

REGULAR COUNCIL MEETING – AGENDA #9

If due to a disability, you need auxiliary aids or services during a City Council Meeting, please provide the City with 72 hours' notice by calling 763-493-8141 or faxing 763-493-8391.

Our Vision: Brooklyn Park, a thriving community inspiring pride where opportunities exist for all.

Our Brooklyn Park 2025 Goals:

• A united and welcoming community, strengthened by our diversity • Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination • A balanced economic environment that empowers businesses and people to thrive • People of all ages have what they need to feel healthy and safe • Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper • Effective and engaging government recognized as a leader

I. ORGANIZATIONAL BUSINESS

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT AND RESPONSE 7:00 p.m. Provides an opportunity for the public to address the Council on items which are not on the agenda. Public Comment will be limited to 15 minutes (*if no one is in attendance for Public Comment, the regular meeting may begin*), and it may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Individuals should limit their comments to three minutes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Public Comment will not be used as a time for problem solving or reacting to the comments made, but rather for hearing the citizen for informational purposes only.

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

3A. APPROVAL OF AGENDA (Items specifically identified may be removed from Consent or added elsewhere on the agenda by request of any Council Member.)

3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B.1 Introduction of New Employees

3B.2 Presentation of Citizen's Award

A. RESOLUTION

3B.3 Human Rights Commission 2018 Annual Verbal Report and 2019 Work Plan

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

4. CONSENT (All items listed under Consent, unless removed from Consent in agenda item 3A, shall be approved by one council motion.) Consent Agenda consists of items delegated to city management or a commission but requires council action by State law, City Charter or city code. These items must conform to a council approved policy, plan, capital improvement project, ordinance or contract. In addition, meeting minutes shall be included.

4.1 Approve a Temporary On-Sale Liquor License for The Church of St. Vincent de Paul for their Auction for Education to be held April 27, 2019 at 9100 93rd Avenue North

4.2 Approve Transfer of Outdoor Recreational Covenant from Sunny Lane Park to River Park

A. RESOLUTION

B. MAP OF SUNNY LANE PARK

C. MAP OF RIVER PARK – PRIOR TO LAND ACQUISITION

D. MAP OF RIVER PARK – POST LAND ACQUISITION

E. 2018 LAND APPRAISAL FOR ADDITION OF 2.63 ACRES AT RIVER PARK

4.3 Award the Bid for the 2019 Bituminous Overlay Project to Northwest Asphalt, Inc.

A. RESOLUTION

B. BID TAB

- C.** MAPS
- 4.4** Approve the Bid Award for the 2019 Street Traffic Centerline Striping Project on City Streets to AAA Striping Service Co
 - A.** RESOLUTION
- 4.5** Approval of MN DNR Outdoor Recreation Grant Application for River Park
 - A.** RESOLUTION
- 4.6** "NorthPark Business Center 4th Addition" (Scannell Properties/Brooklyn Holdings LP) – Final Plat at the Northwest Corner of Winnetka Avenue and Oxbow Creek Drive
 - A.** RESOLUTION
 - B.** LOCATION MAP
 - C.** FINAL PLAT
- 4.7** Approve Plans and Authorize Ad for Bids for CIP 3001-19 Sanitary Sewer Lining
 - A.** RESOLUTION
 - B.** LOCATION MAP
 - C.** CONSTRUCTION PLANS
- 4.8** Approve a Temporary On-Sale Liquor License for Brooklyn Park Lions for their Smelt Fry to be held April 24-26, 2019 at the Armory Gymnasium, 5500 85th Avenue North
- 4.9** Approval of Vacation and Vacation Payout Policies
 - A.** RESOLUTION
 - B.** 10.14 – VACATION POLICY
 - C.** 11.10 – VACATION PAYOUT POLICY
- 4.10** SECOND READING – Transfer of Park Property to Three Rivers Park District
 - A.** ORDINANCE
 - B.** LOCATION MAP
- 4.11** Accept Petition and Order Public Hearing for the Vacation of all Easements Associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat
 - A.** RESOLUTION
 - B.** PETITION
 - C.** PROPOSED EASEMENT VACATION AREA

The following items relate to the City Council's long-range policy-making responsibilities and are handled individually for appropriate debate and deliberation. (Those persons wishing to speak to any of the items listed in this section should fill out a speaker's form and give it to the City Clerk. Staff will present each item, following in which audience input is invited. Discussion will then be closed to the public and directed to the council table for action.)

