized to accept the grant award to implement the project on behalf of the City of Minnetonka, subject to changes and final review by the city attorney.

Adopted by the City Council of the City of Minnetonka, Minnesota, on October 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on October 26, 2026.

_____

Becky Koosman, City Clerk

Minnesota Department of Public Safety ("State") Minnesota Office of Traffic Safety Provider Org 445 Minnesota St, Suite 1620 Saint Paul, Minnesota 55101-2190	**Grant Program:** 2027 DWI Traffic Safety Officer 0303 **Grant Contract Agreement No.:** A-TSO-2027-TONKACI-003
Grantee: Minnetonka, City of 14600 Minnetonka Boulevard Minnetonka, Minnesota 55345	**Grant Contract Agreement Term:** **Effective Date:** 11/1/2026 **Expiration Date:** 9/30/2027
Grantee's Authorized Representative: Minnetonka, City of **Attn:** Chad Fierst, Sergeant 14600 Minnetonka Blvd Minnetonka, Minnesota 55345 **Phone:** (952) 939-7612 **Email:** cfierst@minnetonkamn.gov	**Grant Contract Agreement Amount:** Original Agreement Amount $ 165,000.00 **Grant Matching Requirement:** Original Agreement Match Amount $ 0.00
State's Authorized Representative: Minnesota Office of Traffic Safety Provider Org **Attn:** Duane Siedschlag, Traffic Safety Coordinator 445 Minnesota St, Suite 1620 Saint Paul, Minnesota 55101-2190 **Phone:** (651) 201-7078 **Email:** duane.siedschlag@state.mn.us	**Federal Funding CFDA/ALN:** 20.600, 20.608 **FAIN:** 69A37525300001640MNA, 69A37526300004020MN0 **State Funding**: N/A **Special Conditions:** N/A

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant contract agreement.

Term: Per Minn. Stat.§16B.98, Subd. 5, the Grantee must not begin work until this grant contract agreement is fully executed and the State's Authorized Representative has notified the Grantee that work may commence. Per Minn.Stat.§16B.98 Subd. 7, no payments will be made to the Grantee until this grant contract agreement is fully executed. Once this grant contract agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant contract agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant contract agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a state employee, will: Perform and accomplish such purposes and activities as specified herein and in the Grantee's approved 2027 DWI Traffic Safety Officer 0303 Application ("Application") which is incorporated by reference into this grant contract agreement and on file with the State at 445 Minnesota St, Suite 1620, Saint Paul, Minnesota, 55101-2190. The Grantee shall also comply with all requirements referenced in the 2027 DWI Traffic Safety Officer 0303 Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (https://mndps.intelligrants.com), which are incorporated by reference into this grant contract agreement.

Budget Revisions: The breakdown of costs of the Grantee's Budget is contained in Exhibit A, which is attached and incorporated into this grant contract agreement. As stated in the Grantee's Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee's Application, the Grantee certifies that the matching requirement will be met by the Grantee.

***Payment*:** As stated in the Grantee's Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services and in accordance with the Grant Program Guidelines. Payment will not be made if the Grantee has not satisfied reporting requirements.

Certification Regarding Lobbying: (If applicable.) Grantees receiving federal funds over $100,000.00 must complete and return the Certification Regarding Lobbying form provided by the State to the Grantee.

1. ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. § 16A.15.

Signed: _____

Date: _____

3. STATE AGENCY

Signed: _____
(with delegated authority)

Title: _____

Date: _____

Grant Contract Agreement No./P.O. No.: A-TSO-2027-TONKACI-003 / 3000115385

NHTSA Project Number (*indicate N/A if not applicable*): 27-03-03

2. GRANTEE

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

Signed: _____

Print Name: _____

Title: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

Budget Summary

Budget Category: Salaries		
Line Item Description	**Federal**	**Match**
Dedicated DWI Officer Salary	$165,000.00	$0.00
Category Total	**$165,000.00**	**$0.00**
Budget Total	**$165,000.00**	**$0.00**

City Council
Agenda Item 11.B
Meeting of October 26, 2026

Title:	2027 Towards Zero Deaths (TZD) Traffic Enforcement Grant Agreement
Report from:	Rachel Meehan, Patrol Captain
Submitted Through:	Scott Boerboom, Police Chief Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Rachel Meehan, Patrol Captain

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	5 votes

Summary Statement
The City of Minnetonka has been awarded a Towards Zero Deaths (TZD) Traffic Enforcement Grant from the Minnesota Department of Public Safety, Office of Traffic Safety. The $40,400 grant will support highly visible overtime traffic enforcement focused on impaired driving, occupant protection, distracted driving, speeding, and pedestrian safety. The grant agreement runs from October 23, 2026, through September 30, 2027.

Adoption of the resolution will authorize the police department to enter into the grant agreement and implement the project.

Recommended Action
Motion to adopt the resolution authorizing the police department to enter into a Towards Zero Deaths (TZD) Traffic Enforcement Grant Agreement with the State of Minnesota acting through its Department of Public Safety.

Strategic Plan Relatability
N/A

Financial Consideration
Yes

The $40,400 grant will fund the overtime wages of officers assigned to the initiative. The grant does require a $100.00 local match from the City.

Background
Traffic safety remains a key public safety priority for Minnetonka and neighboring communities. Impaired

driving, distracted driving, speeding, failure to use seatbelts, and unsafe interactions between vehicles and pedestrians contribute to preventable crashes, injuries, and fatalities throughout Minnesota. The Towards Zero Deaths (TZD) Traffic Enforcement Grant is a statewide initiative designed to reduce these risks through education and high-visibility enforcement.

In previous years, Minnetonka received this grant in coordination with its partner cities of Plymouth, Maple Grove, and Wayzata. This year, the state elected to award grants to individual cities rather than through the partnership. The grant will allow the Minnetonka Police Department to conduct targeted enforcement in high-traffic areas and during periods when traffic-related incidents are more likely to occur, helping improve roadway and pedestrian safety for residents and visitors.

This grant is available annually, and the police department intends to reapply next year to sustain and enhance these enforcement efforts.

ATTACHMENTS:
Resolution
Agreement

Resolution No. 2026-

Resolution approving the Minnetonka Police Department to enter into a Towards Zero Deaths (TZD) Traffic Enforcement Grant Agreement with the State of Minnesota, acting through its Department of Public Safety

---

Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. The Minnetonka Police Department seeks to enter into a Towards Zero Deaths (TZD) Traffic Enforcement Grant Agreement with the State of Minnesota, acting through its Department of Public Safety ("State"). This grant will support enhanced traffic safety enforcement efforts during the period from October 23, 2026, through September 30, 2027. The total grant award is $40,400.

Section 2. Council Action.

2.01. The Minnetonka Chief of Police is hereby authorized to accept the grant award and implement the project.

2.02 Be it further resolved that the Chief of Police is authorized to serve as the fiscal agent and administer the grant.

Adopted by the City Council of the City of Minnetonka, Minnesota, on October 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on October 26, 2026.

_____

Becky Koosman, City Clerk

Minnesota Department of Public Safety ("State") Minnesota Office of Traffic Safety Provider Org 445 Minnesota St, Suite 1620 Saint Paul, Minnesota 55101-2190	**Grant Program:** 2027 Enforcement Grant 0401 **Grant Contract Agreement No.:** A-ENFR-2027-TONKACI-144
Grantee: Minnetonka, City of 14600 Minnetonka Boulevard Minnetonka, Minnesota 55345	**Grant Contract Agreement Term:** **Effective Date:** 10/23/2026 **Expiration Date:** 9/30/2027
Grantee's Authorized Representative: Minnetonka, City of **Attn:** Michael Bruckner, Police Officer 14600 Minnetonka Blvd. Minnetonka, Minnesota 55345 **Phone:** (952) 939-7602 **Email:** mbruckner@minnetonkamn.gov	**Grant Contract Agreement Amount:** Original Agreement Amount $ 40,400.00 **Grant Matching Requirement:** Original Agreement Match Amount $ 100.00
State's Authorized Representative: Minnesota Office of Traffic Safety Provider Org **Attn:** Aimee Eggen, Traffic Safety Coordinator 445 Minnesota St, Suite 1620 Saint Paul, Minnesota 55101-2190 **Phone:** (651) 600-8018 **Email:** aimee.eggen@state.mn.us	**Federal Funding CFDA/ALN:** 20.600, 20.608, 20.616 **FAIN:** 69A3752430000405GMN0, 69A37525300001640MNA, 69A3752530000405BMNH, 69A37526300004020MN0 **State Funding**: N/A **Special Conditions:** N/A

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant contract agreement.

Term: Per Minn. Stat.§16B.98, Subd. 5, the Grantee must not begin work until this grant contract agreement is fully executed and the State's Authorized Representative has notified the Grantee that work may commence. Per Minn.Stat.§16B.98 Subd. 7, no payments will be made to the Grantee until this grant contract agreement is fully executed. Once this grant contract agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant contract agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant contract agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a state employee, will: Perform and accomplish such purposes and activities as specified herein and in the Grantee's approved 2027 Enforcement Grant 0401 Application ("Application") which is incorporated by reference into this grant contract agreement and on file with the State at 445 Minnesota St, Suite 1620, Saint Paul, Minnesota, 55101-2190. The Grantee shall also comply with all requirements referenced in the 2027 Enforcement Grant 0401 Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (https://mndps.intelligrants.com), which are incorporated by reference into this grant contract agreement.

Budget Revisions: The breakdown of costs of the Grantee's Budget is contained in Exhibit A, which is attached and incorporated into this grant contract agreement. As stated in the Grantee's Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee's Application, the Grantee certifies that the matching requirement will be met by the Grantee.

***Payment*:** As stated in the Grantee's Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services and in accordance with the Grant Program Guidelines. Payment will not be made if the Grantee has not satisfied reporting requirements.

Certification Regarding Lobbying: (If applicable.) Grantees receiving federal funds over $100,000.00 must complete and return the Certification Regarding Lobbying form provided by the State to the Grantee.

1. ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. § 16A.15.

Signed: _____

Date: _____

3. STATE AGENCY

Signed: _____
(with delegated authority)

Title: _____

Date: _____

Grant Contract Agreement No./P.O. No.: A-ENFR-2027-TONKACI-144 / 3000114990

NHTSA Project Number (*indicate N/A if not applicable*): 27-04-01

2. GRANTEE

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

Signed: _____

Print Name: _____

Title: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

Budget Summary

Budget Category: Salaries		
Line Item Description	**Federal**	**Match**
Distracted Enforcement – Overtime	$6,000.00	$0.00
DWI Enforcement – Overtime	$17,200.00	$0.00
Move Over Enforcement – Overtime	$700.00	$0.00
Pedestrian Enforcement – Overtime	$1,400.00	$0.00
Seat Belt Enforcement – Overtime	$5,100.00	$0.00
Speed Enforcement – Overtime	$10,000.00	$0.00
Category Total	**$40,400.00**	**$0.00**
Budget Category: Other (Mileage)		
Line Item Description	**Federal**	**Match**
Mileage – Match	$0.00	$100.00
Category Total	**$0.00**	**$100.00**
Budget Total	**$40,400.00**	**$100.00**

City Council
Agenda Item 11.C
Meeting of October 26, 2026

Title:	Resolution approving agreement for donation to the city of vacant land on Martha Lane
Report from:	Erik Nilsson, City Attorney
Submitted Through:	Darin Nelson, Finance Director Will Manchester, P.E. Public Works Director Julie Wischnack, FAICP, Community Development Director Mike Funk, City Manager
Presenter:	Erik Nilsson, City Attorney

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	5 votes

Summary Statement
Consideration of the proposed donation of vacant, unaddressed property on Martha Lane, PID 16-117-22-32-0007

Recommended Action
Motion to adopt the resolution.

Strategic Plan Relatability
N/A

Financial Consideration
No

Property is proposed for donation to the city. If the transaction closed by the end of 2026, the property will not be removed from the tax rolls until 2028, and the city will be responsible for payment of 2027 real estate taxes.

Background
Richard Wood is the owner of a vacant tract of land on the east side of Martha Lane, located between 3332 and 3433 Martha Lane. The property has been in Mr. Wood's family for many years. Mr. Wood previously approached city staff about donating the land to the city in 2017. At that time, the city council adopted a resolution approving the donation and donation agreement. However, the transaction never closed. During the summer of 2026, Mr. Wood reached out to city staff and expressed a renewed interest in donating the land. Staff has conduced another round of due diligence at present.

The property has the following characteristics:

- Size: 1.35 acres
- Zoning: R-1
- Property taxes: The estimated market value of the property is $3,000. Taxes in 2026 were $49.00.
- Current land use: The property is vacant, undeveloped land. Due to floodplain and wetlands, the site is unbuildable. The property is encumbered by a public utility easement over the south 30 feet, in which the city has water and sanitary sewer lines. It appears that members of the public may use the easement area as a walking path, and the path cuts north-south through the rear of the property, across the private property to the north and onto the city-owned property to the northeast. During a site inspection, natural resources staff saw the path being used in that manner.
- Location: The property is located on Martha Lane. It borders other city-owned properties to the east and northeast. It is bordered on the north and south by single-family residential properties.

The property was reviewed by the city's multi-departmental Land Committee, which includes Public Works staff, and the group concluded that the property could be used for stormwater purposes in the future. City staff does not propose to maintain the walking path or include it in the city's trail system. Like most of the undeveloped properties that the city owns, the property would not be actively maintained. Any use by members of the public would be at their risk, although the city staff would remove hazardous trees when identified.

The city attorney has prepared a donation agreement for the council's consideration. The agreement is contingent upon examination of title. Under the agreement, the donor warrants that he is not aware of hazardous substances, wells or septic systems on the property.

ATTACHMENTS:
Donation Agreement
Property map
Land Donation Resolution

DONATION AGREEMENT

THIS AGREEMENT is made and entered into as of October 26, 2026, by and between Richard Joseph Wood ("Donor") and the City of Minnetonka, a Minnesota municipal corporation ("City").

RECITALS

A. Richard Joseph Wood is the fee owner of certain real property in the city of Minnetonka, County of Hennepin, State of Minnesota, legally described as follows:

> The North 206.9 feet of that part of the Northwest ¼ of the Southwest ¼ of Section 16, Township 117, Range 22, Hennepin County, Minnesota, lying West of a line running from a point in the North line of said Northwest ¼ of the Southwest ¼ distant 954.8 feet East from the northwest corner thereof to a point in the South line of said Northwest ¼ of Southwest ¼ distant 937.4 feet East from the southwest corner thereof, and lying East of Town Road No. T 217.

(the "Property")

B. Donor desires to donate, and the City desires to accept the donation of, the Property, subject to the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual covenants made below and other good and valuable consideration, the parties agree as follows:

1. Offer and Acceptance. Donor agrees to convey fee simple title to the City as a donation. The City agrees to accept the donation of the Property, subject to the terms and conditions of this Agreement.

2. Title Matters. The City shall, at its sole expense, obtain a commitment for an owner's policy of title insurance, ("Commitment") or, if the property is registered, a registered property abstract ("RPA") from the title company of its choice. The City shall be allowed until _____, 2026 to obtain the Commitment and to make any objections to marketability of title, which must be made in writing or deemed waived. Donor shall have until Closing, which shall be _____, 2026 ("Closing Date") to make title marketable. Upon correction of title, the parties shall perform this Agreement according to its terms. If the Donor fails to make title marketable by Closing, the City may terminate this Agreement without any liability on its part.

3. Conditions to Closing. The closing of the transaction contemplated by this Agreement and the obligation of the Donor to donate the Property and of the City to accept the Property shall be subject to the following conditions:

3.1 The City reviewing and approving title to the Property pursuant to Section 2 of this Agreement.

3.2. The City having determined on or before the Closing Date that it is satisfied, based upon the results of, and matters disclosed by, any environmental or soil investigations or testing of the Property, that there are no environmental, soil, or other conditions that would interfere with the City's use of the Property.

The above contingencies are for the sole benefit of the City, and the City shall have the right to waive those contingencies by giving written notice to Donor or proceeding to Closing. If the contingencies set forth in this Section have not been satisfied by the Closing Date, the City may terminate this Agreement without any liability on its part by giving written notice to Donor on or before the Closing Date.

4. Environmental and Soil Investigations. The City and its agents shall have the right, at their sole option and risk, to enter the Property for the purposes of testing soils, surveying, and undertaking such other work and inspections as it deems appropriate to determine the suitability of the Property for uses by the City. If the City investigates or tests the Property pursuant to this Section, the City shall pay all costs and expenses of such investigations and testing and shall hold Donor harmless from all damages and liabilities arising out of the City's activities.

5. Real Estate Taxes. On or before the Closing Date, Donor will pay all real estate taxes attributable to the Property and payable in 2026 or prior years. The City will be responsible to pay real estate taxes, if any, payable in 2027 and subsequent years.

6. Special Assessments. There are no levied or pending assessments against the Property.

7. Closing.

7.1. The closing shall take place on _____, 2026 at Minnetonka City Hall, 14600 Minnetonka Blvd., Minnetonka, MN 55345 unless otherwise agreed to by the parties in writing.

7.2. On the Closing Date, Donor shall deliver to the City possession of the Property, and shall execute and deliver to the City:

a) A duly executed general warranty deed conveying marketable title to the Property to the City, subject only to title matters expressly waived by City.

b) A duly executed affidavit of seller;

c) Well Disclosure Certification delivered with this Agreement, if required, or, if there is no well on the Property, the general warranty deed must include the following statement: "Sellers certify that the Sellers do not know of any wells on the described real property."

d) An affidavit of non-foreign identity; and

e) Such other documents as may be required by the City's title examiner or title insurance company.

7.3. The City shall pay at closing: the state deed tax; all recording fees and charges relating to the transaction; title insurance premium, if any; and title company closing fee if any.

8. Personal Property Not Included. There is no personal property included in this donation. Donor shall remove all personal property, if any, from the Property prior to closing. Any personal property that remains on the Property after the closing shall be deemed to have been abandoned and shall become the exclusive property of the City.

9. Covenants, Representations and Warranties of Donor. Donor hereby warrants and represents to the City that, as of the date hereof, each of the following is true and accurate to the best of Donor's knowledge:

9.1. Donor shall take no actions to encumber title to the Property after the date of this Agreement.

9.2. Donor has the full right and authority to convey the Property to the City as provided in this Agreement.

9.3. Donor warrants that he has not used the Property for the storage of hazardous substances or petroleum products. Donor represents and warrants that he has not received notice and have no knowledge of any condition that may exist on the Property that may support a claim or cause of action under (a) the Comprehensive Environmental Response Compensation and Liability Act of 1980 (" CERCLA"), 42 U.S.C. § 9601-9657, as amended, or any similar state taw or local ordinance; (b) the Resource Conversation and Recovery Act of 1976, 42 U.S.C. § 6901, et seq.; (c) the Federal Water Pollution Control Act, 33 U. S.C. § 1251 et seq.; (d) the Clean Air Act, 42 U S.C § 7401, et seq.; (e) the Clean Water Act 33 U.S.C. § 1251 et seq.; (f) the Toxic Substances Control Act, 15 U.S.C. 2601 et seq.; (g) the Safe Drinking Water Act, 42 U.S.C. 300(1) et seq.; (h) the Minnesota Environmental Response and Liability Act, Minn. Stat. § 155B; (i) the Minnesota Petroleum Tank Release Cleanup Act, Minn. Stat. § 115C; (j) all rules or regulations promulgated under any of the foregoing: (k) any amendments of the foregoing; or (l) any other federal, state, county, municipal, local or other statute, law, ordinance or regulation.

9.4. Donor warrants that there is a right of access to the Property from a public right of way.

9.5. Donor warrants that, prior to the Closing Date, payment in full will have been made for all labor, materials, machinery, fixtures or tools furnished within the 120 days immediately preceding the Closing Date in connection with construction, alteration or repair of any structure on or improvement to the Property.

9.6. To Donor's knowledge, there are no underground storage tanks located on the Property, and there are no septic systems located on the Property.

Donor agrees that each of the foregoing representations and warranties shall be deemed restated by Donor effective as of Closing, and shall survive closing for a period of twelve (12) months. In the event that any representation or warranty was or is incorrect or breached when made, Donor shall be liable to the City for any actual damages of the City arising out of the representation or warranty.

10. Miscellaneous

10.1 This agreement represents the complete and final agreement of the parties and supersedes any prior oral or written understanding. This agreement may be amended only by a writing executed by both parties. This agreement shall be binding on the parties hereto, their successors and assigns.

10.2 The City and Donor represents and warrants that the recitals contained in this Agreement are true and accurate.

10.3 All notices required by this Agreement shall be given by depositing in the U.S. mail. postage prepaid, certified mail, return receipt requested, to the following addresses (or such other addresses as either party may notify the other):

To the Donor: Richard Wood
16010 22nd Ave. N.
Plymouth, MN 55447

To the City: City of Minnetonka
Attn: City Manager
14600 Minnetonka Blvd.
Minnetonka,, MN 55345

10.4 This contract shall be governed by the laws of the State of Minnesota, without regard to choice of law provisions.

10.5 Well Disclosure:

☐ Sellers certify that the Sellers do not know of any wells on the described real property.

OR

☐ A completed Well Disclosure Certificate accompanies this Donation Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

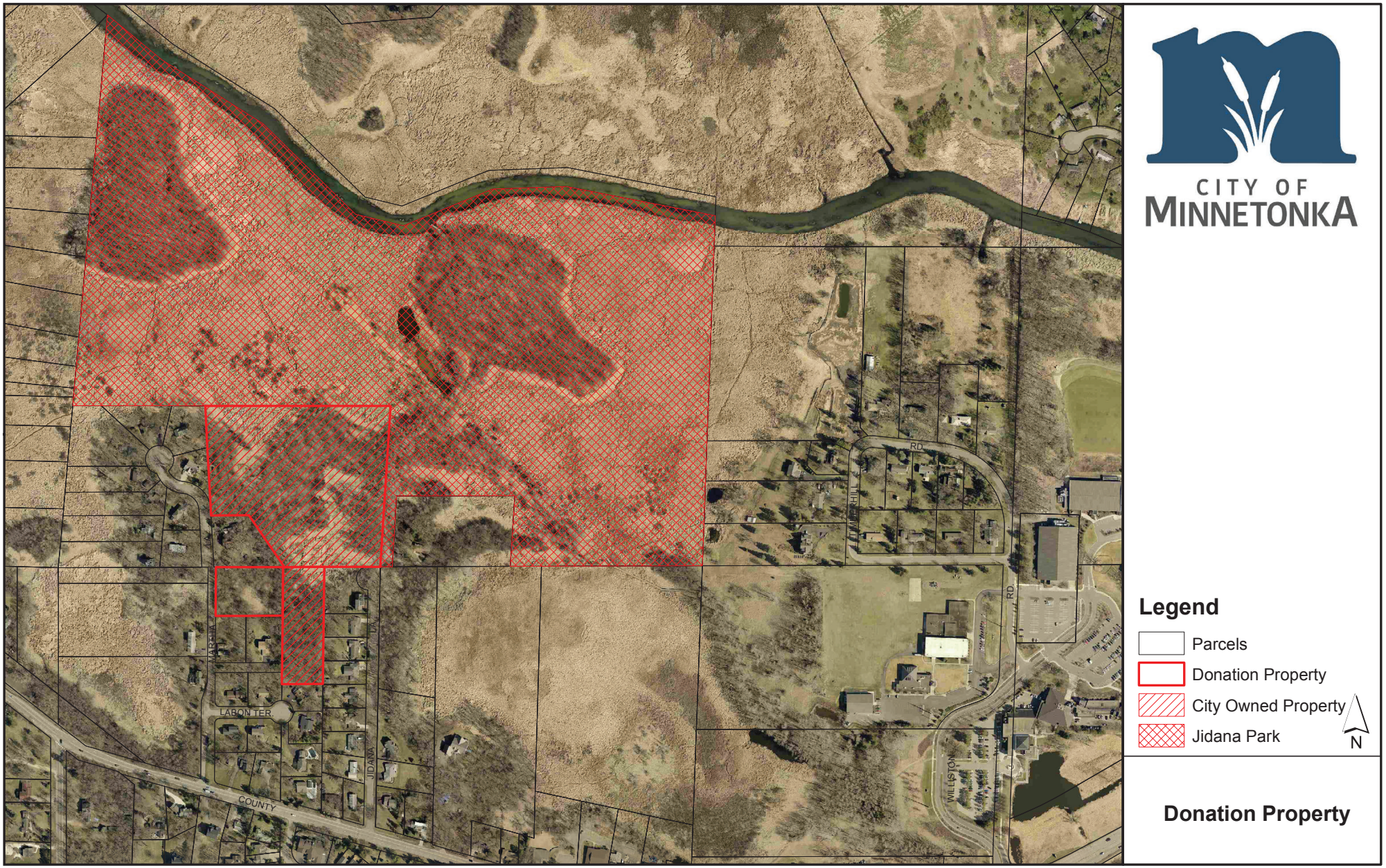
CITY OF MINNETONKA

By: _____
Mayor

By: _____
City Manager

DONOR:

_____
Richard Joseph Wood


CITY OF
MINNETONKA
Legend
Parcels
Donation Property
City Owned Property
Jidana Park
N
Donation Property
LABON TER.
COUNTY
JIDANA
WILLISTON
RD.

Resolution No. 2026-xxx

Resolution approving agreement for donation to the city of vacant land on Martha Lane

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Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1 Background

1.01 Richard Wood is the owner of vacant, undevelopable property on Martha Lane, PID 16-117-22-32-0007 (unaddressed). Mr. Wood has offered to donate the property to the city.

1.02 The city's multi-departmental staff Land Committee, including staff from the Public Works Department, reviewed the property and determined that the city could use the property for stormwater improvements in connection with future roadway improvements, whenever that should occur.

1.03 The city attorney has prepared a donation agreement to address the terms and conditions for the city accepting the donation.

Section 2 Council Action

2.01 The city council hereby finds that acquisition of the property is in the public interest and approves the donation agreement for the property. The city manager and city attorney are authorized to approve non-material changes to the purchase agreement, including amendments to time deadlines contained therein.

2.02 The mayor and city manager are authorized to execute the donation agreement and all other amendments and instruments necessary to complete the transaction contemplated by the agreement.

Adopted by the City Council of the City of Minnetonka, Minnesota, on October 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted.

Certification:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on October 26, 2026.

_____

Becky Koosman, City Clerk

City Council
Agenda Item 12.A
Meeting of October 26, 2026

Title:	30-Day Pre-Eviction Notice Ordinance
Report from:	Kendyl Larson, Housing Coordinator
Submitted Through:	Alisha Gray, EDFP, Economic Development and Housing Manager Julie Wischnack, FAICP, Community Development Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Julie Wischnack, FAICP, Community Development DirectorÂ

Action Requested:	Motion
Form of Action:	Ordinance
Votes needed:	4 votes

Summary Statement
A draft 30-day pre-eviction notice ordinance has been prepared for introduction. The city council should provide feedback or questions regarding the draft ordinance.

Recommended Action
Motion to introduce the ordinance and provide feedback.

Background
See supplemental background report.

ATTACHMENTS:
Supplemental Background Report
Supplemental Program Data
Property Managers Comments
Ordinance

Supplemental Background Report

Background

At the July 20, 2026 city council study session, staff presented initial research on evictions in Minnetonka. During the discussion, the council expressed interest in pursuing a draft ordinance that would exceed state statute requirements of a 14-day pre-eviction notice by establishing a local 30-day pre-eviction notice requirement. The council stated that they wished to understand whether local buildings were filing evictions or non-renewing tenants more frequently.

Since the July 20 study session, staff researched and gathered feedback from non-profits, cities, city staff, and property managers. From these conversations, staff drafted a 30-day pre-eviction notice ordinance for the city council's review.

Ordinance Research Summary

Eviction Rates and Eviction Process

- Over the past few years, eviction rates have remained low in Minnetonka. Eviction filing rates remain below 2% in the ZIP codes included in Minnetonka's boundaries, according to the Hennepin County dashboard.
    - Most eviction judgments in Hennepin County that occur month-to-month are due to nonpayment of rent.
- For a landlord to file an eviction, they must follow Minnesota Statutes § 504B.321, subd. 1a, which requires a landlord to provide a 14-day pre-eviction notice specifying the landlord's intent to pursue eviction for nonpayment of rent or other unpaid financial obligations. The statute also indicates that local governments can have longer notice periods.
- Staff attended housing court to observe the process and the outcomes for evictions. On the afternoon staff attended court, there were 32 cases on the docket (non within Minnetonka). The following are observations made while attending housing court:
    - The county has a partnership with Adult Representation Service, which provides free legal assistance to eligible tenants. Attorneys assist tenants in reaching agreements with their landlords and getting their evictions expunged.
    - Staff observed the outcome of 5 cases that ended in settlement agreements between the tenant and the landlord that day. If the tenant follows the agreed plan and the rent is paid by the agreed-upon dates, the eviction is expunged from the tenant's record.
    - One eviction case ended in dismissal due to missing paperwork from the plaintiff.
    - An eviction filing and court date does not necessarily end with the loss of housing.
    - Tenants and landlords can come to an agreement at housing court. Often, the tenant remains in the unit and follows the agreed-upon payment plan. When the payment is complete, then the eviction is expunged, so as not to impact future housing opportunities.

