



EDINA MINNESOTA

City Council Meeting Agenda

February 17, 2026, 7:00 PM

Edina City Hall, Council Chambers, 4801 W. 50th St.



Participate in the meeting:

Watch the meeting on cable TV or [YouTube.com/EdinaTV](https://www.youtube.com/EdinaTV).

Provide feedback during Community Comment by calling 312-535-8110. Enter access code 2861 740 2334. Password is 5454. Press *3 on your telephone keypad when you would like to get in the queue to speak. A staff member will unmute you when it is your turn to speak.

Accessibility Support:

The City of Edina wants all residents to be comfortable being part of the public process. If you need assistance in the way of hearing amplification, an interpreter, large-print documents or something else, please call 952-927-8861 at least 72 hours in advance of the meeting.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of Meeting Agenda

5. Community Comment

During "Community Comment," the Mayor will invite residents to share issues or concerns that are not scheduled for a future public hearing. Items that are on tonight's agenda may not be addressed during Community Comment. Individuals must limit their comments to three minutes. The Mayor may limit the number of speakers on the same issue in the interest of time and topic. Individuals should not expect the Mayor or Council to respond to their comments tonight. The City Manager will respond to questions raised during Community Comments at the next meeting.

5.1. City Manager's Response to Community Comments

6. Adoption of Consent Agenda

All agenda items listed on the Consent Agenda will be approved by one motion. There will be no separate discussion of items unless requested to be removed by a Council Member. If removed the item will be considered immediately following the adoption of the Consent Agenda. (Favorable roll call vote of majority of Council Members present to approve, unless otherwise noted in consent item.)

6.1. Minutes: Work Session and Regular, Feb. 4, and Special, Feb. 5

- 6.2. Payment of Claims
- 6.3. Purchase Request: Hennepin County Library and Senior Center Exterior Improvements
- 6.4. Waive Permit Fees for Hennepin County Library and Senior Center Exterior Improvements
- 6.5. Ordinance 2026-03: Amending Chapter 2- Water Meter Replacement Surcharge
- 6.6. Arden Park Maintenance Covenants
- 6.7. Agreement with Minnehaha Creek Watershed District and Edina Public School District for Concord Flood Infrastructure Project
- 6.8. Purchase Request: Engineering Services for Concord Flood Infrastructure Project Feasibility Study
- 6.9. Purchase Request: Arlington Streetlights for 50th & France
- 6.10. Purchase Request: Playground Replacement Design and Engineering
- 6.11. Purchase Request: 2026 Toro Trim Mower
- 6.12. Purchase Request: 2026 Residential Tree Sale
- 6.13. Purchase Request: Braemar Golf Course Korechi Autonomous Range Ball Picker
- 6.14. Purchase Request: Braemar Golf Course VertaCat All-Terrain Mobility Rider
- 6.15. Purchase Request: Chevy Blazer PPV EV
- 6.16. Hennepin County Auto Theft Collaboration Cooperative Agreement
- 6.17. Purchase Request: Modular Wall Training System
- 6.18. 2026 Commission Appointments
- 6.19. Temporary On-Sale Liquor License: Our Lady of Grace Church
- 6.20. Temporary On-Sale Liquor License: Midwest Rett Syndrome Foundation

7. Special Recognitions and Presentations

7.1. Proclamation: School Bus Driver Appreciation Day Feb. 18, 2026

7.2. Citizen Award Presentation

8. Reports/Recommendations

8.1. An Ordinance Amending Tree Protection

A. Ordinance 2026-04: Amendment Regarding Tree Protection

8.2. Ordinance 2026-02: Amending Section 4-9-9; Repealing and Replacing Chapter 6 Article III Lawful Gambling of the Edina City Code

8.3. Amendment to the Mobile ECMO Truck Services, Dispatch and Deployment Agreement

9. Manager's Comments

9.1. Immigration Response Task Force Status Report

10. Mayor and Council Comments

11. Adjournment



Item Number: 5.1

Department: Administration

Item Activity: Information

Prepared By: Scott Neal, City Manager

Item Title: City Manager's Response to Community Comments

Action Requested:

None, information only.

Information/Background:

[Responses to questions posed during Community Comment at the last meeting were posted on the City's website \(URL\).](#) City Manager Neal will provide summaries of those responses during the meeting.

Supporting Documentation:

None



Item Number: 6.1

Department:

Item Activity: Action

Prepared By: Sharon Allison, City Clerk

Item Title: Minutes: Work Session and Regular, Feb. 4, and Special, Feb. 5

Action Requested:

Approve minutes as presented.

Information/Background:

Supporting Documentation:

1. Minutes: Work Session, Feb. 4, 2026
2. Minutes: Regular, Feb. 4, 2026
3. Minutes: Special, Feb. 5, 2026

**MINUTES
OF THE EDINA CITY COUNCIL
WORK SESSION
COMMUNITY ROOM, CITY HALL
WEDNESDAY, FEBRUARY 4, 2026
5:30 P.M.**

1.0 CALL TO ORDER

Mayor Hovland called the meeting to order at 5:32p.m.

2.0 ROLL CALL

Answering rollcall were Members Agnew, Jackson, Pierce, Risser, and Mayor Hovland.

Staff in attendance: Scott Neal, City Manager; Ari Lenz, Assistant City Manager; Zoe Johnson, City Management Fellow; MJ Lamon, Special Projects & Engagement Manager; Jennifer Bennerotte, Communications Director; Perry Vetter, Parks & Recreation Director; Nate Morrison, Maintenance Supervisor; Police Chief Todd Milburn; Lieutenant Ryan Schultz; Katie Bisek, I.T. Specialist; City Attorney Dave Kendall and Sharon Allison, City Clerk.

3.1 IMMIGRATION RESPONSE

Manager Neal introduced the topic, explaining that the report was developed by the City Manager's Immigration Response Task Force. He stated the Task Force considered legal parameters, community values, practical limitations, and potential creative solutions, which resulted in a draft ordinance and resolution for Council consideration. Special Projects & Engagement Manager Lamon said several items were identified as rising to the level of Council action.

Regarding regulatory signage in City parks, facilities, and other public places, the Task Force reviewed examples from other communities where signage was installed to deter federal agents from using public property for enforcement-related activities. Staff noted such signage would be largely symbolic, as the City's authority to enforce compliance is limited or nonexistent. After reviewing other cities' experiences, staff concluded the signs are difficult to enforce, may create a false sense of security, and could undermine public trust. In addition, there is no data indicating federal agents are present on City property. For these reasons, the City Manager and Task Force did not recommend installation, though staff would implement Council direction. Council discussion centered on whether signage would help residents feel heard and safe, the risk of implying the City could take action it legally cannot, and whether encouraging residents to call 911 would be appropriate. Council also discussed the Police Department's role and limitations in federal immigration enforcement, experiences in other communities, and alternative communication methods that would demonstrate support without creating unrealistic expectations.

The Council also discussed issuing a clear statement that ICE is not welcome in the City of Edina and/or adopting a Welcoming Resolution. The Task Force referred this item directly to Council due to its legal and financial complexities. Staff advised that, depending on wording, a resolution could risk the City being labeled a sanctuary city, potentially jeopardizing federal funding. It was noted the City has received approximately \$692,000 in ARPA funds and may

receive an additional \$600,000 in federal funding that could be impacted. Council discussed whether a resolution would be a more effective statement than signage. Some expressed concern about constitutional rights and were willing to accept potential funding risks, while others cautioned that even modified language could still result in the City being characterized as a sanctuary city. It was also noted that the City has already joined an amicus brief related to reducing ICE activity and that it is well known the City does not participate in federal immigration enforcement. One Council member declined to support the proposed resolution and encouraged language that would be broadly comfortable, including discouraging enforcement activity around sensitive locations such as churches, hospitals, and schools.

On the topic of an Eviction Moratorium, staff reported that following legal review, the Task Force eliminated the option because the City lacks authority to impose a local moratorium; such action must occur at the state level. The Task Force instead focused on rental assistance as a more viable approach. It was noted that Roseville sent a letter to the Governor urging consideration of a statewide moratorium, and Richfield considered but did not take action. Staff explained that Local Affordable Housing Aid (LAHA) funds have already been contracted and no additional funding is currently available, though future allocations or other state funding sources may be explored. The City is also working directly with VEAP. During discussion, it was noted that property managers are still recovering from impacts of the COVID-19 pandemic and that a moratorium carries risks and may not be effective. Council expressed support for pursuing rental assistance efforts and agreed to authorize a letter similar to Roseville's focused on rental assistance rather than a moratorium.

Regarding FLOCK cameras, the Task Force evaluated affirming publicly that the Flock system is not used for immigration enforcement and ensuring ICE does not gain access to the data. The City Attorney reviewed the City's contract and confirmed that the City owns the data and that Flock cannot legally share it with other agencies. Staff reported that the City has never shared Flock data externally; access is limited to City staff, usage is restricted to criminal investigations, and access is tracked and audited. Internal audits have been conducted to verify security settings, and the system was intentionally configured to restrict access to Edina only. The Police Chief stated audits will continue. It was also noted that federal agencies maintain their own databases and do not rely on local systems. The Task Force and staff did not recommend pausing use of the system and instead are developing additional communication strategies to provide clarity to the public. Richfield also reviewed this issue and did not take action to pause its program.

3.2 DIGITAL ACCESSIBILITY UPDATE

Due to time constraints, Council did not get to the Digital Accessibility Update.

4.0 ADJOURNMENT

Mayor Hovland adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Sharon Allison, City Clerk

James B. Hovland, Mayor

Minutes approved by Edina City Council, February 17, 2026. Audio copy of the work session available.

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
FEBRUARY 4, 2026
7:00 P.M.**

1.0 CALL TO ORDER

Mayor Hovland called the meeting to order at 7:13 p.m.

2.0 ROLLCALL

Answering rollcall were Members Agnew, Jackson, Pierce, Risser, and Hovland.

3.0 PLEDGE OF ALLEGIANCE

4.0 MEETING AGENDA – APPROVED

City Manager Neal noted that after the discussion on the work session, the Council would like to add Item 9.7, Resolution 2026-08, Affirming Community Values, and Item 9.8, Resolution 2026-07, Emergency Rental Assistance.

Member Jackson made a motion, seconded by Member Agnew, approving the meeting agenda as amended, adding Item 9.7, Resolution 2026-08, Affirming Community Values, and Item 9.8, Resolution 2026-07, Emergency Rental Assistance. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

5.0 COMMUNITY COMMENT

Henry McLenighan reminded everyone that with the potential of further weeks of winter.

Arthur Cobb expressed his appreciation of the City Council and the City staff, and all the work they have done over the years.

Taylor Bruhschwein stated that safety on the city streets is very important, and the number of crashes involving vulnerable users, walking/biking, has doubled over the past 3 years. Mr. Bruhschwein asked the Council to find money for the PACS fund to protect these vulnerable users.

Brooke Bartholomew stated that she is looking for more action and visible resistance against ICE and asked that the Council ban ICE from staging on City property and consider an eviction moratorium.

Janet Kitui noted that she and others demand clarity, courage, and collective action during this time. Mrs. Kitui stated that the black community in Minnesota is under attack and asked for the banning of ICE from staging on City property and writing to the governor to consider an eviction moratorium.

Anna Leamy started discussing the firearm ordinance being discussed later in the meeting. The Council noted that, based on their rules, she is not allowed to discuss a matter that is handled later in the agenda.

Steve Brown stated that he and his wife have been helping a friend who was delivering food to families and individuals who are sheltering in place, and he cannot believe that they are living in a time like this.

Brett Johnson noted that he and his business partner will be opening up a family-friendly sports bar at 50th and France and have partnered up with the Edina ED Fund and Boosters.

David Frenkel asked for updates on the two pedestrian bridges and when they will be completed.

Kathy Rendleman thanked the community for their involvement and support of the Edina Education Fund fundraiser. Mrs. Rendleman noted that they could use the help and financial support to support the Hornet Cares fund to help all of their students and staff members who are being affected by the recent happenings in Minnesota.

5.1. CITY MANAGER'S RESPONSE TO COMMUNITY COMMENTS

City Manager Neal responded to Community Comments from current and past meetings.

6.0 CONSENT AGENDA – ADOPTED

Member Jackson made a motion, seconded by Member Agnew, approving the consent agenda as follows:

- 6.1. Approve regular and work session meeting minutes of January 20 & 26, 2026**
- 6.2. Approve Claims for Payment for Check Register Pre-List Dated December 12, 2025, totaling \$1,259.61 (1011), Check Register Claims Pre-List Dated January 16, 2026, totaling \$1,316,348.21, and Check Register Claims Pre-List Dated January 23, 2026, totaling \$1,283,507.69**
- 6.3. Request for Purchase, Bulk Road Salt, awarding the bid to the recommended low bidder, Compass Minerals America, Inc., at \$220,000**
- 6.4. Request for Purchase, Watermain Pipe Corrosion Control Study, awarding the bid to the recommended low bidder, Advanced Engineering and Environmental Services at \$69,300.00**
- 6.5. License Supplement for Verizon Small Cell Infrastructure**
- 6.6. Request for Purchase, First Die Software Annual Subscription, awarding the bid to the recommended low bidder, Locality Media LLC, at \$32,346.05**
- 6.7. Request for Purchase, Braemar Ice Arena Phase I - South and East Rink Improvements, awarding the bid to the recommended low bidder, All American Ice LLC, at \$5,034,197.00**
- 6.8. Waive Permit Fees for Braemar Ice Arena Phase I - South and East Rink Improvements**
- 6.9. Grant Second Reading: Adopting Ordinance No. 2026-01, Setting Morningside Water Rates**
- 6.10. Request for Purchase, League of Minnesota Cities Annual Membership Dues, awarding the bid to the recommended low bidder, League of Minnesota Cities, at \$38,829.00**
- 6.11. Out-of-State Travel for Mayor Hovland**

Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

7.0 SPECIAL RECOGNITIONS AND PRESENTATIONS

7.1. ARDEN PARK 2025 PROJECT OF THE YEAR BY THE MN ASSOCIATION OF WATERSHEDS – RECOGNIZED

James Wisker, Minnehaha Creek Watershed District Administrator, thanked the Council for its recognition of their project. Mr. Whisker noted that this award reflects the consistent commitment from the Council,

staff, and residents. Mr. Wisker discussed the success of the Arden Park project. Steve Sando, Board Manager and Edina Resident, stated that this award would not have been possible without the Edina City staff team.

The Council expressed their thanks and appreciation for all the work done on this big project.

8.0 PUBLIC HEARINGS HELD – Affidavits of Notice presented and ordered placed on file.

8.1. CONDITIONAL USE PERMIT WITH VARIANCES: 4201 W. 50TH STREET - ADOPTED

Community Development Director Teague presented the CUP with variances, including an overview of the property/existing vacant church, parking stalls, site plan, daycare dropoff/pickup, and the Planning Commission's recommendation.

The Council expressed concerns regarding the parking spaces in front of the driveway to the private garage and worries that it violates the City statute and asked questions regarding the handicap parking, traffic flow, ownership of the other locations, the number of classrooms, and hours of operation.

Mr. Teague presented an aerial view of the parking lot and discussed where drop-off/pickup will occur.

Dawn Uribe, Mis Amigos, gave a background on the Mis Amigos preschools and her desire to bring the school into Edina.

Mayor Hovland opened the public hearing at 8:10 p.m.

Public Testimony

Andrew Johnson addressed the Council.

Steve Springrose addressed the Council.

Janey Westin addressed the Council.

Ed Terhaar, Stantec Traffic Consultant, addressed issues raised during public testimony, indicating that the traffic study shows 60 trips into the property in the am peak hour and 54 trips out in the pm peak hour, and will be spread out over the hour and over the two different entrances.

Member Jackson made a motion, seconded by Member Pierce, to close the public hearing.
Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

The Council asked questions regarding entrances to the building, variance needed if only a church had been proposed, and signage for traffic flow/entrances. The Council added conditions 5, two reserved spots were eliminated for parking purposes; and condition 6, to move required handicap parking spots closer to the church to comply with State and federal law.

Member Jackson introduced and moved the adoption of Resolution No. 2026-05, approving a conditional use permit to operate a religious institution and school, with variances for parking and lot size, for Mis Amigos Spanish Immersion Preschool at 4201 W. 50th Street. Member Agnew seconded the motion. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

9.0 REPORTS / RECOMMENDATIONS

9.1. RESOLUTION NO. 2026-06, ACCEPTING DONATIONS – ADOPTED

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations.

Member Jackson introduced and moved adoption of Resolution No. 2026-06, accepting various grants and donations. Member Pierce seconded the motion. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

9.2. SKETCH PLAN REVIEW: 4200 76th STREET WEST (RETAIL STORE, WAREHOUSE, AND DROPOFF FOR SALVATION ARMY) – PRESENTED

Community Development Director Teague stated that this item pertains to a proposal to remodel and reuse the existing building at 4200 76th Street W.

Joe Becker, Orion Investments, presented information regarding the reasoning behind why this proposal helps serve the community's needs. Tom Canfield, Salvation Army Adult Rehabilitation Center, stated that the thrift store that is being proposed today funds their program.

The Council asked questions about the ownership of the building, the lack of staff support, the difference between office use and retail use; the timeframe and discussed looking at the language and applying basic principles to their zoning Code rather than the Comprehensive plan or rezoning; expressed concerns regarding the mess and trash at the site from drop-offs; and gave feedback on amending their Industrial districts while also protecting the Cahill district.

Mr. Teague noted that the staff is wrestling with allowing primary use of retail rather than secondary in Industrial.

9.3. CITYWIDE SPEED LIMIT REDUCTION EVALUATION – PRESENTED

Transportation Planner Andrew Scipioni presented the background on the City's reduced speed limits, funding by the PACS fund, communication, enforcement, speed analysis, crash analysis, community feedback, literature review, conclusions, and recommendations.

The Council asked questions regarding PACS fund allocations and data from cities that did not reduce speed limits.

9.4. ORDINANCE NO. 2025-17, AMENDING CHAPTER 22 - MISCELLANEOUS OFFENSES TO ADD ARTICLE XI. FIREARMS – ADOPTED

City Manager Neal noted that this is a Second Reading of the ordinance, and no changes have been made since the First Reading.

Member Agnew made a motion to grant Second Reading of Ordinance 2025-17, amending Chapter 22 - Miscellaneous Offenses to add Article XI. Firearms. Member Pierce seconded the motion. Ayes: Agnew, Jackson, Pierce, Hovland. Abstain: Risser. Motion carried.

The Council gave a recommendation to highlight the language that is being added to their Code that is out of sync with the State Statute. Mr. Neal noted that City staff can work to figure out how to do that.

Member Agnew made a motion, seconded by Member Pierce, approving Summary Publication of Ordinance 2025-17. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

9.5. ORDINANCE 2026-02, AMENDING SECTION 4-9-9; REPEALING AND REPLACING CHAPTER 6 ARTICLE III LAWFUL GAMBLING OF THE EDINA CITY CODE – FIRST READING GRANTED

City Clerk Allison discussed the answers to the questions raised at the last City Council meeting and restated the staff recommendation to repeal and replace the Lawful Gambling Ordinance and allow 3 premise permits to pilot this process and understand how it would work.

The Council asked questions regarding qualifying non-profits, how many 501(c)(3) exist in Edina, where the profit goes, expenses for the City to manage this, and the values assessment.

Mrs. Allison noted that the 3% gambling tax will be used to cover the cost, plus the 10% that is locked in per State Statute.

The Council expressed concerns that the ordinance in front of them does not guarantee that the nonprofits that will be benefiting from this will be related to students, mental health, or hockey.

City Attorney Kendall noted that the State allows 501(c)(3) organizations to apply to be lawfully gambling entities if they meet the requirements. Mr. Kendall noted that the Council could make it so that an organization cannot have more than 1 premise permit.

The Council discussed what problem they are trying to solve with this ordinance, and noted that other communities have used this model to help solve their problems; noted that this could bring another source of funds for the needs that exist in this community; and gave feedback to do more research and groundwork on this idea, and put a cap of up to 6 premise permits and only one permit per location.

Member Jackson made a motion to Grant First Reading to Ordinance 2026-02, amending Section 4-9-9; Repealing and Replacing Chapter 6, Article III Lawful Gambling of the Edina City Code. Member Pierce seconded the motion. Ayes: Jackson, Pierce, Risser, Hovland. Nay: Agnew. Motion carried.

9.6. 2026 LEGISLATIVE PLATFORMS – APPROVED

Mr. Neal stated that since the January 20, 2026 legislative delegation work session, staff have added two items to the state legislative platform's Affordable Housing section, titled "Use Pooled Tax Increment Financing (TIF) for Affordable Housing" and "Emergency Rental Assistance Financing". These items were added after hearing Rep. Youakim's remarks and as part of the staff's work for the Immigration Response Task Force that he created.