5. PUBLIC HEARINGS

None

6. LAND USE ACTIONS

- 6.1** SECOND READING – City of Brooklyn Park – Rezoning #18-112 to Rezone Eight Business Parcels from Business Park (BP) to General Business District (B3) at 8500, 8501, 8504, 8508, 8509, 8511, and 8517 Xylon Avenue North; and 8501-8509 Wyoming Avenue North
 - A.** ORDINANCE
 - B.** LOCATION MAPS
 - C.** ZONING CODE USE COMPARISON TABLE

7. GENERAL ACTION ITEMS

- 7.1** Appointments to Commissions
- 7.2** Approve Commission Code of Conduct for Brooklyn Park Boards, Commissions, and Committees
 - A.** CODE OF CONDUCT FOR BROOKLYN PARK BOARDS, COMMISSIONS, AND COMMITTEES
- 7.3** Adopt Changes to the Boards and Commissions Resolution
 - A.** RESOLUTION

III. DISCUSSION – These items will be discussion items but the City Council may act upon them during the course of the meeting.

8. DISCUSSION ITEMS

None

IV. VERBAL REPORTS AND ANNOUNCEMENTS

9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS

V. ADJOURNMENT

Since we do not have time to discuss every point presented, it may seem that decisions are preconceived. However, background information is provided for the City Council on each agenda item in advance from city staff and appointed commissions, and decisions are based on this information and past experiences. If you are aware of information that has not been discussed, please raise your hand to be recognized. Please speak from the podium. Comments that are pertinent are appreciated. Items requiring excessive time may be continued to another meeting.

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.1	Meeting Date:	March 11, 2019
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Marlene Kryder Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Department Directors/Managers
Item:	Introduction of New Employees		

City Manager's Proposed Action:

Introduction of the City of Brooklyn Park's new employees.

Overview:

Employee

Start Date

Title

Finance

Angela Odeen

July 10, 2018

Program Assistant II – Deputy Registrar

Amy Lewis

November 26, 2018

Program Assistant II – Deputy Registrar (PT)

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.2	Meeting Date:	March 11, 2019
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Police
Resolution:	X	Prepared By:	Stephanie Heiberger Administrative Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Deputy Chief Mark Bruley
Item:	Presentation of Citizen's Award		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ ACKNOWLEDGING CONTRIBUTIONS TO THE CITY OF BROOKLYN PARK.

Overview:

The Police Department would like to recognize Barry Jensen for his heroic actions by presenting him with a Citizen's Award.

On August 18, 2018, officers were dispatched to a robbery of an elderly female that had just occurred. When they arrived on scene, they determined that the suspect was taken into custody by several citizens. After speaking with witnesses, officers determined that Barry Jensen was mowing his lawn and heard a woman yelling for help. He got off of his mower and started chasing the suspect. Barry caught the suspect and tried to hold him for police. The suspect started to struggle with Barry and got away. Another citizen assisted Barry in taking the suspect into custody. It was determined that the same suspect had committed a similar robbery five days earlier. He was charged with both robberies.

Barry, your quick actions were the reason why the suspect was located and arrested. The citizens of Brooklyn Park and the Brooklyn Park Police Department thank you.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A RESOLUTION

RESOLUTION #2019-

RESOLUTION ACKNOWLEDGING CONTRIBUTIONS
TO THE CITY OF BROOKLYN PARK

WHEREAS, the City of Brooklyn Park is grateful to all civic groups, organizations, and individuals for their contributions to the community; and

WHEREAS, Barry Jensen, a resident of Brooklyn Park, took action that resulted in a criminal being brought to justice and charged for his crime.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to acknowledge the heroic actions of Barry Jensen and thank him for his contributions to making Brooklyn Park a safe community.

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.3	Meeting Date:	March 11, 2019
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Wokie Freeman-Gbogba, Assistant City Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Christian Eriksen, Chair
Item:	Human Rights Commission 2018 Annual Verbal Report and 2019 Work Plan		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO ACCEPT THE HUMAN RIGHTS COMMISSION 2019 WORK PLAN.

Overview:

Human Rights Commission Chair, Christian Eriksen, will present the 2018 Human Rights Commission Annual Report and the 2019 Work Plan.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.1	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Community Development Rental and Business Licensing
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Approve a Temporary On-Sale Liquor License for The Church of St. Vincent de Paul for their Auction for Education to be held April 27, 2019 at 9100 93 RD Avenue North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE CHURCH OF ST. VINCENT DE PAUL FOR THEIR AUCTION FOR EDUCATION TO BE HELD APRIL 27, 2019 AT 9100 93RD AVENUE NORTH.

Overview:

The Police Department has completed their investigation of the applicant. The Community Development Department inspected the property and signed the approval form on February 11, 2019. The last fire inspection was conducted on June 26, 2018 with corrections made and passed inspection on August 2, 2018. The Police Department and the Community Development Department find no reason that would preclude the issuance of this Temporary On-Sale Liquor license. Their reports are on file in the Licensing Division and are available upon request.