- If a tenant does not show up for housing court, the case proceeds. This likely ends in a judgment against the tenant, and a writ of recovery of premises and an order to vacate is issued by the court.
- RentHelpHennepin provides rental relief to those who meet eligibility requirements. The county recently updated its eligibility requirements in September 2026.
  - Eligibility Requirements:
    - Households either have a pre-eviction notice or an eviction filing. Previously, a tenant must have received an eviction notice to apply for the funding and meet the other criteria.
    - Households receiving assistance also must be below 30% AMI.
    - Households meet one of the following: Family with minor children, aged 62 or older, or have a disabling condition.
    - Household has not reached the program's maximum of $15,000 or 20 months of rental arrears (whichever is reached first).
  - If a tenant is not eligible for RentHelpHennepin, there are other rental assistance programs available such as ICA, CAP, Hennepin County emergency assistance, and the City of Minnetonka's emergency rental assistance.

Community Conversations

- Most surrounding communities indicate that they follow the 14-day requirement set by state statute. A few suburban cities have adopted 30-day pre-eviction notices for non-payment of rent or other financial obligations. St. Louis Park and Brooklyn Center have permanent ordinances, and Richfield and Brooklyn Park enacted temporary ordinances during Metro Surge.
  - St. Louis Park and Brooklyn Center indicated that there had not been a significant impact on eviction numbers in their cities due to approved 30-day pre-eviction notice ordinances. They shared that evictions still occur.
  - Richfield is currently doing research on a permanent 30-day pre-eviction notice.
  - Staff found no pending litigation related to pre-eviction notification ordinances.
- Feedback from His House Foundation and the city's social worker, indicate that preventative programs, Homeless Prevention and Emergency Rental Assistance, and casework are the most effective ways to address non-payment of rent eviction filings.
  - Many tenants may not know that assistance is available to them locally, so there is a gap in the dissemination of these resources to tenants. Even if tenants are aware, their circumstances may limit their ability to obtain assistance before they receive an eviction notice.
  - A longer pre-eviction period does not necessarily mean fewer evictions. From their experience, if someone has not connected with resources within the first few days of receiving a notice, there is a chance they won't reach out at all.
  - Most landlords accept letters of guarantee from organizations providing rental assistance and will not file an eviction, even if obtaining the funding takes longer than the 14 days.

    - Education to tenants and landlords about available assistance is key. The earlier tenants contact a rental assistance provider or a caseworker, the more likely they are to work out a plan with their landlord.
- Based on conversations and survey responses with property managers, many apartment buildings try to work with households that are behind on rent and avoid eviction proceedings, as it is costly for the buildings to file an eviction.
    - Buildings provide external resources for residents behind on rent and work directly with them to develop a payment plan before resorting to legal action. Most property managers want to work with their residents and avoid eviction, but sometimes it is the only way to ensure the landlord is made whole.
- At a property manager meeting on Oct 7, staff polled the 12 attending property managers to gather initial feedback. The initial reaction to a 30-day pre-eviction ordinance was mixed, with 67% indicating that the council should not consider extending the pre-eviction period and 33% indicating maybe.
    - The largest concern for managers was that the longer pre-eviction notice, the further tenants get behind on rent.
    - In addition, 50% indicated that on an annual basis they have no evictions for non-payment of rent, with the remaining 50% having anywhere between 1-9.
- Most buildings use the eviction process to address non-payment of rent instead of non-renewals. Of the 12 buildings that submitted survey responses, most reported working with their tenants to resolve payment issues, either through external resources or payment plans, before either filing for eviction or before the court date.
    - The manager's responses also indicated that most of the time, their tenants can get payment before the court date and the cases are dismissed. Otherwise, payment plans are made during housing court.
- In summary, based on the information staff has gathered, it seems Minnetonka buildings are managing under the current process and working with residents to get their rent paid either during the pre-eviction notice period, before a housing court date, or at the time of the first court appearance. Many of the building managers who attended the meeting noted that they have not had any evictions, but responses were limited to 19% of the city's rental buildings. Staff anticipates receiving more feedback during the public comment period, not only from landlords and property managers but also from renters and advocacy groups, to better understand views on a potential local 30-day pre-eviction notice.

Additional details on staff's research are in the attached supplemental research document.

Draft Ordinance

The draft ordinance creates section 535, which requires a 30-day pre-eviction notice for non-payment of rent or other unpaid financial obligations for all rental units. This requirement would exceed the state-required 14-day notice period

The city's ordinance requires the pre-eviction notice to comply with state statutes and adds its own requirements, including a few specific statements that must be included. For instance, the city ordinance requires the notice to include the following statement in the appropriate languages for the property: "This is important information about your housing. If you do not understand it, have someone translate it for you, or request a translation from your landlord."

The ordinance specifies that, upon request, the landlord must provide the entire notice in the requested language. In addition, the notice must include a description of legal and financial assistance options listed on the city's website.

State law requires that the notice be delivered personally or by first-class mail to the dwelling address. The city's ordinance, in addition to the previously stated delivery method, allows the notice to be delivered electronically to the resident(s) of the dwelling.

As written, the ordinance would be enforced through an administrative fine. The city code sets an administrative fine at $500; however, a specific fee for this violation could be added to section 1310. The city does not have a rental licensing program, which would be another way to enforce tenant protections. Another option would be to have the ordinance enforced in housing court, with no other specific enforcement language in the ordinance. The City of St. Louis Park's ordinance does not include specific enforcement measures; rather, it relies on housing court to enforce it. If a building violates the city's ordinance, the eviction will not proceed and will end in the tenant's favor.

If adopted, lead time is necessary to allow staff to communicate the changes to rental owners and managers in the city. The ordinance would take effect 6 months after adoption, giving landlords and managers sufficient time to update their policies to meet the city's requirements.

Example of Ordinance Impact

Below provides a quick example of the current process with the 14-day pre-eviction notice period compared to a potential 30-day pre-eviction ordinance.

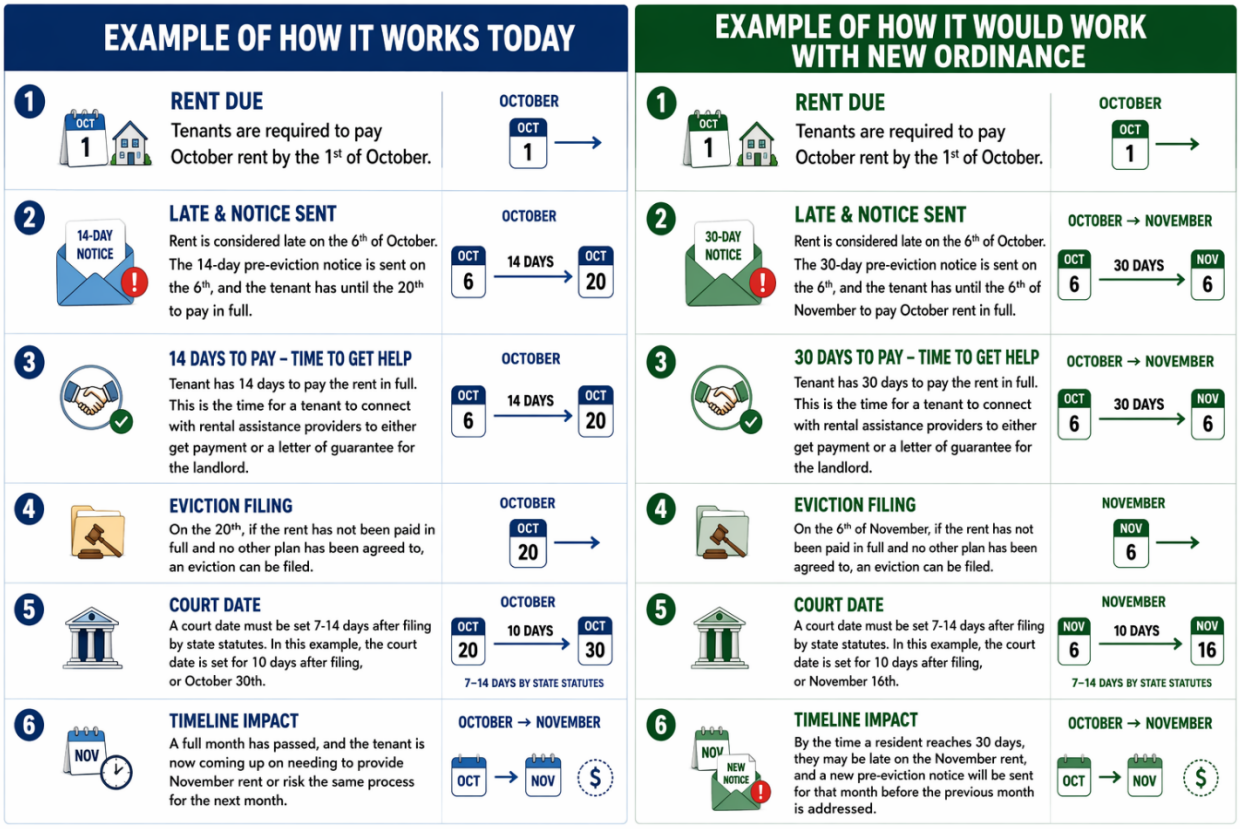

Figure 1: Infographic created using AI. Content verified by city staff.

In some situations, tenants may be a month behind due to a one-time circumstance and were able to pay the next month's rent without issue, but that is not always the case. Depending on the tenant's situation, being behind on October rent could lead to being behind in November. If the tenant has a housing court appearance to address October's rent, they may have received another 30-day notice for November, and the cycle continues. This is where preventative casework is the most helpful.

In Summary

- Eviction rates are low in Minnetonka, and the rate of evictions remains the same whether a tenant receives a 14-day notice or a 30-day notice.
- Locally, landlords primarily attempt to develop a payment plan with the tenants before housing court, by accessing rental assistance programs or their own payment plan system.
- An eviction filing and court date does not necessarily end with the loss of housing. Tenants and landlords often reach an agreement in housing court. This allows the tenant to remain in the unit and follow the agreed-upon payment plan.

Timeline - Next Steps

After the ordinance is introduced, a Minnetonka Matters page will open on Oct. 27th for public comments. Below is the proposed schedule.

- City council introduction of ordinance: Oct. 26, 2026
- Minnetonka Matters page activated: Oct. 27, 2026
- Outreach and public comment period: Oct. 27 – Nov. 30, 2026
    - 2-4 virtual sessions in November 2026
        - Housing advocates and non-profits
        - Building owners and managers
        - Tenants
        - General public
- EDAC meeting: Nov. 12, 2026 - recommendation
- City council meeting for adoption: Dec. 7, 2026
- Effective date: 6 months lead time: July/August 2027

Council Action

Staff is requesting feedback from the council on the draft ordinance.

Supplemental Data Report

Additional Research Details

Evictions in Minnetonka

Currently, Minnetonka does not have a city-wide eviction policy. Property owners follow state statute regarding evictions. Effective Jan. 1, 2024, state statute requires that all landlords in Minnesota issue a 14-day written notice before filing for eviction for non-payment of rent or other unpaid financial obligations. It also notes that some local governments may have eviction notice periods longer than the 14-day requirement.

Staff continues to monitor evictions in Minnetonka through a Hennepin County dashboard that uses state court records of eviction filings to summarize countywide eviction data. The dashboard is updated weekly and allows users to explore trends and patterns from 2011 to 2026. One of the dashboard pages displays eviction filing rates and eviction rates by ZIP code.

When visualizing Minnetonka's filing and eviction rates, county data must be read with care, as the city has 4 main ZIP codes within its boundaries. Because the data does not break down by city or census tract, evictions in these ZIP codes might be occurring in rental units within Wayzata or Hopkins, not Minnetonka. Despite this, these numbers provide a general idea of what is occurring in the community.

The graphic shows the dashboard numbers for the ZIP codes within Minnetonka. Staff added city multi-unit building data to the graphic by ZIP code, providing another layer of information.

Eviction Lab, a project based at Princeton University, uses eviction filing data from Hennepin County, breaks it down by census tract, and shows that since Oct. 1, 2025, eviction filings have remained low overall in Minnetonka. The Minnetonka census tracts with higher filing rates are where many of the city's multi-unit rental properties are located.

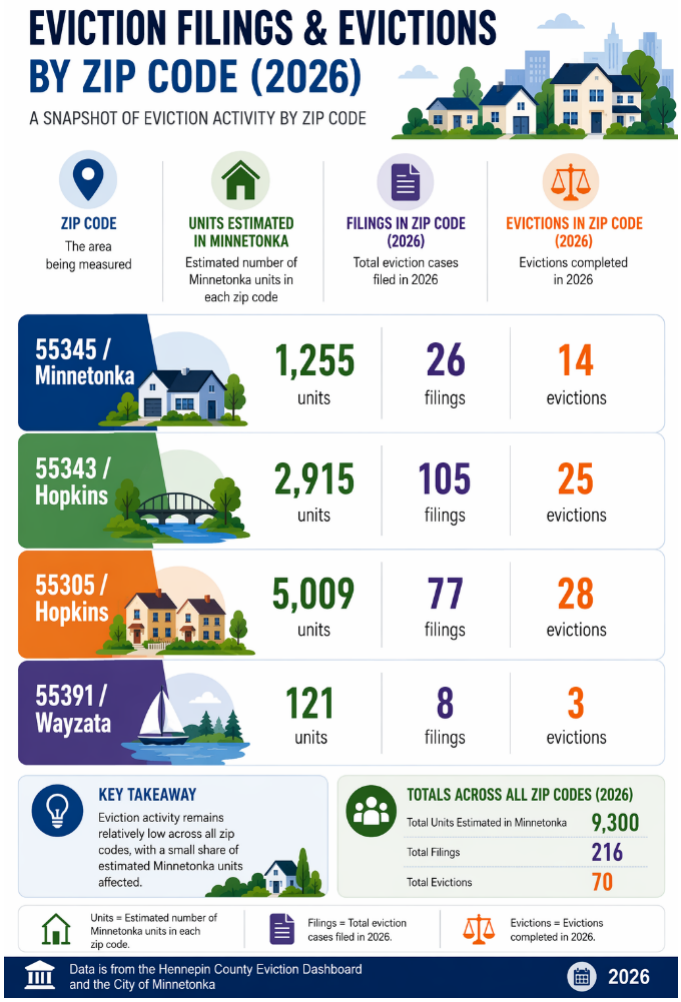

Figure 1: Infographic created using AI. Content verified by city staff

Understanding the Full Eviction Process

There is a specific process landlords must take when a renter is late on paying rent. Landlords are required by Minnesota Statutes § 504B.321, subd.1a to provide a 14-day pre-eviction notice specifying the landlord's intent to pursue eviction for non-payment of rent or other unpaid financial

obligations. The graphic below describes the steps from when a tenant receives a 14-day pre-eviction notice to being served with Summons and a court date in housing court.

Figure 2: Information collated from Housing Court experience, Minn. Stat. § 504B.321, MN Attorney General's Office. Infographic created using AI. Content verified by city staff

It is in the tenant's best interest not to have to go to housing court and to pay before the hearing date. If they are unable to do so, tenants are encouraged to attend their eviction hearing, as the proceedings will continue even if they are not present. If they do not attend, their case may receive a default judgment, and they could be evicted. In addition, attending housing court can result in their eviction being expunged as part of the process. Expungement is important for tenants because it removes the case from the public record, meaning it would not hinder a person from moving into new housing after an eviction proceeding.

To better understand what happens after a tenant receives an eviction notice, staff visit the Hennepin County Housing Court to observe. The hallway where people wait for housing court is lined with posters offering information on free legal help, mediation services, and rental assistance through RentHelpHennepin. During court proceedings, tenants can sign up for legal services, and lawyers meet with them during the allotted time. The cases staff observed ended in settlements in which tenants agreed to payment plans. Cases can also be dismissed for a variety of reasons. In one observed case, an eviction was dismissed due to missing paperwork from the plaintiff.

One important item to remember is that just because an eviction is filed against a tenant, it does not mean the tenant must move out of their unit. If the landlord and tenant reach an agreement in housing court, the tenant usually has the option to stay and follow a payment plan. When the payment is complete, then the eviction is expunged, so as not to impact future housing opportunities.

The county has a contract with Adult Representation Services to provide free legal services to eligible households. ARS can advise clients of their tenant rights and any defense they may have to an eviction, negotiate with a landlord to attempt to resolve the dispute, advocate for a tenant in court, help a tenant file a request for expungement, and connect tenants with available financial assistance and services.

Figure 3: Information collated from Housing Court experience, Minn. Stat. § 504B.321, MN Attorney General's Office. Infographic created using AI. Content verified by city staff

If a tenant has an eviction filed against them and does not attend their court date, they will likely receive a default judgment and be evicted. They will be removed from their unit. Even if a tenant can get their eviction expunged after the fact so it no longer shows up in a background search, if they moved without paying the late rent owed to the landlord, the unpaid back rent can still appear on credit reports.

City Conversations

Staff researched the four cities that enacted 30-day pre-eviction ordinances either permanently or temporarily. Staff talked directly with three cities to gain insights into the process and decisions.

- St. Louis Park and Brooklyn Center are two suburbs that have 30-day pre-eviction notice.
    - Both indicated that there hasn't been much conversation about the ordinance since adoption.
    - Both commented that landlords were not supportive of the ordinance for a variety of reasons, including putting strain on relationships between management and tenants and tenants getting further behind on rent.
        - In St. Louis Park's research, many landlords indicated that eviction filing is a last resort and the longer the time between notice and filing ultimately puts tenants further behind on rent.
    - Advocacy groups wanted 30 days' notice, indicating it is a sweet spot for tenants to get applications accepted and paid before a filing.
    - Both cities indicated that after enacting the ordinances, neither has seen a significant change in eviction numbers.
    - St. Louis Park indicated that landlords are taking a harder line right away instead of working with the residents, because the time is lengthened. There is less of a grace period for tenants than before, if any.

- When looking at enforcement of the ordinance, Brooklyn Center has had a handful of calls related to landlords not following the ordinance, but they have not penalized a landlord yet. They have spoken with the landlords, and they continue to provide education.
  - St. Louis Park does not have an enforcement piece in their ordinance; they rely on the housing court to enforce the city's ordinance.

- Richfield and Brooklyn Park both enacted temporary emergency ordinances during Metro Surge. Both ordinances are no longer in effect.
  - Richfield is in the process of doing research on evictions and the possibility of pursuing a longer pre-eviction ordinance. The emergency ordinance was adopted with limited outreach due to timing constraints. Richfield is watching what other cities are doing.
  - Brooklyn Park did not opt to make the ordinance permanent but did extend the expiration date of the emergency ordinance from March 19, 2026, to April 30, 2026.

Initial comments from property managers

On October 7, 2026, the city hosted a virtual property manager meeting in which staff from the Fire, Police and Community Development departments provided managers with information on a variety of topics. Twelve managers attended the meeting out of 63 invited. During this meeting, staff informed managers of the upcoming introduction of the 30-day pre-eviction ordinance and asked them to answer 4 poll questions. The infographic below shows those answers.

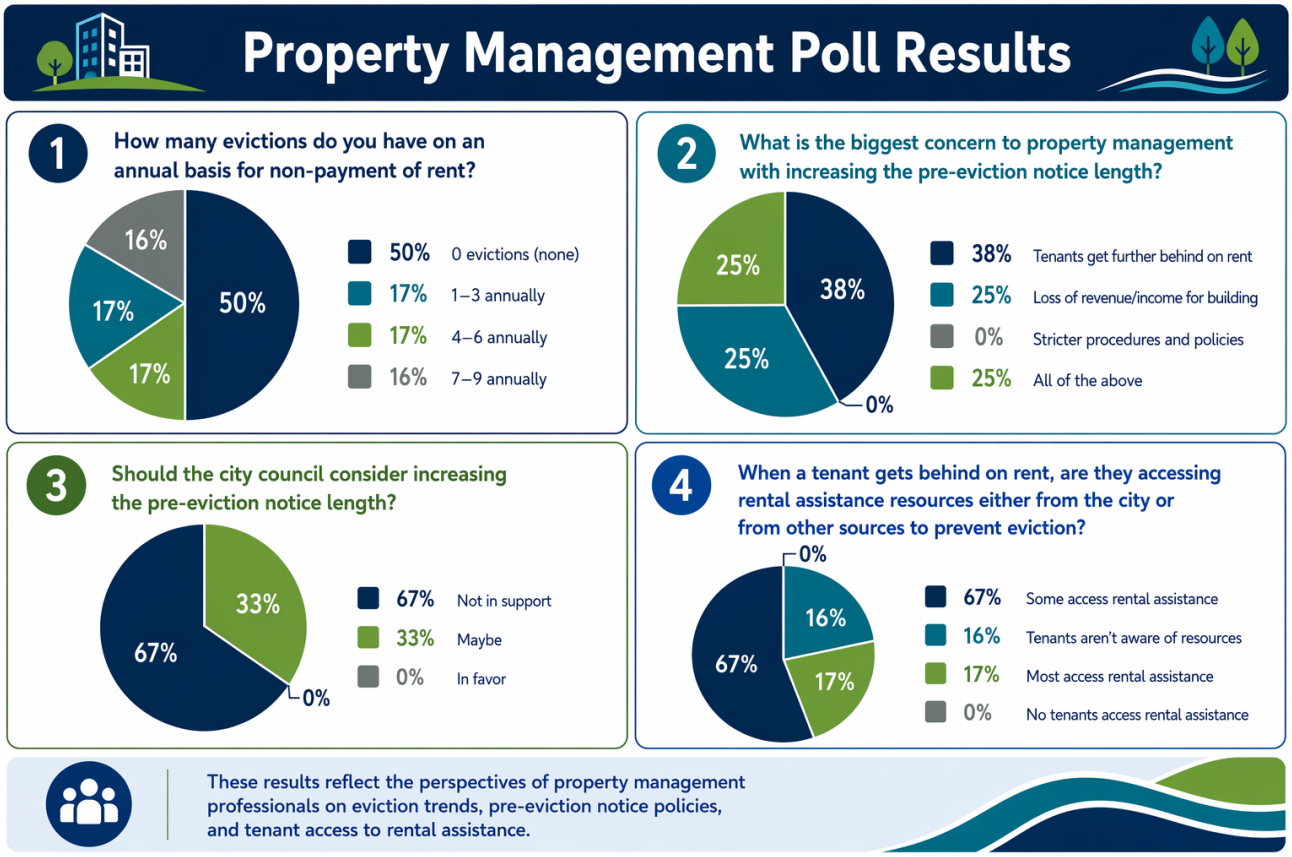

Figure 4: Poll results from Oct 7 property manager meeting. Infographic created using AI. Content verified by city staff

Overall, property managers in Minnetonka have shared there are low eviction rates in their buildings and are concerned about increasing the pre-eviction notice timeline, especially because it could mean tenants fall further behind on rent. Most tenants in these buildings are receiving some level of rental assistance, but it is evident to staff that there is a need to increase education about what is available.

Staff also sent out an email survey to all property managers in Minnetonka inquiring about eviction and non-renewal numbers. Twelve buildings responded. Below are summarized responses to the 5 staff questions posed.

1. What is your building's process and timeline for non-payment of rent? Do you provide financial assistance to tenants who are behind on their rent, or do you refer them to external resources?
    a. Most apartment buildings have policies within their leases that require late payments to be made by a specific date, generally between the 4th and 6th of the month. If that date is not reached, then the 14-day pre-eviction notice is sent, and they have 14 days from that date to pay before an eviction is filed.
    b. A few buildings indicated that they work even longer than required with tenants before filing an eviction or providing internal programs to help tenants with payment plans. All the buildings indicated that they provide information about external resources for rental assistance.
2. What category are most of your non-renewals and evictions for? (i.e., non-payment of rent, breach of lease, failure to vacate, etc.)
    a. Non-payment of rent was the most common amongst responses.
    b. Breach of lease was the second highest mentioned.
3. How many evictions and non-renewals do you do for non-payment of rent annually? Please provide numbers for both.
    a. All but one building indicated having fewer than 3 non-renewals and/or evictions annually. These numbers indicate a full eviction judgment, not filings.
    b. Some buildings do eviction filings more often, but they rarely go through the whole process. Either payment is made, a tenant leaves before the court date, or a settlement is reached at housing court.
4. Overall, which process do you follow more often regarding non-payment of rent: non-renewal or filing an eviction? Why do you follow that process more often?
    a. Eviction filing is the most used process for non-payment of rent.
    b. A few buildings indicated that they will non-renew someone for non-payment of rent if they have had multiple late payments in a single lease cycle.
5. The city approved emergency rental assistance in 2020. Have you seen an impact on the number of non-renewals or eviction filings due to tenants' access to rental assistance?
    a. One building indicated that evictions have increased since 2020 and tenants are relying on assistance to pay late rent.
    b. Most of the other buildings indicated that emergency rental assistance has helped residents stabilize and keep evictions low.
    c. Four buildings indicated that they hadn't seen any impact or that they are unsure if their residents know that city assistance is available.

Based on initial feedback from managers, it is evident that most properties want to work with their tenants to resolve late rent and avoid a full eviction process when it is not necessary. They understand that an eviction on a tenant's record causes harm that could otherwise be avoided.

Accessing Assistance

City Prevention Efforts

Rental assistance and casework to address why people fall behind on rent are services the city has supported over the last 6 years through programming and funding. For Minnetonka residents who may be behind on rent, preventive efforts can help them get back on their feet without an eviction being filed against them.

In conversations with both the city's social worker and His House Foundation, which administers rental assistance and homelessness prevention dollars, it was found that assisting tenants when they first fall behind on rent is most effective. This only works if landlords provide HHF and the city as resources when notice is provided, or a tenant calls looking for assistance. In some cases, however, HHF or the city is not contacted by residents before they receive an eviction notice or a Summons.

The city's social worker regularly assists residents in need. Based on her experience providing case management and assistance, she believes that offering prevention services before eviction is the best way to address housing instability. She also noted that there is no funding to assist with evictions that are not just for non-payment of rent. There is a need for assistance with preparing apartments for remediation or cleanup, particularly in hoarding and bed bug cases. There is no funding to assist them, and as a result, the tenant is breaking their lease or getting behind on rent and facing eviction.

Over the years working in Minnetonka, HHF indicated having 10 filings and 1 eviction that went to housing court. This is a low number, given that the most recent figures indicate that HHF has assisted 271 households in Minnetonka during a housing crisis. The city's preventive funding and programs essentially act as a moratorium on evictions when used to their full extent.

The preventative work pairs well with most landlords, who accept a letter of guarantee. Many landlords appreciate the communication and understand that transferring funds takes time. HHF stated that no landlord, small or corporate, has said they won't wait. Landlords are willing to work with residents and the organizations.

Both provided feedback in considering a 30-day pre-eviction notice and its potential impact. Below are a few of the overall comments.

- Small landlords who rely on rent payments to pay their mortgages would be most affected by a longer process.
- 30 days could help tenants access assistance, but it still requires tenants to connect with resources right away.
- Whether the notice is 14 or 30 days, assistance takes time to complete, and landlords regularly accept a letter of guarantee when a tenant is working with an organization or caseworker to get the rent payment.
- Communication between agencies, caseworkers, and landlords is super important to stopping eviction filings. Most of the time, landlords want to make it work and avoid filing for eviction or going to housing court.

Other Rental Assistance Resources

There are various organizations that provide rental assistance. Below are a few commonly used ones. It is not a comprehensive list of available resources.

- ICA has rental assistance dollars, but they are limited. ICA serves a larger area than just Minnetonka, which means their assistance must be spread more widely and their funds are spent quickly each month. When they no longer have rental assistance funds to support residents, they refer Minnetonka requests to HHF for the city's assistance.
- CAP provides rental assistance; however, their process takes 90 days, which means it can only be used in specific circumstances that allow for that length of process. The organization has a wide service area and funding to meet the need, but the process takes a long time, causing anxiety among landlords.
- RentHelpHennepin provides rental assistance to those who meet specific eligibility requirements. This program serves the entire county, so there is no guarantee of funding at any given time.
    - Eligibility Requirements:
        - Households either have a pre-eviction notice or an eviction filing. Previously, a tenant had to have received an eviction notice to apply for the funding and meet the other criteria.
        - Households receiving assistance also must be below 30% AMI.
        - Households meet one of the following: Family with minor children, aged 62 or older, or have a disabling condition.
        - Household has not reached the program's maximum of $15,000 or 20 months of rental arrears (whichever is reached first).

Tenant and Landlord Resources

Attorney General's Office – Landlord and Tenant: Rights and Responsibilities Handbook

Minnesota Judicial Branch – Hennepin County Housing Court

Minnesota Statutes – Chapter 504B Landlord and Tenant

HOMELine – Tenant Hotline

Good afternoon Kendyl,

Thank you for reaching out and requesting feedback regarding the proposed 30-day pre-eviction notice ordinance. I appreciate that the City of Minnetonka is seeking input from members of the multifamily housing industry before moving forward with a policy change. Engaging with industry professionals who work directly with these issues is an important and constructive step in evaluating whether additional requirements will achieve their intended purpose.