Member Pierce made a motion, seconded by Member Risser, approving the 2026 Legislative Platforms. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

9.7. RESOLUTION NO. 2026-08, AFFIRMING COMMUNITY VALUES – ADOPTED

Mr. Neal presented the Council with the resolution that was discussed at the earlier work session.

Member Agnew introduced and moved adoption of Resolution No. 2026-08, Affirming Community Values. Member Jackson seconded the motion. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

9.8. ORDINANCE NO. 2026-07, EMERGENCY RENTAL ASSISTANCE – ADOPTED

The Council discussed the concerns regarding eviction moratoriums, but also the need for it, and noted that they would like to see that in the letter. The Council noted that the Edina Housing Association does not endorse an eviction moratorium.

Member Jackson introduced and moved adoption of Resolution No. 2026-07, Emergency Rental Assistance. Member Pierce seconded the motion. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

10.0 MANAGER’S COMMENTS – Received

11.0 MAYOR AND COUNCIL COMMENTS – Received

11.1 MAYOR HOVLAND TO PROVIDE UPDATE ON CITY MANAGER NEAL’S PERFORMANCE REVIEW

12.0 ADJOURNMENT

Member Jackson made a motion, seconded by Member Pierce, to adjourn the meeting at 10:58 p.m. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

Respectfully submitted,

Sharon Allison, City Clerk

James B. Hovland, Mayor

Minutes approved by Edina City Council, February 17, 2026. Video Copy of February 4, 2026, meeting available.

**MINUTES
OF THE EDINA CITY COUNCIL
WORK SESSION SPECIAL CLOSED MEETING
MAYOR'S CONFERENCE ROOM, CITY HALL
THURSDAY, FEBRUARY 5, 2026
8:00 A.M.**

1.0 CALL TO ORDER

Mayor Hovland called the meeting to order at 8:50 a.m.

2.0 ROLL CALL

Answering roll call were Members Agnew, Jackson, Pierce, Risser, and Mayor Hovland.

Staff in attendance: Scott Neal, City Manager; Bill Neuendorf, Economic Development Manager; Stephanie Hawkinson, Affordable Housing Manager; Jennifer Bennerotte, Communications Director; and Zoe Johnson, City Management Fellow.

3.1 MOTION TO CLOSE SESSION *as permitted by MS 13D.05, Subd. 3 to discuss sale of real estate.*

Member Jackson made a motion, seconded by Member Pierce, to close the meeting as permitted by MS 13D.05, Subd. 3 to discuss the sale of real estate. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

3.2 Discussion on Sale of Real Estate at 5146 Eden Avenue.

City Council and staff discussed the sale of 5146 Eden Avenue.

3.3 MOTION TO MOVE BACK INTO OPEN SESSION

Member Jackson made a motion, seconded by Member Pierce to move back into open session. Ayes: Agnew, Jackson, Pierce, Risser, Hovland. Motion carried.

4.0 ADJOURNMENT

Mayor Hovland adjourned the meeting.

Respectfully submitted,

Sharon Allison, City Clerk

James B. Hovland, Mayor

Minutes approved by Edina City Council, February 17, 2026.



Item Number: 6.2

Department: Finance

Item Activity: Action

Prepared By: Pa Thao, Finance Director

Item Title: Payment of Claims

Action Requested:

Approve claims for payment

Information/Background:

For security purposes and to meet [ADA Web Content Accessibility Guidelines \(URL\)](#), the detailed claims reports are not included in the public packet but they are available to City Council through a secure Board Portal. To request the claims reports, please [submit a data request \(URL\)](#).

List of Payment Claims:

1. Check Register Claims Pre-List Dated 01.30.2026 Total \$1,650,043.77
2. Check Register Claims Pre-List Dated 01.30.2026 Total \$14,976,884.75
3. Check Register Claims Pre-List Dated 02.06.2026 Total \$1,537,892.73



Item Number: 6.3

Department: Public Works

Item Activity: Action

Prepared By: Jon Darsow, Facilities Project Manager

Item Title: Purchase Request: Hennepin County Library and Senior Center Exterior Improvements

Action Requested:

Approve Purchase Request for Hennepin County Library and Senior Center Exterior Improvements with Acme Tuckpointing for \$95,320.00.

Requisition Number: 12600035

Vendor: Acme Tuckpointing Restoration

Equipment Status: N/A

Funding Source: CIP

Cost: \$95,320.00

Information/Background:

There have been water intrusion issues at this facility in recent years. The city has made corrections to resolve those issues and this work will continue the efforts to maintain this building and exterior envelope. This contract will provide construction services for masonry tuckpointing and sealant work throughout the exterior of the building.

Resources/Financial Impacts:

The city will hold the contract and these costs will be shared with Hennepin County.

Relationship to City Policies/Plans/Budget Pillars:



Strong Foundation



Reliable Service



Livable City



Better Together

Values Impact:



Equity

These repairs on the exterior of the building will provide a sound water tight structure and prolong the life of this facility.



Stewardship

Providing preventative maintenance to aging infrastructure is sound asset management practice.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Acme Tuckpointing - Column Rebuild (Board Portal)

2. Acme Tuckpointing – Edina Senior Center Exterior Maintenance (Board Portal)

October 14, 2025

Jon Darsow
City of Edina - Facilities Project Manager
7450 Metro Blvd.
Edina, MN 55439

Jon,

Thank you for the opportunity to provide you a proposal for this project. Per our discussions and the plans & specifications provided by Lerch Bates, please see scope of work and pricing for the **column rebuild at the Edina Senior Center**. Additional pricing to follow for the full masonry and sealant repair scope.

Scope of Work:

- Column Rebuild:
 - Demo remaining brick/mortar at base of column & prep footing/brick ledge for new masonry
 - Grind, prime and paint steel column
 - Furnish & install brick and mortar to match existing Library/Senior Center
 - Includes full cube of new utility brick, if Acme is awarded total project, remaining brick to be used for other repairs
 - Furnish and install new precast caps to match adjacent column
 - Caulk new capstones and wash to remove mortar smears

Base Bid: \$5,760

Exclusions: Payment & performance bonds, special testing or inspections - assumed to be coordinated by Owner, building permit - if required, will be billed at cost to City of Edina.

Please contact me at 952-994-4199 if you have any questions or requests. We look forward to working with you on this project.

Sincerely,



Nate Olson
Project Manager

Digitally signed by Jon
Darsow
DN: C=US,
E=jdarsow@edinamn.gov,
O=City of Edina, CN=Jon
Darsow
Date: 2026.01.29
08:59:20-06'00'

Jon Darsow

Date: _____

Mayor, James Hovland

Date: _____

City Manager, Scott Neal

Partnership first. Integrity always.

Terms & Conditions

Building Access

Customer shall provide unrestricted access to the building and all building elevations during normal working hours, Monday thru Friday (excludes overtime). The use of neighboring properties, i.e., roofs or grounds, may be necessary to gain access to specific building elevations and customer warrants this use will be possible. Any costs related to such access will be borne by the customer.

Our Responsibilities

- To protect persons and property that may be affected by our work in a commercially reasonable manner. This includes protection of areas or portions of the building where damage may occur.
- Erection of temporary protective covers over pedestrian walkways, vehicle entries/exits and building entrances.
- Prevention of dust, debris, mortar and/or chemical cleaning solutions from coming into contact with pedestrians and vehicles.
- To prevent damage to roof areas or grounds from work area staging or aerial lift usage by providing ground protection other than in the ordinary course of completing the work.
- To legally dispose of all trash, debris, and construction materials and in a manner that does not damage or disturb landscaping.
- Comply, in all material respects, with all OSHA regulations.
- To document, as reasonably possible, by written or photograph means, the site and building conditions before any work begins.
- Prompt notification of any dangerous or life-threatening conditions that become apparent during the course of work.
- Securing all regulatory permits as necessary to complete the work.
- The nature of this work can cause unique problems related to the complete protection of interior surfaces from water, chemical, or dust migration. We will make all commercially reasonable efforts to protect interiors and adjacent surfaces from these occurrences but will not be held responsible for any damages that may result beyond the realm of our normal means of protection.

Customer Responsibilities

- To provide water, electricity and other utilities as needed including any special electrical wiring and/or circuitry necessary for the setup and operation of electric swing staging.
- The presence of high voltage power lines are an important concern when this work is being performed. This requires that all power lines near work areas be properly insulated or disabled to provide a safe work area. In such instances the utility company will be contacted by us for proper line dismantling or removal. Any resulting charges to provide the necessary arrangements will be borne by the customer.
- To notify us, prior to any work beginning, of the location of any underground utilities that may be vulnerable to damage from the work and use of aerial lift equipment, i.e. irrigation lines, sprinkler system or heads, underground facilities.
- To notify building occupants of work that is to occur and of any necessary special requirements of them, i.e., closing of windows, moving of vehicles, use of specific entrances, etc.
- Necessary permits as stated in the proposal.
- Notification, removal or disposal of all hazardous materials other than as used by us in the work.
- Providing accommodations for cold weather conditions.
- Replacement brick - Pricing includes stock brick. If replacement brick requires modifications to match existing brick, customer bears such costs unless otherwise provided in the proposal.
- Damage/loss/failures to building components exposed during our work will not be the responsibility of us or our employees, contractors and agents. We are not responsible for damages, including but not limited to direct, indirect, consequential, punitive, incidental or otherwise, except as specifically provided in this Contract or these Terms and Conditions and only to the extent directly caused by us or our employees/contractors. Customer must notify us in writing within 30 days of when any claim arises. The Customer will indemnify and defend us for and hold us harmless from any loss, damage or expense that we or our employees/contractors suffer outside of completing the Scope of the Work at the Customer's worksite, including but not limited to reasonable legal fees, other than that caused by us or our employees/contractors, and including such losses, damages and expenses caused by Customer's negligence or willful conduct.

Insurance

If requested by the customer, an insurance certificate detailing both liability and workmen's compensation coverages, will be furnished before work begins.

Payment Terms

- Payment terms are net 10 day on all progress & completed invoices. Interest in the amount of 1.5% per month will be charged on all past due invoices. Customer will be responsible for all taxes other than as provided the proposal or Contract. We reserve the right to suspend work for nonpayment of our progress invoices as provided in the Contract.

Lien Waivers

- If requested in writing, we will provide lien waivers upon final payment of the entire Contract price.

Warranties

All work meets the material standards established by the Brick Industry Association. All workmanship is warranted against defect for a period of one (1) year from job completion. We will repair and replace any defective, incomplete or improper work performed by us under the Contract to the extent Customer provides notice as provided herein and in accordance with the terms hereof. The above is the exclusive warranty to the customer and there are no other express or implied warranties of any type or kind provided to the customer, including any warranties regarding mold, mildew or other similar substances, or any IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

Miscellaneous

These Terms and Conditions along with the Contract constitute the entire agreement of the parties. No representations, warranties, statements or other communication between the parties shall be part of the agreement between the parties except as specifically provided in the Contractor and these Terms and Conditions. No waiver, alternation or modification of the Terms and Conditions will be valid and binding unless signed by us and the Customer. The parties agree that the Contract shall be governed by Minnesota law and subject to jurisdiction in the state and Federal courts in the state in which the Scope of Work is performed. These Terms and Conditions are incorporated into the Contract.

Acme Tuckpointing & Restoration Company is a Small Business Enterprise (SBE).

October 14, 2025

Jon Darsow
City of Edina - Facilities Project Manager
7450 Metro Blvd.
Edina, MN 55439

Jon,

Thank you for the opportunity to provide you a proposal for this project. Per our discussions and the plans & specifications provided by Lerch Bates, please see scope of work and pricing for the exterior maintenance at the Edina Senior Center. We have separated the sealant and masonry work pricing as discussed. Acme can complete the sealant replacement during Fall 2025 and the masonry repairs in Spring 2026.

Sealant Scope of Work:

- Remove and replace backer rod & sealant at the following locations:
 - All window/storefront perimeters
 - Sidewalk to brick joints
 - Stair to brick joints
 - Control joints as shown on elevations in yellow
 - All window sill/lintel head joints
 - Perimeters of all miscellaneous penetrations throughout elevations
- Includes all necessary lifts/scaffold for building access
- We recommend completing the sealant replacement during the late Fall / early Spring when trees are dormant
- Includes \$1,500 allowance for building permit if required for sealant replacement

Sealant Bid: \$60,000

Masonry Scope of Work:

- Rebuild (1) column with salvaged precast
 - Other column previously quoted as insurance claim
- Brick replacement allowance of (160) per plans
- Spot tuckpointing per elevations in red
- Cut in (2) trench drains in sidewalk & modify downspout sheet metal
- Masonry washing after mortar cure
- Includes matching brick and mortar with samples for selection by Owner/Architect
- Includes \$1,000 allowance for building permit

Masonry Bid: \$29,560

Exclusions: Payment & performance bonds, special testing or inspections - assumed to be coordinated by Owner, building permit - if required, will be billed at cost to City of Edina. Tree trimming - we recommend trimming trees back from walls & windows.

Please contact me at 952-994-4199 if you have any questions or requests. We look forward to working with you on this project.

Sincerely,



Nate Olson
Project Manager

Jon Darsow



Digitally signed by Jon Darsow
DN: C=US,
E=jdarsow@edinamin.gov,
O=City of Edina, CN=Jon Darsow
Date: 2026.01.29 08:59:00-06'00'

Date: _____
Mayor, James Hovland

Date: _____
City Manager, Scott Neal

Terms & Conditions

Building Access

Customer shall provide unrestricted access to the building and all building elevations during normal working hours, Monday thru Friday (excludes overtime). The use of neighboring properties, i.e., roofs or grounds, may be necessary to gain access to specific building elevations and customer warrants this use will be possible. Any costs related to such access will be borne by the customer.

Our Responsibilities

- To protect persons and property that may be affected by our work in a commercially reasonable manner. This includes protection of areas or portions of the building where damage may occur.
- Erection of temporary protective covers over pedestrian walkways, vehicle entries/exits and building entrances.
- Prevention of dust, debris, mortar and/or chemical cleaning solutions from coming into contact with pedestrians and vehicles.
- To prevent damage to roof areas or grounds from work area staging or aerial lift usage by providing ground protection other than in the ordinary course of completing the work.
- To legally dispose of all trash, debris, and construction materials and in a manner that does not damage or disturb landscaping.
- Comply, in all material respects, with all OSHA regulations.
- To document, as reasonably possible, by written or photograph means, the site and building conditions before any work begins.
- Prompt notification of any dangerous or life-threatening conditions that become apparent during the course of work.
- Securing all regulatory permits as necessary to complete the work.
- The nature of this work can cause unique problems related to the complete protection of interior surfaces from water, chemical, or dust migration. We will make all commercially reasonable efforts to protect interiors and adjacent surfaces from these occurrences but will not be held responsible for any damages that may result beyond the realm of our normal means of protection.

Customer Responsibilities

- To provide water, electricity and other utilities as needed including any special electrical wiring and/or circuitry necessary for the setup and operation of electric swing staging.
- The presence of high voltage power lines are an important concern when this work is being performed. This requires that all power lines near work areas be properly insulated or disabled to provide a safe work area. In such instances the utility company will be contacted by us for proper line dismantling or removal. Any resulting charges to provide the necessary arrangements will be borne by the customer.
- To notify us, prior to any work beginning, of the location of any underground utilities that may be vulnerable to damage from the work and use of aerial lift equipment, i.e. irrigation lines, sprinkler system or heads, underground facilities.
- To notify building occupants of work that is to occur and of any necessary special requirements of them, i.e., closing of windows, moving of vehicles, use of specific entrances, etc.
- Necessary permits as stated in the proposal.
- Notification, removal or disposal of all hazardous materials other than as used by us in the work.
- Providing accommodations for cold weather conditions.
- Replacement brick - Pricing includes stock brick. If replacement brick requires modifications to match existing brick, customer bears such costs unless otherwise provided in the proposal.
- Damage/loss/failures to building components exposed during our work will not be the responsibility of us or our employees, contractors and agents. We are not responsible for damages, including but not limited to direct, indirect, consequential, punitive, incidental or otherwise, except as specifically provided in this Contract or these Terms and Conditions and only to the extent directly caused by us or our employees/contractors. Customer must notify us in writing within 30 days of when any claim arises. The Customer will indemnify and defend us for and hold us harmless from any loss, damage or expense that we or our employees/contractors suffer outside of completing the Scope of the Work at the Customer's worksite, including but not limited to reasonable legal fees, other than that caused by us or our employees/contractors, and including such losses, damages and expenses caused by Customer's negligence or willful conduct.

Insurance

If requested by the customer, an insurance certificate detailing both liability and workmen's compensation coverages, will be furnished before work begins.

Payment Terms

- Payment terms are net 10 day on all progress & completed invoices. Interest in the amount of 1.5% per month will be charged on all past due invoices. Customer will be responsible for all taxes other than as provided the proposal or Contract. We reserve the right to suspend work for nonpayment of our progress invoices as provided in the Contract.

Lien Waivers

- If requested in writing, we will provide lien waivers upon final payment of the entire Contract price.

Warranties

All work meets the material standards established by the Brick Industry Association. All workmanship is warranted against defect for a period of one (1) year from job completion. We will repair and replace any defective, incomplete or improper work performed by us under the Contract to the extent Customer provides notice as provided herein and in accordance with the terms hereof. The above is the exclusive warranty to the customer and there are no other express or implied warranties of any type or kind provided to the customer, including any warranties regarding mold, mildew or other similar substances, or any IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

Miscellaneous

These Terms and Conditions along with the Contract constitute the entire agreement of the parties. No representations, warranties, statements or other communication between the parties shall be part of the agreement between the parties except as specifically provided in the Contractor and these Terms and Conditions. No waiver, alternation or modification of the Terms and Conditions will be valid and binding unless signed by us and the Customer. The parties agree that the Contract shall be governed by Minnesota law and subject to jurisdiction in the state and Federal courts in the state in which the Scope of Work is performed. These Terms and Conditions are incorporated into the Contract.

Acme Tuckpointing & Restoration Company is a Small Business Enterprise (SBE).



Item Number: 6.4

Department: Public Works

Item Activity: Action

Prepared By: Jon Darsow, Facilities Project Manager

Item Title: Waive Permit Fees for Hennepin County Library and Senior Center Exterior Improvements

Action Requested:

Waive Permit Fees for Hennepin County Library and Senior Center Exterior Improvements in the amount of \$2,200.

Information/Background:

The City has the authority to waive building fee permits for municipal building projects. By doing so, the City is able to set aside the amount that would have been spent on the fees to instead add value to the overall project, cover potential future change orders, or make the project more affordable by reducing the total project cost.

Resources/Financial Impacts:

No fiscal or capacity impact.

Relationship to City Policies/Plans/Budget Pillars:



Strong Foundation



Reliable Service



Livable City



Better Together

Values Impact:



Equity

These repairs on the exterior of the building will provide a sound water tight structure and prolong the life of this facility.



Stewardship

Providing preventative maintenance to aging infrastructure is sound asset management practice.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.5

Department: Public Works

Item Activity: Action

Prepared By: Chad Millner, Director of Public Works and City Engineer

Item Title: Ordinance 2026-03: Amending Chapter 2- Water Meter Replacement Surcharge

Action Requested:

Approve ordinance 2026-03 amending Chapter 2 for fees regarding the water meter replacement surcharge and summary publication of the ordinance.

Information/Background:

Updating the existing Fee Schedule to reflect current economic conditions in regard to water meter replacements. This will go into effect immediately upon approval.

Resources/Financial Impacts:

No fiscal or capacity impact.

Relationship to City Policies/Plans/Budget Pillars:



Strong Foundation



Reliable Service

Values Impact:



Stewardship

Accurate metering ensures value for residents and reliable revenue stream for the City of Edina.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



The City of Edina Ordains:

Section 1. The following described fees of Schedule A to Code Section 2-724 are amended to read as follows:

Chapter and Section	Purpose of Fee/Charge	2025 Fee	Proposed 2026 Fee
Chapter 28			
28-44(6)	Surcharge when city not able to remove water meter for testing, calibration or replacement.	\$50.00 per quarter	\$300.00 per quarter

Section 2. The effective date of Section 1 of this Ordinance shall be immediately upon approval.

First Reading: February 17, 2026

Second Reading: Waived

Summary for Publication:

Ordinance 2026-03 updates the existing Fee Schedule to reflect current economic conditions in regard to water meter replacements effective Feb. 17, 2026.



Item Number: 6.6

Department: Public Works

Item Activity: Action

Prepared By: Jessica Vanderwerff Wilson, Water Resources Coordinator

Item Title: Arden Park Maintenance Covenants

Action Requested:

Approve Arden Park Maintenance Covenants.

Information/Background:

Maintenance covenants were initially approved on November 20th, 2018 and the city has been meeting its maintenance obligations. A new authorization is needed to correct the legal description of the parcels.

Resources/Financial Impacts:

No change in fiscal or capacity impact.

Relationship to City Policies/Plans/Budget Pillars:

This continues the status quo of maintaining the investments at Arden Park.