I have been involved in the multifamily housing industry for 24 years. During that time, I have worked in virtually every aspect of property operations, including cleaning units, performing maintenance, leasing apartments, and serving as an Assistant Manager, Property Manager, and Regional Manager for both small and large organizations throughout Minnesota and Wisconsin.

Based on that experience, I can confidently say that multifamily housing operators generally prefer to keep existing residents in their homes whenever reasonably possible. Eviction is rarely a preferred outcome for an owner/operator. It is time-consuming, costly, and disruptive for everyone involved. In my experience, the circumstances that ultimately lead to an eviction are generally limited to chronic nonpayment of rent, significant deterioration of the condition or cleanliness of a home, or repeated behavior that creates a disturbance or nuisance within the community.

For cleanliness and property-condition concerns, our typical approach is to work directly with the resident and establish a plan for correcting the issue. Depending on the severity of the situation, residents are generally given two to four weeks to address the concerns. In more serious cases, we often work with the City to both address the enforcement issue and connect residents with available resources.

Similarly, when dealing with disturbances or nuisance behavior, we make every effort to work with residents before pursuing more serious action. We communicate directly with the resident, document the concerns, and, when appropriate, work closely with the local police department to address recurring issues and reduce the impact on the surrounding community.

Nonpayment of rent is somewhat different, and this is where I have significant concerns about adding another mandatory waiting period to the existing process.

Over the course of my career, the eviction process has already become substantially longer and more complicated. Early in my career, when rent was not received on time, we would typically send a late notice and provide the resident an opportunity to make payment. If

payment was not received, an eviction could be filed with the local court, and a court date could often be obtained within 10 days.

That process has changed considerably since 2020. We now observe a 14-day notice period, in addition to our current grace periods for late rent. For example, if rent is due on the first of the month and we allow a five-day grace period, the earliest a 14-day notice may be issued is approximately the sixth of the month. Depending on weekends and holidays, that notice may not go out until the eighth or ninth. The notice period alone can therefore extend the process well into the latter part of the month.

Once an eviction is filed, the process is no longer measured in days. Court dates can now be 30 to 60 days out, depending on the county and court schedule. Hennepin County, in particular, has experienced significant delays. There can also be additional time required to complete service of the court documents, which can add another week or more to the process.

To illustrate the practical impact, consider a resident whose rent is due May 1. Under the current process, we have a five-day grace period, followed by a 14-day notice period, followed by a week to complete service, followed by an average of roughly 45 days before a court hearing. Even if everything proceeds efficiently, a May 1 nonpayment issue may not reach court until early July.

There is also an important incentive within the current system that should be considered. If a resident pays the May rent in full by the July court date, the eviction can be dismissed and would be immediately expunged, allowing the resident to remain in the property. In some circumstances, the court may allow additional unpaid rent to be incorporated into the case. In other circumstances, it may not. That decision can vary depending on the circumstances and the judge.

If additional rent cannot be incorporated into the existing case and the resident pays the original balance before the hearing, the existing filing must be resolved, and the owner may then have to begin the process all over again for subsequent unpaid rent. That can mean issuing another 14-day notice and restarting the process from the beginning.

My concern with adding a mandatory 30-day pre-filing requirement is that it would further extend an already lengthy process without necessarily addressing the underlying issues that lead to eviction. In practice, it could create a situation where an owner is carrying months of unpaid rent while simultaneously being required to provide additional time before even initiating the court process.

I also want to emphasize that responsible housing providers already have a strong financial and operational incentive to resolve these situations without eviction whenever possible.

We want residents to remain in their homes, pay their rent, and be successful members of the community. Eviction is not a desirable outcome for either party.

For these reasons, I respectfully oppose the proposed 30-day pre-eviction filing requirement. I believe the City should carefully consider the cumulative impact of additional requirements on housing providers, particularly when those requirements are added to an eviction process that is already considerably more protective and time-consuming than it was in the past.

As the City considers additional policy changes, I would greatly appreciate a balanced approach that recognizes the interests of residents while also acknowledging the operational and financial realities faced by multifamily housing providers. The multifamily industry is already subject to extensive regulation, and I believe adding another mandatory delay would place an unnecessary burden on housing providers without providing a corresponding benefit that justifies the additional requirement.

I appreciate the opportunity to provide this feedback and would welcome the opportunity to discuss these concerns further with you or members of the City Council. I believe constructive dialogue between the City and the housing industry can help identify solutions that protect residents while also maintaining a viable and sustainable housing environment in Minnetonka.

Thank you again for seeking industry input and for considering my perspective.

Sincerely,

Steve Stoick
Regional Director
Park Avenue of Wayzata

From: Jane Anderson
To: Kendyl Larson
Subject: RE: Eviction & Non-Renewal Research Survey
Date: Monday, October 5, 2026 5:18:48 PM
Attachments: image001.png
image002.png

Kendyl

I would HIGHLY suggest not implementing a 30 day notice! The eviction process is arduous enough without having to wait 30+ days to start the process. Once the eviction is filed, it takes sometimes more than a month to just get to court, especially in Hennepin County. Once the court date comes the resident is always at least two months behind on rent. We always try to reach a settlement with the resident if they have a good, solid plan in place. If they keep up their end of the deal, all is good. If they don't and we have to move forward, we have to order the Writ of Restitution from the Henn Co Sheriff and then once he posts it (just posting it can take several days) the resident has 24 hours to vacate. If they don't vacate, we have to order the sheriff to come and move them out. This can take a couple week to happen depending on the sheriff's schedule. If this sheriff actually has to move them out, they usually leave most if not all of their belongings behind. If they do this we try to work with them to have them come and get the stuff, but if they don't we have to store it for 28 MORE days.....By this time, sometimes 4 or more months have gone by with the resident paying $0 in rent.

At any time in this process, if the resident pays the ever-growing balance due in full, we allow them to stay. We are not in the business of evicting people and it is the last thing we want to do but sometimes it is necessary.

Delaying this even two more weeks is completely unnecessary.

Thanks for reading and SEE BELOW

Jane Anderson
President
Northstar Residential, LLC
(952) 544-0331

From: Kendyl Larson <klarson@minnetonkamn.gov>
Sent: Monday, October 5, 2026 2:51 PM
To: Jane Anderson <janderson@nsresidential.com>
Subject: Eviction & Non-Renewal Research Survey

Hello Jane Anderson,

City staff is researching eviction filings and non-renewals in Minnetonka following the city council's interest in a 30-day pre-eviction notice ordinance. As part of this research, staff aims to better understand the processes and policies regarding evictions and non-renewals in multi-unit buildings. Below are questions for your review and response. City staff may follow up for clarification as needed. Your responses will remain anonymous during reporting. If you prefer to respond by phone rather than email, please call me at 952-939-8267.

Questions:

Ordinance No. 2026-xx

An Ordinance establishing a 30-day pre-eviction notice requirement; amending Chapter 5 of the Minnetonka City Code by adding a new section 535

The City of Minnetonka Ordains:

Section 1 Chapter 5 of the Minnetonka City Code, is amended to read as follows:

SECTION 535. 30-DAY PRE-EVICTION NOTICE

535.01. TITLE AND PURPOSE.

1. **Title.** Sections 535.01 to 535.04 of the city code of ordinances will be known and may be referred to as the "Minnetonka pre-eviction ordinance."

2. **Purpose.** The purpose of this section 535 is to provide housing stability and protection for tenants in rental housing units facing displacement.

535.02. NOTICE REQUIRED PRIOR TO INITIATING EVICTION PROCEEDINGS

1. At least thirty (30) days before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligations in violation of the lease, a landlord must provide written pre-eviction notice to the residential tenant specifying the basis for future eviction action. The pre-eviction notice must be titled "**PRE-EVICTION NOTICE**" and contain all notice requirements as established by Minn. Stat. §504B.321. subd. 1a, including the following information:

    a. The following statement in appropriate languages for the property: "This is important information about your housing. If you do not understand it, have someone translate it for you, or request a translation from your landlord." Upon request, the landlord must provide the entire notice in the requested language.

    b. The name, mailing address, and telephone number of the person authorized to receive rent and fees on behalf of the landlord.

    c. The total amount of money due and owing to the landlord by the tenant, including an accounting of all past due rents, late fees, and any other charges.

    d. State that the landlord may file an eviction case if the tenant fails to pay the total amount due or move out of the dwelling within 30 days after the notice was delivered, and such dates must be included in the notice.

e. Include the following statement: “If you need legal or financial help you may contact the resources listed in this pre-eviction notice.”

f. Provide a description of how to access legal and financial assistance through resources posted on the city’s website.

2. The landlord must deliver the notice required by this section personally or by first-class mail to the address of the dwelling. Such notice may, in addition to but not in place of personal delivery or delivery by first-class mail, be delivered to any email or other electronic means to the tenant at the tenant's email address or electronic account on file with the landlord.

3. If the tenant fails to either cure the rent delinquency or financial discrepancy or fails to vacate the premises within 30 days after the pre-eviction notice is delivered by the landlord, the landlord may bring an eviction action under Minn. Stat. § 504B.321. subd. 1 based on nonpayment of rent.

4. In the case of an expedited eviction action filed pursuant to Minnesota Statutes §504B.321, subd. 2, a landlord will not be required to provide or comply with the pre-eviction notice required under this Section.

535.03. WAIVER NOT ALLOWED

The parties to a written or oral lease of a dwelling must not waive or modify the requirements imposed by this section. Any such waiver provision is invalid and unenforceable.

535.04. ENFORCEMENT

In addition to any other remedy available at equity or law, a person violating a provision of this section is subject to enforcement pursuant to chapter 13 of this code.

Section 2 This ordinance is effective [6 months after publication].

Adopted by the City Council of the City of Minnetonka, Minnesota, on [_____].

_____
Rebecca Schack, Mayor

Attest:

_____
Becky Koosman, City Clerk

Action on this ordinance:

Date of introduction: Oct. 26, 2026
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of Publication:

Certification:

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on [_____].

_____
Becky Koosman, City Clerk

City Council
Agenda Item 12.B
Meeting of October 26, 2026

Title:	Ordinances amending city code section 710.005 regarding certain fees and city code section 515.015 regarding categories of licenses
Report from:	Susan Thomas, AICP, City Planner Phil Olson, PE, City Engineer Alisha Gray, Economic Development and Housing Manager Dale Gronberg, Building Official
Submitted Through:	Julie Wischnack, FAICP, Community Development Director Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Julie Wischnack, FAICP, Community Development DirectorÂ

Action Requested:	Motion
Form of Action:	Ordinance
Votes needed:	4 votes

Summary Statement
Staff is proposing updates to fees for building permits, mechanical contractor licensure, and right-of-way permits. These increases ensure that the fees collected accurately reflect the city's processing and review costs. If the proposed mechanical contractor licensure fees are approved, related changes will be required to the license categories in a separate code section.

Recommended Action
Motion to introduce the ordinances.

Background
See supplemental background report.

ATTACHMENTS:
Supplemental Background Report
Ordinance - Fees
Ordinance - Mechanical Licenses

Supplemental Background Report

Background:

- **Building Permits**

  Under the current ordinance, the minimum permit fees do not cover staff costs to process and review a permit application and perform at least one inspection. Staff proposes increasing these minimum fees.

	Valuation	Existing Fee	Proposed Fee
Building	$1 to $1,000	$52	$120
	$1,001 to $2,000	$52 for first $1,100 plus $3.75 for each additional $100 or fraction thereof	$120 for first $1,100 plus $3.75 for each additional $100 or fraction thereof
	$2,001 to $25,000	$84 for first $2,000 plus $16.75 for each additional $1,000 or fraction thereof	$120 for first $2,000 plus $16.75 for each additional $1,000 or fraction thereof
	Inspection of state-licensed facilities	$100	$120
Elect. Fire, Mech. Plumbing, Sewer/Water	$1 to $1,000	$77 residential permits, $98.50 commercial permits	$120
	$1,001 to $5,000	$77 residential permits, $98.50 commercial permits plus 2.98% of the value over $1,000	$120 plus 2.98% of the value over $1,000

- **Mechanical Licensing**

  Staff proposes changing mechanical licensing options to offer only one-year licenses, eliminating the current one-, two-, and three-year choices. The multi-year option was originally intended to make things easier for contractor customers. However, staff has found the opposite. Many licensees have selected the three-year option but have not pulled mechanical permits in Minnetonka during the second or third year, resulting in unnecessary licensure costs. Additionally, staff finds the multi-year option difficult to administer because licenses expire at different intervals.

Type	**Existing Fee**	**Proposed Fee**
Gas Piping	1 year - $65	$80
	2 year – $110	n/a

	3 year – $145	n/a
Class A: Warm Air, Refrigeration, Steam/Hot Water	1 year - $65	$80
	2 year – $110	n/a
	3 year – $145	n/a
Class B: Fireplace Only	1 year - $55	n/a Apply for Gas Piping
	2 year – $90	
	3 year – $125	

- **Right-of-Way permitting**

Proposed permit fee increases, including new charges for revised or extended permits, reflect the staff time needed to process applications, perform additional inspections of construction activities, coordinate with property owners, and conduct follow-up inspections. Based on past years' activities, hiring more field staff to monitor right-of-way permitting is necessary to maintain high customer service and quality of work throughout the city.

Type	Existing Fee	Proposed Fee
Administrative Fee	$150	$165
Excavation within Street	$100/hole	$110/hole
Excavation within Boulevard	$75/hole	$85/hole
Open Cut Trench	$100 for the first 100 linear ft, plus $1/foot over $100 linear ft	$125 for the first 100 linear ft, plus $1.25/foot over $100 linear ft
Underground Installation (bore/drill)	$0.50/ft	$0.75/ft
Permit time extension or revision	-	10% of original permit fee

Ordinance No. 2026-

An ordinance amending city code section 710.005 regarding certain fees

The City Of Minnetonka Ordains:

Section 1. Section 710.005, paragraph 6 of the Minnetonka City Code is amended to read as follows [column headings are inserted for reference only]:

Paragraph	Description	Amount	Code Section
6.	building permits – general		500.010
	total valuation		
	$1 to $1,000	$~~52~~120	
	$1,001 to $2,000	$~~52~~ 120 for first $~~1,100~~1,001 plus $3.75 for each additional $100 or fraction thereof	
	$2,001 to $25,000	$~~84~~ 120 for first $2,000 plus $16.75 for each additional $1,000 or fraction thereof	
	Inspection of state-licensed facilities	$~~100~~120	

Section 2. Section 710.005, paragraph 8 of the Minnetonka City Code is amended to read as follows [column headings are inserted for reference only]:

Paragraph	Description	Amount	Code Section
8.	contractor licenses		515.010
	gas piping		
	1-year	$~~65~~80	

The ~~stricken~~ language is deleted; the single-underlined language is inserted.

	~~2-year~~	~~$110~~	
	~~3-year~~	~~$145~~	
	mechanical contractor license		
	Class A (warm air, refrigeration, steam/hot water)		
	1-year	$~~65~~80	
	~~2-year~~	~~$110~~	
	~~3-year~~	~~$145~~	
	~~Class B (accessory – fireplace)~~		
	~~1-year~~	~~$55~~	
	~~2-year~~	~~$90~~	
	~~3-year~~	~~$125~~	

Section 3. Section 710.005, paragraph 9 of the Minnetonka City Code is amended to read as follows [column headings are inserted for reference only]:

Paragraph	Description	Amount	Code Section
9.	Electrical, fire, gas piping, mechanical, plumbing or sewer/water permits		505.020 510.020 515.020 910.010
	project valuation		
	$1 to $1,000	~~$77 residential permits, $98.50 commercial permits~~ $120	
	$1,001 to $5,000	$~~77 residential permits, $98.50 commercial permits~~120 plus 2.98% of the value over $1,000	

Section 4. Section 710.005, paragraph 10 of the Minnetonka City Code is amended to read as follows [column headings are inserted for reference only]:

Paragraph	Description	Amount	Code Section
10.	right-of-way permit		1120.055
	administrative fee	$~~150~~165	
	excavation within street	$~~100~~110/hole	
	excavation within boulevard	$~~75~~85/hole	
	open cut trench	$~~100~~ 125 for the first 100 linear ft, plus $1.25/foot	

		over $100 linear ft	
	underground installation (bore/drill)	$0.~~50~~75/ft	
	permit time extension or revision	10% of original permit fee	

Section 5. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 6. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on _____, 2026

_____
Rebecca Schack, Mayor

Attest:

_____
Becky Koosman, City Clerk

Action on this ordinance:

Date of introduction: Oct. 26, 2026
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:
I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on _____.

_____
Becky Koosman, City Clerk

Ordinance No. 2026-

An ordinance amending city code section 515 regarding the mechanical code

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The City Of Minnetonka Ordains:

Section 1. Section 515.005 of the Minnetonka City Code is amended to read as follows

1. The term "mechanical contractor" means a person engaged in the business of installing, altering, repairing, or extending a heating, ventilating or exhaust system, refrigeration unit, air conditioning unit, manufactured gas ~~or wood~~ fireplaces and stoves, manufactured chimney and venting systems, hot water, low pressure steam equipment or other mechanical equipment or systems discussed in the international mechanical code and international fuel gas code adopted as part of the state building code.

Section 2. Section 515.015 of the Minnetonka City Code is amended to read as follows:

1. There are three categories of the mechanical contractor's license, as specified below. ~~In addition, the holder of a Minnesota builders contractor license may do the limited mechanical work specified below.~~

a. The holder of warm air license may install, alter, repair, clean or extend any heating, ventilation or exhaust system, manufactured fireplaces, fireplace stoves, ~~stoves or other manufactured wood burning devices, incinerators,~~ chimneys or vents. The holder of this license is the only person allowed to install furnaces.

b. The holder of a refrigeration license may alter, install, repair, clean or extend any cooling or refrigeration system.

c. The holder of a steam/hot water license may install, alter, repair, clean or extend any hot water low-pressure steam system.

~~d. The holder of a Minnesota builders contractor license certificate may install, alter or repair manufactured fireplaces, fireplace stoves, stoves, or other manufactured wood burning devices and accessory items such as humidifiers, electronic air cleaners, air filter devices,~~

The ~~stricken~~ language is deleted; the single-underlined language is inserted.

~~residential exhaust fans and window air conditioners and other self-contained refrigeration units. The holder of this license cannot do any gas-piping work.~~

Section 5. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 6. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on _____, 2026

_____
Rebecca Schack, Mayor

Attest:

_____
Becky Koosman, City Clerk

Action on this ordinance:

Date of introduction: Oct. 26, 2026
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:
I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on _____.

_____
Becky Koosman, City Clerk

City Council
Agenda Item 13.A
Meeting of October 26, 2026

Title:	Precious Metal Dealer License for Walla LLC, dba Walla Jewelry Company 11300 Wayzata Boulevard
Report from:	Fiona Golden, Community Development Coordinator
Submitted Through:	Julie Wischnack, FAICP, Community Development Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Julie Wischnack, FAICP, Community Development Director

Action Requested:	Public Hearing and Motion
Form of Action:	License
Votes needed:	5 votes

Summary Statement
Walla LLC dba Walla Jewelry Company has submitted an application for a Precious Metal Dealer License. The city council is required to hold two hearings to consider the license and receive public testimony.

Recommended Action
Motion to continue the public hearing from Sept. 14, and grant the license.

Background
Applicant and sole owner, Aaron Walla plans to open a jewelry store in the Cedar Hills Shopping Center. Walla Jewelry Company is expanding their services to include gold buying services. The business operation requires a precious metal dealer license.

Precious Metal Dealer License
A precious metal dealer is defined in Minnetonka City Code Section 610 as a person engaging in the business of buying coins or secondhand items containing precious metal, including, but not limited to, jewelry, watches, eating utensils, candlesticks, and religious and decorative objects. Precious metals are silver, gold, or platinum. For a business to purchase an item containing more than 1% by weight of these precious metals, a license is required.

Business Ownership and Operations
Walla Jewelry Company intends to offer the following services:
- Custom jewelry design & fabrication
- Purchasing estate jewelry
- Precious metal purchasing

The store hours are proposed to be Tuesday – Friday 10 AM – 6 PM. Saturday 10 AM – 2 PM.

Walla Jewelry Company has communicated they are committed to preventing the sale of stolen goods. The establishment will collect and retain a valid government photo ID for every seller, along with the seller's name, date of birth, and address. The business will also log a detailed, accurate descriptions of the item and the price paid. The business uses Bravo Systems, a point-of-sale and inventory platform built for jewelry stores.

Application information and license fees have been submitted. Postcards were mailed to area residents, but staff have not received any public comment. The police department's investigative report on this application is complete and will be forwarded to the council prior to the continued public hearing on Oct. 26, 2026.

ATTACHMENTS:
Business Narrative

WALLA JEWELRY COMPANY

11008 Cedar Lake Road, Suite 11008 · Minnetonka, MN

Business Narrative — Prepared for Minnetonka City Council

Who We Are

Walla Jewelry Company is a family-owned and family-operated jewelry store founded by Aaron Walla, a U.S. Army veteran with an engineering background in manufacturing. WJC will operate as a licensed Minnesota precious metals dealer, and our goal is simple: bring an honest, well-run, community-minded jewelry business to Minnetonka — one that neighbors can trust with their heirlooms, their custom designs, and their gold.

Our Three Lines of Business

- Custom Jewelry Design & Fabrication — We design and build new bridal and fine jewelry for our customers, from concept through casting and finishing.
- Estate Jewelry — We purchase pre-owned and estate jewelry, then clean, restore, and polish select pieces for resale, giving quality jewelry a second life.
- Precious Metals Purchasing — We buy gold and silver, primarily for recycling, along with occasional purchases from other local jewelry stores. All purchases are handled with the same disciplined compliance process described below.

Hours of Operation

Tuesday through Friday, 10:00 AM – 6:00 PM · Saturday, 10:00 AM – 2:00 PM · Closed Sunday and Monday.

A Family-Run Business

Aaron Walla will personally run the day-to-day operations of the store. His wife, Liz Walla, and his son, Vinny Gionfriddo, will assist during busier periods, but the business will not rely on outside employees — keeping accountability, and knowledge of every transaction, within the family.

Our Commitment to Preventing the Sale of Stolen Goods

Protecting our neighbors and supporting local law enforcement is central to how we do business. We have not had any issues with stolen property, and we intend to keep it that way through the same careful process on every purchase, in full compliance with Minnesota's precious metals dealer statutes (Minn. Stat. § 325F.731–.739):

- Verified Seller Identification — We collect and retain a valid government-issued photo ID for every seller, along with their name, date of birth, and address, recorded in ink or digitally for every transaction.
- Complete, Permanent Records — Every purchase is logged in detail, including an accurate description of the item and the price paid, creating a full audit trail for every piece that comes through our door. We use Bravo Systems, a point-of-sale and inventory platform built for jewelry stores, to keep this recordkeeping detailed, organized, and compliant with all applicable laws.

City Council
Agenda Item 14.A
Meeting of October 26, 2026

Title:	Certification of delinquent utility charges and fire alarm response fees to the Hennepin County Auditor
Report from:	Darin Nelson, Finance Director
Submitted Through:	Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Darin Nelson, Finance Director

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	4 votes

Summary Statement
The city council is requested to adopt the attached resolutions, which will certify this year's delinquent utility bills and fire alarm response fees for collection with the 2027 property taxes.

Recommended Action
Motion to adopt the resolutions certifying delinquent utility charges and fire alarm response charges to the Hennepin County Auditor.

Strategic Plan Relatability
N/A

Financial Consideration
Yes

$485,119.50 of outstanding delinquent utility collections and $3,750.00 of delinquent fire alarm response fees.

Background

Delinquent Utility Accounts
Consistent with previous city council actions, staff proposes that the certification of delinquent accounts include an interest rate – this year again, recommended to be 10 percent on the total unpaid balance. The interest is calculated from Dec. 1, 2026, to Dec. 31, 2027. A $25 administrative fee is added to delinquent accounts to cover the additional costs associated with the certification process including charges imposed to the city by Hennepin County for administering the delinquent charges through their tax assessment system.

For comparison, the following table presents the certifications over the last ten years at the time of

council action:

Year	Number of Accounts	Amount Certified	Average Certification
2017	475	$293,798.86	$618.53
2018	524	$363,909.77	$694.48
2019	491	$347,531.78	$707.80
2020	673	$366,195.41	$544.12
2021	532	$284,434.72	$534.65
2022	445	$292,778.73	$657.93
2023	406	$309,348.07	$761.94
2024	432	$332,202.55	$768.99
2025	425	$324,954.09	$764.60
2026	493	$485,119.50	$984.02

A detailed list of properties and delinquent amounts is attached to this report. All accounts to be certified have been notified in writing of the pending certification and have had at least one month in which to pay the arrears. Any account which pays the certified amount before Nov. 13, 2026, will be removed from the list prior to filing with Hennepin County. Therefore, the actual numbers of accounts certified to the county are usually less than the amounts indicated in the initial staff report. Accounts that have been delinquent less than three months are not included in the certification.

The number of delinquent accounts increased by 68 accounts, or 13.8 percent, compared to the prior year. This increase in the number of delinquencies is still within the normal year-to-year fluctuation over the past ten years. The certification dollar amount is higher, mainly due to a couple accounts with unique situations that skew the average and total certification amount compared to prior years.

In the formal notification of delinquency, accountholders were apprised of their right to be heard before the city council prior to certifying the delinquent amount to their property taxes. At the time of drafting this letter, no accountholders have formally notified the city of their intention to present their case to the city council. Nonetheless, all such accountholders are still afforded the opportunity to do so at the council meeting.

Delinquent Fire Alarm Response Fees
Staff annually requests that the city council certify delinquent fire response bills for collection with property taxes, if applicable in any given year, as provided within city ordinance section 915.029. Staff is requesting the certification of twelve unpaid invoices for collection with the 2027 property taxes. Consistent with previous city council actions, the certification of these delinquent accounts includes a recommended interest rate of 10 percent on the unpaid balance. Interest is calculated from Dec. 1, 2026, through Dec. 31, 2027. A $25 administrative fee is added to delinquent accounts to cover the additional costs associated with the certification process including charges imposed to the city by Hennepin County for administering the delinquent charges through their tax assessment system.

A detailed list of properties and delinquent amounts is attached to this report. All accounts to be certified have been notified in writing of the pending certification and have had at least one month in which to pay the arrears. Any account which pays the certified amount before Nov. 13, 2026, will be removed from the list prior to filing with Hennepin County. After this date, outstanding assessments will be submitted to Hennepin County for inclusion on each property’s 2027 taxes.

Similar to delinquent utility bills, accountholders were apprised of their right to be heard before the city council to ask that the delinquent amount on their account not be assessed to their property taxes. At the time of drafting this letter, no accountholders have formally notified the city of their intention to present their case to the city council. Nonetheless, all such accountholders are still afforded the opportunity to do so at the council meeting.

ATTACHMENTS:
Resolution - Delinquent Utility Certification
Resolution - Delinquent Fire Alarm Certification
2026 Utility Billing Certification List
2026 Fire Alarm Certification List

Resolution No. 2026-

Resolution authorizing the certification of delinquent utility charges to the Hennepin County Auditor

---

Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background

1.01. The city council of the City of Minnetonka duly adopted City Code Section 1200.030 providing for certification of delinquent utility charges to the County Auditor for collection pursuant to the provisions of Minnesota Statutes 444.075.

Section 2. Findings

2.01 The finance department has prepared a list of delinquent utility charges together with the legal description of the premises served, the official copy of which is on file with the city clerk.

2.02. All parties have been notified by mail of the certification.

2.03. The proposed list of delinquent utility charges, the official copy of which is hereby accepted by the council, is a true and correct list of delinquent charges as of Oct. 21, 2026.

Section 3. Authorization

3.01. The city clerk shall transmit a certified duplicate copy of this resolution and the list of updated delinquent accounts to the county auditor to be extended on the property tax list of the county, and such delinquent accounts shall be collected and paid over the same manner as other municipal taxes with interest accruing on Dec. 1, 2026 at the rate of 10 percent (10%) per annum and including a $25.00 administrative penalty pursuant to the provisions of Minnesota Statutes 444.075.

Adopted by the City Council of the City of Minnetonka, Minnesota on Oct. 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on Oct. 26, 2026.

_____

Becky Koosman, City Clerk

Resolution No. 2026-

Resolution authorizing the certification of delinquent fire alarm response charges to the Hennepin County Auditor

---

Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background

1.01. City Code §915.029 provides for certification of fire alarm response charges to the County Auditor for collection pursuant to the provision of MN Statute 366.012 and 415.01.

Section 2. Findings

2.01 The Fire Department has prepared a list of the delinquent charges for the fire alarm response fee, together with the legal descriptions of the premises served, the official copy of which is on file with the City Clerk.