Strong Foundation

Values Impact:



Stewardship

Maintenance of investments made in stormwater management and natural area restoration.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Arden Park Maintenance Covenants (Board Portal)



Item Number: 6.7

Department: Public Works

Item Activity: Action

Prepared By: Ross Bintner, Engineering Services Manager

Item Title: Agreement with Minnehaha Creek Watershed District and Edina Public School District for Concord Flood Infrastructure Project

Action Requested:

Approve Agreement with Minnehaha Creek Watershed District (MCWD) and Edina Public School District (EPSD) for Concord Flood Infrastructure Project

Information/Background:

This item relates to another agenda item, to approve a scope of service for feasibility for Concord Flood Infrastructure Project.

In Spring of 2025, Edina Public School District (EPSD) applied for a permit from the City of Edina and Minnehaha Creek Watershed District (MCWD) for a tennis court project. At that time, staff from each organization discussed shared goals and an opportunity to save significant public resources by aligning our goals. EPSD requested and secured a variance from MCWD to explore this idea. This agreement is the result of that effort.

The agreement spells out terms for allowing the City to design and build Concord Flood Infrastructure Project on EPSD property. Both the companion agenda item, and the attached memo to Mert Woodard CFO/Director, Finance & Operations at EPSD, explain the proposed Concord Flood Infrastructure Project. The companion agenda item also details alignment with Edina policies and plans, and financial impacts.

Resources/Financial Impacts:

No fiscal or capacity impact.

Relationship to City Policies/Plans/Budget Pillars:

The project is part of the activities of the stormwater utility, is described in the latest CIP as item number ENG23010, and the need it addresses, and initial concepts are described in the 2022 Water Resource Management Plan, Appendix A as item D5, item 10.3.1.2.



Strong Foundation



Livable City



Better Together

Values Impact:



Engagement

This is the second flood infrastructure project resulting from the flood risk reduction task force and flood risk reduction strategy 2022 water resource plan amendment.



Equity

The project will help reduce flood risks.



Health

The project will consider health and safety impacts.



Stewardship

This project will repair, replace, and retrofit existing stormwater infrastructure.



Sustainability

This project will help adapt to a changing climate, more intense storms, and increasing flood risk.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Agreement to Construct and Maintain Stormwater Management Facility (Board Portal)
2. Memo to Edina Public Schools (Board Portal)

AGREEMENT to CONSTRUCT and MAINTAIN STORMWATER MANAGEMENT FACILITY

Edina Public School District, City of Edina and Minnehaha Creek Watershed District MCWD Permit No. 25-106

Recitals

A. The Minnehaha Creek Watershed District (MCWD), pursuant to Minnesota Statutes §103D.341, has adopted and maintains rules to protect water resources from land use and development impact.

B. The Edina Public School District (EPSD) has applied to MCWD for a permit (Permit No. 25-106) to remove and replace tennis courts and concrete walkways, with associated site grading and utilities installation (the "Project"), on its property located at 5701 Normandale Road, Edina (the "Property").

C. MCWD rules require, as a condition of the permit, that EPSD install and maintain, indefinitely, facilities to manage stormwater generated from new and reconstructed hard surface associated with the Project.

D. The City of Edina ("City"), pursuant to its Water Resources Management Plan, Appendix A (December 2022), has identified the potential to create 10 to 19 acre-ft of regional stormwater volume storage on the Property upgradient of the City's main trunk storm sewer along West 58th Street, which outlets into Minnehaha Creek (the "Facility"). The Facility catchment would encompass approximately 100 acres of developed land within the City, including the Project hard surface footprint.

E. MCWD rules require that stormwater be treated by infiltration or another volume reduction method, if infiltration is feasible at the site of the permitted work. MCWD has determined that infiltration is not feasible at the EPSD Project site, and that stormwater filtration is an acceptable practice. Permit No. 25-106 requires that EPSD supply a stormwater infiltration water quality volume of at least 8,385 cubic feet or, for a practice other than infiltration, a volume that provides for an equivalent annual Total Phosphorus (TP) removal of 0.59 pounds/yr.

F. While the City has not yet determined the water quality treatment design for the Facility, it is included in the City's 2025-2030 capital improvement program. The City has budgeted \$10 million for the Facility, and has programmed feasibility work for 2026 and construction for 2028.

G. EPSD and the City propose that EPSD use the Facility to meet its requirements under Permit No. 25-106. However, the EPSD plans to begin Project construction in Summer 2025, and the MCWD stormwater management rule, at paragraph 10.a, requires that facilities required to treat constructed hard surface must be functional within 24 months of the start of construction of the regulated surface. The MCWD Board of Managers, under the MCWD variances and exceptions rule, has approved an exception to this requirement on the finding that the Facility, over time, will provide water quality volume treatment of a wider area of developed land, and be subject to City maintenance by agreement with MCWD. To account for the delay in stormwater water quality treatment associated with approval of this exception, this agreement requires the Facility to be designed to remove at least 0.83 pounds/yr of TP. A condition of approval is this agreement among EPSD, the City, and MCWD.

Accordingly, the parties, intending to be legally bound, agree to the following terms for construction and maintenance of the Facility. EPSD and the City, separately, have exchanged valuable consideration to support the obligations of each as set forth herein.

Terms

1. The City will contract for feasibility review by March 31, 2026 and the City's consultant will submit the feasibility report by December 31, 2026. On submittal, the City will transmit a copy to EPSD and MCWD. If the City Council finds that the Facility is feasible, the City will retain a design consultant and advance the design. In doing so, the City will inform EPSD and MCWD of the progress of design.

2. Within 30 days of its receipt of the City's feasibility study for the Facility, EPSD, in writing to the City and MCWD, may elect to identify and design one or more stormwater management practices that meet water quality volume and rate control standards under Permit No. 25-106, and as outlined in Term 8 of the Agreement. In this case, EPSD must provide MCWD such design materials as MCWD reasonably may request, and must obtain MCWD concurrence that the proposed practices will achieve at least 0.83 lb/year of total phosphorus load reduction, and otherwise meet rate control and flood separation standards of the MCWD stormwater management rule.

3. EPSD agrees that the City may occupy the Property as necessary or convenient to construct and maintain the Facility. EPSD and the City may enter into an easement or other agreement to give more detail to this relationship. The City will issue a notice to proceed for Facility construction tentatively planned for the 2028 construction year. The Facility will be constructed and functional by January 1, 2030.

4. If the City constructs the Facility on the Property, the City shall, at its sole cost and promptly following completion of construction activities, restore and reconstruct all portions of the Property disturbed, damaged, or removed in connection with the Facility to a condition at least equal to, and in no event materially worse than, the condition existing immediately prior to commencement of construction, as determined by EPSD in its reasonable discretion. Restoration shall include all grading, paving, turf, landscaping, hardscape, utilities, and other site improvements affected by the construction. The City's restoration obligations shall survive completion of the Facility and any termination or expiration of this Agreement.

5. On the City consultant's certification of completion, the consultant will provide as-built plans to EPSD and MCWD and affirm that the Facility as constructed conforms to plans, provides an annual total phosphorus load reduction of at least 0.83 lbs/year, and allows for rate control and flood separation standards of the MCWD stormwater management rule to be met under Permit 25-106. MCWD, on the basis of its engineer's advice, will provide its written concurrence that the Facility fulfills the City's construction obligation under this agreement.

6. The City will maintain the Facility in accordance with the terms of its NPDES MS4 permit, as well as the following standard MCWD maintenance terms, as applicable:

a. Raingardens, infiltration basins and filtration basins. Raingardens, infiltration basins and filtration basins will be inspected annually to ensure continued live storage capacity at or above the design volume. Invasive vegetation, excess sediment and debris will be removed as needed and healthy plant growth will be maintained to ensure that the facilities continue to perform per design.

b. Underground storage facilities. Underground storage facilities will be inspected at least annually to ensure continuing performance per design. Capacity will be considered inadequate if sediment has decreased the storage volume by 50 percent of the original design volume. Accumulated debris and sediment will be removed, and inlet and outlet structures will be kept clear of any flow impediments.

c. Grit chambers, sump catch basins and sump manholes. Grit chambers, sump catch basins and sump manholes will be inspected in the spring, summer and fall of each year. All sediment and debris will be removed as needed such that the stormwater facilities operate as designed and permitted.

d. Reporting. The Declarant will submit to the MCWD annually a brief written report that describes stormwater facility maintenance activities performed under this declaration, including dates, locations of inspections and the maintenance activities performed.

If the Facility is of an atypical design that, in MCWD's judgment, requires other maintenance terms, the parties will execute an amendment to this agreement to incorporate those terms. EPSD will not take any action that would render the City unable to fulfill its maintenance obligations.

7. Until MCWD has provided its concurrence under paragraph 3, EPSD will take no action that would impede its ability to site, within the area delineated on Attachment A hereto, incorporated herein, a Project-specific stormwater management practice meeting the requirements of paragraph 6.

8. If the City determines under paragraph 1 that the Facility is not feasible, or if the EPSD elects to construct the stormwater practices under paragraph 2, EPSD will proceed, diligently and in consultation with MCWD and the City, to identify and design one or more stormwater management practices that meet water quality volume and rate control standards under Permit No. 25-106. The practices may be sited in the area referenced on Attachment A, or may be sited elsewhere, provided they capture the runoff from the new and reconstructed hard surface under the permit and otherwise conform to section 8 of the MCWD stormwater management rule, as it may be amended. The practices will be constructed and functional by January 1, 2030. Thereafter, EPSD will maintain the practices in accordance with the terms of paragraph 4, above.

9. If the City has determined under paragraph 1 that the Facility is feasible, MCWD finds that the Facility will not be constructed and functional by January 1, 2030, and that determination is not unreasonable, the City will proceed to construct Project-specific practices and they will be functional by June 30, 2031. If and when MCWD has concurred that the Facility is constructed and functional, the City may decommission the Project-specific practices. The City will maintain the practices until decommissioned, in accordance with maintenance terms specified by MCWD. Such terms will accord with MCWD's standard maintenance terms for the type of practices.

10. EPSD may perform any obligations of the City under paragraph 7, pursuant to such terms as those two parties may agree. The City will remain responsible to MCWD to fulfill the obligations.

11. If the annual TP reduction of the Facility exceeds 0.83 pounds, the City may use the excess reduction for compliance with MCWD and other permit requirements as follows:

- a. MCWD will recognize that part of excess capacity that provides treatment for existing hard surface under any permit to redevelop that existing hard surface.
- b. The City may use the remaining capacity for development within the Facility catchment.

(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Edina Public School District

By: _____
Its Chair, School Board

Date:

City of Edina

By: _____
Its Mayor

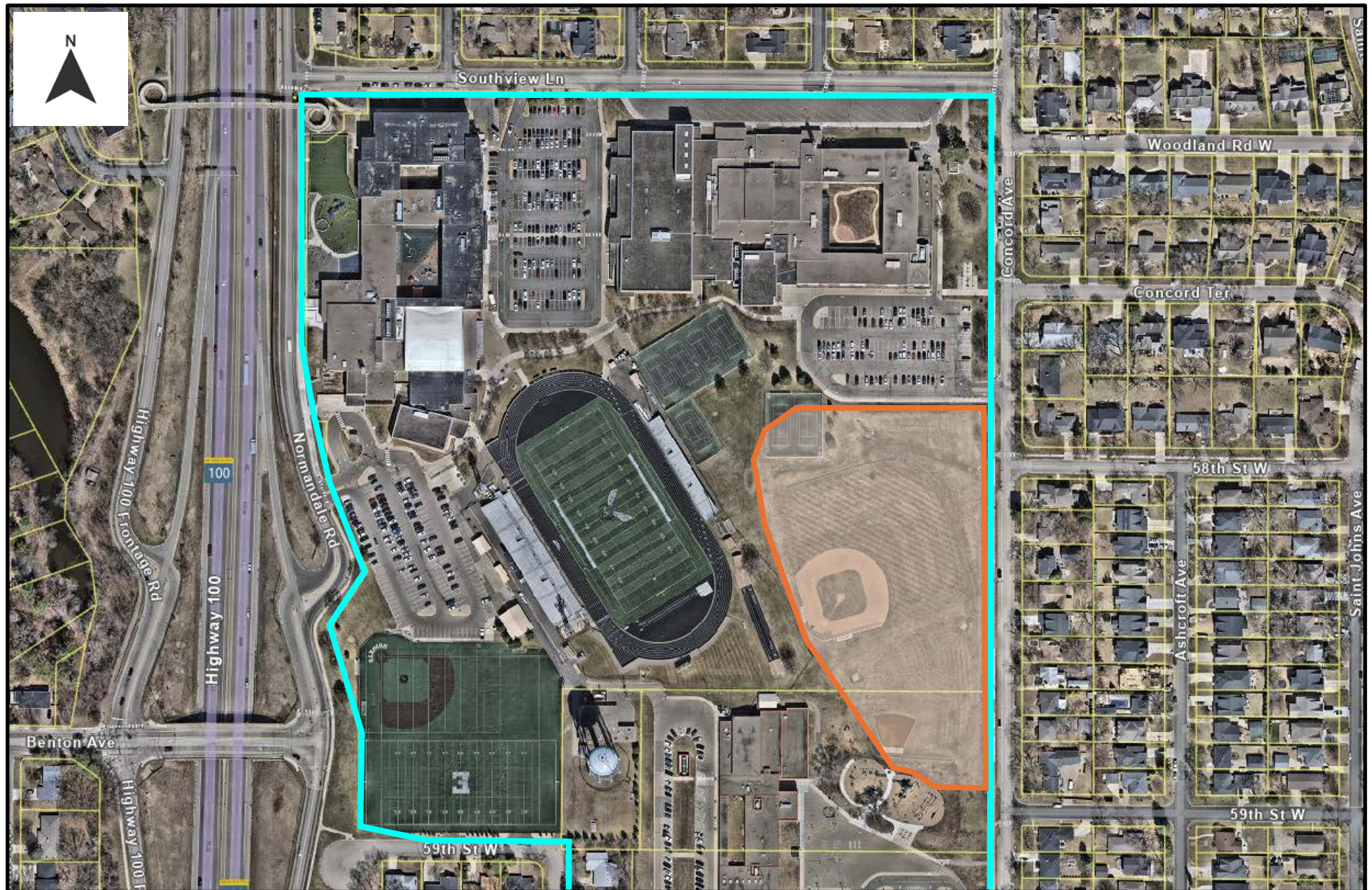
Date:

Minnehaha Creek Watershed District

By: _____
Its President, Board of Managers

Date:

Attachment A



- Edina Public School District Owned Parcel Boundary
- Potential Facility Siting Location

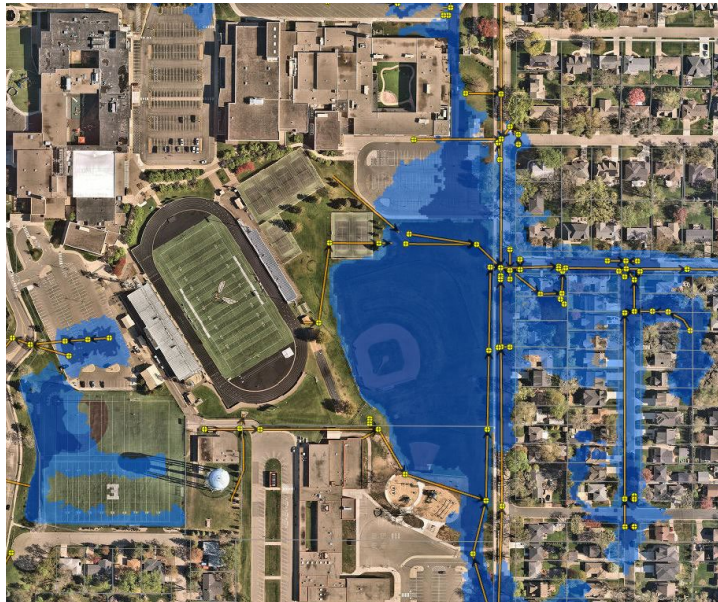
Edina Engineering Department

Phone 952-826-0371 • Fax 952-826-0392 • EdinaMN.gov



Date: September 8, 2025
To: Mert Woodard SFO., CFO/Director, Finance & Operations, Edina Public Schools
cc: Chad Millner P.E., Director of Engineering, City of Edina
From: Ross Bintner P.E., Engineering Services Manager, City of Edina
Subject: Concord Flood Infrastructure Project

This memo will provide background information about; Flooding issues and needs in the Concord and Golf Terrace Heights neighborhoods and middle school campus area, City of Edina Flood Risk Reduction Strategy and Concord Flood Infrastructure Project and context on the process to date that lead to the proposed agreement between Watershed District, School District and City.



Flood issues near Middle School

Flood issues in the City of Edina can be explored with two interactive maps on the [Flood Resources](#) webpage. A first ring suburb built primary between 1950-65, Edina was built for a different service level and climate. Flooding in Edina is not only common it is also increasing.

Southview Middle School site has a low area on the east central part of the lot, currently occupied by a baseball field, open space, parking lot, tennis court, and track and field space. These low areas and facilities are exposure to flood waters on a regular basis. The neighborhood to the east of this low area shares this flood exposure in more extreme storm events.

The Image above is from the “What’s My Flood Risk” [interactive map](#)

Edina FRRS Context

The City of Edina’s strategy is to comprehensively reduce the risk of flooding throughout the community. Details of the plan can be found in the [2022 Water Resources Management Plan](#), sections (1.2, 3.3) One of the four sectors of work is flood infrastructure, (3.3.3) *We renew our infrastructure and operate it to reduce risk. We will plan public streets and parks to accept and convey flood waters to reduce the risk and disruption of related city services.* Two recent examples of this flood infrastructure work include [Lynmar Basin](#) and [Morningside Flood Infrastructure Project](#). We do this work in partnership with local Watershed Districts. The Concord Flood Infrastructure Project is the next major flood infrastructure proposed under this area of work.

CFIP Project outline

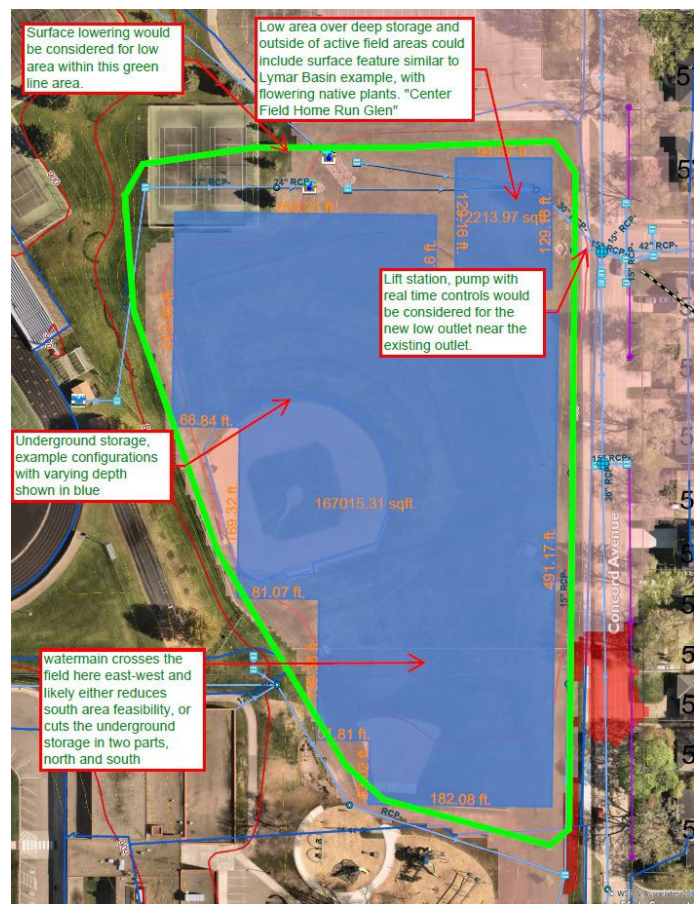


First reviewed in [2022 Water Resources Management Plan \(WRMP\) Appendix A.10.3.1.2](#), Concord Flood Infrastructure Project includes options to store more flood water on the surface, below ground or a combination of both at the Southview Middle School site. Several key points describing the issue are presented here;

- The intersection of Concord Avenue and West 58th Street and the surrounding area has long experienced flooding problems. A storm sewer system drains this low-lying area; however, when stormwater flows exceed the system's capacity (3.5 inches over 24 hours), water pools along the roadway and in adjacent yards until it rises enough to flow eastward along West 58th Street toward Wooddale Avenue. This type of storm has a 20 percent chance of occurring in a given year (also known as a 5-year storm or 20-percentannual-chance storm).
- The flooding problem in this area results from the limited conveyance capacity of the downstream storm sewer system.
- A 100-year storm has the potential to impact 33 principal structures along Golf Terrace, Lakeview Drive, Oak Drive, West 56th Street, Tower Street, and Woodland Road W.