2.02. All parties have been notified by mail of the certification.

2.03. The proposed list of the delinquent charges for fire alarm response service, the official copy of which is hereby accepted by the Council, is a true and correct list of the delinquent fire alarm response fee charges as of Oct. 21, 2026.

Section 3. Authorization

3.01. The City Clerk must transmit a certified duplicate copy of this resolution and the list of updated delinquent accounts to the county auditor to be extended on the property tax lists of the county, and such delinquent accounts shall be collected and paid over the same manner as other municipal taxes with an interest accruing on Dec. 1, 2026 at the rate of 10 percent (10%) per annum and including a $25.00 administrative penalty pursuant to the provisions of Minnesota Statutes 366.012 and 415.01.

Adopted by the City Council of the City of Minnetonka, Minnesota on Oct. 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on Oct. 26, 2026.

_____

Becky Koosman, City Clerk

City of Minnetonka
2026 Delinquent Utilty Accounts

Customer #	Service Address	Property ID #	Certification Balance
00085036	5300 BAKER RD	2711722430049	$ 638.54
00085036	5302 BAKER RD	2711722430049	639.45
00085376	4130 DVORAK RD	2311722240008	827.02
00076225	4731 DOMINICK DR	2611722210029	1,301.56
00072392	6133 BAKER RD	3411722440016	2,144.83
00076897	14921 EXCELSIOR BLVD	3311722130058	1,446.98
00032457	4407 CRAWFORD RD	2311722430035	763.07
00047737	18 WESTWOOD CIR	0111722210020	127.38
00081556	4663 ELLERDALE RD	2711722210012	919.42
00085986	17523 MINNETONKA BLVD	1711722320066	15,799.03
00083103	4306 ANNIKA CT	2211722310040	1,213.39
00079443	5624 SCENIC DR	3211722130011	658.65
00068172	106 MILBERT RD	0311722110044	69.36
00041018	6029 WYNGATE LA	3311722330013	1,261.18
00072789	4419 CRAWFORD RD	2311722430033	568.45
00068013	5631 SCENIC DR	3211722130002	1,251.47
00080771	11509 BREN RD	3511722410035	699.85
00078725	10600 BELMONT RD	0111722310027	1,163.94
00073823	6108 BANEY CT	3211722340022	1,003.57
00039728	5114 ST MARYS PL	2711722320063	375.90
00083066	5932 LONE LAKE LOOP	3511722420104	2,453.72
00054840	5049 KIMBERLY RD	2911722410015	513.89
00072926	4179 PEPPERWOOD TR	2211722130066	696.64
00078866	5007 WESTMILL RD	2911722310048	1,196.95
00079538	2900 ELLSWORTH LA	1511722210033	1,169.30
00081949	11822 PHEASANT LA	1411722430017	949.29
00085167	17917 COVINGTON RD	3111722410012	507.00
00081791	13107 GREENWOOD RD	2211722440040	818.54
00073339	5611 BIMINI DR	3511722140183	229.09
00077403	4435 BAKER RD	2211722440004	866.81
00083217	16421 MINNETONKA BLVD	1711722420003	1,070.30
00085181	18711 CLEAR VIEW TER	3111722340193	276.07
00076881	11317 PARK RIDGE DR W	1111722110020	2,837.14
00084834	5422 SANIBEL DR	3511722110270	1,171.99
00034484	4170 PEPPERWOOD TR	2211722130039	221.93
00069602	4016 HIGHLAND RD	2111722240033	1,720.50
00038150	14800 GATEWOOD DR	3311722420016	926.69
00038150	14802 GATEWOOD DR	3311722420016	737.05
00038150	6000 WYNGATE LA	3311722330001	1,240.72
00084735	14485 STEWART LA	3311722110049	1,012.83
00054291	1601 HILL RIDGE TER	0311722310031	1,127.60
00084294	4038 THOMAS AVE	2111722130041	2,150.25
00084294	4039 THOMAS AVE	2111722130031	2,825.75

Customer #	Service Address	Property ID #	Certification Balance
00065947	3610 ROBIN LA	1411722340041	851.39
00075795	12120 GLENDALE LA	0211722210005	1,140.43
00070607	5036 BIRCH RD	2911722420031	877.27
00042164	3516 LEROY ST	1811722410069	1,035.70
00060875	5127 FOREST RD	2911722420065	638.62
00064282	404 LOMBARDY LA	0311722110028	822.66
00062138	15325 EXCELSIOR BLVD	3311722240047	773.22
00066917	3948 TONKAWOOD RD	2011722110023	1,172.32
00062659	4033 PLYMOUTH RD	2311722230011	1,219.63
00059353	15806 NURSERY DR	2811722330071	671.15
00068667	15679 TONKAWOOD DR	1611722330042	629.65
00085980	5464 BYSCANE LA	3311722220031	689.78
00043378	13541 LARKIN DR	0311722430037	532.77
00084144	4426 BANBURY LN	2011722430039	1,437.86
00036684	13521 BELLEVUE DR	2711722130036	769.80
00074150	5876 RED CHERRY LA	3111722310024	470.63
00073886	13019 STANTON DR	1511722110010	1,125.86
00083007	12421 HUNTINGDON LA	2311722220039	323.45
00086450	1412 ARCHWOOD RD	0111722320011	325.24
00080381	3619 CROFTVIEW TER	1711722340041	326.50
00045878	14400 WOODRUFF CIR	0911722410031	523.86
00076546	5367 MIRACLE LA	2911722440027	792.21
00054268	16051 BOULDER CREEK DR	3211722440039	1,465.01
00087001	15719 ROBINWOOD DR	1611722330049	931.12
00060986	2404 MEETING ST	0911722140025	997.10
00057500	2317 LINNER RD	0911722130053	224.11
00086499	3143 ATWATER ST	1311722130009	987.19
00066751	5212 KIMBERLY RD	2911722440015	1,001.84
00063961	2009 CROSBY RD	0911722220013	843.19
00063211	13830 ORCHARD RD	1511722340032	757.02
00077257	17101 CREEK RIDGE TR	3211722330006	1,068.09
00040706	15460 WING LAKE DR	3311722210037	437.72
00062047	3663 SHADY OAK RD	1411722340050	166.35
00076282	4600 FAIRHILLS RD W	2811722220019	861.86
00087105	12112 ORCHARD AVE W	1111722310045	215.50
00064454	11917 RIDGEMOUNT AVE W	0211722120027	968.31
00043062	401 KENMAR CIR	0311722210011	424.36
00077175	15700 WING LAKE DR	3311722220022	1,046.99
00066607	3513 ELMO RD	1411722420008	971.16
00082497	12215 MARI LA	1411722310027	221.62
00086420	5509 DICKSON RD	3411722220009	854.27
00082441	3508 MOORLAND RD	1711722420016	655.41
00077278	14530 ORCHARD RD	1611722440084	1,437.94
00073713	5546 SANIBEL DR	3511722140132	1,262.48
00082042	16834 EXCELSIOR BLVD	3211722210061	215.45
00086483	10300 MINNETONKA BLVD	1311722130007	828.69

Customer #	Service Address	Property ID #	Certification Balance
00063755	12907 LONE OAK DR	2211722140039	8,171.28
00073414	4935 BAKER RD	2711722140006	928.61
00045115	13405 TUDOR RD	0311722420020	899.98
00048644	5325 SPRING LA	2911722330029	850.86
00078918	18746 CLEAR VIEW TER	3111722340287	215.45
00084663	4299 ANNIKA CT	2211722310044	1,835.32
00059897	18808 OLD EXCELSIOR BLVD	3011722320011	944.01
00044198	3501 RAINBOW DR	1711722320061	554.17
00041135	4843 SPRING CIR	2911722120061	591.27
00053482	13108 MELODY LA	2211722110015	661.07
00086713	4404 WILSON ST	2111722330073	546.77
00085934	2795 HEDBERG DR	1211722330015	55.28
00080652	3531 STEELE ST	1711722410023	2,633.80
00045318	3930 WILLISTON RD	2111722120037	218.21
00076722	11410 OAKVALE RD N	1411722440007	1,906.58
00085517	4200 WINCHESTER CT	2011722320026	1,303.59
00087543	5059 BELWOOD LA	2911722410051	99.47
00064898	14102 WHITE BIRCH RD	0311722320022	395.02
00083642	3600 ARBOR LA	1411722340013	919.74
00080956	10116 KINGMAN LA	1211722120023	712.11
00040092	5907 STONEYBROOK DR	3211722410002	993.81
00075938	3132 CO RD NO 101	1811722140010	264.43
00032968	11217 FETTERLY RD W	1111722140039	416.84
00067130	5611 HOLIDAY RD	3211722140024	891.61
00077672	4810 DEERWOOD DR	2711722130058	908.09
00064227	3927 COLGATE AVE	2011722210028	531.45
00064336	4146 TRAIL RIDGE LA	2011722230016	1,063.14
00037984	17120 EXCELSIOR BLVD	3211722210073	864.59
00037984	17124 EXCELSIOR BLVD	3211722210074	1,956.33
00078138	3607 SUSSEX PL	1611722340037	950.76
00070904	12951 BERKSHIRE DR	2211722440055	227.47
00052847	4441 GAYWOOD DR	2211722340004	727.49
00079937	12757 WOOD COURT LA	2311722330047	927.59
00078692	13116 ARTHUR ST W	0311722110048	1,115.31
00050148	12015 DOUGLYNN DR	3511722210012	114.44
00050148	12016 DOUGLYNN DR	3511722210010	1,021.69
00050148	12032 DOUGLYNN DR	3511722210009	114.44
00074681	13825 EXCELSIOR BLVD	2711722340027	1,110.44
00071361	16608 ELM DR	2911722420009	803.06
00040322	6072 VALEWOOD DR	3311722340014	290.85
00073884	3617 WOODCROFT DR	1711722430073	1,331.93
00064911	4800 SPARROW RD	3011722240023	1,071.56
00070911	14802 PETELER LA	3311722120041	1,095.45
00068432	15208 LAKE ST EXTENSION	2111722240006	868.36
00039408	13261 LAKE ST EXTENSION	2211722420008	15,655.98
00039408	13265 LAKE ST EXTENSION	2211722420008	985.01

Customer #	Service Address	Property ID #	Certification Balance
00032473	11814 CRAWFORD RD W	2311722430039	610.74
00053423	2506 BANTAS POINT LA	0811722130011	849.38
00071211	205 PLYMOUTH RD	0311722120065	1,181.39
00065891	3301 CHASE DR	1511722130033	701.50
00083381	5300 OAK DR	2911722430070	2,519.30
00033073	12607 RIDGEMOUNT AVE W	0211722220011	940.34
00033073	12701 RIDGEMOUNT AVE W	0211722220035	1,019.39
00043311	3229 LARCHMORE AVE	1711722130060	126.32
00084752	3223 SHORES BLVD	1711722240050	930.72
00075285	14700 HIGH TOWER	2811722110066	1,570.40
00063443	15509 EXCELSIOR BLVD	3311722240069	173.86
00034380	13218 ORCHARD RD	1511722430008	1,015.18
00085455	16400 LAKELAND DR	3211722130019	281.85
00078325	12914 LONE OAK DR	2211722140034	313.20
00077016	12721 LAKE ST EXTENSION	2311722320046	178.17
00087453	11300 FRIAR LA	1411722410023	158.87
00034936	5335 ROGERS DR	2711722440032	1,219.23
00041936	3830 COLGATE AVE	2011722210004	945.28
00078343	5310 DOMINICK DR	2611722340028	382.07
00065870	5209 BEACHSIDE DR	2611722430045	269.17
00058526	17001 EXCELSIOR BLVD	3211722210075	1,114.67
00086470	5528 ROWLAND RD	3411722110033	1,564.04
00075092	9612 CIMARRON TR	1211722140039	664.50
00066351	5932 ABBOTT PL	3611722320093	978.86
00073199	5410 SANIBEL DR	3511722110264	831.91
00056119	114 XENIUM LA S	0311722120060	1,012.69
00045486	15717 WOOD KNOLL LA	1611722330002	885.07
00074229	4604 TWIN HAVEN RD	2711722110063	1,145.58
00083418	5412 SANIBEL DR	3511722110265	736.79
00074989	12901 BERKSHIRE DR	2211722440056	2,245.24
00032277	9804 CEDAR LAKE RD	1211722410020	762.94
00071941	17671 SOUTHRIDGE CT	1911722440013	940.98
00085085	14505 MINNETONKA DR	1611722410008	975.66
00074733	4851 SPRING CIR	2911722120063	283.21
00074451	2600 SHEFFIELD CIR S	1011722440050	2,209.95
00081562	5135 WILLISTON RD	2811722410041	871.86
00068616	4177 HULL RD	2211722140015	1,314.45
00080192	9824 COVE DR	1211722440019	355.23
00051929	400 PLYMOUTH RD	0311722120021	716.63
00086850	17651 SOUTHRIDGE CT	1911722440015	224.11
00037431	6101 COVINGTON TER	3111722430004	773.15
00075404	4844 VALLEY RD	2611722230007	1,081.54
00045978	14611 WELLINGTON RD	0911722410065	432.32
00033406	13500 INVERNESS RD	1511722420015	375.54
00060517	16525 TONKAWAY RD	1711722420039	224.11
00083045	4614 WHITE OAK RD	2711722220034	1,156.64

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00079674	15531 SUSSEX DR	1611722330067	304.98
00077024	3622 ASPEN RIDGE DR	1411722330042	279.35
00081926	12701 LAKE ST EXTENSION	2311722320055	527.41
00077463	1509 LINNER RD	0411722420024	1,046.96
00083949	15482 BOULDER CREEK DR	3311722340020	1,174.72
00069727	12913 MELODY LA	2211722110033	275.10
00035735	4605 TWIN HAVEN RD	2711722110002	814.63
00082064	4310 ANNIKA CT	2211722310041	716.60
00081465	3429 THERESE ST	1811722410020	629.76
00070993	3606 WOODCROFT DR	1711722430078	1,053.56
00076828	118 XENIUM LA S	0311722120061	992.81
00079552	5559 BIMINI DR	3511722110641	997.51
00076909	10213 HILLSIDE LA W	1211722130027	661.27
00065598	15419 HOLDRIDGE DR	0411722340014	1,116.30
00065921	4937 BIRCHWOOD LA	2711722140034	865.92
00077174	11021 OAK KNOLL TER N	0111722330043	1,061.65
00041097	4728 SPRING CIR	2911722110046	1,045.99
00087090	3669 SHADY OAK RD	1411722340049	783.35
00086845	2340 LINNER RD	0911722130049	497.08
00068380	13907 EXCELSIOR BLVD	2711722340028	1,675.22
00081336	16108 MINNETONKA BLVD	1711722410036	866.50
00071061	18503 DELTON AVE	3011722310018	1,496.78
00072973	4729 WINTERSET DR	2611722210014	1,059.39
00076192	11808 CRAWFORD RD W	2311722430038	896.95
00035944	3829 WILLMATT HILL	2311722120041	1,643.29
00058527	4612 GAYWOOD DR	2711722210020	532.74
00086024	4110 WENDOVER CT	2111722230042	293.39
00052686	13501 MAYWOOD LA	2711722420022	1,028.00
00084295	13421 MAYWOOD CUR	2711722420014	871.23
00079551	4837 WILLISTON RD	2811722140005	533.85
00064830	16108 EXCELSIOR BLVD	3211722110024	1,017.54
00082963	208 HOPKINS CROSSROAD	0211722110003	448.36
00061515	14500 MINNETONKA DR	1611722410005	114.44
00039541	16700 PICHA LA	3211722420029	1,110.57
00069742	11204 OAKVALE RD S	1411722440039	495.21
00048362	4305 WILLISTON RD	2111722410008	1,356.63
00057846	4525 EASTWOOD RD	1911722340053	214.30
00080070	4438 GAYWOOD DR	2211722340010	124.11
00083586	14943 LINNER CIR	0411722420047	596.84
00081946	1519 CLARE LA	0411722310013	181.05
00061194	5595 BRISTOL LA	3511722210045	4,672.33
00084449	5118 WOODHILL RD	2811722410006	936.12
00076487	14400 MOONLIGHT HILL RD	2811722110063	1,598.36
00075365	18496 LIME TREE CT	3111722310077	139.61
00070526	5950 RED CHERRY LA	3111722310049	551.17
00086510	2700 OLDE WOOD CT	0911722440023	761.14

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00082584	6016 EDEN PRAIRIE RD	3311722430056	1,899.81
00078654	12601 RIDGEMOUNT AVE W	0211722220067	996.30
00083788	18308 HERMITAGE WAY	3011722130011	1,272.83
00084695	11216 ROYZELLE LA	1411722440042	1,412.93
00068452	5441 TRACY LYNN TER	3111722110051	1,187.29
00086354	16913 COTTAGE GROVE AVE	1711722210048	497.08
00064948	9805 CIMARRON TR	1211722140069	746.83
00032763	2200 DWIGHT LA	1111722210017	426.36
00079080	5937 CARTER LA	3611722320066	667.18
00086176	2212 COUNTRY LA	1211722110045	319.84
00066580	2425 BANTAS POINT RD	0811722130039	1,129.23
00081749	5764 GLEN MOOR CIR	3411722130032	551.17
00064172	4932 CLEAR SPRING RD	2911722240030	775.17
00080058	2318 CEDARWOOD RIDGE	1211722130035	839.47
00031778	4850 SPRING CIR	2911722120065	424.36
00082293	6115 CREEK VIEW TR	3111722340012	905.25
00045417	12900 WOODBRIDGE TR	1011722410017	1,105.23
00032787	3609 ELMO RD	1411722430035	109.33
00053459	4529 HIGHLAND RD	2111722430037	308.01
00069060	5547 BIMINI DR	3511722110676	943.24
00085369	17416 MINNETONKA BLVD	1711722230016	1,152.98
00078782	14127 WOODHAVEN RD	2211722220030	724.69
00040221	16423 TEMPLE DR S	2911722130019	1,340.43
00086228	15800 LAKE ST EXTENSION	2111722230014	919.15
00086083	4513 WILLOW OAK LA	2311722330041	333.61
00057365	6021 COVINGTON TER	3111722430083	375.01
00080569	1401 OAKLAND RD	0411722410034	334.68
00049063	9701 SANDRA LA	1311722410029	713.23
00079791	4216 OAK DRIVE LA	2311722420023	477.85
00084581	14601 MINNEHAHA PL	1611722110053	366.06
00070584	4150 PEPPERWOOD TR	2211722130044	896.36
00049896	6103 VINE HILL RD	3111722330011	857.44
00069518	201 CITY VIEW DR	0211722220008	965.80
00046253	4842 VALLEY RD	2611722230047	949.86
00039705	18424 RIDGEWOOD RD	1911722310038	1,210.83
00040628	5309 WILLISTON RD	2811722440024	664.50
00079439	15803 MINNETONKA BLVD	1611722320068	335.98
00059152	9833 ENCLAVE DR	1211722110073	294.15
00055346	14540 WOODRUFF RD	0911722410014	903.26
00074932	5521 NANTUCKET PL	3211722210034	267.41
00084497	17501 BARRINGTON CT	3211722330064	779.87
00086493	14555 LAKE ST EXTENSION	2111722410020	692.17
00036392	2431 SHERWOOD HILLS RD	1111722130029	914.39
00033967	3085 F ST	1311722110086	114.44
00032741	5038 DOMINICK SPUR	2611722320005	510.68
00042912	15520 HOLDRIDGE RD	0411722340041	272.58

Customer #	Service Address	Property ID #	Certification Balance
00059423	5365 HOLIDAY RD	2911722440052	365.57
00031299	3419 ARBOR LA	1411722310010	256.05
00038630	5732 CO RD NO 101	3111722130027	1,233.37
00073255	5291 BEACHSIDE DR	2611722440049	598.07
00078985	5938 HOLIDAY RD	3211722410049	1,719.28
00052301	18816 OLD EXCELSIOR BLVD	3011722320041	362.84
00071724	16637 DEVON DR	2011722430017	333.46
00038787	5885 IVY LA	3211722420017	1,162.96
00079730	16519 SEYMOUR DR	2911722420069	692.62
00079859	11910 HILLOWAY RD W	1111722120041	933.03
00086534	10920 OAK KNOLL TER N	0111722330021	1,342.81
00075783	11506 FRIAR LA	1411722410005	275.10
00034792	12505 RIDGEMOUNT AVE W	0211722220015	1,356.10
00045895	14501 WOODRUFF RD	0911722410028	993.10
00031416	3526 BAKER RD	1511722420025	983.63
00065162	2509 MAYFLOWER AVE	1111722420054	342.72
00079952	3637 WOODY LA	1411722430053	1,307.52
00058097	12540 DOMINICK CIR	2611722230013	133.35
00031286	9908 ANN LA	1311722410011	189.37
00084598	3427 MOORLAND RD	1711722410014	1,225.15
00081903	4136 WINDRIDGE CIR	2311722230049	416.84
00079609	13522 WINDYHILL RD	0311722120028	184.95
00086794	5616 MAHONEY AVE	3111722140052	504.10
00072619	4709 CARIBOU DR	2711722120060	979.75
00077012	16025 GLEASON LAKE RD	0511722110015	496.61
00039700	2700 WESTRIDGE CIR	1111722340034	84.11
00083287	3400 HOPKINS CROSSROAD	1411722410049	817.87
00083805	2501 BIRCHVIEW LA	1211722420154	319.93
00076917	4316 CAMELOT DR	2011722320005	1,170.18
00084069	5101 THIMSEN AVE	3011722410037	1,030.95
00080490	3710 CARDINAL RD	1511722330048	500.95
00080850	4124 VICTORIA ST	2111722230026	1,742.77
00084726	4413 CRAWFORD RD	2311722430034	375.80
00031633	5271 BEACHSIDE DR	2611722430015	983.78
00080553	3324 HIGHLAND AVE	1711722130051	374.51
00085073	3930 EVERGREEN DR	2111722210017	189.47
00083569	3518 ELMWOOD PL	1711722420031	998.92
00042412	3545 FAIRLAWN DR	1711722430063	737.72
00043121	13728 KNOLLWAY DR N	0311722240009	247.28
00087461	413 SUNNYVALE LA	0211722210033	136.27
00087270	1908 FORD RD	0111722430014	442.40
00060541	2363 MEETING PL	0911722140013	242.69
00077101	14530 WOODRUFF RD	0911722410015	1,264.93
00071980	1607 OAKWAYS	0411722440016	89.28
00085948	3600 ROBINWOOD TER	1411722440060	962.54
00077116	16828 CANTERBURY DR	2011722430036	957.78

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00036707	14009 BELLEVUE DR	2711722320047	874.39
00086811	201 TOWNES LA	0411722220007	1,072.43
00083123	13308 ARTHUR ST W	0311722120058	373.26
00081438	2712 PLYMOUTH RD	1011722440044	1,294.41
00076553	200 RANCHVIEW LA S	0411722220033	1,489.42
00082348	15310 HIGHWOOD DR	2111722340030	1,132.76
00057707	2344 WILDWOOD TR	1211722140054	418.68
00068497	308 CITY VIEW DR	0211722220019	718.92
00070615	11911 RIDGEMOUNT AVE W	0211722120022	648.84
00066860	2309 WILDWOOD TR	1211722140064	125.18
00054658	4340 VICTORIA ST	2111722320051	335.99
00084738	13641 SPRING LAKE RD	2211722240030	1,475.83
00082365	12814 EXCELSIOR BLVD	2711722110021	358.18
00075684	13102 GREENWOOD RD	2211722440041	1,081.66
00044025	14618 OAKWOOD RD	2111722140004	518.75
00043276	3166 LAKE SHORE BLVD	1711722130024	946.99
00070802	5122 KIMBERLY RD	2911722410036	64.10
00079697	2300 INDIAN RD W	1011722230002	348.72
00072292	14713 HIGH POINT CT	2811722110047	1,064.54
00087384	4200 TERRACE LA	2311722230025	342.65
00035576	12016 SUNRISE LA	2311722340008	445.41
00075195	3516 PLYMOUTH RD	1511722410027	1,092.24
00085243	5544 POMPANO DR	3511722110629	1,087.62
00081235	14528 MOONLIGHT HILL RD	2811722110057	827.43
00071168	3200 COGGINS LA	1511722130047	2,931.64
00049052	2410 CHERRYWOOD RD	1011722130011	649.28
00067066	15216 HIGHWOOD DR	2111722340002	578.20
00084409	2721 STONE CIR	1011722340025	312.31
00055783	15124 PETELER LA	3311722120005	2,316.46
00085951	3414 SHADY OAK RD	1511722410053	453.50
00068923	4407 LORETTA LA	2211722330042	363.26
00068248	14680 LAKE ST EXTENSION	2111722140050	123.83
00076344	3305 BRECONWOOD CIR	1811722140122	461.56
00077985	17700 LEEMANS CT	1811722440011	317.90
00052696	3413 ROBINWOOD SPUR	1411722410040	159.43
00053217	17408 COMET CIR	1711722330027	1,052.87
00079086	4908 MERILEE DR	2611722230023	294.15
00039139	15345 LYNN TER	2811722340023	890.58
00074032	5649 POMPANO DR	3511722140152	804.23
00086343	6108 CREEK VIEW TR	3111722340029	276.07
00084912	16624 GRAYS BAY BLVD	0811722430023	883.92
00071650	5929 CARTER LA	3611722320064	96.16
00075560	3209 SHORES BLVD	1711722240052	198.13
00086881	2249 WILDWOOD CIR	1211722110029	194.43
00086078	16930 CREEK RIDGE PL	3211722340009	875.45
00076403	4301 BLENHEIM CIR	2011722420024	342.84

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00045160	3824 VICTORIA ST	2111722220005	50,543.15
00085044	5024 SPARROW RD	3011722310044	503.36
00084284	5571 BRISTOL LA	3511722210040	1,528.34
00057116	5511 WINGWOOD CT	3311722220052	1,350.00
00058522	5243 BIRCH RD	2911722430044	967.87
00077844	5528 BRISTOL LA	3511722210055	1,101.35
00083097	15230 WOODSIDE LA	2111722340049	1,061.39
00039532	15020 PETELER LA	3311722120009	1,133.13
00032501	2540 CRESCENT RIDGE RD	1111722320026	550.79
00034914	12021 MAYFLOWER PL	1111722340043	897.11
00082362	3697 HIGHCROFT CT	1611722440103	276.07
00074897	5119 VALLEY VIEW RD	3011722320035	551.17
00045689	2935 MINNEHAHA CUR	1511722220047	1,154.11
00086457	17310 CO RD NO 101	0811722330005	826.29
00082671	12800 MELODY LA	2211722110027	998.96
00046070	3630 SUSSEX PL	1611722340031	1,131.32
00057810	15800 LEXINGTON AVE	2111722230050	312.31
00073603	12820 MARCH CIR	1011722440024	267.41
00075875	3417 LOWELL ST	1811722410011	1,142.04
00033015	4029 DUBLIN DR	2011722130058	492.97
00079946	3321 MARTHA LA	1611722230005	1,821.36
00077666	18601 HANUS RD	3111722240020	1,029.11
00072377	11808 OBERLIN RD	0211722120011	1,071.36
00084703	4938 CLEAR SPRING RD	2911722240031	971.74
00081585	4704 DEERWOOD DR	2711722120066	406.63
00079282	5276 BEACHSIDE DR	2611722430055	1,147.66
00086584	13716 KNOLLWAY DR N	0311722240008	664.50
00065830	2125 VERNON DR S	1211722220024	490.61
00063753	5911 CAMELOT CIR	3511722410028	1,143.14
00078767	15219 SKYVIEW DR	2111722240054	162.70
00077273	5675 VINE HILL RD	3111722230002	302.85
00045165	3914 VICTORIA ST	2111722220010	939.34
00041184	16811 CREEK RIDGE TR	3211722340029	2,162.75
00061636	5517 GLENAVON AVE	3411722120043	114.36
00076733	13122 LAKE ST EXTENSION	2211722140063	1,187.28
00065633	5805 MAHONEY AVE	3111722410004	120.24
00077917	18110 COVINGTON PATH	3111722430106	844.95
00086446	13933 OAKLAND PL	1011722210026	309.53
00085107	16480 CREEKSIDE CIR	3211722430012	1,031.16
00035701	2303 NOTTINGHAM CT	1111722140031	1,053.81
00068577	5819 LOUIS AVE	3311722420008	681.78
00077977	4628 LYNWOOD TER	3011722420014	1,597.69
00065372	14716 GLENDALE RD	3311722140031	194.13
00066833	6020 PINEWOOD LA	3311722430006	1,090.28
00085736	4950 CARIBOU DR	2711722130046	889.53
00063090	2816 PLYMOUTH RD	1011722440020	1,063.10