The options we are pursuing are described in the “modeling results” and “proposed infrastructure options to reduce flood risk” sections of section A.10.3.1.2. Several key points describing the option on the School District property, relating each to our current approach, are presented here:

- Option 2: Increase Trunkline Capacity Along West 58th Street. This initial study considered gravity pipeline addition. We will consider pumped, force main capacity.
- Option 3: Add Underground Storage in South View Park. (see note option 4)
- Option 4: Add Surface Storage in South View Park. The initial study reviewed underground and surface storage separately. We will review combined approaches with both underground and surface storage with the goal to get efficiency from the surface storage while reducing the tradeoffs related to retaining and improving all the field use functions the current site provides.
- Option 5: Increase Trunkline Capacity Along West 58th Street and Add Underground Storage in South View Park. This is a combination of options 2 and 3, we will rework options 2-4 as described above to create a new combined option that gets the most flood and community amenity uses out of the space.



The sketch on the right was created to conceptualize the options in the field area. An attachment is provided to review in greater detail and facilitate discussion.



Next Steps and Discussion

The City of Edina has included the Concord Flood Infrastructure Project in its [Capital Improvement Plan](#). The work to plan, design, and construct the Concord Flood Infrastructure Project is currently planned to take place between 2026 and 2028. Here are steps describing how the City and School District could partner in this work as well as context on how the city has conducted flood infrastructure work to date.

- 2025 Agreement
 - The agreement includes cost savings to the School District for the construction costs of the tennis court stormwater facility. District and City should work through opportunities, interest, and concerns to build project requirements for the next phases of the work. Key interests expressed by School District staff include; 1) Reduce field downtime, 2) Reduce school access interruptions, 3) Rebuild field amenities to like-or-better condition. 4) Reduce typical drainage and flooding issues in field and turf areas, 5) Reduce and mitigate, or rebuild any infrastructure damaged by access for construction, and 6) Consider environmental or infrastructure educational opportunities with new facility. Additional requirements or process steps may be included at this time.
- 2026 Planning
 - The City would lead the planning and engage the District at key decision points, checking in on the status of the balance between project goals, the requirements, and available resources. This step of the project typically includes engagement of the public based on an engagement plan approved by the City Council. As this site is School District controlled, public engagement would likely be limited to construction impacts, project benefits and tradeoffs, and general awareness. The School District could request specific engagement based on the users of the fields, or other known community relationships or interest in the field to be included in the project requirements.
- 2027 Design
 - The City would lead the design and engage the District on any remaining decision points. Most of the decisions will be made in the concept and planning phase, but minor changes can occur in final design. The agreement and typical permitting process for a project of this scope includes an approval step by the School District as the property owner.
- 2028-9 Build and Restore
 - Construction would follow and could be phased in a variety of ways to best balance tradeoffs of varying requirements. Construction would likely impact 2 field seasons with restoration of turf to be play-ready usually takes a year to grow-in.
- Future Maintenance
 - Inspection, operation and maintenance of the facility would be City responsibility, with access provided by the School District.

Attachments;

- I. Conceptualized storage figure



Item Number: 6.8

Department: Public Works

Item Activity: Action

Prepared By: Ross Bintner, Engineering Services Manager

Item Title: Purchase Request: Engineering Services for Concord Flood Infrastructure Project Feasibility Study

Action Requested:

Approve Purchase Request for Engineering Services for Concord Flood Infrastructure Project Feasibility Study with Barr Engineering for \$466,200.

Requisition Number: 12600049

Vendor: Barr Engineering

Equipment Status: NA

Funding Source: Storm Water Utility

Cost: \$466,200

Information/Background:

This item relates to a separate agenda item to approve an agreement with the Minnehaha Creek Watershed District and the Edina Public School District.

Flood issues in the City of Edina can be explored with two interactive maps on the Flood Resources webpage (<https://www.edinamn.gov/371/Flooding-and-Drainage>). A first ring suburb built primary between 1950-65, Edina was built for a different service level and climate. Flooding in Edina is not only common it is also increasing.

Southview Middle School site has a low area on the east central part of the lot, currently occupied by a baseball field, open space, parking lot, tennis court, and track and field space. These low areas and facilities are exposure to flood waters on a regular basis. The neighborhood to the east of this low area shares this flood exposure in more extreme storm events.

The City of Edina's strategy is to comprehensively reduce the risk of flooding throughout the community. Details of the plan can be found in the 2022 Water Resources Management Plan, sections (1.2, 3.3) One of the four sectors of work is flood infrastructure, (3.3.3) We renew our infrastructure and operate it to reduce risk. We will plan public streets and parks to accept and convey flood waters to reduce the risk and disruption of related city services. Two recent examples of this flood infrastructure work include Lynmar Basin and Morningside Flood Infrastructure Project. We do this work in partnership with local Watershed Districts. The Concord Flood Infrastructure Project is the next major flood infrastructure proposed under this area of work.

Reviewed in 2022 Water Resources Management Plan (WRMP) Appendix A,10.3.1.2, Concord Flood

Infrastructure Project includes options to store more flood water on the surface, below ground or a combination of both at the Southview Middle School site. Several key points describing the issue are presented here;

- The intersection of Concord Avenue and West 58th Street and the surrounding area has long experienced flooding problems. A storm sewer system drains this low-lying area; however, when stormwater flows exceed the system's capacity (3.5 inches over 24 hours), water pools along the roadway and in adjacent yards until it rises enough to flow eastward along West 58th Street toward Wooddale Avenue. This type of storm has a 20 percent chance of occurring in a given year (also known as a 5-year storm or 20-percent annual-chance storm).
- The flooding problem in this area results from the limited conveyance capacity of the downstream storm sewer system.
- A 100-year storm has the potential to impact 33 principal structures along Golf Terrace, Lakeview Drive, Oak Drive, West 56th Street, Tower Street, and Woodland Road W.

The options this scope of service will pursue are described in the "modeling results" and "proposed infrastructure options to reduce flood risk" sections of section A.10.3.1.2. Several key points describing the option on the School District property, relating each to our current approach, are presented here:

- Option 2: Increase Trunkline Capacity Along West 58th Street. This initial study considered gravity pipeline addition. We will consider pumped, force main capacity.
- Option 3: Add Underground Storage in South View Park. (see note option 4)
- Option 4: Add Surface Storage in South View Park. The initial study reviewed underground and surface storage separately. We will review combined approaches with both underground and surface storage with the goal to get efficiency from the surface storage while reducing the tradeoffs related to retaining and improving all the field use functions the current site provides.
- Option 5: Increase Trunkline Capacity Along West 58th Street and Add Underground Storage in South View Park. This is a combination of options 2 and 3, we will rework options 2-4 as described above to create a new combined option that gets the most flood and community amenity uses out of the space.

The Concord Flood Infrastructure Project in the City of Edina Capital Improvement Plan. The work to plan, design, and construct the Concord Flood Infrastructure Project is currently planned to take place between 2026 and 2028. This scope of service, and the associated agreement with MCWD and EPSD is the first major step in this project.

Resources/Financial Impacts:

Funding is described in CIP ENG 23010.

Relationship to City Policies/Plans/Budget Pillars:

The project is part of the activities of the stormwater utility, is described in the latest CIP as item number ENG23010, and the need it addresses, and initial concepts are described in the 2022 Water Resource Management Plan, Appendix A as item D5, item 10.3.1.2.



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Values Impact:



Engagement

This is the second flood infrastructure project resulting from the flood risk reduction task force and flood risk reduction strategy 2022 water resource plan amendment.



Equity

The project will help reduce flood risks.



Health

The project will consider health and safety impacts.



Stewardship

This project will repair, replace, and retrofit existing stormwater infrastructure.



Sustainability

This project will help adapt to a changing climate, more intense storms, and increasing flood risk.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Scope of Services from Barr for Edina Concord Flood Infrastructure Feasibility Study (Board Portal)



Item Number: 6.9

Department: Public Works

Item Activity: Action

Prepared By: Noah Silver, Electrical Supervisor

Item Title: Purchase Request: Arlington Streetlights for 50th & France

Action Requested:

Approve Purchase Request for Arlington Streetlights for 50th & France from Viking Electric for \$24,395.

Requisition Number: 12600045

Vendor: Viking Electric

Equipment Status: Replacement

Funding Source: Street Lighting Replacement – 50th & France

Cost: \$24,395.00

Information/Background:

The existing 50th & France streetlights are past their service life. The new Arlington streetlights will be installed and maintained by City electricians.

Resources/Financial Impacts:

This replacement is within the streetlight operations budget and part of the City's street lighting replacement plan. The City of Edina will operate and maintain the new street lighting system.

Relationship to City Policies/Plans/Budget Pillars:

This aligns with the Comprehensive Plan and the City's street lighting replacement plan.



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Values Impact:



Stewardship

Capital assets and infrastructure systems are managed to minimize risk and sustain service levels to be safe and reliable.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.10

Department: Parks & Recreation

Item Activity: Action

Prepared By: Rachel DeVries Finberg, Park Planner

Item Title: Purchase Request: Playground Replacement Design and Engineering

Action Requested:

Approve Purchase Request for professional services for design and engineering documents for playground replacement projects with WSB for \$42,850.

Requisition Number: 12600048

Vendor: WSB

Equipment Status: Replacement

Funding Source: P&R Professional Services Budget

Cost: \$42,850

Information/Background:

There are 25 outdoor playground equipment structures throughout the park system. Park Maintenance devised a system to rank each playground structure estimating use, traffic patterns, worn items, environmental conditions such as wind, rain and sun damage, and wear and tear on the structure. The playground structures were ranked from one to five, 1 being the highest priority for replacement and 5 being the lowest priority. With the assistance of the Special Park Improvement Levy these replacements are possible. Playgrounds included with this round of design and bidding include Normandale Park, Sherwood Park, and Tingdale Park. Through our master services contract, WSB will create topographic surveys, bid packages and work with staff on community engagement surveys to select equipment, design, and colors.

Resources/Financial Impacts:

Playground replacements are under continual evaluation based on inspections done throughout season. Priorities are changed based on wear, weathering, and use. Replacements are key to keeping areas safe and functioning. New playgrounds are added to inspection schedule and maintenance program.

Relationship to City Policies/Plans/Budget Pillars:

Recreation & Trails Strategic Plan in the Implementation Framework, Strategy 2.1 states: Identify facilities not meeting community needs and develop plan for replacement, renovation, or decommissioning.



Strong Foundation



Reliable Service



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Values Impact:



Engagement

Surveys will be used to engage the community in design and selection of playground equipment.



Equity

Though the overall playground design will not be fully inclusive, accessible inclusive pieces have been placed to make all feel right in the action and encourage social interaction. Designs will meet and exceed ADA requirements.



Health

Designs will encourage both physical and mental development of users.



Stewardship

Replacement priorities and timeline reflects the best use of city funds and resources to make structures maintainable and maximize use.



Sustainability

Vendors will be required to provide information about company sustainability in products and initiatives to align with Edina Values.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. 2026 Parks Site Improvements (Board Portal)
2. 2026 Play Equipment Improvements (Board Portal)



Item Number: 6.11

Department: Parks & Recreation

Item Activity: Action

Prepared By: Tom Swenson, Asst Dir-Parks & Nat Res

Item Title: Purchase Request: 2026 Toro Trim Mower

Action Requested:

Approve Request for Purchase for Toro Trim mower with MTI Toro for \$26,056.68.

Requisition Number: 12600047

Vendor: MTI Toro

Equipment Status: Replacement

Funding Source: Capital Equipment Replacement

Cost: \$26,056.68

Information/Background:

MTI Toro will provide a 2026 Toro 3200 trim mower for the Parks and Recreation department. This mower was approved for replacement in the CIP equipment replacement budget. It will be replacing a 2015 John Deere mower.

Resources/Financial Impacts:

CIP Capital Equipment Replacement

Relationship to City Policies/Plans/Budget Pillars:



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Reliable Service



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Values Impact:



Health

Maintained parks and open spaces encourage outdoor activities.



Sustainability

This mower increases fuel efficiency.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.12

Department: Parks & Recreation

Item Activity: Action

Prepared By: Tom Swenson, Asst Dir-Parks & Nat Res

Item Title: Purchase Request: 2026 Residential Tree Sale

Action Requested:

Approve Request for Purchase for a Residential Tree Sale with Tree Trust for \$54,921.52.

Requisition Number: 12600039

Vendor: Tree Trust

Equipment Status: New

Funding Source: Operating Budget

Cost: \$54,921.52

Information/Background:

This purchase request for the residential tree sale supports Edina's Climate Action Plan and preserves neighborhood character and tree canopy by facilitating the sale of 500 trees to residents. Residents will pay a \$50 copay to receive a tree that is 6–8 feet tall. The sale will provide 500 climate-adaptable trees with a limit of 2 trees per property. 250 trees will be sold in the spring followed by 250 trees in the fall. The City will select the tree species for sale and educate residents about best practices and finding suitable trees for Edina's ecosystem. Tree Trust will provide the trees, mulch, and manage a website for order processing and communications, and distribution day site management that includes loading into vehicles. This sale is open to all residents, including rental properties with consent from property owners.

Resources/Financial Impacts:

The tree sale is being funded through the adopted park maintenance budget.

Relationship to City Policies/Plans/Budget Pillars:

The Climate Action Plan intends to increase tree canopy in the City of Edina.



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Values Impact:



Health

Trees create shade, reducing heat island effects.



Sustainability

Trees absorb carbon dioxide, produce oxygen and clean the air.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. 2026 Tree Sale Agreement (Board Portal)



Item Number: 6.13

Department: Parks & Recreation

Item Activity: Action

Prepared By: Joseph Abood, General Manager Braemar Golf Course

Item Title: Purchase Request: Braemar Golf Course Korechi Autonomous Range Ball Picker

Action Requested:

Approve Purchase Request for Korechi Pik'r XL Autonomous Range Ball Picker with Korechi Innovations, Inc. for \$58,900.

Requisition Number: 12600042

Vendor: Korechi Innovations Inc.

Equipment Status: Replacement

Funding Source: Braemar Golf Operations

Cost: \$58,900

Information/Background:

The driving range golf ball picking equipment is critical to the Driving Range operation and needs to be replaced on a regularly scheduled basis. As these machines age beyond their useful life, they require more labor and funds to maintain them. Replacements are needed to keep the fleet in working condition and up to acceptable standards for a premier practice facility like the Braemar Golf Course Driving Range. This replacement is for an autonomous piece of equipment for range ball picking.

According to a report from the National Golf Foundation (NGF) the NGF "has observed declining investment in the golf courses as revenues declined. Golf courses are "living and breathing" assets that will deteriorate over time, and significant reductions in capital expenditures eventually will catch up to the system." Braemar Golf Course plans to avoid this trend by strategic reinvestment into operations.

Resources/Financial Impacts:

Golf Operations Budget — After purchase, the new autonomous unit will save the golf course's operational budget on staffing, fuel and maintenance expenses while adding additional operational hours. Projected return on investment is projected at three years. The unit will be funded through the Braemar Golf Course operations fund balance.

Relationship to City Policies/Plans/Budget Pillars:



Reliable Service

Values Impact:

Sustainability

Transition from gas power to electric power and helps meet the City's Green Fleet Policy & Climate Action Goals.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.14

Department: Parks & Recreation

Item Activity: Action

Prepared By: Joseph Abood, General Manager Braemar Golf Course

Item Title: Purchase Request: Braemar Golf Course VertaCat All-Terrain Mobility Rider

Action Requested:

Approve Purchase Request for a VertaCat All-Terrain Mobility Rider with VertaCat for \$30,085.31.

Requisition Number: 12600043

Vendor: VertaCat

Equipment Status: New

Funding Source: Braemar Memorial Fund

Cost: \$30,085.31

Information/Background:

Braemar Golf Course leads the way in being accessible to all golfers. The addition of a VertaCat All-Terrain Mobility Rider will enhance the adaptive golfer experience at the facility and will also allow new participation for customers who previously had physical barriers to playing the game of golf. VertaCat's electric stand-up assist system includes specially-made padded chest, waist, and knee straps, is designed specifically to eliminate slippage that can occur during raising and lowering. VertaCat positions the user directly onto the ground. This remarkable feature is particularly beneficial for activities such as golf.

Resources/Financial Impacts:

Funding will be allocated from the Braemar Golf Course Memorial Fund. A \$5,000 Adaptive Golf Grant is also included in this purchase.

Relationship to City Policies/Plans/Budget Pillars:

The VertaCat All-Terrain Mobility Rider will offer Adaptive Golfers in the Edina Community the opportunity to play the Championship 18 golf course as well as introduce new golfers to the game that may have had a physical barrier to entering golf.



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Values Impact:



Equity

The VertaCat All-Terrain Mobility Rider will allow for a new demographic to utilize the Braemar Golf Facilities.



Health

The VertaCat All-Terrain Mobility Rider will allow residents and community members who are physically limited to enjoy the Braemar Golf Course & Park.



Sustainability

The VertaCat All-Terrain Mobility Rider is a form of an electric golf cart.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.15

Department: Police

Item Activity: Action

Prepared By: Ryan Schultz, Lieutenant

Item Title: Purchase Request: Chevy Blazer PPV EV

Action Requested:

Approve the Purchase Request for one Chevy Blazer PPV EV.

Requisition Number: 12600052

Vendor: Tres, INC DBA North County GM

Equipment Status: Replacement

Funding Source: Police Equipment Replacement Fund

Cost: \$47,256.88

Information/Background:

This vehicle purchase will replace a 2021 Ford F150 that is due for replacement. The purchase is within budget and funded by the police equipment replacement fund. This vehicle purchase is from Tres, INC DBA North County GM.

Resources/Financial Impacts:

This purchase is within budget and will be funded by the Police Equipment Replacement Fund.

Relationship to City Policies/Plans/Budget Pillars:



Reliable Service

Values Impact:

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.16

Department: Police

Item Activity: Action

Prepared By: Ryan Schultz, Lieutenant

Item Title: Hennepin County Auto Theft Collaboration Cooperative Agreement

Action Requested:

Approve the Hennepin County Auto Theft Collaboration Cooperative Agreement.

Information/Background:

The purpose of the Hennepin County Auto Theft Collaboration Agreement is to work as a multi-jurisdictional collaborative unit to respond in real time to active vehicle thefts, including vehicle tamperers, carjacking, and other vehicle-related crimes. The collaboration will take proactive, intelligence-based approaches to responding to vehicle thefts by leveraging resources across agencies. This collaboration includes Hennepin County Sheriff's Office, City of Minnetonka, and City of St. Louis Park.

Resources/Financial Impacts:

No fiscal impact.

Relationship to City Policies/Plans/Budget Pillars:



Reliable Service



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Values Impact:

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Auto Theft Collaboration Cooperative Agreement

HENNEPIN COUNTY AUTO THEFT COLLABORATION COOPERATIVE AGREEMENT

This Agreement is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA ("COUNTY"), on behalf of the Hennepin County Sheriff's Office (the "Sheriff's Office") and the City of Minnetonka, on behalf of the Minnetonka Police Department, the City of St. Louis Park, on behalf of the St. Louis Park Police Department, and the City of Edina, on behalf of the Edina Police Department.

PURPOSE

The purpose of the Hennepin County Auto Theft Collaboration Agreement ("Agreement") is to set forth the guidelines under which the Sheriff's Office and the below referenced Law Enforcement Agencies (the "Agencies") will operate when working collaboratively as the Multi- Jurisdictional Collaborative Unit. The intent of this agreement is to coordinate and maximize cooperation between the Agencies, the communities they represent, and the Hennepin County Sheriff's Office.

MISSION

The mission of the Hennepin County Auto Theft Collaboration ("Collaboration") is to respond in real time to active vehicle thefts including vehicle tamperers, car jackings and other vehicle related crimes. The Hennepin County Auto Theft Collaboration will take a proactive, intelligence-based approach to responding to vehicle thefts and other felonies associated with vehicle thefts in Hennepin County. This approach includes a proactive response to city and county needs through the utilization of multiple analysts and analytical data. Leveraging these resources will enable the Collaboration to identify and focus on specific suspects actively engaged in such crimes through surveillance, GPS tracking, phone pings, and other lawful investigative techniques.

The undersigned governmental units, in the co-operative and mutual exercise of their powers, agree as follows:

1) ORGANIZATIONAL STRUCTURE

- A) Organizational Control.** Responsibility for the overall policy and direction of the Hennepin County Auto Theft Collaboration shall rest with the Hennepin County Sheriff's Office. The Sheriff of Hennepin County has directed the Captain/Lieutenant of the Sheriff's Major Crimes Division to coordinate the policies, procedures and the activities of this Collaboration. The Sheriff's Office agrees to write and submit the Dedicated Auto Theft Grant to include ONE FULL-TIME (Full Funded) Detective from the Cities of Minnetonka, St. Louis Park, and Edina. Along with additional fully funded positions within the Sheriff's Office. In return, each Members Chief or designee will provide a letter of commitment from their prospective city committing to collaboration within the Hennepin County Auto Theft Collaboration.
- B) Supervision.** The overall supervision of the Hennepin County Auto Theft Collaboration shall be the responsibility of the Lieutenant of the Hennepin County Sheriff's Major Crimes Special Assignments Unit. The chain of command will be as follows: Sheriff's Office Sergeant, Sheriff's Office Lieutenant, and Sheriff's Office Captain. The Collaboration will have a command element to oversee the grant writing, operations, planning and training of the Hennepin County Auto Theft Collaboration. The Sheriff's Office command element will be responsible for incident decision making and on scene management per Sheriff's Office policies and procedures.
- C) Members.** Initially, and subject to Section VIII (below), the Collaboration is comprised of members from the following Agencies (collectively, the "Members" or "Member Agencies"):
 - i. Hennepin County Sheriff's Office
 - ii. Minnetonka Police Department
 - iii. St. Louis Park Police Department
 - iv. Edina Police Department.

2) TEAM MEMBERSHIP/MOBILIZATION

Each Member shall put forth a pre-agreed upon number of sworn peace officers(s) to participate on the Hennepin County Auto Theft Collaboration (the "Member Officers"). These members, being grant funded under the Dedicated Auto Theft Grant, will be mobilized via text/phone call during active incidents involving auto theft or a related crime.

In the event of an emergency requiring the services of the Collaboration, the Sheriff's Office or its designee will

authorize a callout for Member Officers using the above-mentioned text group/phone call. Any team member can activate the Collaboration and direct the Member Officers to report to active incidents. Members should instruct their Member Officers to respond quickly while either off duty or on duty. Member Officers shall notify their respective Agencies of Hennepin County Auto Theft Collaboration activation/mobilization. Member Officers shall be responsible for notifying their respective Agency of their involvement in a Hennepin County Auto Theft Collaboration activity.

3) PHYSICAL LOCATION

The Hennepin County Auto Theft Collaboration will NOT be co-located. Each Member Officers will be housed in their current location with their respective city/home agency unless a proactive or emergency event occurs where they need to assist other members of the Collaboration. Unless the parties otherwise agree, Collaboration vehicles and equipment owned by the Sheriff's Office shall be housed at PSF garage in Minneapolis and all vehicles and equipment owned and contributed by the Agencies shall be housed at each Agency's place of business. The Sheriff's Office shall issue Member Officers electronic access cards to allow for limited entry into the Division headquarters.

4) TEAM EQUIPMENT

The cost of equipment, training, operations and resources for each Member Agency officer assigned to the Hennepin County Auto Theft Collaboration shall be the responsibility of that officer's Agency. The Sheriff's Office may use federal grants to purchase necessary equipment for the Collaboration and its Members to safely execute its mission. All equipment purchased using grant funds for the exclusive use of the Collaboration remains the property of the Sheriff's Office. Members shall be responsible for all the equipment issued to them and shall report any lost or damaged equipment to the Collaboration supervisors as soon as possible. Upon withdrawal from the Collaboration, or termination of this Agreement, Members shall promptly return all issued equipment owned by the Sheriff's Office to the Sheriff's Office in good working condition.

5) SALARIES AND COMPENSATION/SEIZURES

Each Member shall pay the salaries of its own officers, including any overtime. The Sheriff's Office may, in its sole discretion, elect to use existing grants or apply for Federal or State grants to pay for overtime or backfill costs for Member Officers to attend training or respond to incidents. The Sheriff's Office, with the cooperation of the other Members, will apply for agreed upon State of Minnesota grants. Upon award of any State of Minnesota grant, the Members will review the grant terms and then-applicable law. The parties must unanimously agree to accept the grant.

If the parties do not unanimously agree to accept the grant, the Members may: 1) permit any Member that do not accept the grant to immediately withdraw and cancel its participation in the Collaboration; 2) immediately terminate the Collaboration and this Agreement in entirety; or 3) such other resolution as a majority of Members agree upon.

If the parties unanimously agree to accept the grant, the Sheriff's Office will exercise reasonable efforts to act as the fiduciary responsible for administration and management of the grant, which may include performing the following:

- Administer financial and administrative grant requirements
- Subject to applicable law, submit financial, programmatic and similar reports required under the grant
- Work with the grantor regarding administrative issues
- Comply with grant conditions regarding financial administration of the grant including but not limited to, in accordance with applicable law, reporting, data collection and evaluation requirements prescribed by the grant

- Coordinate compliance with audit requirements attached to the grant
- Manage grant funds
- Pursuant to applicable accounting standards and procedures, maintain financial and accounting books and records as shall be necessary, appropriate and convenient for the proper administration of the grant.

Each member agency will receive an equal share of the actual amount of the accepted grant, which may include an initial up-front payment and fiscal year distributions for training or other grant specified purposes. The above-mentioned funding sources and amounts are pending full grant awards and could be subject to change due to potential changes in future grant awards.

Any assets, money, or property seized as a result of the Hennepin County Auto Theft Collaboration's work will remain with the agency that originated the case. The originating agency will be responsible for all related forms, distributions, and claims.

6) LIABILITY

- A) Liability for Acts.** Except as otherwise provided herein, each Member shall be responsible for its own acts and the acts of its officers and employees and any liability resulting therefrom to the extent authorized by law and no Member shall be responsible for the acts of any other Member or any liability resulting therefrom. Each Member acknowledges and agrees that it is insured or self-insured consistent with the limits established in Minnesota state statute. Each Member agrees to promptly notify all other Members if it becomes aware of any potential Hennepin County Auto Theft Collaboration related claims or facts that have or could give rise to such claims.
- B) Liability for Injuries or Death.** Each Member shall be responsible for injuries to or death of its own personnel. Each Member shall maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are assigned to the Hennepin County Auto Theft Collaboration or are otherwise participating in or assisting with Collaboration operations or activities. Each Member waives the right to, and agrees that it will not, bring any claim or suit against the Collaboration or any other Member for any workers' compensation benefits paid to its own employees, or their dependents, that arise out of participation in or assistance with Collaboration operations or activities, even if the injuries were caused wholly or partially by the negligence of any other Member or its officers, employees, or volunteers.
- C) Liability for Damage to Equipment.** Each Member shall be responsible for damages to or loss of its own equipment. Each Member waives the right to, and agrees that it will not, bring any claim or suit against the Hennepin County Auto Theft Collaboration or any other Member for damages to or loss of its equipment arising out of participation in or assistance with Collaboration operations or activities, even if the damages or losses were caused wholly or partially by the negligence of any other Members or its officers, employees, or volunteers.
- D) Limitation of Liability.** As applicable, under no circumstances shall a party be required to pay any amount in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one party. The statutory limits of liability for some or all of the parties may not be added together or stacked to increase the maximum amount of liability for any party.

7) TERM

The term of this Agreement shall be for 3 years, commencing on July 1st, 2027, and terminating on July 1, 2029, unless terminated earlier pursuant to the provisions of this Agreement. This Agreement may be extended by mutual

written agreement of all the Members for one successive 3-year term upon the same terms, conditions, and covenants, unless the Collaboration is dissolved prior to expiration of the initial or successive term.

8) ADDITIONAL MEMBERS AND CHANGE IN MEMBERSHIP

A governmental unit may join the Hennepin County Auto Theft Collaboration and become a Member upon approval by the Hennepin County Sheriff's Office, Member Cities and execution of this Agreement. The parties acknowledge and agree that the Hennepin County Sheriff, or his/her designee, is authorized on behalf of COUNTY to approve/deny potential new governmental units and to terminate existing Members pursuant to the foregoing. A Member may, upon 60 days' written notice to the Hennepin County Sheriff's Office, withdraw and cancel its participation in the Collaboration with or without cause.

IN WITNESS WHEREOF, the undersigned governmental units caused this Agreement to be executed.

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COUNTY BOARD AUTHORIZATION

Reviewed for COUNTY by
the County Attorney's Office:

{ {Sig_es_:signer3:signature} }
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COUNTY OF HENNEPIN
STATE OF MINNESOTA
By:

{ {Sig_es_:signer6:signature} }
{ {userstamp6_es_:signer6:stamp} }

Reviewed for COUNTY by:

{ {Sig_es_:signer4:signature} }
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ATTEST:

{ {Sig_es_:signer7:signature} }
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Board Resolution No:
{ {*BoardResolution_es_:signer4:brs} }

By:

{ {Sig_es_:signer5:signature} }
{ {userstamp5_es_:signer5:stamp} }

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City of Edina

By: _____

Name

Its: City Mayor

Date: _____

By: _____

Name

Its: City Manager

Date: _____

City of St. Louis Park

By: _____

Name

Its: City Mayor

Date: _____

By: _____

Name

Its: City Manager

Date: _____

City of Minnetonka

By: _____

Name

Its: City Mayor

Date: _____

By: _____

Name

Its: City Manager

Date: _____



Item Number: 6.17

Department: Fire

Item Activity: Action

Prepared By: Andrew Slama, Fire Chief

Item Title: Purchase Request: Modular Wall Training System

Action Requested:

Approve the Request for Purchase of Modular Wall Training System for \$53,973.21.

Requisition Number: 12600036

Vendor: Versare

Equipment Status: New

Funding Source: Training Facility Main Building Capitol Expense

Cost: \$53,973.21

Information/Background:

The City of Edina is the fiscal agent for the South Metro Public Safety Training Facility. As part of the Simulation building construction, a Modular Wall Training System was budgeted. This wall system creates movable training walls for simulations of emergency response for public safety training exercises.

Resources/Financial Impacts:

No additional fiscal or operational impact.

Relationship to City Policies/Plans/Budget Pillars:

Training is critical for public safety staff. This training system will allow training Evolutions to adapt and change to benefit the training in public safety.



Strong Foundation



Reliable Service

Values Impact:



Health

Responders appropriately trained is critical for resident and employee safety.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.18

Department: Administration

Item Activity: Action

Prepared By: MJ Lamon, Special Projects & Engagement Manager

Item Title: 2026 Commission Appointments

Action Requested:

Appoint commission members as proposed.

Information/Background:

The City received applications for candidates to fill the vacancies on the advisory commissions. The application opened December 5, 2025, and closed January 25, 2026. Mayor and Council Members Pierce, Jackson, and Agnew; City Manager Scott Neal; Energy & Environment Commission Chair Cory Lukens; and Heritage Preservation Commission Chair Tommy Everson served as interview panelists across the various interview evenings. Twenty-three interviews were conducted over three nights. All appointments will start on 3/1/2026 and the new member orientation will be held on February 25, 2026.

The following people have been recommended for appointments:

Appointments	Commission	Seat	Term	Term Ends
Shukla, Kruti	Community Health	6	Partial	03/01/2027
Parish, Shandus	Community Health	8	Partial	03/01/2028
Schima, Stephen	Energy & Environment	7	Second	03/01/2028
Budin, Natalie	Energy & Environment	2	First	03/01/2029
Olson, Chris	Energy & Environment	3	First	03/01/2029
Koch, Amber	Heritage Preservation	1	First	03/01/2029
Baker, Phil	Heritage Preservation	2	First	03/01/2029
Conzemius, Alex	Parks & Recreation	2	First	03/01/2029
Brennan, Joe	Planning	1	First	03/01/2029
Lukens, Laura	Transportation	6	Partial	03/01/2027
Bruhschwein, Taylor	Transportation	8	Partial	03/01/2028
Vandelist, Jake	Transportation	9	Partial	03/01/2028
Davidson, Scott	Transportation	2	First	03/01/2029

The following people were selected as alternatives in the case of an unscheduled vacancy occurring in the first 6 months (March-August) of appointments.

Alternatives:

Gokemeijer, Nil

Roti, Scott

Rosen, Rachael

Gage, Patrick

Rezac, Justin

Resources/Financial Impacts:

None. The Commissions develop two-year work plans, so any budget impacts will be discussed when the work plan is discussed and prior to council approval.

Relationship to City Policies/Plans/Budget Pillars:

City of Edina's boards and commissions are established by the city council and outlined in city code.



Better Together

Values Impact: The City's advisory commission is one way Edina advances its values through resident involvement in City governance. Several commissions are directly aligned with specific values—such as Sustainability through the Energy and Environment Commission and Health through the Community Health Commission—ensuring those perspectives are consistently integrated into City work. More broadly, the commission structure serves as a key engagement strategy, providing community members meaningful opportunities to collaborate with city council and, at times, influence decisions, strengthening shared ownership and connection to the community.



Engagement

Advisory commissions are a foundational engagement practice that invites residents to work on issues and, at times, help shape decisions. Through commission service, community members build meaningful connections, contribute lived experience, and strengthen trust and belonging in City governance.



Equity

Commission appointments support participation in City decision-making by creating multiple pathways for residents to contribute their perspectives and experiences. The appointment process seeks to ensure diverse representation and reduce barriers so that commissions better reflect the community they serve.



Health

By engaging residents in advisory roles, the City can integrate diverse perspectives that help identify health impacts and promote conditions that support community well-being.



Sustainability

By engaging residents in advisory roles, the City can integrate diverse perspectives to support and implement Edina's Climate Action Plan.



Stewardship

The commission structure encourages long-term, forward-looking thinking that considers social, and economic impacts.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

None



Item Number: 6.19

Department: Administration

Item Activity: Action

Prepared By: Kari Sinning, Deputy City Clerk

Item Title: Temporary On-Sale Liquor License: Our Lady of Grace Church

Action Requested:

Approve temporary liquor license for Our Lady of Grace Church.

Information/Background:

Our Lady of Grace Catholic Church, located at 5071 Eden Avenue, will be hosting their annual fish fry on March 27th, 2026 at 4:30 PM, and has applied for a Temporary On-Sale Intoxicating Liquor License. The event will take place in designated areas on the property.

The application meets the eligibility requirements for a temporary liquor license and have submitted plans in compliance with the special conditions outlined in City Code. There have been no prior issues with this organization. The Edina Police Department will provide security for the event.

Supporting Documentation:

None



Item Number: 6.20

Department: Administration

Item Activity: Action

Prepared By: Kari Sinning, Deputy City Clerk

Item Title: Temporary On-Sale Liquor License: Midwest Rett Syndrome Foundation

Action Requested:

Approve a temporary liquor license for the Midwest Rett Syndrome Foundation.

Information/Background:

Midwest Rett Syndrome Foundation is hosting the Moose Winter Classic Hockey Tournament at the Minnesota Made Ice Arena, located at 7300 Bush Lake Road, and has applied for a Temporary On-Sale Intoxicating Liquor License. The event is scheduled to occur from March 13, 2026 5:00 p.m. to March 15, 2026 at 2:00 p.m. The event will take place in designated areas on the property.

The application meets the eligibility requirements for a temporary liquor license and have submitted plans in compliance with the special conditions outlined in City Code. There have been no prior issues with this organization. American Security will provide security for the event.

Supporting Documentation:

None



Item Number: 7.1

Department: Administration

Item Activity: Action

Prepared By: Scott Neal, City Manager

Item Title: Proclamation: School Bus Driver Appreciation Day Feb. 18, 2026

Action Requested:

Adopt proclamation designating Feb. 18, 2026 as School Bus Driver Appreciation Day in the City of Edina.

Information/Background:

The Minnesota School Bus Operators Association and the Minnesota Association of Pupil Transportation partnered to create School Bus Driver Appreciation Day in Minnesota in 2017 to encourage school leaders, parents and students to celebrate the often-overlooked profession that plays a crucial role in the state's education system. This day will celebrate and honor the many thousands of Minnesota school bus drivers who safely transport nearly 700,000 students to and from school each day.

Supporting Documentation:

None



Whereas school bus drivers in the City of Edina safely transport our community's children to and from school and activities each day, often in challenging weather and traffic conditions; and

Whereas these professional drivers are entrusted with the safety and well-being of dozens of students on every route, providing a reliable, welcoming presence that often begins and ends a student's school day; and

Whereas school bus drivers are essential partners in our local education system, helping ensure that all students can access learning opportunities regardless of their family's schedule, distance from school, or transportation resources; and

Whereas students are significantly safer riding in a school bus than in a passenger vehicle, thanks to rigorous safety standards, professional training, and ongoing student safety education; and

Whereas school bus transportation is a vital part of our community's infrastructure and the largest form of mass transit in Minnesota, supporting families, schools, and employers every day; and

Whereas the City of Edina wishes to recognize and thank our school bus drivers for their dedication, professionalism, and commitment to student safety;

Now, therefore, the City Council of the City of Edina, hereby proclaims February 18, 2026, as

School Bus Driver Appreciation Day

in the City of Edina, and encourage all residents, schools, and families to join in expressing appreciation to our school bus drivers for the important work they do.

Dated: February 17, 2026



Item Number: 7.2

Department: Police

Item Activity: Information

Prepared By: Kendall Smaby, Administrative Coordinator

Item Title: Citizen Award Presentation

Action Requested:

None; Presentation of Award Only

Information/Background:

Citizen Award in recognition of Chris Hansen's non-profit organization, Time On the Water, which supports the mental health of veterans and first responders through therapeutic fishing experiences.

Supporting Documentation:

None



Item Number: 8.1

Department: Parks & Recreation

Item Activity: Action

Prepared By: Perry Vetter, Parks & Recreation Director

Item Title: An Ordinance Amending Tree Protection

Action Requested:

Approve first reading of the ordinance.

Information/Background:

The goal of this ordinance is to emphasize the protection of trees and to identify the requirements for replacement impacted by development. The City Council has continued to review the ordinance at various points since initial adoption that occurred on January 1, 2023. The most recent feedback occurred at the September 2, 2025, Work Session that also included comments from the Energy and Environment Commission (EEC) that provided feedback at the July 10, 2025, and August 14, 2025 regular EEC meetings.

City staff, in coordination with the City's Legal Counsel, drafted changes to the ordinance that reflect technical, legal and operational improvements to the ordinance. Currently, Edina City Code Chapter 10-82 holds the residential Tree Protection Ordinance, which is applied on all construction work on residential properties zoned R-1 and R-2. The Amendments being made would move the Tree Protection Ordinance in City Code Chapter 10 (Building and Building Regulations) to City Code Chapter 30 (Vegetation). This new amended ordinance will now apply to all zoned parcels in Edina, including commercial. To remediate common issues presented during the feedback process, the following changes are proposed for adoption:

1. Repealing Chapter 10 - Buildings and Building Regulations and Amending Chapter 30 - Vegetation to reflect all tree protection requirements.
2. Effective for all zoning districts.
3. Definitions for common understanding for both the city and permit holder, including measurement techniques, definitions for built lots, ISA Certified Arborist, tree protection, and Certified Professional.
4. Replanting requirements allow for up to 20% of replacements to be made up of different tree types, allowing for both conifers and deciduous trees to be combined for total replanting requirements.
5. Exemption for replanting requirements on built lots, including situations where existing trees pose damage to foundations, sidewalks, and driveways as confirmed by a certified professional or the City Engineer.
6. Creation of a venue for off-site planting mitigation if permit holder cannot complete plantings on site.

For ease of tracking a comparison document has been created commenting on proposed changes to the protection ordinance.

Resources/Financial Impacts:

No fiscal impact.

Relationship to City Policies/Plans/Budget Pillars:

The Tree Protection Ordinance supports both the Comprehensive Plan and Climate Action Plan.



Strong Foundation



Reliable Service



Livable City



Better Together

Values Impact:



Engagement

The Energy & Environment Commission has been engaged in the tree protection ordinance discussion since 2022.