Customer #	Service Address	Property ID #	Certification Balance
00045974	14531 WELLINGTON RD	0911722410062	994.53
00050234	4625 LYNWOOD TER	3011722410033	995.79
00064843	6105 BANEY CT	3211722340018	844.76
00061375	17510 CO RD NO 101	0811722330027	1,936.41
00034363	12813 ORCHARD RD	2211722110002	265.57
00041647	3000 BAY ST	1711722220058	1,835.31
00082785	5612 WHITED AVE	3311722240061	800.73
00085707	13410 PEPPERWOOD CIR	2211722130051	82.61
00087559	5607 POMPANO DR	3511722110622	262.96
00063134	2025 HOPKINS CROSSROAD	1211722220055	891.48
00077300	15801 WOODGATE RD S	2811722320071	1,128.39
00076458	2204 VERNON DR S	1211722220038	497.64
00084436	3735 PLYMOUTH RD	1411722330020	561.01
00034502	11836 PHEASANT LA	1411722430016	513.43
00084185	12019 TOWNVIEW RD	2311722310048	768.36
00039184	5126 CLEAR SPRING RD	2911722320031	387.57
00074562	3029 GIZMO LA	1311722110102	819.91
00082746	5102 STONEY BRIDGE CT	3011722420032	1,101.33
00081285	16412 TEMPLE DR S	2911722130054	837.88
00077774	12803 LINDE LA	1511722440008	605.07
00083012	14604 WOODHAVEN RD	2111722110083	1,025.98
00064494	5324 WESTMILL RD	2911722330003	688.26
00084803	13404 MAYVIEW TER	2711722430030	308.01
00044017	14325 OAKWOOD RD EXTENSION	2211722230044	340.69
00074950	2638 CEDAR CREST RD E	1211722410050	1,456.32
00084332	16723 LAKE ST EXTENSION	2011722420055	1,830.44
00073814	5336 BEACHSIDE DR	2611722440046	142.38
00073537	4230 FAIRVIEW AVE	2311722310017	392.29
00070318	2641 PLYMOUTH RD	1111722320050	86.26
00037132	18970 CLEAR VIEW DR	3111722330035	301.77
00073235	5975 PINEWOOD LA	3311722420034	890.82
00082764	14104 KNOLLWAY DR N	0311722230014	232.77
00061874	13810 HILL RIDGE DR	0311722310029	379.70
00070325	13511 JEFFRY WAY	0311722420014	223.91
00080612	18732 CLEAR VIEW CT	3111722340226	411.73
00083224	16306 TEMPLE DR N	2911722140029	313.17
00080658	4913 CARLYSLE PL	2911722240082	452.52
00063228	5253 SILVER MAPLE CIR	2611722330056	1,122.44
00044172	13816 SPRING LAKE RD	2211722240042	795.29
00060020	11427 ROYZELLE LA	1411722440056	1,324.23
00086116	3423 LARCHWOOD DR	1711722310054	284.66
00070557	3217 LARCHMORE AVE	1711722130062	765.64
00078820	11226 FARM LA	1411722410058	906.49
00060927	15301 MCKENZIE BLVD	2111722240036	844.07
00076029	200 HOPKINS CROSSROAD	0211722110051	792.42
00036949	5752 CEDAR LA	3311722230006	664.50

Customer #	Service Address	Property ID #	Certification Balance
00057217	2509 ROYALS DR	1211722420150	1,474.68
00057217	4918 DOMINICK DR	2611722230035	969.05
00061166	4707 DEERWOOD DR	2711722120055	1,383.87
00084852	11811 MINNETONKA BLVD	1411722130039	484.09
00061783	1921 TIMBERLINE SPUR	0211722440010	1,122.74
00070942	1500 ESSEX RD	0311722310007	976.66
00051615	6048 COVINGTON TER	3111722430068	339.56
00066348	13510 CRESTWOOD DR E	2711722430046	1,143.36
00073171	16116 EXCELSIOR BLVD	3211722110025	1,252.05
00068573	2312 WILDWOOD TR	1211722140046	763.87
00043287	3233 LAKE SHORE BLVD	1711722130088	232.77
00084086	3540 PLYMOUTH RD	1511722410045	275.10
00073442	4117 HIGHLAND RD	2111722130046	738.40
00085437	11925 ST ALBANS HOLLOW DR	1411722120025	1,224.88
00044819	17813 SUSAN LA	1911722110037	215.45
00077064	18000 POWDERHORN DR	1911722130036	334.47
00074900	4817 ROYAL OAKS DR	2711722140063	990.03
00033830	12807 MELODY LA	2211722110029	1,040.15
00087403	15395 HIGHLAND BLUFF	2811722210039	194.72
00072504	11118 OAK KNOLL TER N	0111722330015	1,122.67
00083841	4030 WILLISTON RD	2111722130023	820.48
00073869	10023 COVE DR	1211722420234	1,466.06
00060456	3676 ROBIN LA	1411722340047	608.32
00085656	13910 KNOLLWAY DR S	0311722240024	378.11
00064263	3407 MARTHA LA	1611722320007	55.44
00063729	5107 ST MARYS PL	2711722320065	1,638.67
00085600	2631 CEDAR CREST RD E	1211722410052	1,085.03
00044697	15100 STONE RD	0911722130013	226.60
00083942	16694 MEADOWBROOK LA	0811722430017	977.63
00072759	15130 WOODRUFF RD	0911722130029	664.50
00086365	4108 PEPPERWOOD TR	2211722130061	287.18
00048387	2925 BEECHWOOD AVE	1711722210056	703.55
00064973	5900 CAMELOT CIR	3511722410039	978.37
00079281	12000 CAMBRIDGE CT	1111722210041	717.83
00084755	15713 WOODGATE RD S	2811722320045	1,343.38
00072132	4725 SPRING CIR	2911722110029	189.47

City of Minnetonka
2026 Delinquent Fire Alarm Response Fees

Invoice #	Service Address	Property ID	Certification Balance
2025-3468	10985 Red Cir. Dr.	3611722330020	$ 250.00
2025-5179	16113 McGinty Rd. W.	0811722140024	250.00
2025-5659	2422 Meeting St.	0911722140026	250.00
2025-6080	18605 Old Excelsior Blvd.	3011722310041	250.00
2025-6406	11100 Cedar Hills Blvd.	1211722320084	250.00
2025-6558	11217 Fetterly Rd. W.	1111722140039	250.00
2026-0076, 0670, 0918	10400 Bren Rd. E.	3611722310023	750.00
2026-0793	3260 Timberhill Ct.	1611722130029	250.00
2026-1011, 1222	12300 Marion Ln. W.	0211722240029	500.00
2026-1211	13985 Crowne Hill Ln.	1011722240021	250.00
2026-1353	5135 Kimberly Rd.	2911722410026	250.00
2026-2335	4540 Marlborough Ct.	2011722340018	250.00
			$ 3,750.00

City Council
Agenda Item 14.B
Meeting of October 26, 2026

Title:	FEMA Staffing Adequate Fire and Emergency Response (SAFER) Grant
Report from:	Aaron Morris, Assistant Fire Chief of Administration and Emergency Management
Submitted Through:	Kevin Fox, Fire Chief Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Kevin Fox, Fire Chief

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	5 votes

Summary Statement
The Minnetonka Fire Department has been awarded $2,876,516.60 to help fund twelve (12) career firefighter positions through the Federal Fiscal Year 2025 FEMA SAFER Grant.

Recommended Action
Motion to adopt resolution accepting the award.

Strategic Plan Relatability
Safe & Healthy Community

With the grant, the Minnetonka Fire Department will be able to increase daily staffing levels and improve operational readiness to ultimately reduce response times to emergencies, ensuring a safer and healthier community.

Financial Consideration
Yes

The Federal Fiscal Year 2025 FEMA SAFER Grant comes with a progressive local cost-share in each year of the three-year grant period. In years 1 and 2 the local cost share is twenty-five percent (25%) and in year 3 the local cost share increases to sixty-five percent (65%). The City of Minnetonka's estimated cost for the twelve (12) firefighters is $1,788,104.92 for the three-year grant period.

Background
The City of Minnetonka has been awarded $2,876,516.60 in Federal funding through the Fiscal Year 2025 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, administered by

DHS/FEMA. The award must be accepted within 30 days from the award notice, dated September 28, 2026.

This award is intended to support the hiring of twelve (12) new career firefighters in 2027 with the goal of increasing staffing levels to enhance operational readiness throughout the City of Minnetonka.

ATTACHMENTS:
Supplemental Background Report
Award Notification
Award Package
Resolution

Supplemental Background Report

Background

In 2022, the City of Minnetonka commissioned Citygate Consultants to conduct a comprehensive review of the operational capabilities of both the Minnetonka Police and Fire Departments. In 2023, based on recommendations from Citygate and guided by staff recommendations, the Minnetonka City Council approved a multi-year strategic plan for both Minnetonka public safety agencies titled the Public Safety Master Plan.

Among other strategic initiatives, the Public Safety Master Plan envisioned staffing all five (5) Minnetonka Fire Stations with a minimum number of thirty-six (36) career firefighters, working three (3) rotating, 24-hour shifts, supplemented by paid-on-call firefighters. Staffing all five (5) Minnetonka Fire Stations would enhance operational readiness and increase the chance of meeting industry best practices for emergency response.

In early 2025, the Minnetonka Fire Department presented two additional strategic initiatives, based on the Public Safety Master Plan, for adoption by the Minnetonka City Council. First, a holistic plan to retrofit and rebuild our current legacy fire stations, which were built for an entirely paid-on-call fire department, into modern fire stations that could better accommodate a 24-hour shift schedule. Second, the Minnetonka Fire Department presented Service Level Objectives. Our Service Level Objectives are performance-based benchmarks for emergency response tailored specifically to the City of Minnetonka that are rooted in industry standards and best practices for emergency response. On April 28, 2025, both the plan for fire station modernization and performance benchmarks were adopted by the Minnetonka City Council.

To achieve optimal performance outlined in our Service Level Objectives and the Public Safety Master Plan, additional career staffing was necessary. Thus, the Minnetonka Fire Department applied for a Federal Fiscal Year 2025 FEMA SAFER Grant on June 19, 2026, to augment career staffing. On September 28, 2026, the Minnetonka Fire Department was notified by FEMA that we had been awarded a SAFER Grant in the amount of $2,876,516.60 for twelve (12) additional career positions. The FEMA SAFER Grant would allow the Minnetonka Fire Department the opportunity to complete the hiring called for in the Public Safety Master Plan within the next six months.

The Minnetonka City Council must officially accept the award to receive the funding. If that grant is accepted by the Minnetonka City Council, then the Minnetonka Fire Department will have 180 days to implement the FEMA SAFER Grant and staff will immediately begin the hiring process for the twelve (12) additional firefighters. The three-year grant period would begin in early 2027 and run through early 2030.

The report from Citygate Consultants and our own Service Level Objectives have highlighted the importance of ensuring emergency responders arrive quickly and with sufficient personnel to safely mitigate all EMS and fire incidents. The FEMA SAFER

grant directly addresses longstanding Minnetonka City Council discussions regarding the need for enhanced fire department staffing and effective response across Minnetonka. Over the past several years, Minnetonka City Council and staff have evaluated fire station locations, response times and operational capacity, recognizing that adequate staffing is critical to maintaining high service levels and meeting community expectations. During these discussions, we highlighted the importance of staffing and identified the FEMA SAFER grant as a primary option to assist with the initial hiring of firefighters. The Minnetonka Fire Department has applied for the FEMA SAFER Grant in Fiscal Years 2022, 2023, 2024 and 2025.

The FEMA SAFER grant award will allow the Minnetonka Fire Department to strengthen its alignment with industry standards, including NFPA 1710, optimize response times throughout the City of Minnetonka, ensure operational readiness during periods of overlapping calls or staffing shortages, and make measurable progress toward long-term strategic goals identified by staff and the Minnetonka City Council.

Acceptance of this grant represents a significant investment in public safety. Additional staffing ensures effective and equitable emergency response throughout the City of Minnetonka which will improve emergency coverage and reduce response times to bolster a safe and healthy community.

Financial Impacts

The City of Minnetonka has been awarded $2,876,516.60 in federal SAFER funding to support the hiring of twelve (12) additional career firefighters over a three-year period. This award provides substantial financial relief by covering a significant portion of personnel and fringe benefit costs for these positions.

A progressive, local cost-share is required over the three-year grant period. The grant will cover 75 percent of the base salaries and benefits for the twelve (12) career firefighters during the first two years of the grant period. In the third year of the grant period, the grant will cover 35 percent of the base salaries and benefits. FLSA overtime that is regularly scheduled is covered by the grant. However, any other overtime would not be covered. The City of Minnetonka's estimated cost for the twelve (12) additional career firefighter positions over the three-year grant period is $1,788,104.92.

The grant covers only personnel costs including wages and benefits for the twelve (12) new firefighters. The funding does not cover equipment, uniforms, or other related costs. While the FEMA SAFER grant significantly offsets initial hiring costs, the City of Minnetonka will need to plan for ongoing funding obligations once the federal cost-share decreases in Year 3 and concludes at the end of the three-year grant period.

Aaron Morris

From: no-reply@fema.dhs.gov
Sent: Monday, September 28, 2026 10:39 AM
To: Aaron Morris
Cc: didi@gatchellgrantresources.com; Aaron Morris; Kevin Fox; Darin Nelson
Subject: Award Notification (Application Number: EMW-2025-FF-00512)

Dear Aaron,

Congratulations! Your grant application submitted under the Grant Programs Directorate's Fiscal Year (FY) 2025 Staffing for Adequate Fire and Emergency Response (SAFER) Grant has been approved for award.

Please use the FEMA GO system at https://go.fema.gov to accept or decline your award. Please note that you will have thirty (30) days from the date of this award notification to either accept or decline the award, and that the award must be accepted or declined by an Authorized Organization Representative (AOR) within the FEMA GO system. Instructions for registering within the system and becoming an AOR are available at https://www.fema.gov/gmm-training-resources.

Once you are in the system and made an AOR for your organization, your home page will be the first screen you see. You will see a section entitled My Grants. In this section, please select the award acceptance link for EMW-2025-FF-00512 under Fiscal Year (FY) 2025 Staffing for Adequate Fire and Emergency Response (SAFER) Grant. View your award package and indicate your acceptance or declination of award. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

If you have questions on using the FEMA GO system, please reach out to the FEMA GO Help Desk (1-877-585-3242). For programmatic questions about your grant, please reach out to the AFG Helpdesk (firegrants@fema.dhs.gov / 1-866-274-0960).

Sincerely,

Grants Management Branch

Staffing for Adequate Fire and Emergency Response (SAFER)

Department of Homeland Security / FEMA

CAUTION: This email originated from outside of the organization. Do not click links or open unexpected attachments unless you recognize the sender and know the content is safe.

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 09/25/2026

Aaron Morris
CITY OF MINNETONKA
14600 MINNETONKA BOULEVARD
MINNETONKA, MN 55345

EMW-2025-FF-00512

Dear Aaron Morris,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2025 Staffing for Adequate Fire and Emergency Response (FF) Grant funding opportunity has been approved in the amount of $2,876,516.60 in Federal funding.
Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2025 FF Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

Cynthia Spishak
Acting Associate Administrator
Resilience

Summary Award Memo

Program: Fiscal Year 2025 Staffing for Adequate Fire and Emergency Response
Recipient: CITY OF MINNETONKA
UEI-EFT: PLQ8C87BV7M5
Award number:

Summary description of award

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application — including budget information — was consistent with the SAFER Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2025 Staffing for Adequate Fire and Emergency Response (SAFER) Grant funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Position Cost Limit

The usual cost of a first-year firefighter in your department at the time your application was submitted was $129,572.82. The maximum amount of Federal funding provided to the recipient is limited to the following:

Year	Federal Funding Cap Percent	Federal Funding Cap Amount per Firefighter
First Year	75%	$97,179.61
Second Year	75%	$97,179.61
Third Year	35%	$45,350.48

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award. The cost share amounts described in this award letter are based on the approved total project cost; however, the Federal funding available is limited based on the applicable position cost limit and the applicable cost share as applied to actual costs.

The following are the total approved budgeted estimates for object classes for all funded firefighter positions for this award (including Federal share plus your cost share, if applicable, as applied to the estimated costs):

Object Class	First Year	Second Year	Third Year	Total
Personnel	$1,032,695.04	$1,032,695.04	$1,032,695.04	$3,098,085.12
Fringe benefits	$522,178.80	$522,178.80	$522,178.80	$1,566,536.40
Travel	$0.00	$0.00	$0.00	$0.00
Equipment	$0.00	$0.00	$0.00	$0.00
Supplies	$0.00	$0.00	$0.00	$0.00
Contractual	$0.00	$0.00	$0.00	$0.00
Construction	$0.00	$0.00	$0.00	$0.00
Other	$0.00	$0.00	$0.00	$0.00
Indirect charges	$0.00	$0.00	$0.00	$0.00
Federal	$1,166,155.38	$1,166,155.38	$544,205.84	$2,876,516.60
Non-federal	$388,718.46	$388,718.46	$1,010,668.00	$1,788,104.92
Total	$1,554,873.84	$1,554,873.84	$1,554,873.84	$4,664,621.52

Program Income	$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2025 FF NOFO.

Approved request details:

Hiring of Firefighters

New, Additional Firefighter(s)

BENEFITS FUNDED

MN PERA (pension) (17.7%) - $15,232.25; Worker's Compensation (6.47%) - $5,567.95; Long Term Disability Insurance - $277.86; Health Insurance (avg. of single, employee+spouse, employee+children, and family contributions) - $21,189; Employment Tax (1.45%) $1,247.84.

NUMBER OF FIREFIGHTERS	ANNUAL SALARY PRICE	ANNUAL BENEFITS	TOTAL PER FIREFIGHTER
12	$86,057.92	$43,514.90	$129,572.82

3 YEAR TOTAL

$4,664,621.52

CHANGE FROM APPLICATION

Benefits funded changed
Annual benefits from $**48,770.46** to $**43,514.90**
Annual salary from $**108,963.21** to $**86,057.92**

JUSTIFICATION
The award reflects a decrease from the amount requested in the application. This change is because the application: a. Misreported the annual salary of a first-year firefighter (decreased); b. Miscalculated the average employer health insurance contribution (increased).

Agreement Articles

Program: Fiscal Year 2025 Staffing for Adequate Fire and Emergency Response
Recipient: CITY OF MINNETONKA
UEI-EFT: PLQ8C87BV7M5
Award number: EMW-2025-FF-00512

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Article 1	**Assurances, Administrative Requirements, Cost Principles, Representations and Certifications** Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances, as instructed.
Article 2	**General Acknowledgements and Assurances** a. Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. b. All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337. 1) Recipients must cooperate with any DHS compliance reviews or compliance investigations. 2) Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel. 3) Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4) Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS Component program guidance. Organization costs related to data and evaluation are allowable. The definition of data and evaluation costs is in 2 C.F.R. § 200.455(c), the full text of which is incorporated by reference.
Article 3	**Age Discrimination Act of 1975** Recipients must comply with the Age Discrimination Act of 1975, Public Law 94-135 (codified as amended at Title 42, U.S. Code § 6101 et seq.), which prohibits recipients from discriminating on the basis of age in any program or activity receiving federal financial assistance.
Article 4	**American Security Drone Act of 2023** Recipients must comply with the American Security Drone Act of 2023, of the National Defense Authorization Act for Fiscal Year 2024, Pub. L. 118-31 (41 U.S.C. § 3901 note prec.), which prohibits the procurement and operation of covered unmanned aircraft systems manufactured or assembled by covered foreign entities.
Article 5	**Americans with Disabilities Act of 1990** Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article 6	**Civil Rights Act of 1964 – Title VI** Recipients must comply with the Civil Rights Act of 1964, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations are in 6 C.F.R. Part 21. The Federal Emergency Management Agency's (FEMA) implementing regulations are in 44 C.F.R. Part 7.
Article 7	**Civil Rights Act of 1968 – Title VIII** Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection. therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. See 24 C.F.R. Part 100, Subpart D.

Article 8	**Communication and Cooperation with the Department of Homeland Security and Immigration Officials** (1) The Department of Homeland Security will analyze whether the conditions in this section will be applied to any grant program in a way that is consistent with the specific statutes that apply to each grant program because the purpose of each grant program has a nexus to immigration activities, law enforcement, or national security, including preventing and responding to acts of terrorism and extremism, and DHS may tailor the conditions in this section to a specific grant program. DHS will clarify in the grant documents whether and how the terms in this section apply to each grant. (2) Where applicable, recipients and subrecipients of funds under an award must agree that they will comply with the following requirements related to coordination and cooperation with DHS and immigration officials: (a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. §§ 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: 1) sending such information to, or requesting or receiving such information from, Federal immigration officials; 2) maintaining such information; or 3) exchanging such information with any other Federal, State, or local government entity; (b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes; (c) That they will honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance; (d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and (e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation. (3) The recipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the recipient agrees that it will require any subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this award. (4) The recipient agrees that compliance with this term is material to the Government's decision to make or continue with this award and that the Department of homeland Security may terminate this grant, or take any other allowable enforcement action, if the recipient fails to comply with this term.

Article 9	**CHIPS and Science Act of 2022** (1) Recipients of DHS research and development (R&D) awards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators (PI) or co-investigators (Co-PI) to be completed by an authorized organizational representative (AOR) at the recipient institution. (2) Notification. An AOR must disclose the following information to agencies within 10 days of the date that the finding is made, or 10 days from when a recipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include: (a) Award number, (b) Name of PI or Co-PI being reported, (c) Awardee name, (d) Awardee address, (e) AOR name, title, phone, and email address, (f) Indication of the report type: (i) Finding or determination has been made that the reported individual violated awardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made. (ii) Imposition of an administrative or disciplinary action by the recipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of recipient policy or codes of conduct, statutes, or regulations, or other forms of harassment. (iii) The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the Family Educational Rights in Privacy Act. (3) Definitions. (a) An “authorized organizational representative (AOR)” is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and award requirements. (b) “Principal investigators and co-principal investigators” are award personnel supported by a grant, cooperative agreement, or contract under Federal law. (c) A “reported individual” refers to recipient personnel who have been reported to a federal agency for potential sexual harassment violations. (d) “Sex based harassment” means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. (e) “Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.
Article 10	**Copyright** Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

Article 11	**Debarment and Suspension** Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 12	**Drug Free Workplace Act of 1988** Recipients must comply with the Drug-Free Workplace Act of 1988 and drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the government-wide implementation of the Drug-Free Workplace Act of 1988.
Article 13	**Duplicative Costs** Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.
Article 14	**Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX** Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. FEMA's implementing regulations are in 44 C.F.R. Part 19.
Article 15	**Energy Policy and Conservation Act of 1975** Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act of 1975.
Article 16	**Equal Treatment of Faith-Based Organizations** Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs. It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries.

Article 17	**False Claims Act and Program Fraud Civil Remedies** Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729- 3733, which prohibits the submission of false or fraudulent claims for payment to the Federal Government and details the administrative remedies for false claims and statements made.
Article 18	**Federal Anti-Discrimination Laws Material to the Government's Payment Decisions Under the False Claims Act** Recipients must agree that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of 31 U.S.C. § 3729(b)(4) (Definition of "material"). (1) Definitions. As used in this term – (a) DEI means "diversity, equity, and inclusion." (b) DEIA means "diversity, equity, inclusion, and accessibility." (c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190. (d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin. (e) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States. (2) Grant award certification. (a) By accepting the grant award, recipients are certifying that: (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and (ii) They do not, and will not during the term of this award, operate any program that benefits illegal immigrants or incentivizes illegal immigration. (3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance awards if the Secretary of Homeland Security or the Secretary's designee determines that the recipient has violated any provision of subsection (2). (4) Upon suspension or termination under subsection (3), all funds received by the recipient shall be deemed to be in excess of the amount that the recipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.
Article 19	**Federal Debt Status** All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments.
Article 20	**Fly America Act** Recipients must comply with Preference for U.S. Flag Air Carriers (Certificated Air Carriers List | US Department of Transportation) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 21	**Hotel and Motel Fire Safety Act of 1990** Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990.
Article 22	**John S. McCain National Defense Authorization Act of Fiscal Year 2019** Recipients, subrecipients, and their contractors and subcontractors are prohibited from obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200.
Article 23	**Lobbying Prohibitions** None of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Recipients must file a lobbying certification form found on Grants.gov Lobbying Form as described in Appendix A to 6 C.F.R. Part 9, and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 found on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).
Article 24	**National Environmental Policy Act** Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA).
Article 25	**National Security Presidential Memorandum-33 (NSPM-33) and Provisions of the Science and CHIPS Act of 2022** (1) Recipient research institutions (“covered institutions”) must comply with the requirements in NSPM-33 and provisions of Pub. L.117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to: (a) cybersecurity; (b) foreign travel security; (c) research security training; and (d) export control training, as appropriate. (2) Definition. “Covered institutions” means recipient research institutions receiving federal Research and Development (R&D) science and engineering support “in excess of $50 million per year.”
Article 26	**Patents and Intellectual Property Rights** Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

Article 27	**Procurement of Recovered Materials** States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 28	**Rehabilitation Act of 1973** Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
Article 29	**Reporting Recipient Integrity and Performance Matters** If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.
Article 30	**Reporting Subawards and Executive Compensation** For federal awards that total or exceed $30,000, recipients are required to comply with the government-wide federal award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

Article 31	**Required Use of American Iron, Steel, Manufactured Products, and Construction Materials** (1) Recipients of a federal award from a financial assistance program that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless: (a) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (c) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. (2) The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. (3) Waivers. When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements. a. When the Federal agency has determined that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: i. applying the domestic content procurement preference would be inconsistent with the public interest; ii. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or iii. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25%. b. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. c. There may be instances where a federal award qualifies, in whole or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. (4) Definitions. The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.
Article 32	**Subrecipient Monitoring and Management** Pass-through entities must comply with the requirements for subrecipient monitoring and management.

Article 33	**System for Award Management and Unique Entity Identifier Requirements** Recipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.
Article 34	**Termination of a Federal Award** (1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons: (a) If the recipient fails to comply with the terms and conditions of the federal award; (b) With the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated; (c) Pursuant to the terms and conditions of the federal award; or (d) For convenience, pursuant to Executive Order 14332, Improving Oversight of Federal Grantmaking, including when the award no longer advances agency priorities or the national interest, but subject to appropriate exceptions, including agreements entered into in furtherance of international trade agreements or those awarded by the Department of Commerce under title XCIX of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), the CHIPS and Science Act of 2022 (Public Law 117-167), or Division F of the Infrastructure Investment and Jobs Act (Public Law 117-58). (2) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety. (3) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination. (4) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344-200.345 after an award is terminated.
Article 35	**Trafficking Victims Protection Act of 2000** Recipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated by reference.
Article 36	**Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT Act of 2001)** Recipients must comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175–175c.
Article 37	**Whistleblower Protection Act** Recipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C § 4701 and 41 U.S.C. § 4712.

Article 38	**All Executive Orders Related to Grants** Presidential Executive Orders. Recipients must comply with the requirements and actions of Presidential executive orders related to grants (also known as federal assistance and financial assistance), including those published after the date of this publication, the full text of which are incorporated by reference.
Article 39	**Executive Order 14332, Improving Oversight of Federal Grantmaking** Draw Down of Funds. Recipients are prohibited from directly drawing down general grant funds for specific projects without the affirmative authorization of DHS. Recipients must provide written payment justification, with specificity, for requests for each drawdown.
Article 40	**Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving** Federal Leadership on Reducing Text Messaging While Driving. Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.
Article 41	**Executive Order 13224, Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism** Terrorist Financing. Recipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the Executive Order and laws.
Article 42	**Acknowledgement of Federal Funding from DHS** Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.
Article 43	**Activities Conducted Abroad** Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.

Article 44	**Collection and Use of Personally Identifiable Information** (1) Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. (2) Definition. DHS defines “PII” as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
Article 45	**Non-Supplanting Requirements** Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.
Article 46	**Notice of Funding Opportunity (NOFO) Requirements** All the instructions, guidance, limitations, scope of work, and other conditions set forth in the NOFO for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.
Article 47	**SAFECOM** Recipients receiving federal awards made under DHS programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment | CISA.
Article 48	**Use of DHS Seal, Logo, and Flags** Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.

Article 49	**Environmental Planning and Historic Preservation (EHP) Review** FEMA funded activities that could impact the environment and historic properties are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state, and local laws. FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act of 1966, as amended; Clean Water Act; Clean Air Act; National Flood Insurance Program regulations; and any other applicable laws, regulations and executive orders (EO). General guidance for FEMA's EHP process is available on FEMA.gov. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program. Applicants should contact their grant program officer to be put in contact with EHP staff responsible for assisting with their specific grant program. The FEMA EHP review process must be completed before funds are released to carry out the proposed project. Otherwise, FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. FEMA may also need to perform a project closeout review to ensure the applicant complied with all required EHP conditions identified in the initial review. If ground is disturbed during construction, the applicant will monitor the ground disturbance, and if any potential archaeological resources are discovered, the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and FEMA. EO 11988, Floodplain Management, and EO 11990, Protection of Wetlands, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal, and safety considerations. FEMA's regulations at 44 C.F.R. Part 9 implement the EOs and require an eight-step review process if a proposed action is in a floodplain or wetland or has the potential to affect or be affected by a floodplain or wetland.
Article 50	**Applicability of DHS Standard Terms and Conditions to Tribal Nations** The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Tribal Nations, or there is a federal law or regulation exempting its application to Tribal Nations, then the acceptance by Tribal Nations, or acquiescence to DHS Standard Terms and Conditions does not change or alter its inapplicability to a Tribal Nation. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribal Nations where it does not already exist.
Article 51	**Acceptance of Post Award Changes** Should FEMA determine that an error has been made in the award package, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please email FEMA Grant Management Operations at ASK-GMD@fema.dhs.gov for any questions.

Article 52	**Disposition of Equipment Acquired Under the Federal Award** When original or replacement equipment acquired under this award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the non-state recipient or subrecipient (including subrecipients of a state or Tribal Nation), must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313(e). State recipients must follow the disposition requirements in accordance with state laws and procedures noted in 2 C.F.R. § 200.313(b). Tribal Nations must follow the disposition requirements in accordance with tribal laws and procedures noted in 2 C.F.R. § 200.313(b); and if such laws and procedures do not exist, then Tribal Nations must follow the disposition instructions in 2 C.F.R. § 200.313(e).
Article 53	**Prior Approval for Modification of Approved Budget** Before making any change to the FEMA approved budget for this award, a written request must be submitted and approved by FEMA as required by 2 C.F.R. § 200.308. For purposes of non-construction projects, FEMA is using its discretion to impose an additional restriction under 2 C.F.R. § 200.308(i) regarding the transfer of funds among direct cost categories, programs, functions, or activities. For awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $350,000) and where the cumulative amount of such transfers exceeds or is expected to exceed 10% of the total budget FEMA last approved, transferring funds among direct cost categories, programs, functions, or activities is unallowable without prior written approval from FEMA. For purposes of awards that support both construction and non-construction work, 2 C.F.R. § 200.308(f)(9) requires the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. Any deviations from a FEMA approved budget must be reported in the first Federal Financial Report (SF-425) that is submitted following any budget deviation, regardless of whether the budget deviation requires prior written approval.
Article 54	**Build America, Buy America Act (BABAA) Required Contract Provision & Self-Certification** In addition to the DHS Standard Terms & Conditions regarding Required Use of American Iron, Steel, Manufactured Products, and Construction Materials, recipients and subrecipients of FEMA financial assistance programs that are subject to BABAA must include a Buy America Preference contract provision as noted in 2 C.F.R. § 184.4 and a contractor self-certification as required by the FEMA Buy America Preference in FEMA Financial Assistance Programs for Infrastructure Policy (FEMA Policy #207-22-0001). This requirement applies to all subawards, contracts, and purchase orders for work performed, or products supplied under the FEMA award subject to BABAA.

Article 55	**Award Performance Goals** FEMA will measure the recipient's performance of the grant by comparing the firefighter hiring activities of new, additional firefighters, rehire laid off firefighters, or retain firefighters facing layoff OR recruitment and retention activities of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response as requested in its application. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients increased compliance with the National standards described in the NOFO.
Article 56	**Indirect Cost Rate** 2 C.F.R. § 200.211(b)(16) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the approved indirect cost rate associated with the award must be documented in the budget or other award materials approved by FEMA and maintained in the official award file.

Obligating document

1. Agreement No.	**2. Amendment No.**	**3. Recipient No.**	**4. Type of Action**	**5. Control No.**
EMW-2025-FF-00512	N/A	416005379	AWARD	WX01673N2026T

6. Recipient Name and Address	**7. Issuing FEMA Office and Address**	**8. Payment Office and Address**
CITY OF MINNETONKA 14600 MINN ONKA BLVD MINNETONKA, MN 55345	Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646	FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742

9. Name of Recipient Project Officer	**9a. Phone No.**	**10. Name of FEMA Project Coordinator**	**10a. Phone No.**
Aaron Morris	9529398334	Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program	1-866-274-0960

11. Effective Date of This Action	**12. Method of Payment**	**13. Assistance Arrangement**	**14. Performance Period**
09/25/2026	OTHER - FEMA GO	COST SHARING	03/24/2027 to 03/23/2030 **Budget Period** 03/24/2027 to 03/23/2030

15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	**Assistance Listing No.**	**Accounting Data (ACCS Code)**	**Prior Total Award**	**Amount Awarded This Action + or (-)**	**Current Total Award**	**Cumulative Non-Federal Commitment**
FF	97.083	2026-FK-GF01 - P410-xxxx-4101-D	$0.00	$2,876,516.60	$2,876,516.60	1,788,104.92
		Totals	$0.00	$2,876,516.60	$2,876,516.60	$1,788,104.92

b. To describe changes other than funding data or financial changes, attach schedule and check here:
N/A

~~16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)~~
This field is not applicable for digitally signed grant agreements

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	**DATE**
18. FEMA SIGNATORY OFFICIAL (Name and Title) **Cynthia Spishak, Acting Associate Administrator Resilience**	**DATE** **09/25/2026**

Resolution No. 2026-

Resolution approving the Minnetonka Fire Department to engage in a Staffing and Adequate Fire and Emergency Response (SAFER) Grant Agreement with the U.S. Department of Homeland Security (DHS), acting through the Federal Emergency Management Agency (FEMA).

Be it resolved by the city council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01 The Federal Emergency Management Agency (FEMA) has awarded the City of Minnetonka Fire Department a Federal Fiscal Year 2025 Staffing for Adequate Fire and Emergency Response (SAFER) Grant to enhance fire suppression and emergency response capabilities.

1.02 The Minnetonka Fire Department seeks to enter into a grant agreement with FEMA for the Federal Fiscal Year 2025 SAFER Grant.

1.03 The Federal Fiscal Year 2025 SAFER Grant provides funding to hire career firefighters for a three-year grant period and beyond.

1.04 Accepting this grant will support hiring twelve (12) additional career firefighter positions for the City of Minnetonka.

1.05 Minnesota Statutes, section 465.03, allows cities to accept gifts of real or personal property, including money, and to use the gifts in accordance with the terms prescribed by the donor.

Section 2. Council Action.

2.01 The City Council of Minnetonka authorizes the Minnetonka Fire Department to accept the award of the Federal Fiscal Year SAFER from FEMA.

2.02 The Chief of the Minnetonka Fire Department or their designee is authorized to formally enter into the grant agreement with FEMA on behalf of the City of Minnetonka.

2.03 The Chief of the Minnetonka Fire Department or their designee is authorized to serve as the fiscal agent and administer the grant.

Adopted by the city council of the City of Minnetonka, Minnesota on October 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____
Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted.

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on October 26, 2026.

_____
Becky Koosman, City Clerk

City Council
Agenda Item 14.C
Meeting of October 26, 2026

Title:	Byrne Discretionary Community Project Grant Agreement
Report from:	Scott Boerboom, Police Chief
Submitted Through:	Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Rachel Meehan, Police Captain

Action Requested:	Motion
Form of Action:	Resolution
Votes needed:	5 votes

Summary Statement
The police department was recently awarded a federal grant in the amount of $966,000 from the U.S. Department of Justice to replace its Records Management System (RMS). The grant will cover the cost to fully implement the new system.

Recommended Action
Motion to adopt the resolution authorizing the police department to enter into a BJA FY 2026 Byrne Discretionary Community Project Grant with the U.S. Department of Justice.

Financial Consideration
No

The entire cost of the new RMS system will be covered by the grant.

Background
In 2025, the police department submitted a FY 2026 Congressionally Directed Spending application through Congresswoman Kelly Morrison's office. The request was to fund a new Records Management System (RMS) for the police department at a cost of $965,860.

The new RMS was a key component of the Minnetonka Public Safety Project, which was approved by the Council on September 23, 2024. The current system is outdated, fragmented, and inefficient, requiring officers to use multiple platforms for basic tasks. The upgraded system will allow modernize report writing, digital evidence management, incident tracking, and workflow automation.

The police department received notice of the award in the amount of $966,000 on September 30, 2026. The award agreement includes award conditions that must be met, which have been reviewed by staff and are included in packet. The award amount will cover the entire cost of the new system.

ATTACHMENTS:
Resolution
Agreement

Resolution No. 2026-

Resolution approving the Minnetonka Police Department to enter into the Byrne Discretionary Community Project Grant Agreement with the U.S. Department of Justice.

Be it resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01 The Minnetonka Police Department has been awarded a federal grant in the amount of $966,000 from the U.S. Department of Justice under the FY 2026 Byrne Discretionary Community Project Grant program.

1.02 The grant will fund the acquisition and full implementation of a new Records Management System (RMS) for the Police Department. The new system will modernize records management, report writing, digital evidence management, incident tracking, and related workflows.

1.03 Minnesota Statute, section 465.03, allows cities to accept grants and gifts of real or personal property, including money, and to use the gifts in accordance with the terms prescribed by the donor.

Section 2. Council Action.

2.01 The City Council hereby authorizes the City to accept the $966,000 Byrne Discretionary Community Project Grant from the U.S. Department of Justice for the acquisition and implementation of a new Police Department Records Management System.

2.02 The City Manager, or their respective designee, is authorized to formally enter into the grant agreement, subject to the terms and conditions of the award.

2.03 The Chief of Police, or the Chief's designee, is authorized to serve as the fiscal agent and administer the grant.

Adopted by the City Council of the City of Minnetonka, Minnesota on October 26, 2026.

_____

Rebecca Schack, Mayor

Attest:

_____
Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted.

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on October 26, 2026.

_____
Becky Koosman, City Clerk

Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:	CITY OF MINNETONKA 14600 MINN ONKA BLVD
City, State and Zip:	MINNETONKA, MN 55345
Recipient UEI:	PLQ8C87BV7M5

Project Title: Minnetonka Police Records Management System	**Award Number:** 15PBJA-26-GG-00904-BRND

Solicitation Title: BJA FY 2026 Invited to Apply -Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program

Federal Award Amount: $966,000.00	**Federal Award Date:** 9/30/26

Awarding Agency:	Office of Justice Programs Bureau of Justice Assistance
Award Type:	Initial
Funding Instrument Type:	Grant

Opportunity Category: E
Assistance Listing:
16.753 - Congressionally Recommended Awards

Project Period Start Date: 1/23/26	**Project Period End Date:** 9/30/27
Budget Period Start Date: 1/23/26	**Budget Period End Date**: 9/30/27

Project Description:

The City of Minnetonka Police Department seeks federal funding to support the implementation of a modern, cloud-based Records Management System (RMS) that replaced the department's legacy records platform. The previous system relied on multiple disconnected applications that required duplicate data entry, limited mobile functionality, and created inefficiencies in report writing, case management, and information sharing.

The new RMS serves as a centralized public safety platform that integrates report writing, incident and case management, digital evidence, workflow automation, and real-time information sharing. Officers can complete reports and access critical information from the field, reducing administrative time and increasing time available for proactive policing and community engagement. The system also improves supervisory review, data accuracy, transparency, and compliance with state and federal reporting requirements while enhancing interoperability with other public safety technologies.

Federal funding will support eligible costs associated with system acquisition, implementation, integration, data migration, configuration, training, and deployment. This investment strengthens the department's technology infrastructure, improves operational efficiency and accountability, and equips officers with modern tools that enhance public safety services for the residents of Minnetonka. The project establishes a scalable technology platform that will support future innovation while improving the department's ability to respond effectively to community needs.

Award Letter

September 30, 2026

Dear Mike Funk,

On behalf of the Attorney General, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by CITY OF MINNETONKA for an award under the funding opportunity entitled 2026 BJA FY 2026 Invited to Apply -Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program. The approved award amount is $966,000.
Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen A. Henneberg
Deputy Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) enforces federal civil rights laws and other provisions that prohibit discrimination by recipients of federal financial assistance from OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW).

Several civil rights laws, including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance (recipients) to give assurances that they will comply with those laws. Taken together, these and other civil rights laws prohibit recipients from discriminating in the provision of services and employment because of race, color, national origin, religion, disability, and sex or from discriminating in the provision of services on the bases of age.

Some recipients of DOJ financial assistance have additional obligations to comply with other applicable nondiscrimination provisions like the Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of religion in addition to race, color, national origin, and sex. Recipients may also have related requirements regarding the development and implementation of equal employment opportunity programs.

OCR provides technical assistance, training, and other resources to help recipients comply with civil rights obligations. Further, OCR administratively enforces civil rights laws and nondiscrimination provisions by investigating DOJ recipients that are the subject of discrimination complaints. In addition, OCR conducts compliance reviews of DOJ recipients based on regulatory criteria. These investigations and compliance reviews permit OCR to evaluate whether

DOJ recipients are providing services to the public and engaging in employment practices in a nondiscriminatory manner.

For more information about OCR, your civil rights and nondiscrimination responsibilities, how to notify your employees or beneficiaries of their civil rights protections and responsibilities and how to file a complaint, as well as technical assistance, training, and other resources, please visit www.ojp.gov/program/civil-rights-office/outreach. If you would like OCR to assist you in fulfilling your civil rights or nondiscrimination responsibilities, please contact us at askOCR@ojp.usdoj.gov or www.ojp.gov/program/civil-rights-office/about#ocr-contacts.

Memorandum Regarding NEPA

NEPA Letter Type
OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

All BJA awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. 4321 et seq.) and other related federal laws (including the National Historic Preservation Act), if applicable. Award recipients (and subrecipients, as applicable) must support BJA's compliance with NEPA by providing details about their project, its location, and any resources that might be affected. BJA complies with NEPA (and other related federal laws) for an award-funded activity by evaluating the environmental impacts of the activity in one of three levels of analysis: a Categorical Exclusion (CATEX), an Environmental Assessment (EA), or an Environmental Impact Statement (EIS). See https://bja.ojp.gov/funding/nepa-guidance for additional information regarding NEPA implementation.

Carefully review the conditions on this award for information about any requirements specific to NEPA compliance for this award.

After completion of any required environmental analysis, throughout the term of this award the recipient must inform BJA of (1) any change(s) that it is considering making to the previously assessed activity that may be relevant to environmental impact; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The recipient may not implement a proposed change or new activity until BJA, with the assistance of the recipient, has determined whether the proposed change or new activity (or changed circumstances) will require additional review under NEPA. Approval for implementation will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an approved environmental impact review process.

Questions about NEPA compliance may be directed to your grant manager.

NEPA Coordinator

First Name	Middle Name	Last Name
Chris	no value	Casto

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name

UEI
PLQ8C87BV7M5

Street 1
14600 MINN ONKA BLVD

Street 2

City
MINNETONKA

State/U.S. Territory
Minnesota

Zip/Postal Code
55345

Country
United States

County/Parish

Province

Award Details

Federal Award Date
9/30/26

Award Type
Initial

Award Number
15PBJA-26-GG-00904-BRND

Supplement Number
00

Federal Award Amount
$966,000.00

Funding Instrument Type
Grant

Assistance Listing Number	Assistance Listings Program Title
16.753	Congressionally Recommended Awards

Statutory Authority

Department of Justice Appropriations Act, 2026 (Pub. L. No. 119-74, 140 Stat. 5, 30- 31, para. 1(O))

[ ] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title
2026 BJA FY 2026 Invited to Apply -Byrne Discretionary Community Project Grants/Byrne Discretionary Grants Program

Awarding Agency
OJP

Program Office
BJA

Application Number
GRANT14708064

Grant Manager Name
Danielle Whitestone

Phone Number
202-598-0190

E-mail Address
Danielle.Whitestone@usdoj.gov

Project Title
Minnetonka Police Records Management System

Performance Period Start Date	Performance Period End Date
01/23/2026	09/30/2027

Budget Period Start Date	Budget Period End Date
01/23/2026	09/30/2027

Project Description

The City of Minnetonka Police Department seeks federal funding to support the implementation of a modern, cloud-based Records Management System (RMS) that replaced the department's legacy records platform. The previous system relied on multiple disconnected applications that required duplicate data entry, limited mobile functionality, and created inefficiencies in report writing, case management, and information sharing.

The new RMS serves as a centralized public safety platform that integrates report writing, incident and case management, digital evidence, workflow automation, and real-time information sharing. Officers can complete reports and access critical information from the field, reducing administrative time and increasing time available for proactive policing and community engagement. The system also improves supervisory review, data accuracy, transparency, and compliance with state and federal reporting requirements while enhancing interoperability with other public safety technologies.

Federal funding will support eligible costs associated with system acquisition, implementation, integration, data migration, configuration, training, and deployment. This investment strengthens the department's technology infrastructure, improves operational efficiency and accountability, and equips officers with modern tools that enhance public safety services for the residents of Minnetonka. The project establishes a scalable technology platform that will support future innovation while improving the department's ability to respond effectively to community needs.

[ ] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

The recipient budget is currently under review.

[ ] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Condition 1
Compliance with general appropriations-law restrictions on the use of federal funds (FY 2025)
The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at https://ojp.gov/funding/Explore/FY25AppropriationsRestrictions.htm, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

Condition 2
Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38.

Among other things, 28 C.F.R. Part 38 states that recipients may not use direct Federal financial assistance from the Department of Justice to support or engage in any explicitly religious activities except when consistent with the Establishment Clause of the First Amendment to the U.S. Constitution and any other applicable requirements. An organization receiving Federal financial assistance also may not, in providing services funded by the Department of Justice or in outreach activities related to such services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations. In addition, Part 38 states that a faith-based organization that participates in a Department of Justice funded program retains its independence from the Government and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law.

Recipients and subrecipients that provide social services under this award must give written notice to beneficiaries and prospective beneficiaries prior to the provision of services (if practicable) which shall include language substantially similar to the language in 28 CFR Part 38, Appendix C, sections (1) through (4). A sample written notice may be found at https://www.ojp.gov/program/civil-rights-office/partnerships-faith-based-and-other-neighborhood-organizations.

In certain instances, a faith-based or religious organization may be able to take religion into account when making hiring decisions, provided it satisfies certain requirements. For more information, see “Nondiscrimination provisions and the Religious Freedom Restoration Act,” accessible at https://www.ojp.gov/funding/explore/legaloverview2025/civilrightsrequirements.

Condition 3
Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

Condition 4
All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP website at https://ojp.gov/funding/Explore/SubawardAuthorization.htm (Award condition: All subawards ("subgrants") must have specific federal

authorization), and are incorporated by reference here.

Condition 5
Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold, as set forth in the Federal Acquisition Regulations (FAR). See the definition of simplified acquisition threshold in the FAR at 48 CFR part 2, subpart 2.1. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP website at https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed Simplified Acquisition Threshold)), and are incorporated by reference here.

Condition 6
Federal Civil Rights and Nondiscrimination Laws (certification)

The recipient agrees that its compliance with all applicable Federal civil rights and nondiscrimination laws is material to the government's decision to make this award and any payment thereunder, including for purposes of the False Claims Act (31 U.S.C. 3729-3730 and 3801-3812), and, by accepting this award, certifies that it does not operate any programs (including any such programs having components relating to diversity, equity, and inclusion) that violate any applicable Federal civil rights or nondiscrimination laws.

Condition 7
Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that a legal notice regarding award requirements is necessary or that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such notice or exception regarding enforcement, including any such notice or exception made during the period of performance, is (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqts.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

Condition 8
Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

Condition 9
Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements"), including, without limitation, the provisions regarding termination in 2 C.F.R. 200.340, apply to this award from OJP.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at https://ojp.gov/funding/Part200UniformRequirements.htm.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

Condition 10
Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at https://oig.justice.gov/hotline/contact-grants.htm (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Fraud Detection Office, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at https://oig.justice.gov/hotline.

Condition 11
Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part

200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

Condition 12
Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

Condition 13
Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

Condition 14
Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at https://ojp.gov/financialguide/DOJ/index.htm), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

Condition 15
Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including 28 C.F.R. § 42.106(d), 28 C.F.R. § 42.405(c), and 28 C.F.R. § 42.505(f), which contain notice requirements that covered recipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

Condition 16
Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at https://ojp.gov/funding/Explore/Interact-Minors.htm (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

Condition 17
Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

Condition 18
Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (https://www.e-verify.gov/) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

Condition 19
Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

Condition 20
Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

Condition 21
Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

Condition 22
OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees.

Condition 23
Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

Condition 24
Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2022, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after January 1, 2022, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for

purposes of this condition is available at https://onlinegfmt.training.ojp.gov/. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

Condition 25
Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

Condition 26
Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

Condition 27
Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

Condition 28
Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at https://www.sam.gov/. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at https://ojp.gov/funding/Explore/SAM.htm (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

Condition 29
Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

Condition 30
Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

Among other items, 28 C.F.R. § 54.140 contains notice requirements that covered recipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

Condition 31
The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

Condition 32
Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient’s Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at https://justicegrants.usdoj.gov/training/training-entity-management.

Condition 33
FFATA reporting: Subawards and executive compensation
The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of $30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are set forth in 2 C.F.R. part 170, Appendix A (“Award Term”) and are incorporated by reference here.
This condition, including its reporting requirement, does not apply to-- (1) an award of less than $30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

Note: In early March 2025, the reporting system that had been used for subaward reporting, the FFATA (Federal Funding Accountability and Transparency Act) Subaward Reporting System (FSRS) was retired and functionality moved to SAM.gov. For more information, including steps on how to connect your FSRS account to SAM.gov, visit https://sam.gov/fsrs.

Condition 34
The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

Condition 35
Any publication (e.g., curricula, training materials, publications, reports, videos, or any other written, web-based, or audio-visual, or other materials) funded in whole or in part under this award, (with the exception of press releases, websites, and mobile applications), shall contain the following statement: “This project was supported by Grant No. <Award_Number> awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

Any website or mobile application that is funded in whole or in part under this award must include the following statement where most practicable: "This website [or application] was supported by Grant No. <Award_Number> awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this website [or application] (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible. The statement may also be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

Upon specific request by BJA, the recipient must submit to BJA for review and approval (or, for recipients or subrecipients that are institutions of higher education, review and comment) any publication or product developed under this award at least 30 working days prior to the targeted dissemination date.

The current edition of the DOJ Grants Financial Guide provides additional guidance on allowable printing and publication activities.

Condition 36
Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23 for any applicable project.

Condition 37
The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

Condition 38
Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional

Review Board approval, if appropriate, and subject informed consent.

Condition 39
Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

Condition 40
Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://bja.ojp.gov/program/it/gsp-grant-condition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

Condition 41
Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to determine if any of the following activities will be funded by the grant prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA, and follow instructions regarding NEPA compliance.

The activities covered by this condition are:

a. New construction;
b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments;
e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories; and
f. Any extraordinary or unusual project with potential to have a significant environmental impact.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA.

Condition 42
The recipient shall ensure that each DNA analysis conducted under this award will be performed either (1) by accredited government-owned laboratories, or (2) through an accredited fee-for-service vendor. The accreditation must be by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement. Any laboratory conducting STR, Y-STR, or mitochondrial DNA testing undergo external audits not less than once every 2 years that demonstrate compliance with the DNA Quality Assurance Standards established by the Director of the Federal Bureau of Investigation.

If award funds are used for DNA testing of evidentiary materials, recipients shall ensure that any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS, and, where applicable, uploaded to the National DNA Index System (NDIS). Award funds may be used for forensic genetic genealogy in accordance with United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching and program requirements. With the exception of Forensic Genetic Genealogy, no profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

The recipient shall ensure that each DNA analysis conducted and each DNA profile generated under this award, and each stored DNA sample that results from this award, are maintained in accordance with any applicable federal privacy requirements and restrictions on disclosure.

Condition 43
Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching (https://www.justice.gov/olp/page/file/1204386/download), and must collect and report the metrics identified in Section IX of that document to BJA.

Condition 44
Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: https://nij.ojp.gov/topics/equipment-and-technology/body-armor. In addition, if the recipient uses funds under this award to purchase body armor, the recipient is strongly encouraged to have a "mandatory wear" policy in effect. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

Condition 45
Body-worn cameras, policies and procedures

In accepting this award, the recipient agrees not to use award funds for purchases of body-worn cameras or related expenses for any agency unless that agency has policies and procedures in place that reinforce appropriate agency Use of Force policies and training and address technology usage, evidence acquisition, data storage and retention, as well as privacy issues, accountability and discipline.

Condition 46
As of the first day of the period of performance for the award, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum, all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)).

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

Condition 47
No funds may be used for UAS except with express prior approval from BJA. To request such approval, the recipient (or subrecipient, at any tier) must submit to BJA a written certification that, among other things, certifies that only UAS

verified by the Defense Contract Monitoring Agency's “Blue UAS Cleared List” or any successor list (available at https://bluelist.appsplatformportals.us/) as not manufactured by a “covered foreign entity” may be purchased or operated under the federal award and, further, that no modifications or additional accessories may be introduced to the UAS funded by the award. The purchased UAS may not be used to process, store, or transmit Federal information. The recipient (or subrecipient) also must assure BJA that it has sufficient policies and procedures regarding privacy, civil liberties, and information technology cybersecurity related to the operation of the UAS. Finally, the recipient (or subrecipient) may be required to provide additional documentation to verify purchase and the related policies for the UAS. Funds proposed for the purchase of UAS may be withheld, pending confirmation of compliance with the terms of this award. Additional information and the required certification form may be found here: https://bja.ojp.gov/funding/uas.

Condition 48
No funds may be used for C-UAS except with express prior approval from BJA. To request such approval, the recipient (or subrecipient, at any tier) must submit to BJA a written certification that, among other things, certifies that any C-UAS purchased with award funds will only be procured and used in compliance with all applicable federal, state, and local laws and regulations, including criminal, surveillance, aviation, and communications laws. Any C-UAS purchased with award funds will be included on the list of technologies established by subsection (d)(2)(A)(iii) section 210G of the Homeland Security Act of 2002 (6 U.S.C. 124n(d)(2)(A)(iii)) to exercise the authority granted under subsection (a)(2) of such section. The certification also requires that the award recipient consult qualified legal counsel to review the proposed purchase and operation of C-UAS, and that the recipient will complete required trainings and obtain all required approvals, certifications, licenses, and authorizations prior to deployment, and will coordinate with relevant authorities as required. The recipient (or subrecipient) also must assure BJA that it has sufficient policies and procedures regarding privacy, civil liberties, and information technology cybersecurity related to the operation of the C-UAS. Finally, the recipient (or subrecipient) may be required to provide additional documentation to verify purchase and the related policies for the C-UAS. Funds proposed for the purchase of C-UAS may be withheld, pending confirmation of compliance with the terms of this award. Additional information and the required certification form may be found here: https://bja.ojp.gov/funding/uas.

Condition 49
Limit on use of grant funds for recipients' employees' salaries

With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

Condition 50
Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP website at https://ojp.gov/funding/FAPIIS.htm (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

Condition 51
The recipient's budget (and budget narrative) is pending clearance by OJP.

Prior to budget clearance (and unless there is a more restrictive condition on this award, in which case the terms of that more restrictive condition apply): The recipient may not obligate, expend, or drawdown more than 10% of the award. Pre-clearance obligations, expenditures, and drawdowns may be disallowed if not in compliance with program requirements.

The recipient should be judicious in using award funds prior to budget clearance. Generally, OJP expects that recipients (depending on the specific project scope) may need to advertise for award-funded positions, pay personnel and fringe benefits for positions budgeted under the award, plan for project activities, attend training and pay training-related travel necessary to begin the award project, and engage in other limited activities conducted by recipient staff (i.e., generally not requiring a subaward or procurement contract under an award).

OJP will issue an Award Condition Modification upon budget clearance.

Condition 52
The recipient agrees to promptly provide, upon request, financial or programmatic-related documentation related to this award, including documentation of expenditures and achievements. The recipient understands that it will be subject to additional financial and programmatic in-depth or on-site monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring. The recipient agrees to develop or maintain effective internal controls to manage federal awards (see 2 C.F.R. 200.303) and effective financial management policies and procedures to manage federal awards (see 2 C.F.R. 200.302).

Condition 53
Withholding of funds: Completion of "OJP financial management and grant administration training" required

The recipient may not obligate, expend, or draw down more than 10% of the award funds until-- (1) OJP determines that the recipient's Grant Award Administrator and all Financial Managers for this award have successfully completed an "OJP financial management and grant administration training" on or after January 1, 2022, and (2) OJP issues an Award Condition Modification (ACM) to modify or remove this condition.

Once both the Grant Award Administrator and Financial Manager have successfully completed the training required by this condition, the recipient may contact the designated grant manager for the award to request initiation of an ACM to remove this condition. Obligations, expenditures, and drawdowns prior to the ACM are made at the recipient's risk and may be disallowed if not in compliance with program requirements or approved budget.

A list of the OJP trainings that OJP will consider an "OJP financial management and grant administration training" for purposes of this condition is available at https://onlinegfmt.training.ojp.gov/. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

Condition 54
The recipient may not expend or draw down more than 10% of the award funds until BJA has reviewed and approved the Program Narrative portion of the application and has issued an Award Condition Modification (ACM) releasing this award condition. Obligations, expenditures, and drawdowns prior to the ACM are made at the recipient's risk and may be disallowed if not in compliance with program requirements or approved budget.

[ ] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this

declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen A. Henneberg	9/29/26 10:27 PM

Authorized Representative

☐ Declaration and Certification

Entity Acceptance

Title of Authorized Entity Official
no value

Signed Date And Time
no value

City Council
Agenda Item 14.D
Meeting of October 26, 2026

Title:	2026 Tax Increment Financing (TIF) Management Report
Report from:	Alisha Gray, EDFP, Economic Development and Housing Manager
Submitted Through:	Julie Wischnack, FAICP, Community Development Director Darin Nelson, Finance Director Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Julie Wischnack, FAICP, Community Development Director

Action Requested:	Motion
Form of Action:	Report
Votes needed:	N/A

Summary Statement
The TIF Management Report summarizes the TIF obligations and recommendations.

Recommended Action
Motion to accept the 2026 TIF Management Report.

Financial Consideration
No

The 2026 TIF Management Report provides an overview of the city's TIF obligations and recommendations for future uses.

Background
The City of Minnetonka first used Tax Increment Financing (TIF) about 30 years ago and has used it since. Compared with other communities, Minnetonka has taken a relatively conservative approach to using TIF to accomplish housing, redevelopment, and economic development goals that add public benefit to the community.

In July 2014, the city council formally adopted a TIF/Tax Abatement policy (attached), establishing a framework to address development inquiries. The policy also provides consistent criteria to analyze the city's potential use of various financing tools.

TIF Management Report
In 2010 and 2011, the "Jobs Bill" legislation authorized cities to pool cash balances from existing TIF districts to support construction or long-term development. This effort assisted the development of St. Therese in the Glenhaven district.

The city sought special legislation in 2021 to allow pooling for any type of affordable housing efforts. This legislation originally allowed Minnetonka to transfer $4.9 million from the city's pooled TIF to the affordable housing trust fund to secure additional affordable housing. To date, the pooled TIF, in the trust fund, has accomplished the following housing goals:

- Supported three affordable housing multi-unit developments with the production of 100 affordable units and 711 market-rate units.
- Provided a $1 million loan to Cedar Hills to assist with the rehabilitation of very low-income units.
- Provided $450,000 in rental assistance.
- Supported unhoused persons with $250,000 in programming to receive shelter and housing supports.
- Supported the development of the Pathways to Homeownership Program with a total of $1,275,000 in funding.
- Supported the development of 10 owner-occupied twinhomes that will be constructed by Habitat for Humanity ($750,000).
- Supported the development of an owner-occupied twinhome at 5432 Rowland

On Nov. 10, 2025, the city council and EDA approved modifications to the Applewood Pointe, Glenhaven, and Shady Oak Crossing Tax Increment Financing Districts to allow up to 10% to be retained for affordable housing.

- These transfers resulted in an additional transfer of $5,165,040 to the Affordable Housing Trust Fund for Affordable Housing.

As of October 1, 2026, there is a remaining available balance of $7,381,861 for affordable housing in the Affordable Housing Trust Fund (including TIF pooling transfers and other sources, such as HRA levy contributions).

Stacie Kvilvang from Ehlers and Associates attended the Oct. 15, 2026, EDAC meeting to present the 2026 TIF report and recommendations. The following feedback was received at the meeting:

- **Commissioner asked about future reporting requirements for Hedberg Soils District.**
  Each year the city reports to the office of the state auditor; it shows the balance and uses of funds for the district. If the city decertifies the district, it is no longer required to report to the state auditor's office.

- **Commissioners asked what an "overuse" of tax-increment financing by a community would be.**
  - *Stacie Kvilvang clarified that it is up to each community to determine its strategic priorities they look to achieve with tax increment. Some cities chose not to use it at all, while others use it to achieve city priorities.*
  - *Julie Wischnack clarified that there is sometimes public opinion about the use of tax increment financing and whether to use it.*
    - *She explained that some of the misconception that it takes away the city's ability to collect property taxes; however, the project must meet the "but for" test and would not have been possible without the tax increment. Additionally, the captured tax increment reflects the increased tax capacity, not the base tax capacity generated by the site's original tax revenues.*
  - *Kvilvang shared that the legislature has tightened the rules regarding the use of tax increment through the years. Applying the tool specifically to housing, redevelopment, and renewal and renovation districts. It can no longer be used for public benefit projects, such as community centers, that can be funded through the city's bonding and general funds.*

- **Commissioners inquired about why the TIF funds are not fully utilized by a project.**

Typically, the amount of TIF that is available to roll over into the affordable housing trust fund is the city's collection of 10% for administration that builds over time or retention of the first year of TIF (if a project is delayed).

- **What is the $110,000 that is recommended to be returned to the general fund? Is that money returned to residents, or what happens to it?**
  The city tracks when districts will be decertified and when the additional tax capacity will become available to the general fund during the annual budgeting process.

- **Is there any downside to retaining the $500,000 in funding from the Glenhaven district?**
  - *It's a policy decision. It allows cities to retain funds from the city and county to pursue the community's strategic priorities, such as affordable housing. The funding has fewer restrictions than other funding sources serving the same purpose.*
  - *If there was no transfer, it would be more restricted. It would have to stay in the district for qualified expenses, and only a portion could be used for affordable housing.*
  - *A public hearing would be required to increase the city's retention of up to $500,000; but would not risk the city's ability to retain the $83,446 without the public hearing requirement.*

- **Is the additional 10% added to the existing 25% in the Marsh Run II and Opus TIF District?**
  Yes, 35% is correct

Supplemental Information
- Affordable Housing Dashboard

ATTACHMENTS:
TIF Management Report

MEMORANDUM

TO: Julie Wischnack – Community Development Director
Alisha Gray – Economic Development and Housing Manager

FROM: Stacie Kvilvang - Ehlers

DATE: October 15, 2026

SUBJECT: TIF Status Report

The City currently has nine (9) active TIF districts, of which four (4) are housing districts, three (3) are redevelopment districts, and two (2) are renovation and renewal districts. Every two years we review the status, financial condition, debt management and future value of the districts and provide recommendations to the City/EDA on management related items regarding use of funds and required decertification's. Based upon our review, the following are our findings and recommendations.

Findings

1. Overall, the city's TIF districts are meeting their intended purpose, performing well and furthering city strategic priorities and TIF Policy objectives.

2. The city's TIF districts are self-supporting, and most districts are anticipated to fully pay off their obligations ahead of their term.

3. The overall market value of certified districts where development is complete has increased approximately 1,557% since their establishment.

4. The City has strategically utilized the creation of TIF districts; therefore, only 2.95% of the City's tax capacity is captured in TIF districts.

5. In the next three (3) years, two (2) districts will decertify (Applewood Pointe and Glenhaven), allowing the full tax capacity to spread the City's tax levy over.

6. Development projects assisted with TIF are making a substantive contribution to the city's economy, taxable market value, affordable housing goals, advancing the city's strategic priorities, and are assisting the city in maintaining its AAA bond rating.

Recommendations

1. ***Return of Increment From Hedberg Soils District to County For Redistribution.*** This District has a fund balance of approximately $797,000. In 2024 we recommended decertification of this District and that the City send the balance back to the County for redistribution to provide a $0 balance in this fund. This will negate the need to report annually on the district in the future (starting in 2027). The City's proportionate share that will be returned is approximately $297,830 and these dollars are available for any purpose determined by the City/EDA, including future monitoring obligations of the district.

2. ***Return of Increment From Applewood Pointe to County For Redistribution.*** In 2025, the EDA made a modification to allow the EDA authority to collect up to $970,301 in TIF for affordable housing. In 2026, we are recommending that the EDA transfer the remaining allowable amount of $185,478. This will leave a balance of $115,081 to be returned to the County for redistribution, resulting in a $0 balance in this fund. This will negate the need to report annually on the district in the future (starting in 2027). The City's proportionate share that will be returned is approximately $43,000, and these dollars are available for any purpose determined by the City/EDA.

3. ***Glenhaven Budget Modification.*** The City/EDA has two options it could pursue for this District: (i) complete a public hearing and modify the budget before the end of the year to increase the amount for affordable housing (prior administrative modification was limited on what could be contributed to affordable housing). This will increase the 2026 transfer to the AHTF from $83,446 to $500,000; or (ii) transfer the $83,446 to the AHTF and not do the modification. Either option will likely allow the EDA to pay off the bonds two years early and decertify the district at the end of 2028.

4. ***Election to Retain an Additional 10% for Affordable Housing.*** We recommend completing an administrative modification (resolution by EDA) in 2026 to amend the TIF budgets for the Marsh Run II and Opus TIF Districts, providing the City/EDA with the flexibility to retain the additional funds in the future. The current obligation in the Marsh Run II TIF district will be paid in 2037, and the City/EDA would be required to decertify the district 5 years later (2042), after collecting the additional funds for affordable housing. The Current obligation in the Opus Business Park TIF district will be paid in 2030. Even if the City/EDA makes this election, it will not extend the TIF district term beyond 2030 at this time. If the Districts remain open, they will generate approximately $3.2 million and $3 million respectively for affordable housing. The funds would remain in the respective TIF funds until such time as an authorized use is identified.

5. ***2021 Special TIF Legislation for Affordable Housing Trust Fund (AHTF)***. Staff and Ehlers will review the TIF districts with cash balances available for transfer prior to year-end, as approved by the 2021 special legislation.

October 2026

TIF DISTRICT MANAGEMENT REVIEW & ANALYSIS – EXECUTIVE SUMMARY:

City of St. Minnetonka MN

Prepared by:

Ehlers
3001 Broadway Street NE, Unit 320
Minneapolis, Minnesota 55413

BUILDING COMMUNITIES. IT'S WHAT WE DO.

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OVERVIEW

Continuous redevelopment is vital to maintaining the City's long-term economic health and vitality. It assures increase in tax base, housing diversification, neighborhood stability, sustainability, quality public infrastructure and strengthens the City's desirability and appearance (brand). Tax increment is a financing tool authorized by state law, that allows the City to capture and use most of the increased local property tax revenues from new development within a defined geographic area for a defined period of time. In general, tax increment revenues are used to pay for eligible project costs which encourage creation or retention of jobs, redevelop blighted areas or polluted sites and construction of affordable housing. Minnetonka has utilized TIF for key redevelopment and housing projects since 1977 when Glan Lake Station TIF District was established. Utilizing this tool to accomplish the various community development goals and strategic priorities, the City has optimized land uses, strengthened the tax base and diversified housing options, while cleaning up blighted sites and updating public infrastructure.

The City has been successful in obtaining special legislation to utilize this tool to further its strategic priorities from cleanup of a dump site in 1993 (Hedberg Soils District), to extend the term of the Glenhaven District by 7 years in 2009, and in 2021 obtained the ability to pool unused TIF to the City's Affordable Housing Trust Fund (AHTF) through 2026. Needless to say, the City's return on the short-term investment of TIF Districts has assisted it in meeting many of its strategic priorities.

OUTCOMES FROM USE OF TIF

The City has proactively utilized TIF to spur significant redevelopment within the City and to create options for life-cycle housing, different tenure of housing and affordable housing. In addition, redevelopment was undertaken to increase commerce options and opportunities in the form of new retail developments. In 1994, the City began investing in public/private partnerships for redevelopment projects with the first district being Beacon Hill. Since that time, the City/EDA has invested approximately $51.3 million. Overall, the City's TIF districts have met their intended purpose, performed well, and furthered other City projects as noted above. Below is a chart showing total residential units and/or commercial uses that are currently constructed or under construction.

	Use	Total Units or Sq. Ft.	Market Rate	Affordable	% Affordable	TIF Investment
	Residential	3,187 units	1,979	1,208	38%	$51,359,131
	Commercial	270,500 sq. ft.	N/A	N/A	N/A	

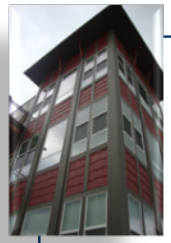
	30% AMI	50% AMI	60% AMI	80% AMI	100% to 115% AMI
# of Units	9	145	915	103	36
% of Overall Units	1%	12%	76%	9%	3%

Approximately $46.8 million (93%) of the City's overall $51.3 million investment has been to redevelop sites for affordable housing. This equates to an approximately $38,750/unit investment in the 1,208 units noted above.

NUMBER OF DISTRICTS

The City has created fifteen (15) TIF Districts since 1977. Six (6) of the districts are decertified (Glen Lake Station, Beacon Hill, Ridgebury, Heberg, Minnetonka Mills, and Boulevard Gardens) and there are currently nine (9) remaining districts as noted below.

9 Active TIF Districts



4 Housing Districts

3 Redevelopment Districts

2 Renovation & Renewal Districts

INCREASE IN MARKET VALUE

The overall market value of the City's Seven (7) TIF districts where development is complete and generating tax increment has increased approximately 1,557 percent since their establishment.

District	Original Market Value	Payable 2026 Market Value	Percent Increase in Value	Anticipated Decertification Date
Glenhaven	6,894,700	69,645,076	910.12%	12/31/2029
Tonka on the Creek	478,000	21,656,000	4430.54%	12/31/2041
Rowland Housing	300,000	22,260,000	7320.00%	12/31/2043
Applewood Pointe	1,544,600	30,555,767	1878.23%	12/31/2028
Marsh Run (Doran)	1,765,000	45,130,000	2456.94%	12/31/2046
Dominium	7,346,000	117,513,000	1499.69%	12/31/2046
Shady Oak Crossing (Ron Clark)	1,212,900	17,151,600	1314.10%	12/31/2043
	19,541,200	**323,911,443**	**1557.58%**	
Opus Business Park (Partial Completion)	73,806,000	261,350,000	254.10%	12/31/2039
Marsh Run II	3,085,000	18,070,000	485.74%	12/31/2050
	N/A	**N/A**	**N/A**	

TIF FOR AFFORDABLE HOUSING

In 2021 the City received special legislation which allowed it to transfer any unused balances in its housing TIF districts and the 35% from redevelopment and renewal and renovation districts to its AHTF. To date, the City has transferred approximately $5.165 million and is expected to transfer up to $1.430 million in 2026, for a total of approximately $11.556 million. Of the $1.430 million to be transferred in 2026, approximately $534,000 is the City's portion of taxes. The City's authority to make these transfers ends on December 31, 2026. Once all transfers are made, there is no timeframe in which the EDA/City needs to expend the funds in the AHTF by.

POOLING FOR AFFORDABLE HOUSING

Gray Shaded Columns Depict TIF Districts That Have Been Modified to Allow For Additional 10% - Green Shaded Columns Are Hsg TIF Districts & Blue Districts are Ones That Require a Modification

Year	Boulevard Gardens (Redevelopment) DECERTIFIED	Applewood Pointe (Redevelopment)	Shady Oak Crossing (Redevelopment)	Glenhaven (Renewal and Renovation)	Beacon Hill (Housing) DECERTIFIED	Tonka on the Creek (Housing)	Rowland (Housing)	Marsh Run (Housing)	Dominium (Housing)	Marsh Run II (Redevelopment)	Opus Business Park (Renewal & Renovation)	Total	Cumulative	TIF Transferred to AHTF	TIF Remaining in the Respective Districts For Affordable Housing
To Date	$ 3,753,602	$ -	$ -	$ -	$ 936,640	$ 147,196	$ 124,242	$ -	$ -	$ -	$ -	$ 4,961,680	$ 4,961,680	$ 4,961,680	
2025	$ 3,782,012	$ 194,823	$ 15,661	$ 774,008	$ -	$ -	$ -	$ 218,387	$ 180,149	$ -	$ -	$ 5,165,040	$ 10,126,720	$ 5,165,040	
2026	$ -	$ 290,000	$ 15,000	$ 500,000	$ -	$ -	$ -	$ 53,120	$ 35,000	$ 37,000	$ 500,000	$ 1,430,120	$ 11,556,840	$ 1,430,120	
2027	$ -	$ 300,000	$ -	$ -	$ -	$ -	$ -	$ 52,528	$ -	$ -	$ 2,000,000	$ 2,352,528	$ 13,909,368	$ -	$ 2,352,528
2028	$ -	$ 185,478	$ -	$ 300,000	$ -	$ -	$ -	$ 53,053	$ -	$ -	$ 500,148	$ 1,038,679	$ 14,948,047	$ -	$ 1,038,679
2029	$ -	$ -	$ -	$ 100,000	$ -	$ -	$ -	$ 100,000	$ -	$ -	$ -	$ 200,000	$ 15,148,047	$ -	$ 200,000
2030	$ -	$ -	$ -	$ 250,000	$ -	$ -	$ -	$ 100,000	$ -	$ -	$ -	$ 350,000	$ 15,498,047	$ -	$ 350,000
2031	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 450,000	$ 100,000	$ -	$ -	$ 550,000	$ 16,048,047	$ -	$ 550,000
2032	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 600,000	$ -	$ -	$ -	$ 600,000	$ 16,648,047	$ -	$ 600,000
2033	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 600,000	$ -	$ -	$ -	$ 600,000	$ 17,248,047	$ -	$ 600,000
2034	$ -	$ -	$ -	$ -	$ -	$ -	$ 140,000	$ 575,000	$ 100,000	$ -	$ -	$ 815,000	$ 18,063,047	$ -	$ 815,000
2035	$ -	$ -	$ 90,000	$ -	$ -	$ 400,000	$ -	$ 575,000	$ -	$ -	$ -	$ 1,065,000	$ 19,128,047	$ -	$ 1,065,000
2036	$ -	$ -	$ -	$ -	$ -	$ 235,000	$ -	$ 575,000	$ -	$ -	$ -	$ 810,000	$ 19,938,047	$ -	$ 810,000
2037	$ -	$ -	$ -	$ -	$ -	$ 235,000	$ 375,000	$ 575,000	$ -	$ -	$ -	$ 1,185,000	$ 21,123,047	$ -	$ 1,185,000
2038	$ -	$ -	$ -	$ -	$ -	$ 235,000	$ 270,000	$ 575,000	$ 100,000	$ 1,200,000	$ -	$ 2,380,000	$ 23,503,047	$ -	$ 2,380,000
2039	$ -	$ -	$ -	$ -	$ -	$ 235,000	$ 240,000	$ 575,000	$ -	$ 600,000	$ -	$ 1,650,000	$ 25,153,047	$ -	$ 1,650,000
2040	$ -	$ -	$ -	$ -	$ -	$ 235,000	$ 245,000	$ 575,000	$ -	$ 600,000	$ -	$ 1,655,000	$ 26,808,047	$ -	$ 1,655,000
2041	$ -	$ -	$ -	$ -	$ -	$ 256,080	$ 245,000	$ 575,000	$ -	$ 580,000	$ -	$ 1,656,080	$ 28,464,127	$ -	$ 1,656,080
2042	$ -	$ -	$ 190,000	$ -	$ -	$ -	$ 245,000	$ 575,000	$ 100,000	$ 270,495	$ -	$ 1,380,495	$ 29,844,622	$ -	$ 1,380,495
2043	$ -	$ -	$ 170,000	$ -	$ -	$ -	$ 261,994	$ 575,000	$ -	$ -	$ -	$ 1,006,994	$ 30,851,616	$ -	$ 1,006,994
2044	$ -	$ -	$ 170,000	$ -	$ -	$ -	$ -	$ 575,000	$ -	$ -	$ -	$ 745,000	$ 31,596,616	$ -	$ 745,000
2045	$ -	$ -	$ 170,000	$ -	$ -	$ -	$ -	$ 575,000	$ -	$ -	$ -	$ 745,000	$ 32,341,616	$ -	$ 745,000
2046	$ -	$ -	$ 170,000	$ -	$ -	$ -	$ -	$ 575,000	$ 240,000	$ -	$ -	$ 985,000	$ 33,326,616	$ -	$ 985,000
2047	$ -	$ -	$ 250,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 250,000	$ 33,576,616	$ -	$ 250,000
Total	$ 7,535,614	$ 970,301	$ 1,240,661	$ 1,924,008	$ 936,640	$ 1,978,276	$ 2,146,236	$ 9,702,088	$ 855,149	$ 3,287,495	$ 3,000,148	$ 33,576,616	$ 33,576,616	$ 11,556,840	$ 22,019,776

The City would need to seek an extension of the legislation in 2027 if there is a desire to continue to have the ability to make these transfers into the future. If the legislation is not extended, the EDA/City has the ability to retain 100% of the TIF in the housing districts and 35% of the TIF based upon certain expenditures in the redevelopment and renewal and renovation districts (if the EDA/City makes that election in these non-housing districts). Currently, the main tax increment sources, from which the City could retain these funds for affordable housing, are Tonka on the Creek, Rowland, Marsh Run, Dominium (all housing districts), and Applewood Pointe, Shady Oak Crossing, Glenhaven and Marsh Run II (redevelopment/renewal and renovation districts). If the EDA/City chooses to keep these districts open, they would provide an additional $22.019 million that would be retained in the corresponding TIF districts (no authority to transfer the TIF to the AHTF or any other City/EDA fund) and would be available for the construction, rehabilitation or down payment assistance for affordable housing that meets the following restrictions:

Rental Housing

- 20% of the units affordable at 50% of the Area Median Income (AMI) or 40% of the units affordable at 60% of the AMI

Owner Occupied Housing

- 100% of AMI for families of two (2) or less and 115% AMI for a family of three (3) or more

The table below summarizes the amounts that are anticipated to be available and are based upon pay 2026 TIF estimates. Based upon this table:

- The districts ***shaded in gray*** are redevelopment districts where the City elected to retain the additional 10% for affordable housing.
- The districts ***shaded in green*** are housing districts and the City has always allowed these districts to remain open to capture 100% of the TIF for affordable housing.
- The district ***in blue*** is a redevelopment district where the City has not yet elected to retain the additional 10% for affordable housing.
- 2026 is highlighted in bold to show how much from each district is available; and
- The ***orange highlighted year*** (2026) represents the last year the City can transfer from the various districts to the AHTF pursuant to the special legislation discussed on the following page.

TAX CAPACITY CAPTURED IN TIF

The City has balanced using TIF as a tool. Out of 45 cities in Hennepin County, the City has the 7th highest tax capacity.

City	Population	Tax Capacity
Minneapolis	425,336	770,361,651
Bloomington	89,298	232,385,665
Plymouth	79,828	223,125,383
Edina	52,437	214,389,878
Maple Grove	70,726	178,556,879
Eden Prairie	63,161	178,403,548
Minnetonka	**56,327**	**166,302,618**
Brooklyn Park	84,526	134,590,280
St. Louis Park	48,827	120,745,314

While there are undoubtedly many benefits to utilizing TIF as a development tool, cities still wonder if they are utilizing the tool too much or not enough. A city's use of TIF should be independent from comparison to like size or neighboring cities. It should be balanced between a community's strategic priorities/goals and an appropriate level of taxation. To quantify a community's use of TIF, a common benchmark or measure is the percentage of the gross tax base captured in TIF districts. Below is a chart which demonstrates the City's current and projected tax base, which is captured in TIF districts. In 2026, the City has approximately 2.95% of its tax capacity captured in TIF districts. Over the last 5 years the City has averaged 2.56%. It is anticipated that the amount of captured tax capacity will increase next year to 3.37% and then decline below 3% starting in 2030 when Applewood Pointe and Glenhaven TIF districts are decertified. Overall, this amount of use is low given that Minnetonka is fully developed, portions are in need of redevelopment and the City has chosen to use TIF to achieve strategic priorities such as affordable housing.

City of Minnetonka	Acutal					Projected				
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Captured TIF Tax Capacity	4,014,356	2,551,314	3,656,415	4,837,752	4,900,487	5,664,363	5,804,025	5,578,298	4,854,745	4,903,293
Base Gross Tax Capacity	135,765,737	151,934,697	161,793,644	162,653,565	166,302,618	167,965,644	169,645,301	171,341,754	173,055,171	174,785,723
Percentage of Tax Base in TIF	2.96%	1.68%	2.26%	2.97%	2.95%	3.37%	3.42%	3.26%	2.81%	2.81%

** Assumes 1% annual increase in tax base and TIF*

City Council's often inquire how they "compare" to other cities in the use of TIF. Shown in the table below are the 2026 percent of tax capacity captured in TIF, tax rates and bond ratings for similar cities. The cities shown were selected because (i) they may be immediately adjacent to Minnetonka (ii) they are first or second-ring, almost fully developed suburbs (iii) may be similar in size; and (iv) have similar economic characteristics.

Comparable City	Population	Captured As a % of Tax	City Tax Rate	City Bond Rating
Plymouth	78,545	0.82%	27.675%	Aaa/AAA
Maple Grove	72,741	2.07%	30.187%	AAA
Edina	53,262	2.58%	32.309%	Aaa/AAA
Eden Prairie	63,051	2.52%	32.765%	Aaa/AAA
Lakeville	77,973	0.18%	32.967%	Aaa
Woodbury	80,590	0.13%	35.054%	AAA
Eagan	67,238	3.45%	38.350%	Aaa
Minnetonka	**56,327**	**2.95%**	**39.390%**	**Aaa**
Burnsville	64,463	0.52%	48.720%	AAA
Bloomington	88,339	3.25%	49.998%	Aaa/AAA
St Louis Park	49,594	9.1%	51.751%	AAA
Brooklyn Park	82,887	0.12%	54.074%	AA+
Golden Valley	21,725	1.7%	58.619%	Aa1

In addition, in conversations with rating agencies, we do know that market value growth and redevelopment are important factors in maintaining Minnetonka's AAA bond rating.

IMPACT OF DECERTIFYING DISTRICTS

One frequent question we receive is what are the additional levy dollars the City can expect to receive from future TIF districts after they are decertified? The City will see the decertification of two (2) TIF districts in the next two (2) years, starting on December 31, 2028 (Applewood Pointe) and December 31, 2029 (Glenhaven). These districts, when decertified, will return value to the tax rolls for general taxing purposes, and the City will see a corresponding increase in its tax base.

The table below shows how much more the City could levy and still maintain a stable tax rate over the next 20 years. The additional tax capacity freed up by decertifying districts allows the city to set the levy to cover operational and debt needs without directly increasing the property tax impact on taxpayers. As shown in the table, in 2028, the City could have an additional $110,000 if it levied that amount and an additional $303,000 in 2030. The City has the biggest opportunity in 2040 when Opus Business Park decertifies. Overall, the cumulative tax capacity increase is approximately 6 million with a corresponding tax potential of $2.3 million.

TIF District	District Type	Decertifies De. 31	2029 TOTAL	2030 TOTAL	Next 15 TOTAL	Next 20 TOTAL	Cummulative TOTAL
Applewood Pointe	Redev	2028	280,958	-	-	-	-
Glenhaven	R & R	2029	-	771,619	-	-	-
Opus Business Park	R & R	2039	-	-	2,415,185	-	-
Tonka on the Creek	Hsg	2041	-	-	234,725	-	-
Marsh Run II	Redev	2042	-	-	-	1,009,879	
Shady Oak Crossings	Redev	2043	-	-	-	159,229	-
Rowland Housing	Hsg	2043	-	-	-	238,222	-
Marsh Run	Hsg	2046	-	-	-	556,589	-
Dominium	Hsg	2046	-	-	-	289,463	-
Total Annual Captured Net Tax Capacity Returned to Tax Rolls			**280,958**	**771,619**	**2,649,911**	**2,253,382**	**5,955,870**
City Tax Rate for Taxes Payable in 2026 (1)		**39.390%**					
Estimated Additional Annual Tax Levy Available (1)			**$ 110,669**	**$ 303,941**	**$ 1,043,800**	**$ 887,607**	**$ 2,346,017**

(1) - Assumptions:

- ***Calculates additional dollars the City could levy and still maintain the same tax rate as Pay 2026.***
- ***Assumes no change in existing tax base from prior year***
- ***Assumes no change in the Fiscal Disparities Distribution Dollars from Pay 2026***

RECOMMENDATIONS

Recommendations

1. ***Return of Increment From Hedberg Soils District to County For Redistribution.*** This District has a fund balance of approximately $797,000. In 2024 we recommended decertification of this District and that the City send the balance back to the County for redistribution to provide a $0 balance in this fund. This will negate the need to report annually on the district in the future (starting in 2027). The City's proportionate share that will be returned is approximately $297,830 and these dollars are available for any purpose determined by the City/EDA, including future monitoring obligations of the district.

2. ***Return of Increment From Applewood Pointe to County For Redistribution.*** In 2025 the EDA did a modification to provide authority to collect up to $970,301 in TIF for affordable housing. In 2026 we are recommending that the EDA transfer the remaining allowable amount of $185,478. This will leave a balance of $115,081 to be returned to the County for redistribution to provide a $0 balance in this fund. This will negate the need to report annually on the district in the future (starting in 2027). The City's proportionate share that will be returned is approximately $43,000 and these dollars are available for any purpose determined by the City/EDA.

3. ***Glenhaven Budget Modification.*** The City/EDA has two options it could pursue for this District: (i) complete a public hearing and modify the budget before end of year to increase amount for affordable housing (prior administrative modification was limited on what could be contributed to affordable housing). This will increase the 2026 transfer to the AHTF from $83,446 to $500,000; or (ii) transfer the $83,446 to the AHTF and not do the modification. Either option will likely allow the EDA to pay off the bonds two years early and decertify the district at the end of 2028.