Sustainability

This ordinance supports Edina's Climate Action Plan's goals to protect Edina's tree canopy and increase environmental resiliency.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Comparison of proposed to existing changes to Tree Protection Ordinance

COMPARISON OF PROPOSED TO EXISTING TREE ORDINANCE

PROPOSED ORDINANCE	COMMENTS
Section 1. Chapter 10 [Buildings and Building Regulations], Article III [Building Code], Division 3 [Tree Protection] of the Edina City Code is hereby repealed in its entirety	The existing ordinance is repealed in its entirety, but see new Section 30-213, which deals with handling of existing funds held by city.
Section 2. Chapter 30 [Vegetation], Articles I [In General] and II [Permit] of the Edina City Code are hereby repealed in their entirety.	Existing provisions related to tree permits, which have not been enforced historically, are repealed.
Section 3. Chapter 30 [Vegetation], Article IV [Shade Tree Diseases], Division 2 [Abatement of Nuisances regarding Trees] is amended by adding the following: Secs. 30-203 to 30-204 Reserved.	Adds reserved sections so that new tree protection ordinance begins with section 30-205.
Section 3. Chapter 30 [Vegetation] of the Edina City Code is hereby amended by adding a new Article V Tree Protection, as follows: ARTICLE V. TREE PROTECTION DIVISION I. TREE PROTECTION	The new tree protection ordinance is placed in a new Article V.
Sec. 30-205. Purpose. Edina is fortunate to have a robust inventory of mature trees that form an integral part of the unique character and history of the city, and that contribute to the long-term aesthetic, environmental, and economic well-being of the city. The goal of this section is to preserve Edina's high valued trees, while allowing reasonable development to take place and not interfere with how existing property owners use their property. The purposes of the ordinance are to: (1) Preserve and grow Edina's tree canopy cover by protecting mature trees throughout the city. (2) Protect and enhance property values by conserving and adding to the distinctive and unique	This is substantially the same as existing Section 10-82(1).

aesthetic character of Edina's tree population. (3) Protect and enhance the distinctive environmental character of Edina's neighborhoods. (4) Improve the quality of life for all, including city residents, visitors and wildlife. (5) Protect the environment by the filtering of air and soil pollutants, increasing oxygen levels and reducing CO₂; preventing and reducing erosion and stormwater by stabilizing soils; decreasing wind speeds; reducing noise pollution; and decreasing the urban heat island effect. (6) Protect and maintain healthy trees in the development and building permit processes as set forth herein; and prevent tree loss by eliminating or reducing compacted fill and excavation near tree roots.	
Sec. 30-206. Applicability. Except as otherwise provided in this section, this Article V applies to all public or private property in the city. This article does not apply to city parkland, which follows tree protection guidelines outlined in Edina's Comprehensive Plan and City Park System Plan.	This is a new section. It modifies the opening paragraph of existing Section 10-82 by applying the ordinance to all property in the city, not just to R-1 and R-2 properties. It retains the exception for city parkland.
Sec. 30-207. Definitions. When used in this Article V, the following words, terms and phrases shall have the meanings set forth below: <i>Applicant.</i> The person or entity who submits the related application. <i>Built Lot.</i> Any lot that is not an unbuilt lot.	New definitions have been added. Changes to definitions in the existing Section 10-82(2) are noted below:

<i>Certified professional.</i> An architect, engineer, landscape architect, or geoscience professional who holds a current and valid license or certification as listed on the Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (AELSLAGID) registry. <i>Critical root zone.</i> The minimum area around a tree that must be left undisturbed, represented as a circle in which the tree is the center. The radius of the critical root zone is calculated by measuring the tree's diameter at breast height, whether the tree is deciduous or coniferous, and multiplying by one and one-half feet. For example, if a tree's dbh is ten inches, the radius of the critical root zone is 15 feet ($10 \times 1.5 = 15$ ft). <i>Diameter at breast height (dbh).</i> The diameter of a tree, measured at a height that is four and one-half feet above the base of the tree. <i>Final inspection.</i> The final inspection required prior to closure of any of the related applications identified in section 30-208, subdivision (1)(a), (b), or (c) or, of a related application that issued subsequent to a subdivision approval as referenced in section 30-208, subdivision (5)(c). <i>Heritage tree.</i> Any protected tree that meets one of the following: (1) A deciduous tree that is 30 inches dbh or greater; or (2) A coniferous tree that is 30 feet in height or greater <i>ISA certified arborist.</i> An arborist who holds a current and valid license with the	No substantive change. No substantive change No substantive change.
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International Society of Arboriculture (ISA). <i>Protected tree:</i> Any tree, other than a removable tree, that is structurally sound and healthy, and that meets one of the following: (1) A deciduous tree that is at least five inches dbh; or (2) A coniferous tree that is at least 15 feet in height. <i>Related application.</i> The application for permit or other approval that requires the submission and approval of a tree protection plan under section 30-208. <i>Removal/removed:</i> The physical removal of a tree. <i>Removable tree.</i> Any of the following tree species: box elders, poplar, willow, silver maple, black locust, ash, mulberry or a tree species listed on the Minnesota Department of Agriculture's noxious weed list. <i>Subject property.</i> The property that is the subject of a related application. <i>Transplanted Tree.</i> A protected or heritage tree which is removed and replanted on the same lot, another private lot or a public space in Edina. <i>Tree protection plan.</i> The plan required by section 30-208. <i>Unbuilt Lot.</i> An existing or newly created lot, with a unique address that has never been improved with a principal structure.	No substantive change. The particular species that were excepted from the definition of "protected tree" have been added to the definition of "removable tree." Revised to include species that were excepted from the definition of "protected tree." Revised to include any principal structure, not just a primary residential structure.
Sec. 30-208. Tree protection plan required; procedure.	

(1) <i>Tree protection plan required.</i> An application for any of the following permits or approvals requires the submission and approval of a tree protection plan in compliance with this Article V: a. Grading permit; or b. Demolition permit; or c. Building permit for the construction of a new principal or accessory structure, including a garage, deck, or pool, or for an addition to an existing principal or accessory structure; or d. A request for subdivision approval that involves the creation of one or more new lots. (2) <i>Contents of tree protection plan.</i> A tree protection plan consists of a tree inventory and site plan that meets the requirements of this subdivision 2. a. The tree inventory is a list or spreadsheet that must include the following information: i. The species and locations of all existing trees on the subject property, regardless of health. ii. The species and former locations of all trees that were removed from the subject property within one year prior to the date of the application to which the tree	This is comparable to opening of existing section 10-82 and the application requirements in section 10-82(3), but more detailed. Permit types are the same, but “subdivision approval” is clarified to apply only to subdivisions that create one or more new lots Contents of the plan are more detailed. Adds specific requirement to identify locations of trees removed within prior year
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protection plan relates, and explanation of the reason for removal. iii. The size of each tree, measured in accordance with this section, and its caliper and health condition. iv. Identification of whether the tree will be preserved, transplanted or removed. v. For trees that will be preserved, a description of how the trees will be preserved and protected during construction. If the critical root zone of a tree on the subject property or an adjacent property must be disturbed for construction or construction activity, a plan for minimizing damage caused by the disturbance shall be submitted as part of the tree protection plan. vi. For protected trees and heritage trees that will be removed, the location, species and size(s) of proposed replacement tree(s) as required by section 30-210.	
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b. The site plan must be coordinated to the tree inventory and must illustrate the following: i. The location and critical root zone for each tree in the inventory and indication of whether the tree is to be protected, transplanted, removed or was previously removed. ii. The proposed construction limits of the work to be performed under the permit for which an application has been made. iii. The proposed tree protection methods that will be used, which must comply with subdivision (3) of this section. c. The tree inventory and site plan may be prepared by the applicant or applicant's representative; except that, for the following related applications, the tree inventory must be prepared by an ISA certified arborist: i. A related application identified in subdivision (1)(a), (b) or (c) of this section with an estimated valuation of \$100,000 or greater; except that for a building permit	Substantially the same as existing section 10-82(7)
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by half of the 3 largest stems. f. Replacement coniferous trees must be measured by feet in height from the base of the tree to the mid-point of the tallest whorl. (3) <i>Tree protection methods.</i> The tree protection plan must describe the method(s) to be used to prevent disturbance within the critical root zone and base of the tree as required by section 30-209(3). Acceptable methods of tree protection include: a. Fencing: snow fence, erosion control, chain link; or b. Construction tape or rope, durable and maintained; or c. Other material or methods as approved by forestry staff. (4) <i>Coordination with stormwater management plan.</i> If a stormwater management plan is submitted in connection with the related application, the tree protection plan must be coordinated with the stormwater management plan; preserved trees that will be preserved, transplanted or planted should be shown on the stormwater management plan to ensure no conflicts. (5) <i>Review and approval of tree protection plan.</i> a. Forestry staff will review proposed tree protection plans for compliance with this Article V. Forestry staff	New provision. Provides more detail on acceptable methods for tree protection. Same as requirement at existing section 10-82(3) Provides greater detail on the procedures for review and approval process
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may require changes to a tree protection plan as necessary to comply with this article, including, but not limited to, the trees to be preserved or removed, the methods used to protect critical root zones of trees, and the location, size and species for proposed replacement trees. b. A permit for a related application as identified in subdivision (1)(a), (b), or (c) of this section may not be issued until: i. The forestry staff has reviewed and approved the proposed tree protection plan; and ii. The financial security required by section 30-212 has been deposited with the city. c. For related applications that are subdivision approvals, review and approval of the tree protection plan is required at the time of subdivision approval. Approval of the related application will be conditioned upon the requirement that any development of the subdivision comply with the approved tree protection plan. The financial security required by section 30-212	For grading, demolition and building permits, the permit will not be issued until the tree protection plan is approved and security has been provided. Subdivisions are treated differently. The tree protection plan must be approved at the time the subdivision is approved, but financial security is not required until actual land disturbance (grading, demolition, building permit) begins.
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will not be required to be deposited until a subsequent related application as identified at subdivision 1(a), (b), or (c) is made for any portion of the approved subdivision. A new tree protection plan is not required for the subsequent related application, and the subsequent application may be approved based upon the tree protection plan approved in conjunction with the subdivision approval; but the financial security must be calculated as of the date of the subsequent related application and must be deposited prior to approval of the subsequent related application.	
Sec. 30-209 Construction activity and tree removal restrictions. (1) Removal of protected and heritage trees from properties that are the subject of a related application is prohibited, except as provided by a tree protection plan approved in accordance with sections 30-208 and 30-210. (2) Any protected tree or heritage tree transplanted on-site shall not be counted under this section as having been removed and therefore does not require replacement under section 30-210, provided that the tree remains	This is new, to explicitly prohibit removal of trees except as provided in approved tree protection plan. This compares to section 10-82(12)

viable after 12 months, as required by section 30-210(5)	
(3) Before construction, grading or land clearing begins, tree protection fencing or other method must be installed and maintained at the critical root zones of the trees to be protected. The location and method of tree protection must be in conformance with the approved tree protection plan. The fencing must be inspected by forestry staff before site work begins. The fencing must remain in place until all demolition and construction is complete.	Substantially the same as section 10-82(8)
(4) No construction, compaction, construction access, stock piling of earth, storage of equipment or building materials, or grading may occur within the critical root zone areas of trees to be protected, unless there are no other on-site alternatives. If there are no other alternatives, a plan for this activity would need to be reviewed and approved by the forestry staff and included in the tree protection plan. A reasonable effort must be made when trenching utility lines to avoid the critical root zone.	Substantially the same as section 10-82(9)
(5) When construction is complete, the soil for all existing, new or transplanted trees must be aerated and de-compacted from the tree base to the drip line of the tree. Aerating must include multiple concentric circles of one-inch holes, two inches deep, or as recommended by a certified professional.	Substantially the same as section 10-82(10)

Sec. 30-210 Tree mitigation (I) If a protected tree, other than a heritage tree, is removed, it must be replaced with trees equal to at least 75% of the deciduous dbh and 75% of the coniferous height in feet, as applicable, of the removed tree, subject to the following conditions: a. Protected coniferous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be coniferous species and up to 20% replacement trees may be of deciduous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List." b. Protected deciduous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be deciduous species and up to 20% replacement trees may be of coniferous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List." c. Replacement trees must not be subject to known epidemic diseases or infestations. Disease or	This compares to section 10-82(4).
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infestation-resistant species and cultivars are allowed. d. Replacement trees must be at least three and one-half inches in caliper for deciduous trees and a minimum of eight feet tall for coniferous trees. e. The plan for replacement of removed trees must be included in the approved tree protection plan. f. Compliance with the approved tree protection plan shall be verified at the time of final inspection. If the protection plan is not in compliance, the final inspection may not be approved. (2) If a heritage tree is removed, it must be replaced with trees at least 100% of the dbh or coniferous feet of the removed tree, subject to the following conditions: a. Heritage coniferous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be coniferous species and up to 20% replacement trees may be of deciduous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List".	This compares to section 10-82(5).
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b. Heritage deciduous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be deciduous species and up to 20% replacement trees may be of coniferous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List" c. Replacement trees must not be subject to known epidemic diseases or infestations. Disease- or infestation-resistant species and cultivars are allowed. d. Replacement heritage trees must be at least four and one-half inches in caliper for deciduous trees and a minimum of ten feet tall for coniferous trees. e. The plan for replacement of removed trees is part of the tree protection plan and requires approval by the forestry staff. f. Compliance with the approved tree protection plan shall be verified at the time of final inspection. If the tree protection plan is not in compliance, the final inspection may not be approved. (3) Protected trees or heritage trees that have been removed within one	Compare to section 10-82(11)
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year prior to the submission date of the related application are also subject to the replacement requirements in this section 30-210. (4) All replacement trees must be planted on the subject property, except as approved under section 30-211. (5) All replacement trees must be inspected by an ISA certified arborist no less than 12 months after the planting of the replacement tree or the completion of all other site-disturbing activities under the related application, whichever is later. (6) No mitigation is required for removal of protected or heritage trees from unbuilt lots as defined above, in the following areas: a. Including, and within a ten-foot (10') radius of, the proposed building pad, deck or patio. b. Including, and within a five-foot (5') radius of proposed driveways. c. Including, and within ten-foot (10') radius of installation of infrastructure improvements including public roadways, stormwater retention areas and utilities. (7) The forestry staff may waive the mitigation requirement for removal of protected or heritage trees on built lots in the following circumstances:	Compare to section 10-82(14) Incorporates requirement from section 10-82(15) Substantially the same as 10-82(6)
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a. Trees posing damage to existing foundations, sidewalks and driveways, subject to findings from a certified professional or an ISA certified arborist as defined in section 30-207. b. Trees located in an active easement or easement with a future need as identified by the City Engineer.	
Sec. 30-211 Off-site tree mitigation (1) The tree mitigation requirements under section 30-210 must be satisfied by planting replacement trees on the subject property, unless a Certified Professional provides findings that the subject property cannot accommodate the required number of replacement trees in a manner necessary for the trees to remain healthy and viable, and is approved by forestry staff. (2) If the forestry staff approves the findings by a Certified Professional that the requirements of subdivision (1) cannot be satisfied, the forestry staff may approve planting of replacement trees on private property located within 300 feet of the subject property, provided that the applicant complies with the requirements of this section. (3) If the forestry staff approves the findings of a Certified Professional that the requirements of subdivision (1) cannot be satisfied and there is property within 300 feet of the subject property that is	Provides greater detail regarding off-site planting. Compare to section 10-82(14).

total feet of protected coniferous trees removed; and. iii) \$500.00 per deciduous dbh below 100% of the dbh of heritage deciduous trees removed; and iv) \$500.00 per coniferous foot below 100% of the coniferous feet removed. 3) The financial security shall be released according to the following schedule: a. After the applicant has planted the required replacement trees but no earlier than the completion of site-disturbing activities on the subject property as approved by the related application, and upon request by the applicant, forestry staff shall inspect the site using the submitted escrow release form that includes the updated tree planting plan. If the forestry staff determines that the applicant has complied with the approved tree protection plan, 50% of the original financial security shall be released. If the applicant has not fully complied with the tree protection plan, the financial security will be released at a ratio that corresponds to 50% of the estimated percentage of compliance. b. No less than 12 months after the planting of all required replacement trees or the completion of all other site-disturbing activities under the related application, whichever	Comparable to 10-82(15)
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is later, the applicant must submit the escrow release form including a landscape review by an ISA certified arborist, certifying planted and preserved trees are viable. If any trees planted both on site and off site are found to be not viable, the applicant must replace those trees in substantially the same location. The remaining balance of the financial security will be released upon the City's receipt of an ISA certified arborist's certification that all replacement trees are viable or, if not all trees are certified as viable, upon City forestry staff's verification that nonviable trees have been replaced, whichever is later. c. If the applicant fails to comply with the requirements of this Article V, the City may draw upon the financial security for purposes of performing the work required to bring the subject property or other property into compliance with the approved tree preservation plan.	City has the ability to draw on the financial security and perform the required planting. Ordinance no longer forfeits the financial security to the city.
Sec. 30-213 Transition. This Article V supersedes and replaces the provisions of Chapter 10 [Buildings and Building Regulations], Article III [Building Code], Division 3 [Tree Protection] of the Edina City Code, now repealed. The repeal of those provisions does not affect the validity of tree protection plans approved pursuant to those provisions. All monies collected pursuant to the repealed provisions shall be held as financial security to ensure	

compliance with previously approved plans and disbursed in accordance with Section 30-212.	
Sec. 30-214 Violations; penalties. 1) <i>Misdemeanor.</i> Violation of this Article V is a misdemeanor. 2) <i>Other remedies.</i> The provisions of section 1-18 shall also apply to violations of this Article V.	



The City Council of Edina Ordains:

Section 1. Chapter 10 [Buildings and Building Regulations], Article III [Building Code], Division 3 [Tree Protection] of the Edina City Code is hereby repealed in its entirety.

Section 2. Chapter 30 [Vegetation], Articles I [In General] and II [Permit] of the Edina City Code are hereby repealed in their entirety.

Section 3. Chapter 30 [Vegetation], Article IV [Shade Tree Diseases], Division 2 [Abatement of Nuisances regarding Trees] is amended by adding the following:

Secs. 30-203 to 30-204 Reserved.

Section 4. Chapter 30 [Vegetation] of the Edina City Code is hereby amended by adding a new Article V Tree Protection, as follows:

ARTICLE V. TREE PROTECTION
DIVISION 1. TREE PROTECTION

Sec. 30-205. Purpose.

Edina is fortunate to have a robust inventory of mature trees that form an integral part of the unique character and history of the city, and that contribute to the long-term aesthetic, environmental, and economic well-being of the city. The goal of this section is to preserve Edina's high valued trees, while allowing reasonable development to take place and not interfere with how existing property owners use their property. The purposes of the ordinance are to:

- (1) Preserve and grow Edina's tree canopy cover by protecting mature trees throughout the city.
- (2) Protect and enhance property values by conserving and adding to the distinctive and unique aesthetic character of Edina's tree population.
- (3) Protect and enhance the distinctive environmental features of Edina's neighborhoods.
- (4) Improve the quality of life for all, including city residents, visitors and wildlife.
- (5) Protect the environment by the filtering of air and soil pollutants, increasing oxygen levels and reducing CO₂; preventing and reducing erosion and stormwater by stabilizing soils; decreasing wind speeds; reducing noise pollution and decreasing the urban heat island effect.
- (6) Protect and maintain healthy trees in the development and building permit processes as set forth herein; and prevent tree loss by eliminating or reducing compacted fill and excavation near tree roots.

Sec. 30-206. Applicability.

Except as otherwise provided in this section, this Article V applies to all public or private property in the city. This division does not apply to city parkland, which follows tree protection guidelines outlined in Edina's Comprehensive Plan and City Park System.

Sec. 30-207. Definitions.

When used in this Article V, the following words, terms and phrases shall have the meanings set forth below:

<i>Applicant</i>	The person or entity who submits the related application.
<i>Built Lot</i>	Any lot that is not an unbuilt lot.
<i>Certified professional</i>	An architect, engineer, landscape architect, or geoscience professional who holds a current and valid license or certification as listed on the Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (AELSLAGID) registry.
<i>Critical root zone</i>	The minimum area around a tree that must be left undisturbed, represented as a circle in which the tree is the center. The radius of the critical root zone is calculated by measuring the tree's diameter at breast height, whether the tree is deciduous or coniferous, and multiplying by one and one-half feet. For example, if a tree's dbh is ten inches, the radius of the critical root zone is 15 feet (10 × 1.5 = 15 feet).
<i>Diameter at breast height (dbh)</i>	The diameter of a tree, measured at a height that is four and one-half feet above the base of the tree.
<i>Excepted tree</i>	Any of the following tree species: box elders, poplar, willow, silver maple, black locust, ash, mulberry or a tree species listed on the Minnesota Department of Agriculture's noxious weed list.
<i>Final inspection</i>	The final inspection required prior to closure of any of the related applications identified in section 30-208, subdivision (1)(a), (b), or (c) or, of a related application that issued subsequent to a subdivision approval as referenced in section 30-208, subdivision (5)(c).
<i>Heritage tree</i>	Any protected tree that meets one of the following: (1) A deciduous tree that is 30 inches dbh or greater; or (2) A coniferous tree that is 30 feet in height or greater
<i>ISA certified arborist</i>	An arborist who holds a current and valid license with the International Society of Arboriculture (ISA).

<i>Protected tree</i>	Any tree, other than an excepted tree, that is structurally sound and healthy, and that meets one of the following: (1) A deciduous tree that is at least five inches dbh; or (2) A coniferous tree that is at least 15 feet in height.
<i>Removal/removed</i>	The physical removal of a tree.
<i>Related application</i>	The application for permit or other approval that requires the submission and approval of a tree protection plan under section 30-208.
<i>Subject property</i>	The property that is the subject of a related application.
<i>Transplanted Tree</i>	A protected or heritage tree which is removed and replanted on the same lot, another private lot or a public space in Edina.
<i>Tree protection plan</i>	The plan required by section 30-208.
<i>Unbuilt Lot</i>	An existing or newly created lot, with a unique address that has never been improved with a principal structure.

Sec. 30-208. Tree protection plan required.

(1) *Tree protection plan required.* An application for any of the following permits or approvals requires the submission and approval of a tree protection plan in compliance with this Article V:

- a. Grading permit; or
- b. Demolition permit; or
- c. Building permit for the construction of a new principal or accessory structure, including a garage, deck, or pool, or for an addition to an existing principal or accessory structure; or
- d. A request for subdivision approval that involves the creation of one or more new lots.

(2) *Contents of tree protection plan.* A tree protection plan consists of a tree inventory and site plan that meets the requirements of this subdivision 2.