4. ***Election to Retain an Additional 10% for Affordable Housing.*** We recommend completing an administrative modification (resolution by EDA) in 2026 to amend the TIF budgets for Marsh Run II and Opus TIF Districts to provide the City/EDA the flexibility to retain the additional funds in the future. Current obligation in the Marsh Run II TIF district will be paid in 2037 and the City/EDA would be required to decertify the district 5 years later (2042) after collecting the additional funds for affordable housing. The Current obligation in the Opus Business Park TIF district will be paid in 2030. Even if the City/EDA makes this election it will not extend the TIF district term beyond 2030 at this time. If the Districts remain open, they will generate approximately $3.2 million and $3 million respectively for affordable housing. The funds would remain in the respective TIF funds until such time an authorized use is identified.

5. ***2021 Special TIF Legislation for Affordable Housing Trust Fund (AHTF)***. Staff and Ehlers will review the TIF districts that have cash balances available for transfer prior to year-end as approved by the 2021 special legislation.

Appendix A

TIF District Summary

District	Glenhaven	Tonka on the Creek	Rowland (The Chase at Nine Mile Creek)	Applewood Pointe	Marsh Run (Doran - The Birke)	Shady Oak Crossing (Ron Clark)	Dominium	Opus Business Park	Marsh Run II (Doran)
District Type	Renewal and Renovation	Housing	Housing	Redevelopment	Housing	Redevelopment	Housing	Renewal and Renovation	Redevelopment
Development	52-unit apartmentwith 20,500 sq. ft. of retail, 150-unit sr. apartment (ind./mem care), and 45 sr. cooperative (Zvago)	100-unit apartment with 20% of units affordable at or below 50% AMI	106-unit apartment with 20% of units affordable at or below 50% AMI	87-unit sr. cooperative with 9 units affordable	175-Unit Apartment with 20% of the units affordable at or below 50% AMI	75-Unit Apartment with 30% of the units affordable at or below 60% AMI	262-unit sr. apartment and 220-unit workforce apartment all affordable at or below 60% AMI	Various housing developments	197-Unit Apartment with 10% Units affordable at or below 60% AMI and 20% affordable at or below 80% AMI
Certification Date	6/2/2006	4/22/2014	7/2/2015	7/2/2015	7/26/2019	7/17/2020	12/10/2018	5/14/2021	7/25/2023
Legal MaxTterm	12/31/2029	12/31/2041	12/31/2043	12/31/2043	12/31/2046	12/31/2047	12/31/2046	12/31/2039	12/31/2050
Anticipated Term	**12/31/2029**	**12/31/2041**	**12/31/2043**	**12/31/2028**	**12/31/2046**	**12/31/2043**	**12/31/2046**	**12/31/2039**	**12/31/2042**
First Increment	2007	2016	2018	2018	2021	2022	2021	2024	2025
Current Obligations	**$4,515,000** TIF Revenue Bonds, Series 2017 and **$502,588** IFL	**$2,283,000** PAYGO TIF Note to Tonka on the Creek LLC PAYGO	**$2,500,000** PAYGO TIF Note to Rowlands Investments LLC	**$1,290,000** PAYGO TIF Note to United Properties	**$4,200,000** PAYGO TIF Note	**$1,900,000** PAYGO TIF Note	**$4,161,000** PAYGO TIF Note for Sr. housing **and $3,648,000** PAYGO TIF Note for workforce housing	**$2,780,000** PAYGO TIF Note to Wellington	**$4,600,000** PAYGO TIF Note
2026 Estimated TIF Revenue	$743,549	$253,742	$257,987	$312,923	$601,274	$172,440	$312,755	$2,439,475	$174,875

Policy Number 2.18
Tax Increment Financing and Tax Abatement

Purpose of Policy: This policy establishes criteria which guide the economic development authority and the city council when considering the use of tax increment financing and tax abatement tools in conjunction with proposed development.

Introduction

Under the Minnesota Statutes Sections 469.152 to 469.1799, the city of Minnetonka has the authority to establish tax increment financing districts (TIF districts). Tax increment financing is a funding technique that takes advantage of the increases in tax capacity and property taxes from development or redevelopment to pay public development or redevelopment costs. The difference in the tax capacity and the tax revenues the property generates after new construction has occurred, compared with the tax capacity and tax revenues it generated before the construction, is the captured value, or increments. The increments then go to the economic development authority and are used to repay public indebtedness or current costs the development incurred in acquiring the property, removing existing structures or installing public services. The fundamental principle that makes tax increment financing viable is that it is designed to encourage development that would not otherwise occur.

Under Minnesota Statutes, Sections 469.1812 to 469.1815, the city of Minnetonka has the right to abate property taxes. A city may grant an abatement of some or all of the taxes or the increase in taxes it imposes on a parcel of property if the city expects the benefits of the proposed abatement agreement to at least equal the costs of the proposed agreement. Abatement would be considered a reallocation or rededication of taxes for specific improvements or costs associated with development rather than a "refund" of taxes.

It is the judgment of the city council that TIF and abatement are appropriate tools that may be used when specific criteria are met. The applicant is responsible for demonstrating the benefit of the assistance, particularly addressing the criteria below. The applicant should understand that although approval may have been granted previously by the city for a similar project or a similar mechanism, the council is not bound by that earlier approval. Each application will be judged on the merits of the project as it relates to the public purpose.

TAX INCREMENT FINANCING

The Economic Development Authority (EDA), as authorized by the city, will be responsible to determine that (1) a project would not occur "but for" the assistance provided through tax increment financing; and (2) no other development would occur on the relevant site without tax increment assistance that could create a larger market value increase than the increase expected from the proposed development (after adjusting for

the value of the tax increment). At the time of any application for a Comprehensive Guide Plan amendment, rezoning or site plan approval for a project, whichever occurs first, the applicant must divulge that TIF financing will be requested.

Projects eligible for consideration of tax increment financing include but are not limited to the following:

- Projects must be compatible with the Comprehensive Guide Plan (or acquire an amendment) and the development and redevelopment objectives of the city.

- Priority will be given to those projects which:

  - are within the "village areas" identified in the city's most recently adopted Comprehensive Guide Plan;

  - are mixed use or residential in nature, and include affordable housing units which meet the city's affordable housing standards;

  - contain amenities or improvements which benefit a larger area than the identified development;

  - improve blighted or dilapidated properties, provide cohesive development patterns, or improve land use transitions; or

  - maximize and leverage the use of other financial resources.

Costs Eligible for Tax Increment Financing Assistance

The EDA will consider the use of tax increment financing to cover project costs as allowed for under Minnesota Statutes. The types of project costs that are eligible for tax increment financing are as follows:

Utilities design	Site related permits
Architectural and engineering fees directly attributable to site work	Soils correction
Earthwork/excavation	Utilities (sanitary sewer, storm sewer, and water)
Landscaping	Street/parking lot paving
Streets and roads	Curb and gutter
Street/parking lot lighting	Land acquisition
Sidewalks and trails	Legal (acquisition, financing, and closing fees)
Special assessments	Surveys
Soils test and environmental studies	Sewer Access Charges (SAC) and Water Access Charges (WAC)

Title insurance	Landscape design

Forms of Assistance

Tax increment financing will generally be provided on a "pay-as-you-go" basis wherein the EDA compensates the applicant for a predetermined amount for a stated number of years. The EDA will have the option to issue a TIF Note with or without interest, where the principal amount of the TIF Note is equal to the amount of eligible project costs incurred and proven by the developer. In all cases, semi-annual TIF payments will be based on available increment generated from the project. TIF payments will be made after collection of property taxes.

Fiscal Disparities

TIF Districts will generally be exempt from the contribution to fiscal disparities. Tax revenues for fiscal disparities, generated by the TIF project, will be the responsibility of properties inside the district. The exception to this policy is when MN Statutes require that fiscal disparities be paid from within a TIF District, as is the case with Economic Development Districts.

TAX ABATEMENT

The tax abatement tool provides the ability to capture and use all or a portion of the property tax revenues within a defined geographic area for a specific purpose. Unlike TIF, tax abatement must be approved by each major authority under which the area is taxed, and therefore, usually only city property taxes will be abated. In practice, it is a tax "reallocation" rather than an exemption from paying property taxes. Tax abatement is an important economic development tool that, when used appropriately, can be useful to accomplish the city's development and redevelopment goals and objectives. Requests for tax abatement must serve to accomplish the city's targeted goals for development and redevelopment, particularly in the designated village center areas. At the time of any application for a Comprehensive Guide Plan amendment, rezoning or site plan approval for a project, whichever occurs first, the applicant must divulge that tax abatements will be requested.

Projects Eligible for Tax Abatement Assistance

Projects eligible for consideration of property tax abatement include but are not limited to the following:

- Projects must be compatible with the Comprehensive Guide Plan (or acquire an amendment) and the development and redevelopment objectives of the city; and
- Priority will be given to those projects which:
    - increase or preserve the tax base
    - provide employment opportunities in the City of Minnetonka;

- provide, help acquire or construct public facilities;
- finance or provide public infrastructure;
- improve blighted or dilapidated properties, provide cohesive development patterns, or improve land use transitions; or
- produce long-term affordable housing opportunities.

Fiscal Disparities

Tax revenues for fiscal disparities, generated by the abatement project, will be the responsibility of properties inside the district.

REVIEW PROCESS

All applications for TIF and tax abatement will be reviewed by city's community development director. After review by the city's financial consultant, the community development director may refer the request to the EDA. The EDA will hold appropriate public hearings and receive public input about the use of the financial tools. The EDA will provide a recommendation regarding the assistance to the city council.

The city council must consider, along with other development decisions, the request for assistance and will make the final decision as to the amount, length, and terms of the agreement.

Adopted by Resolution No. 2014-074
Council Meeting of July 21, 2014

Policy Number 2.14
Tax Increment Financing Pooling Funds

Purpose of Policy: This policy establishes evaluation criteria that guide the city council in consideration of use of tax increment financing pooling funds

Introduction

Under the Minnesota Statutes Chapter 469, at least 75 percent of tax increment in a redevelopment tax increment financing (TIF) district must be spent on eligible activities within the district, leaving up to 25 percent of the funds to be pooled and therefore eligible to be spent outside of the district, but within the project area.

An exception to the pooling funds is for affordable rental housing. The city may allow the pooling allowance to be increased to 35 percent, which can then go to finance certain affordable housing projects. The project may be located anywhere in the city, and not limited to the project area. Each financed project must be rental housing that is eligible for federal low income housing tax credits. The amount of the assistance is also limited to any amount that satisfies tax credit rules.

The council is aware that use of such TIF pooled funds may be of benefit to the city and will consider requests for pooled funds subject to this council policy. The council considers the use of these funds to be a privilege, not a right.

It is the judgment of the council that TIF pooled funds is to be used on a selective basis. It is the applicant's responsibility to demonstrate the benefit to the city, and that they should understand that although approval may have been granted previously by the city TIF pooled funds for a similar project, the council is not bound by that earlier approval.

Evaluation Criteria

The city will use the following criteria when evaluating a development proposal requesting the use of TIF pooled funds:

- The project supports reinvestment in an identified village center and addresses the goals set out in the comprehensive plan for that center.
- Priority will be provided for projects that are within a "regional" village center or support transit areas.
- Weight will be given when the proportion of affordability is greater than what is customary in other tax increment financed projects in the city, overall affordability of 20% of units (usually at 60% AMI for rental).
- The project may request both tax increment financing and pooling dollars as long as the project has provided data that "but for" the additional pooling dollars, this project would not occur.

- If the project is receiving funds from other sources, the pooled dollars would be the last source utilized unless it impacts other sources.

Other Provisions

- A project will not normally be given financing approval until all city planning and zoning requirements have been met. Planning and zoning matters may be considered simultaneously with preliminary approval of the financing.

- The city is to be reimbursed and held harmless for any out-of-pocket expenses related to the TIF pooling funds, but not limited to, legal fees, financial analyst fees, bond counsel fees, and the city's administrative expenses in connection with the application. The applicant must execute a letter to the city undertaking to pay all such expenses.

- The applicant will be required to enter into a development agreement with the city outlining the terms of the use of TIF pooled funds.

Adopted by Resolution No. 2011-039
Council Meeting of May 16, 2011

Policy Number 13.2
Affordable Housing Policy

Purpose of Policy: This policy establishes general procedures and requirements to govern the City's commitment to affordable housing.

Introduction

The City of Minnetonka has a long history of promoting diversity in the type and size of housing units in Minnetonka, including the production of new affordable rental and ownership opportunities.

This Policy recognizes the city's commitment to provide affordable housing to households of a broad range of income levels in order to appeal to a diverse population and provide housing opportunities to those who live or work in the city. The goal of this policy is to ensure the continued commitment to a range of housing choices by requiring the inclusion of affordable housing for low and moderate-income households in new multifamily or for-sale developments.

The requirements in this policy further the Minnetonka Housing Action Plan and city's Housing Goals and Strategies identified in the 2040 Comprehensive Plan.

Applicability and Minimum Project Size

This policy applies to all new multifamily rental developments with 10 or more dwelling units and all new for-sale common interest or attached community developments, (condominiums, townhomes, co-ops) with at least 10 dwelling units. This includes existing properties or mixed-use developments that add 10 or more units.

Calculation of Units

The number of Affordable Dwelling Units (ADUs) required shall be based on the total number of dwelling units approved by the city. If the final calculation includes a fraction, the fraction of a unit shall be rounded up to the nearest whole number.

If an occupied property with existing dwelling units is expanded by 10 or more units, the number of required ADUs shall be based on the total number of units following completion of expansion.

Affordable Dwelling Unit (ADU)

General Requirements.

For projects not requesting a zoning change and/or comprehensive plan amendment and not receiving city assistance.

- In multi-family rental developments, at least 5% of the units shall be affordable to and occupied by households with an income at or below 50% of

the AMI.

- In attached for-sale common interest or attached community developments (condominiums, townhomes, co-ops), at least 10% of the units shall be affordable to and occupied by households with an income at or below 80% AMI.

For projects requesting a zoning change or comprehensive plan amendment without city assistance.

- In multi-family rental developments, at least 10% of the units shall be affordable to and occupied by households with incomes at or below 60% AMI, with a minimum of 5% at 50% AMI.

- In attached for-sale common interest or attached community developments (condominiums townhomes, co-ops), at least 10% of the units shall be affordable to and occupied by households with an income at or below 80% AMI.

For projects receiving city assistance.

- For multi-family rental developments, at least 20% of the units shall be affordable to and occupied by households with an income at or below 50% of the AMI; or at least 40% of the units shall be affordable to and occupied by households with an income at or below 60% AMI.

- In attached for-sale common interest or attached community developments (condominiums, townhomes, co-ops), at least 10% of the units shall be affordable to and occupied by households with an income at or below 80% AMI.

Calculation of AMI

For purposes of this policy, Area Median Income means the Area Median Income for the Twin Cities metropolitan area calculated annually by the Minnesota Housing Finance Agency for establishing rent limits for the Housing Tax Credit Program (multi-family ADU) and the Department of Housing and Urban Development (attached for-sale common interest or attached community developments, including: condominiums, townhomes, co-ops).

Rent Level Calculation (Multi- Family Rental Developments)

The monthly rental price for an ADU receiving city assistance shall include rent and utility costs and shall be based on fifty percent (50%) or sixty percent (60%) for the metropolitan area that includes Minnetonka adjusted for bedroom size and calculated annually by Minnesota Housing Financing Agency for establishing rent limits for the Housing Tax Credit Program. This does not apply to units not receiving city assistance.

For Sale Projects

The qualifying sale price for an owner-occupied dwelling unit shall include property taxes, homeowner's insurance, principal payment and interest, private mortgage insurance, monthly ground lease, association dues, and shall be based upon eighty (80%) AMI for the metropolitan area that includes Minnetonka adjusted for bedroom size and calculated annually by the Department of Housing and Urban Development.

Period of Affordability

In developments subject to this policy, the period of affordability for the ADUs shall be thirty (30) years.

Location, Standards, and Integration of ADUs

Distribution of affordable housing units. Unless otherwise specifically authorized by this policy, the ADUs shall be integrated within the development and distributed throughout the building(s). The ADUs shall be incorporated into the overall project unless expressly allowed to be located in a separate building or a different location approved by the city council.

Number of bedrooms in the affordable units. The ADUs shall have a number of bedrooms proportional to the market rate units. The mix of unit types shall be approved by the city.

Size and Design of ADUs. The size and design of ADUs shall be consistent and comparable with the market rate units in the rest of the project.

Exterior/Interior Appearance of ADUs. The exterior/interior materials and design of the ADUs in any development subject to these regulations shall be indistinguishable in style and quality with the market rate units in the development.

Non-Discrimination Based on Rent Subsidies

Developments covered by this policy must not discriminate against tenants who would pay their rent with federal, state or local public assistance, including tenant based federal, state or local subsidies, but not limited to rental assistance, rent supplements, and Housing Choice Vouchers.

Alternatives to On-Site Development of an ADU

The city recognizes that it may not be economically feasible or practical in all circumstances to provide ADUs in all development projects due to site constraints resulting in extraordinary costs of development. The city reserves the right to waive this policy if the developer requests a waiver and can provide evidence of extraordinary costs prohibiting the inclusion of ADUs. The city will review on a case-by-case basis to determine if the waiver is justifiable and granted.

Recorded Agreements, Conditions and Restrictions

A declaration of restrictive covenants shall be executed between the city, EDA and developer, in a form approved by the city's EDA attorney, which formally sets forth development approval and requirements to achieve affordable housing in accordance with this policy. The declaration shall identify:

- The location, number, type, and size of affordable units to be constructed;
- Sales and/or rental terms; occupancy requirements;
- A timetable for completion of the units; and
- Annual Tenant income and rent reporting requirements; and
- Restrictions to be placed on the units to ensure their affordability and any terms contained in the approval resolution by the city/EDA.

The applicant or owner shall execute all documents deemed necessary by the city manager, including, without limitation, restrictive covenants and other related instruments, to ensure affordability of the affordable housing unit within this policy.

The documents described above shall be recorded in the Hennepin County as appropriate.

Definitions

Affordable Dwelling Unit: A unit within a residential project subject to this policy that shall meet the income eligibility and rent affordability standards outlined in this policy.

Financial Assistance: Funds derived from the city or EDA, including but is not limited to fund from the following sources:

- City of Minnetonka
- Housing Redevelopment Authority (HRA) Funds
- Economic Development Authority (EDA) Funds
- Community Development Block Grant (CDBG)
- Reinvestment Assistant Program
- Revenue Bonds and/or Conduit Bonds
- Tax increment financing (TIF), TIF pooling, or tax abatement
- Land write downs
- Other government housing development sources

Adopted by Resolution 2019-060
Council Meeting of July 8, 2019

RELEVANT LINKS:

Minn. Stat. § 469.156.

Minn. Stat. § 469.162.

For more information, contact DEED 651.259.7114, 800.657.3858. Main Office: 1st National Bank Building 332 Minnesota Street, Suite E200 Saint Paul, MN 55101-1351.

A city may issue industrial revenue bonds, also known as municipal revenue bonds, without public referendum. It cannot pledge the full faith and credit of a community as security for these bonds. Thus, the city may not tax property owners to pay principal and interest on the bonds.

If a city decides to investigate the use of industrial bond financing, it should contact the Department of Employment and Economic Development. The department provides the city with information, advice, and technical assistance. This assistance is important, due to the adoption of federal and state laws allocating issuance authority among the states and their political subdivisions. The commissioner of Securities must approve the project.

D. Commercial rehabilitation

Minn. Stat. § 469.184.

Cities have authority to carry out programs for the rehabilitation of small- and medium-sized commercial buildings. The city must adopt a program ordinance that provides for the adoption of program regulations, including a definition of small- and medium-sized commercial buildings. Loans under the program may be for amounts up to $200,000. The city may finance the program through the sale of revenue bonds.

E. Tax increment financing (TIF)

Minn. Stat. §§ 469.174 to 469.1794.

Tax increment financing authority is available to most cities. Cities with housing and redevelopment authorities, economic development authorities, port authorities, redevelopment agencies, those cities administering development districts or development projects, or cities exercising port authority powers under a general or special law may use tax increment financing.

Tax increment financing is a funding technique that takes advantage of the increases in tax capacity and property taxes from development or redevelopment to pay upfront public development or redevelopment costs. The difference in the tax capacity and the tax revenues the property generates after new construction has occurred, compared with the tax capacity and tax revenues it generated before the construction, is the captured value. The taxes paid on the captured value are called “increments.” Unlike property taxes, increments are not used to pay for the general costs of cities, counties, and schools. Instead, increments go to the development authority and are used to repay public indebtedness or current costs the city incurred in acquiring the property, removing existing structures or installing public services.

RELEVANT LINKS:

Thus, the property owner in a TIF district continues to pay the full amount of property taxes. TIF involves only the increased property taxes generated within the district. It does not change the amount of property taxes currently derived from the redevelopment area, nor does it directly affect the amount or rate of general ad valorem taxes the city levies. The result of a TIF project is an increased tax base that will benefit all local taxing jurisdictions. Additionally, TIF districts usually spur economic development and redevelopment through creating jobs, removing blight, and providing more affordable housing.

Minn. Stat. § 469.177, subd. 1.

If the market value of a homestead property within a TIF district reduces the homestead market value in the district, the original tax capacity of the TIF district will be reduced by the same amount.

Thus, the tax increment collected by the city will remain the same. If a city has a TIF district with townhouses or condominiums, the city should verify that valuations are properly adjusted by the county auditor.

See Minn. Stat. § 469.174.

TIF is used to encourage four general types of private development: redevelopment, renovation and renewal, growth in low- to moderate-income housing, and economic development. Public financing using TIF funding for a privately owned facility does not make public space in the facility a public forum for free speech purposes.

State v. Wicklund, 589 N.W.2d 793 (Minn. 1999).

Minn. Stat. § 469.176, subd. 7.

In some specific situations, a TIF authority may request inclusion in a tax increment financing district and the county auditor may certify the original tax capacity of a parcel or a part of the following property types:

- Agricultural.
- Private outdoor recreational, open space and park land.
- Rural preserve property.
- Metropolitan agricultural preserves.

Minn. Stat. § 469.175, subds. 5, 6.

The city using TIF must report annually to the state auditor as to the status of the TIF district or districts and publish the report in a newspaper of general circulation in the municipality. The state auditor has established a uniform system of accounting and financial reporting for TIF districts. The city must annually submit to the state auditor a financial report in compliance with these standards.

Minn. Stat. § 469.1771, subds. 1, 2b.

The state auditor may audit TIF districts. If the state auditor notifies a TIF authority of an alleged violation, a copy of the notice is also forwarded to the county attorney. If no corrective action is brought within one year, the county attorney must notify the state auditor, who then notifies the attorney general.

RELEVANT LINKS:

If the attorney general finds a substantial violation, the attorney general will petition the state tax court to suspend the authority's power to use TIF for a period of up to five years.

Minn. Stat. § 469.177, subd. 8. *Lake Superior Paper Indus. v. State*, 624 N.W.2d 254 (Minn. 2001). *Brookfield Trade Center, Inc. v. County of Ramsey*, 609 N.W.2d 868 (Minn. 1998).

The TIF agreement with the developer is a complex document. Assistance from a financial advisor and the city attorney is necessary in order to anticipate the many potential problems. An agreement can establish a minimum market value for tax increment assessment purposes, as well as provide that the developer pay a certain level of taxes regardless of any classification rate changes or levy decreases. The agreement should be entered into before the assembly and acquisition of the land on which the completed improvements are to be located.

Minn. Stat. § 469.1771.

The law imposes a 180-day statute of limitations on actions to challenge the creation or modification of a TIF district. The law is complex including a "but-for" finding before a city approves a TIF plan and the creation of a TIF district.

Cities must follow statutory requirements including but not limited to administrative expenses, plan modifications, reporting requirements, use of increment in pre-1979 districts, excess increments, pooling, decertification, and use of funds outside the district.

Minn. Stat. § 469.175.

Before a district can be created, the law requires a detailed estimate of the impact of a proposed district on city-provided services, such as police and fire protection, public infrastructure, and borrowing costs attributable to the district, in addition to other complex estimations that must be prepared.

Walser Auto Sales, Inc. v. City of Richfield, 635 N.W.2d 391 (Minn. Ct. App. 2001); aff'd, 644 N.W.2d 425 (Minn. 2002).

Cities should use extreme care in establishing a TIF district and should follow all procedural requirements; otherwise, a court may find the district was not properly established. In one case, a TIF district was not properly established where minimal effort was made to ensure the thorough inspection of the properties, inaccurate methodology was used to establish the condition of the buildings, and the buildings found structurally substandard were not reasonably distributed throughout the district.

Chenoweth v. City of New Brighton, 655 N.W.2d 821 (Minn. Ct. App. 2003).

In another case, a cause of action for inverse condemnation did not arise where a city's involvement with an adjacent property owner's development consisted of establishing a TIF district, entering into a contract with a private developer specifying the size and value of structures to be built, and providing for substantial city assistance to facilitate development.

Given the complexity of the laws governing the use of TIF, cities or HRAs should not undertake this method of financing community development projects without the advice of an attorney and professional consultants.

RELEVANT LINKS:

F. Property tax abatement

Minn. Stat. §§ 469.1812 to 469.1815.

A city may use this development tool to segregate some or all of the taxes (or the increase in taxes) it imposes on a parcel of property if the city expects the benefits of the proposed abatement agreement at least to equal the costs of the proposed development. The term "abatement" is somewhat misleading, as in most cases the tax is not forgiven; it is paid normally, but the amount of property tax levied by the city is used to pay for the bonds. The city must determine that the agreement is in the public interest because it will increase or preserve tax base, provide employment opportunities, provide or help acquire or construct public facilities, help redevelop or renew blighted areas, or help provide access to services for residents of the city. Property taxes in a TIF district cannot be abated unless the period of the abatement will not occur until after the district is decertified.

Minn. Stat. § 469.1813.

A resolution must be adopted after notice and public hearing, specifying the terms of the abatement.

A city may issue bonds or other obligations to provide an amount equal to the sum of the abatements granted for a specific property. The maximum principal amount of these bonds may not exceed the estimated sum of the abatements for the property for the years authorized. The bonds may be general obligations of the city if the city council chooses to pledge the full faith and credit of the city in the resolution issuing the bonds. The law limits property tax abatements to 15 years. School districts and counties have similar abatement powers. A city, county, and school district can agree to abate their taxes on the same property.

IV. State-sponsored development tools

A. Minnesota Housing Finance Agency

Minn. Stat. ch. 462A. For more information about MHFA programs, contact MHFA at 400 Wabasha Street North, Suite 400, St. Paul, MN 55102(651) 296-7608 or (800) 657-3769.

The goals of the Minnesota Housing Finance Agency (MHFA) are to provide decent, affordable housing to low- and moderate-income people; preserve the existing housing stock in Minnesota; preserve existing neighborhoods and prevent them from deteriorating; and prevent mortgage foreclosures while promoting energy conservation in residential housing.

The Minnesota Legislature created the MHFA in response to a shortage of affordable housing for low- and moderate-income people. Private enterprise and private investment were unable, without public assistance, to provide an adequate supply of safe, sanitary, and decent housing at affordable prices and rents.

City Council
Agenda Item 14.E
Meeting of October 26, 2026

Title:	Closed meeting to discuss labor negotiation strategies pursuant to Minnesota Statutes section 13D.03.
Report from:	Moranda Dammann, Assistant City Manager
Submitted Through:	Erik Nilsson, City Attorney Mike Funk, City Manager
Presenter:	Moranda Dammann, Assistant City Manager

Action Requested:	Motion
Form of Action:	Report
Votes needed:	4 votes

Summary Statement
On Dec. 17, 2026, the current collective bargaining agreements with Law Enforcement Labor Services (LELS) Police Sergeants, International Union of Operating Engineers (IUOE) Local No. 49, and Minnetonka Professional Firefighters, IAFF Local 5522, will expire. The Minnesota Open Meeting Law, Minnesota Statutes section 13D.03, allows a public meeting to be closed for the purpose of discussing labor negotiation strategies.

Recommended Action
Motion to close the public meeting pursuant to Minnesota Statutes, Section 13D.03, Subdivision 1(b), to discuss strategy for labor negotiations with Law Enforcement Labor Services (LELS) Police Sergeants, International Union of Operating Engineers (IUOE) Local No. 49, and Minnetonka Professional Firefighters, IAFF Local 5522.

Strategic Plan Relatability
N/A

Financial Consideration
No

Financial implications will be presented to the city council when the new contracts are brought forward for consideration.

Background
The Minnesota Open Meeting Law allows the city council to close a meeting to discuss labor negotiation strategy. To do so, the council must decide, by majority vote in a public meeting, to hold a closed session for the purpose of considering strategy for labor negotiations.

In addition, the time and place of the closed meeting must be announced during the public meeting. For

tonight's purposes, the closed session will occur on Oct. 26, 2026, at the time announced by the Mayor, in the Minnehaha Conference Room. Additional requirements also apply, including recording the meeting, retaining the recording for a specified period of time, and maintaining a public record of the council members and other persons who attend the closed session.

The council may not discuss any business during the closed session other than that announced as the purpose for closing the meeting. Formal approval of a negotiated agreement must occur during an open meeting.