- a. The tree inventory is a list or spreadsheet that must include the following information:
 - i. The species and locations of all existing trees on the subject property, regardless of health.
 - ii. The species and former locations of all trees that were removed from the subject property within one year prior to the date of the application to which the tree protection plan relates, and explanation of the reason for removal.
 - iii. The size of each tree, measured in accordance with this section, and its caliper and health condition.
 - iv. Identification of whether the tree will be preserved, transplanted or removed.
 - v. For trees that will be preserved, a description of how the trees will be preserved and protected during construction. If the critical root zone of a tree on the subject

property or an adjacent property must be disturbed for construction or construction activity, a plan for minimizing damage caused by the disturbance shall be submitted as part of the tree protection plan.

- vi. For protected trees and heritage trees that will be removed, the location, species and size(s) of proposed replacement tree(s) as required by section 30-210.
- b. The site plan must be coordinated to the tree inventory and must illustrate the following:
 - i. The location and critical root zone for each tree in the inventory and indication of whether the tree is to be protected, transplanted, removed or was previously removed.
 - ii. The proposed construction limits of the work to be performed under the permit for which an application has been made.
 - iii. The proposed tree protection methods that will be used, which must comply with subdivision (3) of this section.
- c. The tree inventory and site plan may be prepared by the applicant or applicant's representative; except that, for the following related applications, the tree inventory must be prepared by an ISA certified arborist:
 - i. A related application identified in subdivision (1)(a), (b) or (c) of this section with an estimated valuation of \$100,000 or greater; except that for a building permit for the construction of a new primary structure, the valuation must be \$500,000 or greater; or
 - ii. An application for subdivision approval as identified at subdivision (1)(d) of this section.
- d. Tree sizes listed in the tree inventory must be measured as follows:
 - i. Existing deciduous trees are to be measured using diameter at breast height (dbh).
 - ii. Existing coniferous trees are to be measured using height in feet from the base of the tree to the mid-point of the tallest whorl.
- e. Replacement deciduous trees must be measured based upon caliper, using the American Standard for Nursey Stock (ANSI Z60.1):
 - i. Single stem trees less than 4" caliper must be measured at 6 inches above ground level; and
 - ii. Greater than 4" caliper trees must be measured at 12 inches above ground level; and
 - iii. Multi-stem trees must be measured by half of the 3 largest stems.
- f. Replacement coniferous trees must be measured by feet in height from the base of the tree to the mid-point of the tallest whorl.

(3) *Tree protection methods.* The tree protection plan must describe the method(s) to be used to prevent disturbance within the critical root zone and base of the tree as required by section 30-209

(3). Acceptable methods of tree protection include:

- a. Fencing: snow fence, erosion control, chain link; or
- b. Construction tape or rope, durable and maintained; or
- c. Other material or methods as approved by forestry staff.

(4) *Coordination with stormwater management plan.* If a stormwater management plan is submitted in connection with the related application, the tree protection plan must be coordinated with the stormwater management plan; preserved trees that will be preserved, transplanted or planted

should be shown on the stormwater management plan to ensure no conflicts.

(5) *Review and approval of tree protection plan.*

- a. Forestry staff will review proposed tree protection plans for compliance with Article V. Forestry staff may require changes to a tree protection plan as necessary to comply with this division, including, but not limited to, the trees to be preserved or removed, the methods used to protect critical root zones of trees, and the location, size and species for proposed replacement trees.
- b. A permit for a related application as identified in subdivision (1)(a), (b), or (c) of this section may not be issued until:
 - i. The forestry staff has reviewed and approved the proposed tree protection plan; and
 - ii. The financial security required by section 30-212 has been deposited with the city.
- c. For related applications that are subdivision approvals, review and approval of the tree protection plan is required at the time of subdivision approval. Approval of the related application will be conditioned upon the requirement that any development of the subdivision comply with the approved tree protection plan. The financial security required by section 30-212 will not be required to be deposited until a subsequent related application as identified at subdivision 1(a), (b), or (c) is made for any portion of the approved subdivision. A new tree protection plan is not required for the subsequent related application, and the subsequent application may be approved based upon the tree protection plan approved in conjunction with the subdivision approval; but the financial security must be calculated as of the date of the subsequent related application and must be deposited prior to approval of the subsequent related application.

Sec. 30-209 Construction activity and tree removal restrictions.

- (1) Removal of protected and heritage trees from properties that are the subject of a related application is prohibited, except as provided by a tree protection plan approved in accordance with sections 30-208 and 30-210.
- (2) Any protected tree or heritage tree transplanted on-site shall not be counted under this section as having been removed and therefore does not require replacement under section 30-210, provided that the tree remains viable after 12 months, as required by section 30-210(5).
- (3) Before construction, grading or land clearing begins, tree protection fencing or other method must be installed and maintained at the critical root zones of the trees to be protected. The location and method of tree protection must be in conformance with the approved tree protection plan. The fencing must be inspected by forestry staff before site work begins. The fencing must remain in place until all demolition and construction is complete.
- (4) No construction, compaction, construction access, stockpiling of earth, storage of equipment or building materials, or grading may occur within the critical root zone areas of trees to be protected, unless there are no other on-site alternatives. If there are no other alternatives, a plan for this activity would need to be reviewed and approved by the forestry staff and included in the tree protection plan. A reasonable effort must be made when trenching utility lines to avoid the critical root zone.
- (5) When construction is complete, the soil for all existing, new or transplanted trees must be aerated and de-compacted from the tree base to the drip line of the tree. Aerating must include multiple

concentric circles of one-inch holes, two inches deep, or as recommended by a certified professional.

Sec. 30-210 Tree mitigation

- (1) If a protected tree, other than a heritage tree, is removed, it must be replaced with trees equal to at least 75% of the deciduous dbh and 75% of the coniferous height in feet, as applicable, of the removed tree, subject to the following conditions:
 - a. Protected coniferous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be coniferous species and up to 20% replacement trees may be of deciduous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List."
 - b. Protected deciduous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be deciduous species and up to 20% replacement trees may be of coniferous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List."
 - c. Replacement trees must not be subject to known epidemic diseases or infestations. Disease or infestation-resistant species and cultivars are allowed.
 - d. Replacement trees must be at least three and one-half inches in caliper for deciduous trees and a minimum of eight feet tall for coniferous trees.
 - e. The plan for replacement of removed trees must be included in the approved tree protection plan.
 - f. Compliance with the approved tree protection plan shall be verified at the time of final inspection. If the protection plan is not in compliance, the final inspection may not be approved.
- (2) If a heritage tree is removed, it must be replaced with trees at least 100% of the dbh or coniferous feet of the removed tree, subject to the following conditions:
 - a. Heritage coniferous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be coniferous species and up to 20% replacement trees may be of deciduous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List".
 - b. Heritage deciduous trees must be replaced with similar species using at least an 80/20 ratio, meaning 80% of replacement trees must be deciduous species and up to 20% replacement trees may be of coniferous species that are normally found growing in similar conditions and that are included in Hennepin County's "Recommended Tree List"
 - c. Replacement trees must not be subject to known epidemic diseases or infestations. Disease- or infestation-resistant species and cultivars are allowed.
 - d. Replacement heritage trees must be at least four and one-half inches in caliper for deciduous trees and a minimum of ten feet tall for coniferous trees.
 - e. The plan for replacement of removed trees is part of the tree protection plan and requires approval by the forestry staff.
 - f. Compliance with the approved tree protection plan shall be verified at the time of final inspection. If the tree protection plan is not in compliance, the final inspection may not be approved.

- (3) Protected trees or heritage trees that have been removed within one year prior to the submission date of the related application are also subject to the replacement requirements in this section 30-210.
- (4) All replacement trees must be planted on the subject property, except as approved under section 30-211.
- (5) All replacement trees must be inspected by an ISA certified arborist no less than 12 months after the planting of the replacement tree or the completion of all other site-disturbing activities under the related application, whichever is later.
- (6) No mitigation is required for removal of protected or heritage trees from unbuilt lots as defined above, in the following areas:
 - a. Including, and within a ten-foot (10') radius of, the proposed building pad, deck or patio.
 - b. Including, and within a five-foot (5') radius of proposed driveways.
 - c. Including, and within ten-foot (10') radius of installation of infrastructure improvements including public roadways, stormwater retention areas and utilities.
- (7) The forestry staff may waive the mitigation requirement for removal of protected or heritage trees on built lots in the following circumstances:
 - a. Trees posing damage to existing foundations, sidewalks and driveways, subject to findings from a certified professional or an ISA certified arborist as defined in section 30-207.
 - b. Trees located in an active easement or easement with a future need as identified by the City Engineer.

Sec. 30-211 Off-site tree mitigation

- (1) The tree mitigation requirements under section 30-210 must be satisfied by planting replacement trees on the subject property, unless the forestry staff determines that the subject property cannot accommodate the required number of replacement trees in a manner necessary for the trees to remain healthy and viable.
- (2) If the forestry staff determines that the requirements of subdivision (1) cannot be satisfied, the forestry staff may approve planting of replacement trees on private property located within 300 feet of the subject property, provided that the applicant complies with the requirements of this section.
- (3) If the forestry staff determines that the requirements of subdivision (1) cannot be satisfied and there is property within 300 feet of the subject property that is suitable for or willing to accept replacement trees, the forestry staff may approve planting of replacement trees on other property located within the City of Edina; provided that the applicant complies with the requirements of this section.
- (4) An applicant who requests to perform off-site tree mitigation under subdivision (2) must provide written notice to the owners of all property within 300 feet of the subject property, notifying the owners that trees are available for planting on their properties. In addition, the applicant must post a sign on the subject property indicating that trees are available for planting and providing a contact name and phone number for the applicant or applicant's representative.
- (5) An applicant who requests to perform off-site tree mitigation under subdivision (3) must comply with subdivision (4) above and must attest to forestry staff that no property owners expressed any interest in accepting any replacement trees.

- (6) Before approving a tree protection plan that includes off-site tree mitigation, the forestry staff must obtain from the applicant an agreement between the applicant and the owner of the property on which replacement trees will be planted. The agreement must: identify the species of replacement trees and the locations at which the replacement trees will be planted; address who is responsible for watering and care of the replacement trees and for the replacement of any tree that is not viable after 12 months, as required by section 30-210(5); grant the City of Edina the right to enter the property where replacement trees will be planted for purposes of inspection and enforcement. Regardless of any such agreement, the applicant is at all times responsible for complying with the requirements of this Article V.

Sec. 30-212 Financial Security

- (1) The City shall require the applicant to provide a cash escrow or a letter of credit satisfactory to the City as security for compliance with the approved tree protection plan, in accordance with section 30-208(5).
- (2) The amount of the financial security may be determined under one of the options below:
- a. An amount equal to 110% of the estimated cost of the replacement trees required by the approved tree protection plan, based upon a verified quotation from a landscape supplier; or
 - b. An amount equal to the sum of:
 - i. \$300.00 per deciduous dbh below 75% of the total dbh of protected deciduous trees removed; and
 - ii. \$300.00 per coniferous foot below 75% of the total feet of protected coniferous trees removed; and
 - iii. \$500.00 per deciduous dbh below 100% of the dbh of heritage deciduous trees removed; and
 - iv. \$500.00 per coniferous foot below 100% of the coniferous feet removed.
- (3) The financial security shall be released according to the following schedule:
- a. After the applicant has planted the required replacement trees but no earlier than the completion of site-disturbing activities on the subject property as approved by the related application, and upon request by the applicant, forestry staff shall inspect the site using the submitted escrow release form that includes the updated tree planting plan. If the forestry staff determines that the applicant has complied with the approved tree protection plan, 50% of the original financial security shall be released. If the applicant has not fully complied with the tree protection plan, the financial security will be released at a ratio that corresponds to 50% of the estimated percentage of compliance.
 - b. No less than 12 months after the planting of all required replacement trees or the completion of all other site-disturbing activities under the related application, whichever is later, the applicant must submit the escrow release form including a landscape review by an ISA certified arborist, certifying planted and preserved trees are viable. If any trees planted both on site and off site are found to be not viable, the applicant must replace those trees in substantially the same location. The remaining balance of the financial security will be released upon the City's receipt of an ISA certified arborist's certification that all replacement trees are viable or, if not all trees are certified as viable, upon City forestry

- staff's verification that nonviable trees have been replaced, whichever is later.
- c. If the applicant fails to comply with the requirements of this Article V, the City may draw upon the financial security for purposes of performing the work required to bring the subject property or other property into compliance with the approved tree preservation plan.

Sec. 30-213 Transition.

This Article V supersedes and replaces the provisions of Chapter 10 [Buildings and Building Regulations], Article III [Building Code], Division 3 [Tree Protection] of the Edina City Code. The repeal of those provisions does not affect the validity of tree protection plans approved pursuant to those provisions. All monies collected pursuant to the repealed provisions shall be held as financial security to ensure compliance with previously approved plans and disbursed in accordance with section 30-212.

Sec. 30-214 Violations; penalties.

- (1) *Misdemeanor.* Violation of this Article V is a misdemeanor.
- (2) *Other remedies.* The provisions of section 1-18 shall also apply to violations of this Article V.

Section 5. This ordinance is effective upon publication.

Passed by the City Council of Edina on (Date TBD)

First Reading: February 17, 2026

Second Reading:

Summary for Publication:

Ordinance 2026-04 repeals and replaces existing tree protection regulations in Chapters 10 and 30 of the City Code and establishes a new comprehensive Tree Protection ordinance under Chapter 30. The ordinance requires tree protection plans for certain grading, demolition, building, and subdivision activities; defines protected and heritage trees; sets standards for preservation, removal, replacement, and off-site mitigation; and requires financial security to ensure compliance. The new regulations are intended to preserve and expand Edina's tree canopy while allowing reasonable development and protecting the community's environmental, aesthetic, and economic benefits.



Item Number: 8.2

Department: Administration

Item Activity: Action

Prepared By: Sharon Allison, City Clerk

Item Title: Ordinance 2026-02: Amending Section 4-9-9; Repealing and Replacing Chapter 6 Article III Lawful Gambling of the Edina City Code

Action Requested:

Approve Ordinance 2026-02 Amending Section 4-9-9; Repealing and Replacing Chapter 6 Article III Lawful Gambling of the Edina City Code, and grant second reading. Approve summary publication.

Information/Background:

On Feb. 4, Council approved first reading of Ordinance 2026-02 with the following changes:

1. Six (6) premises permit.
2. One (1) premises permit per organization.

To draw attention to the changes, it is highlighted in the Ordinance in Section 6-66 (c) (4) & (5).

Staff Report from the February 4, 2026 meeting:

On January 20, the City Council directed staff to return with the lawful gambling ordinance for first reading based on staff's recommendations. The proposed ordinance establishes a local framework for regulating lawful gambling activities within the City, including limits on permits, eligibility requirements, trade area spending, and financial contributions.

Since the January 20 discussion, staff made one technical adjustment to the ordinance consistent with Council direction. Staff previously recommended discontinuing local background checks for officers of nonprofit organizations conducting exempt gambling. To implement this change, references to a local permit requirement were removed from the ordinance. Instead, nonprofit organizations seeking to conduct exempt gambling will be required to notify the City at least 30 days prior to the gambling event, consistent with state law. Staff will review and sign the organization's LG220 Application for Exempt Permit, which the organization will then submit to the Minnesota Gambling Control Board. Exempt permits are issued to nonprofit organizations conducting gambling for five or fewer days in a calendar year and awarding less than \$50,000 in prizes annually.

The rest of the ordinance remains the same as presented on Jan. 20:

- **Premises Permits:** The ordinance limits the number of premises permits initially allowed within the city. Staff recommend starting with three (3) premises permits to allow staff to get a full understanding of the demand and staff's capacity to manage the funds and reporting requirements.
- **Eligibility:** Only organizations within Edina's city limits/jurisdictions.
- **Trade Area:** A required percentage or all of net gambling proceeds must be expended within

the City's trade area. Staff recommend 70%. The trade area is all cities contiguous to Edina.

- **Financial Requirements:**

- Impose up to 3% local gambling tax on gross receipts from gambling, minus prizes actually paid out. The tax must only be used to cover the cost of regulating lawful gambling. Staff recommend 3%.
- Contribution of 10% of net profit to a fund administered by the City. Use of funds are to be determined by the Council. Potential uses could include community events such as the 4th of July Parade.

If approved on first reading, the ordinance will return to the City Council for a second reading and possible adoption.

Resources/Financial Impacts:

Implementation of the ordinance is expected to result in modest administrative workload associated with processing permits, reviewing reports, and monitoring compliance. The proposed 3% local gambling tax is intended to offset the City's regulatory costs. In addition, the required 10% contribution of net profits to a City-administered fund could provide a modest revenue source to support Council-identified community priorities.

Relationship to City Policies/Plans/Budget Pillars:

Values Impact:

	Engagement	Charitable gambling was requested by the community for consideration as a means for supporting non-profits in the community. Allowing charitable gambling could be seen as a means for individuals who are not connected on a day-to-day basis to still support non-profit groups. Bingo and other means of charitable gambling have been local opportunities for people to gather around the State of MN for decades.
	Equity	Allowing up to six lawful gambling premises permits is intended to expand economic opportunity and support a range of nonprofit and community organizations that rely on lawful gambling revenues to fund their work. By increasing the number of permits, the City aims create a more equitable environment where more organizations have the potential to benefit from lawful gambling proceeds and reinvest those resources into local services, events, and programs that serve diverse segments of the Edina community. Demographically, according to the World Health Organization "People experiencing significant life events including separation, retirement, injury or the death of a loved one may be at increased risk. Social stressors such as poverty, discrimination or other disadvantage also increase risks. Heavy promotion of gambling online and through sport also poses risks of normalizing gambling for children and young people."

	Health	Lawful gambling can create social and financial benefits, but it also carries potential risks related to problem and compulsive gambling. Research shows that “...Minnesota ranks as the 13th most gambling-addicted state in the U.S...” and approximately 1% of Americans experience a gambling disorder, with additional percentages experiencing milder gambling-related problems; problem gambling can negatively affect mental health, relationships, and financial stability. There is a increased suicide risk associated with those with gambling addiction (according to the World Health Organization). Minnesota law requires licensed lawful gambling organizations to post problem gambling information prominently at the premises, including a toll-free helpline number established by the Commissioner of Human Services. This requirement helps ensure that patrons are aware of resources for help if gambling becomes problematic. To further mitigate health impacts and support community wellbeing, the Council could dedicate a portion of the statutorily dedicated “10% funds” to support community health initiatives, including nonprofit organizations focused on problem gambling prevention, mental health services, or addiction recovery programs or to community health. Staff recommend dedication conversations be considered later this year when we have a better idea of the revenue. Minnesota statute recognizes contributions to programs for the education, prevention, or treatment of problem gambling as a lawful use of gambling proceeds. In Edina, establishing proactive partnerships with local public health or behavioral health nonprofits to receive contributions from gambling proceeds could strengthen prevention and support efforts tailored to residents.
	Stewardship	Stewardship principles were applied by balancing community values, regulatory compliance, and fiscal responsibility. The ordinance aligns with state regulations for lawful gambling conduct and posting requirements, ensuring that permitted premises operate safely and transparently while protecting vulnerable populations. Expanding the number of permitted premises was evaluated in light of potential benefits (support for community organizations and local causes) and responsibilities (awareness of addiction risks and compliance with posting and conduct rules). The ordinance framework encourages responsible use of gambling proceeds for lawful purposes that benefit the broader community and includes mechanisms — such as posting problem gambling information and considering contributions to health-related

		initiatives — that reflect prudent stewardship of allowable gambling activities within the City of Edina.
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Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Staff Presentation, Feb. 4, 2026
2. Lawful Gambling Opportunities for Organizations to Benefit
3. Staff Presentation, Jan. 20, 2026



The City Council of Edina, Minnesota ordains:

Section 1. Chapter 4, Section 4-9-9, paragraph (c) of the Edina City Code, related to prohibited conditions in licensed liquor establishments, is amended to read as follows:

c. Gambling prohibited. Except for lawful gambling conducted in accordance with chapter 6, article III of this code, gambling Gambling is prohibited in licensed premises.

Section 2. Chapter 6, Article III, relating to Law Gambling, is repealed in its entirety and replaced with the following.

Sec. 6-60. Adoption of state law by reference.

The provisions of Minn. Stat. ch. 349, as they may be amended from time to time, are hereby adopted by reference and are made a part of this ordinance as if set out in full. It is the intention of the Council that all future amendments of Minn. Stat. ch. 349, are hereby adopted by reference or referenced as if they had been in existence at the time this ordinance was adopted.

Sec. 6-61. City may be more restrictive than state law.

The Council is authorized by the provisions of Minn. Stat. § 349.213, as it may be amended from time to time, to impose, and has imposed in this ordinance, additional restrictions on gambling within its limits beyond those contained in Minn. Stat. ch. 349, as it may be amended from time to time.

Sec. 6-62. Purpose.

The purpose of this ordinance is to regulate lawful gambling within the City of Edina, to prevent its commercialization, to ensure the integrity of operations, and to provide for the use of net profits only for lawful purposes.

Sec. 6-63. Definitions.

In addition to the definitions contained in Minn. Stat. § 349.12, as it may be amended from time to time, the following terms are defined for purposes of this ordinance:

BOARD means the State of Minnesota Gambling Control Board.

CITY means the City of Edina.

COUNCIL means the city council of the City of Edina.

LICENSED ORGANIZATION means an organization licensed by the Board.

PREMISES PERMIT means a permit issued by the Board and approved by the city council allowing lawful

gambling at a specific location.

TRADE AREA means a geographic area comprised of the City of Edina and each city contiguous to the city.

Sec. 6-64. Applicability.

This ordinance regulates all forms of lawful gambling within the city except bingo conducted in a nursing home or senior citizen housing project under the conditions set forth in Minn. Stat. § 349.166, subd. 1(b).

Sec. 6-65. Lawful gambling permitted.

Lawful gambling is permitted within the city provided that it is conducted in accordance with Minn. Stat. §§ 609.75-.763, inclusive, as they may be amended from time to time, and Minn. Stat. §§ 349.11-.23, inclusive, as they may be amended from time to time, and this Article III.

Sec. 6-66. Application and approval of premises permits.

- a. Application. The Board will notify the city when a licensed organization applies for a premises permit under Minn. Stat. ch. 349. The organization seeking to obtain a premises permit from the Board must file with the city clerk a duplicate of its licensing application and premises permit application as filed with the state, including all exhibits and documents accompanying the application.
- b. Investigation. The city clerk shall transmit the application to the chief of police or designee for review and recommendation. The chief of police or designee will investigate the matter and make a recommendation to the city council no later than 45 days following the city's receipt of the application materials.
- c. The city clerk will notify the applicant in writing of the date on which the council will consider the recommendation. The council must by resolution approve or disapprove the application within 60 days of the city's receipt of the application. The council shall deny an application for issuance of a premises permit or for reissuance of a premises permit after suspension, revocation or other termination, for any of the following reasons:
 1. The organization has violated any state statute, state rule, or city ordinance relating to gambling within the last three (3) years.
 2. The entity leasing its premises to the applicant organization has violated any state statute, state rule, or city ordinance relating to the operation of the establishment, including, but not limited to, laws relating to alcoholic beverages, gambling, controlled substances, or protection of public safety within the last three (3) years.
 3. Lawful gambling would be conducted at a premises where there is not a written lease between the on-sale establishment and the licensed organization for a term of at least one (1) year.
 4. Lawful gambling would be conducted at more than six (6) premises within the city.
 5. Issuing the permit would result in the organization holding more than one (1) premise permit.
 6. Operation of gambling at the site would be detrimental to health, safety, and welfare of the community.

Otherwise, the council shall pass a resolution approving the application.

Sec. 6-67. License and permit display.

All permits issued under state law and local permits issued under this ordinance must be prominently displayed at the premises where gambling is conducted for the duration of the permit.

Sec. 6-68. Notification of material changes to application.

A licensed organization holding a state-issued premises permit shall notify the city within ten (10) days in writing whenever any material change is made in the information submitted on the application.

Sec. 6-69. Local gambling tax

- a. A local gambling tax of three percent (3%) per year is imposed on the gross receipts of a licensed organization from all lawful gambling less prizes actually paid out by the organization.
- b. The tax shall be paid by the organization on a monthly basis and shall be reported on a copy of the monthly gambling activity summary and tax return filed with the Minnesota Department of Revenue. The report shall be an exact duplicate of the report filed with the Department, without deletions or additions, and must contain the signatures of organization officials as required on the report form.
- c. The tax return and payment of the tax due must be postmarked, or, if hand-delivered, received in the city finance office, on or before the last business day of the month following the month for which the report is made.
- d. An incomplete tax return will not be considered timely filed unless corrected and returned by the due date for filing.
- e. Interest shall be charged at a rate of eight percent (8%) on all overdue taxes owed by the organization under this section.

Sec. 6-70. Contribution of net profits to fund administered by city.

Each organization licensed to conduct lawful gambling within the city pursuant to Minn. Stat. § 349.16, as it may be amended from time to time, shall contribute ten percent (10%) of its net profits derived from lawful gambling in the city to a fund administered and regulated by the city without cost to the fund. The city shall disburse the funds for charitable contributions as defined by Minn. Stat. § 349.12, subd. 7a, as it may be amended from time to time. Payment under this section shall be made on the last day of each month. The city's use of such funds shall be determined at the time of adoption of the city's annual budget or when the budget is amended.

Section 6-71. Designated trade area.

- a. Each organization licensed to conduct gambling within the city shall expend seventy percent (70%) of its lawful purpose expenditures on lawful purposes conducted within the city's trade area.
- b. This section applies only to lawful purpose expenditures of gross profits derived from gambling conducted at a premises within the city's jurisdiction.

Section 6-72. Records and reporting.

- a. Licensed organizations conducting lawful gambling shall file with the city finance director one copy of all records and reports required to be filed with the Board, pursuant to Minn. Stat. ch. 349, as it may be amended from time to time, and rules adopted pursuant thereto, as they may be amended from time to time. The records and reports shall be filed on or before the day they are required to be filed with the Board.
- b. Organizations licensed by the Board shall file a report with the city finance director proving compliance with the trade area spending requirements imposed by section 6-72. The report shall be made on a form prescribed by the city and shall be submitted annually.

Section 6-73. Gambling excluded or exempted from state licensing.

- a. Except as allowed by section 6-64 of this code, an organization that conducts lawful gambling that is exempt or excluded from state licensing requirements under Minn. Stat. § 349.166, as it may be amended from time to time, must comply with the requirements of this section 6-73 and of section 6-74.
- b. An organization that will conduct bingo excluded from state licensing must provide the city clerk with the application required by the state for the conduct of excluded bingo, at least 30 days prior to the first date on which the excluded bingo event will occur.
- c. An organization that will conduct lawful gambling exempted from state licensing must provide the city clerk with the application for exempt permit required by the state, at least 30 days prior to the date of the gambling event.
- d. The city clerk shall provide a copy of the notification or application received pursuant to subdivisions (b), (c) or (d) above to the chief of police for information.

Section 6-74. Hours of operation.

Lawful gambling shall not be conducted between 1 a.m. and 8 a.m. on any day of the week.

Section 6-75. Penalty.

Any person who violates any provision of this ordinance; or Minn. Stat. §§ 609.75-609.763, inclusive, as they may be amended from time to time; or Minn. Stat. §§ 349.11-349.21, as they may be amended from time to time; or any rules promulgated under those sections, as they may be amended from time to time, shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000 or imprisonment for a term not to exceed 90 days, or both, plus in either case the costs of prosecution. In addition, violations involving licensed organizations shall be reported to the Board and recommendation shall be made for suspension, revocation, or cancellation of an organization's license.

Section 6-76. SEVERABILITY

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

Sections 6-78 – 6-90. Reserved.

Section 3. Effective date. This ordinance becomes effective immediately.

Summary for Publication:

Ordinance 2026-02 amends Chapter 4, Section 4-9-9 to lawful gambling in licensed liquor establishments, and Chapter 6, Article III Lawful Gambling is repealed and replaced to allow premises permit gambling and modification to exempt gambling.



The CITY of
EDINA

Lawful Gambling

Repealing and Replacing Ordinance

February 4, 2026

EdinaMN.gov

Staff Recommendation

- Repeal and replace Lawful Gambling Ordinance
- Allow 3 Premises Permits initially (to pilot and understand the administrative process and workload) **Allow more than 3, allow 2 permits per location, limit the number of premises permits for a single organization**
 - Nonprofit organizations located in Edina
 - 70% of net gambling proceed spent in the trade areas
 - 3% gambling tax to cover the cost of regulating lawful gambling
 - 10% of net profit to a City-administer fund
- Eliminate background checks for exempt lawful gambling and replace with Gambling Board process
- Amend the Liquor Ordinance to allow lawful gambling





Staff Report

Date: February 4, 2026
To: Mayor and City Council
From: Sharon Allison, City Clerk
Subject: Lawful Gambling – Opportunities for Organizations to Benefit

Information/Background:

At the Council's request, staff researched how multiple nonprofit organizations may benefit from lawful gambling and whether a nonprofit could obtain a premises permit at a location where space is leased from the City. This memo summarizes what is allowed under state law, the limits on City authority, and policy options for Council consideration.

Sharing or Coordinating Lawful Gambling Proceeds

The City cannot provide legal advice to individual organizations regarding how they may share gambling proceeds. However, staff identified several ways that more than one organization could benefit from lawful gambling without increasing the number of gambling locations in the city.

First, state law allows more than one premises permit to be issued for a single location, however, a premises permit cannot be shared. If Council wishes to allow this, the City could amend the ordinance to clarify limits, such as a maximum number of locations citywide, for example 3, and a maximum number of permits per location, for example two. This would allow two organizations to conduct lawful gambling at the same site; however, it is unknown whether liquor establishments or the organizations would want two organizations to compete at the same location.

Second, licensed organizations may contribute gambling proceeds to other charitable organizations, provided the contributions meet lawful purposes under state law. The City's ordinance already requires that 70 percent of expenditures occur within the City's trade area. However, the City cannot require organizations to give to specific recipients and would be relying on voluntary decisions by each organization.

Third, the City currently requires licensed organizations to contribute 10 percent of net profits to a City-administered charitable fund. The City must distribute these funds for lawful charitable purposes. Some, but not all, local nonprofits may qualify to receive distributions from this fund.

Lastly, the Council could increase the number of locations allowed or limit the number of premises permits that the Council would approve for a single organization.



Premises Permit at a City-Leased Facility

A nonprofit could obtain a premises permit at a location where space is leased from the City, provided the lease is amended to allow lawful gambling activities and all state and local requirements are met.

BetterTogether Feedback on the Ordinance

The ordinance was posted on the website Jan. 27-Feb. 3. The webpage had 23 visits, but none provided any feedback.



The CITY of
EDINA

Lawful Gambling

Repealing and Replacing Ordinance
January 20, 2026

EdinaMN.gov

Background & Need for Change

- Current ordinance regulates **exempt gambling events only**
- **Does not allow premises permits**
- **June 2025, the Edina Education Fund**



What Is Being Proposed

- **Repeal and replace** the City's lawful gambling ordinance
- **Amend Chapter 4 Liquor Ordinance**
- These changes would:
 - Allow premises permits.
 - Clarify that lawful gambling may occur in on-sale liquor establishments.
 - Align with the **state-administered lawful gambling framework.**
 - Simplify local administration for exempt gambling.



Premises Permit Framework

- **City Council approval required**
- **Initial limit:** Three (3) premises permits citywide.
- **Eligibility:** Only nonprofit organizations located within Edina's jurisdiction.
- **Trade Area Requirement:**
 - At least **70% of net gambling proceeds** must be spent within the trade area.
 - Trade areas include Edina and all contiguous cities.



Financial & Regulatory Requirements

- **Local Gambling Tax:**
 - Up to **3%** of gross receipts minus prizes paid.
 - Cover the cost of regulating lawful gambling.
 - Staff recommend the full 3%.
- **Net Profit Contribution:**
 - **10% of net profit** contributed to a City-administered fund.
 - Use of funds determined by Council
- **Regulatory Oversight:**
 - Gambling Control Board and Alcohol and Gambling Enforcement perform primary oversight.
 - Council approves or denies the **location** by resolution.
 - No separate City application; applicants submit a duplicate of their state application to the City.



Exempt Gambling Permits - Proposed Changes

- Increase from **2 to 4 per year**.
- Eliminate local application and background checks.
- Rely on the Gambling Control Board's review and City sign-off on the LG220 form.
- If the current process is retained, increase the application fee from **\$15 to \$50**.



Staff Recommendation

- Repeal and replace Lawful Gambling Ordinance
- Amend the Liquor Ordinance to allow lawful gambling
- Allow 3 Premises Permits
 - Nonprofit organizations located in Edina
 - 70% of net gambling proceed spent in the trade areas
 - 3% gambling tax to cover the cost of regulating lawful gambling
 - 10% of net profit to a City-administer fund
- Increase exempt permits and eliminate the application and background process





Item Number: 8.3

Department: Fire

Item Activity: Action

Prepared By: Andrew Slama, Fire Chief

Item Title: Amendment to the Mobile ECMO Truck Services, Dispatch and Deployment Agreement

Action Requested:

Approve the Amendment to the Mobile ECMO Truck(MET) Services, Dispatch and Deployment Agreement.

Information/Background:

The Edina Fire Department has partnered with Fairview and other healthcare providers to operate the Mobile ECMO (Extracorporeal Membrane Oxygenation) Truck as part of a pilot program aimed at delivering advanced life-support capabilities in the pre-hospital setting for patients experiencing severe cardiac or respiratory failure who don't currently have access to these specialized services. This specialized unit allows for rapid deployment of equipment and personnel to initiate ECMO therapy, significantly improving survival chances for critical patients. The pilot officially began in late 2021, following months of planning, training, and coordination with partner agencies. This vehicle and pilot program is the first of its kind in the world.

To support the operational demands of the Mobile ECMO Truck, an amendment to the existing contract is proposed. The previous agreement utilized "cross-staffing" when an ECMO call was dispatched, an ambulance or fire crew was taken out of service and responded to the ECMO call. This model was not sustainable in the long term. Communication from Edina Fire to ECMO partners resulted in an amendment to the contract. This amendment authorizes dedicated staffing for the ECMO vehicle to ensure rapid response capability and specialized care delivery while not reducing the response profile to Edina residents. Additionally, when these personnel are not actively deployed on ECMO-related calls, they are permitted to assist with Edina Fire Operations, including emergency response and other departmental needs further enhancing our response to Edina residents. This dual-role approach maximizes resource efficiency while maintaining readiness for ECMO activations. The program positions Edina Fire to continue partnering with the ECMO pilot while increasing our response to Edina residents with a strategic position. When not assigned to ECMO operations, these positions funded by the pilot will serve in a Battalion Chief capacity. This position is in our strategic plan to increase the safety and customer service of Edina Fire Department emergency responses. This amendment will allow us to show proof of concept and the impact this position has on our resident, visitor, and employee safety.

Resources/Financial Impacts:

The revenue provided by this agreement will fund the two dedicated positions. Any other budget impact of this agreement will be supported by the current Fire Department General Fund Budget. The Operations Chief will be responsible for operationalizing the dedicated ECMO response and Battalion Chief positions.

Relationship to City Policies/Plans/Budget Pillars:

Increasing our strategic response with Battalion Chief positions ensures a strong foundation for emergency response. The addition of two positions funded temporarily ensure a more reliable service during the pilot program.



Strong Foundation



Reliable Service

Values Impact:



Health

Adding temporary staffing increases the response profile for EMS and Fire incidents in the City.



Stewardship

This initiative creates stewardship by demonstrating responsible and innovative use of resources to improve public health outcomes while maintaining operational efficiency.

Supporting Documentation:

Documents marked with "Board Portal" do not meet [ADA Web Content Accessibility Guidelines \(URL\)](#) and are not included in the public packet. To request a board portal document, please [submit a data request \(URL\)](#).

1. Mobile ECMO Truck Amendment Staff Presentation



Mobile ECMO Truck (MET) Amendment

February 17, 2026

EdinaMN.gov



Mobile ECMO Truck (MET)

Pilot Program to Date

- Edina Fire operated the MET and meets ECMO staff for procedure
 - Cross-staffing MET with current staffing
- First in the world “Mobile ECMO” in 2022
- Identified successes and failures in the program
- Fairview Health Systems assigned the agreement in 2023
- October 2024 ended cross staffing with MET
 - Evaluated different staffing models
 - Vehicle Lease continued



ECMO Updates

- Cross-staffing created Edina challenges
- EMS “intercepts” had logistical challenges
- Hub and Spoke Model needed for procedure success
- Expanding access to ECMO to additional hospitals provides resource to a larger population
- Dedicated staffing necessary to ensure MET operation and not reduce Edina response



MET Amendment

- Changing the fee structure from per response fee to dedicated staffing with two temporary full-time employees
- Battalion Chief (BC) positions hired to fill the temporary positions
- When not assigned to ECMO the BC positions will provide strategic-level response and administration to Edina Fire
- \$339,000 annually for dedicated staffing
- The contract expiration aligns with the Lease agreement of August 2027
- Option to extend or terminate



Conclusion and Recommendation

- The amendment continues the pilot program for Mobile ECMO
- Dedicated staffing enhances ECMO response and increases the response level to the City of Edina
- Funds to operationalize the dedicated staffing allow proof of concept for strategic BC positions
- Recommendation:
 - Approve and authorize Edina Fire to enter into the amendment for the MET agreement with Fairview Health Services.



Immigration Response Task Force

February 13, 2026, Council Update



To: Mayor & City Council
From: Scott Neal & MJ Lamon
Cc: Immigration Response Task Force
Subject: Status Report, Discontinued Items, and Ongoing Actions

Background

In response to community concern regarding immigration enforcement impacts, the City established an internal Immigration Response Task Force. The Task Force was intentionally structured as a cross-departmental staff team to focus on operational readiness, legal review, rapid coordination, and implementation capacity. The Task Force team has been working since January 23, 2026.

The Task Force's role has been to evaluate what the City can and cannot do, in the context of what is legally viable and develop implementable recommendations for Council consideration.

The first update on the Task Force and its work was shared with City Council at its Feb. 4, 2026, work session.

Current Situation & Operational Updates

The Task Force has now moved through the remainder of the submitted list of ideas. All items have been reviewed for legal authority, operational feasibility, enforcement implications, and potential unintended consequences.

Key updates:

- **Rental Assistance Resolution:** Adopted; letter to the Governor mailed Feb. 12.
- **Park Signage:** Signs reinforcing intended park use and directing individuals to call 911 if they observe activity that appears unsafe will be placed on city-owned property starting Friday, Feb. 13.
- **Community Support Efforts:** Continued coordination with VEAP, including volunteer support and collection of items needed. There are four drop off sites: Senior Center, Police Department, Fire Station 1 and Fire Station 2.
- **Business, Nonprofit and Community Organization Outreach:** Staff continue collecting data from businesses, nonprofit organizations, and community groups to better understand impacts to inform future decisions.
- **Police Calls:** The Police Department has received a limited number of 911 calls from individuals reporting concerns they believed to be immigration enforcement-related activity. Each call was evaluated and responded to appropriately by trained professionals.

The Task Force has been meeting frequently—often multiple times per week—and coordinating across departments to review ideas, consult with City Attorney, respond to community inquiries, and implement operational steps within a short timeframe.

Discontinued (Red-Triaged) Items

After consultation with the City Attorney, Police Department, housing staff, employment counsel, and relevant department leads, the following ideas were determined to be legally infeasible, outside City authority, operationally high-risk, or not responsibly implementable.

Community Resources & Support

1.17 Place a moratorium on housing evictions

The City does not have authority to create eviction moratoriums; this must occur at the State level. Instead, the City has supported emergency rental assistance to help impacted households remain housed.

City Regulations & Protections

2.1 Adopt a policy that Edina won't hire any ICE or Border Patrol agents on/off duty

Employment counsel advises against this action. A blanket prohibition would likely violate federal preemption principles, constitutional protections, and state employment laws.

2.2 Authorize staff to document and submit observations of potential constitutional violations

Staff should contact police if a crime is occurring. Staff will not document or submit complaints on behalf of individuals; however, they may provide information on how individuals can submit a data request or complaint themselves.

2.6 Place rental inspections on hold

The City has not received feedback to put this on hold. Staff will continue case-by-case flexibility if requested. A blanket suspension would undermine health and safety protections.

2.7 Pass an ordinance banning idling, illegal parking, and roadway obstruction targeting ICE vehicles

The City cannot target specific federal vehicles. A citywide anti-idling ordinance would be complaint-based and difficult to enforce. Staff do not recommend creating such an ordinance. Police will enforce parking laws when legally able and appropriate.

2.9 Compile and publicly report a list of detained residents

The City lacks access to verified detention data. Any list would rely on voluntary self-reporting and raise significant privacy, data practices, safety, and trust concerns.

Public Safety & Policing

3.14 Assure police support if a restaurant refuses to serve ICE and other Federal Enforcement agents

Police may enforce trespass laws if applicable; however, if federal agents are conducting official duties, local police cannot compel them to leave.

3.15 Require federal agents to wear ID or unmask

The City does not have legal authority to impose identification requirements on federal agents.

Attempting to do so would be unenforceable and create legal conflict.

The Task Force recommends no further analysis or development of the red-triaged items due to legal infeasibility, operational risk, and lack of City authority.

The Task Force will:

- Document elimination and rationale in Task Force records
- Communicate clearly, when appropriate, why these ideas cannot be advanced
- Refocus efforts on actions within City authority that prioritize:
 - Clear communication
 - Community trust
 - Staff safety
 - Legally sound and operationally feasible responses