The license must be approved by the State of Minnesota, Alcohol and Gambling Enforcement Division once the City of Brooklyn Park has approved the license.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.2	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Jody Yungers, Director Recreation and Parks
Ordinance:	N/A		
Attachments:	5	Presented By:	Jody Yungers
Item:	Approve Transfer of Outdoor Recreational Covenant from Sunny Lane Park to River Park		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO APPROVE TRANSFER OF OUTDOOR RECREATION COVENANT FROM SUNNY LANE PARK TO RIVER PARK.

Overview:

In 1977, as part of the redevelopment of Sunny Lane Park, the City applied for and received a \$10,000 Outdoor Recreation Grant to support the construction of two tennis courts within the park. As part of the grant agreement, it states the recipients (the City) shall not convert the property to non-recreational use.

In 2007, the City entered into a land use agreement with Crown Castle to build a cell tower within Sunny Lane Park. As part of the cell tower agreement, the City receives approximately \$15,200 per year, with a 4% escalator, for this land use agreement. In the spring of 2014, former Director of Recreation and Park Jon Oyanagi was notified by the Minnesota Department of Natural Resources (MN DNR) that allowing the use of Sunny Lane Park property for non-recreational use was a breach of the City's grant agreement with the MN DNR.

Staff has engaged the City Attorney in review of the original grant agreement and has been in contact with the MN DNR grant manager to discuss the City's option for compliance. The stance of the MN DNR is that the covenant includes the entire park, whereby ensuring that the public's investment will be protected as a viable, self-sustaining unit of recreation. The State's policy is to not accept repayment of the grant amount.

The MN DNR has provided an option that includes a process for converting funded parkland to non-recreation use if the recipient can demonstrate there is no practical alternative, commits to acquiring replacement land of at least equal fair market value and reasonably equivalent recreational usefulness, and that the newly acquired parkland must be dedicated to outdoor recreation.

The City and the MN DNR have come to an agreement that the newly acquired 2.63 acres of park land at River Park would meet the guidelines for covenant transfer from Sunny Lane Park to River Park. This transfer of covenant would then allow the City to work with the cell tower vendor to make the requested upgrades to the cell tower site at Sunny Lane.

As part of the covenant transfer process, the City was required to have an appraisal done for value of the 2.63 acres of newly acquired land at River Park at a value of \$230,000.

Primary Issues/Alternatives to Consider:

- The covenant transfer to River Park will not impact any future recreation development within River Park.
- The removal of the covenant will allow Crown Castle to continue to operate and make any necessary improvements to the tower site.

Budgetary/Fiscal Issues:

- There is no cost to the City, other than staff time, for the transfer of the recreational covenant from Sunny Lane Park to River Park.
- Allowing Crown Castle to make improvements to the cell tower site allows the City to renegotiate the cell tower lease agreement.

Attachments:

- 4.2A RESOLUTION
- 4.2B MAP OF SUNNY LANE PARK
- 4.2C MAP OF RIVER PARK – PRIOR TO LAND AQUISITION
- 4.2D MAP OF RIVER PARK – POST LAND ACQUISITION
- 4.2E 2018 LAND APPRAISAL FOR ADDITION OF 2.63 ACRES AT RIVER PARK

RESOLUTION #2019-

RESOLUTION APPROVING TRANSFER OF OUTDOOR RECREATION COVENANT
FROM SUNNY LANE PARK TO RIVER PARK

WHEREAS, in 1977, as part of the redevelopment of Sunny Lane Park, the City applied for and received a \$10,000 Outdoor Recreation Grant to support the construction of two tennis courts within Sunny Lane Park; and

WHEREAS, part of the grant agreement states the recipients (the City) shall not convert the property to non-recreational use; and

WHEREAS, in 2007, the City entered into a land use agreement with Crown Castle to build a cell tower within Sunny Lane Park; and

WHEREAS, in the spring of 2014, the Minnesota Department of Natural Resources (MN DNR) notified the City that use of Sunny Lane Park for a cell tower is a non-recreational use and, therefore, the City is in breach of the City's grant agreement with the MN DNR; and

WHEREAS, staff has worked with the MN DNR to discuss the City's option for compliance; and

WHEREAS, the MN DNR has provided an option that includes a process for transfer of the recreation covenant if the City can demonstrate there is no practical alternative, commits to acquiring replacement land of at least equal fair market value and reasonably equivalent recreational usefulness; and

WHEREAS, the City and the MN DNR have come to an agreement that the newly acquired 2.63 acres of parkland at River Park would meet the guidelines for covenant transfer from Sunny Lane Park to River Park; and

WHEREAS, there will be no negative impact to River Park or future outdoor recreation development of the park.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Park approves the transfer of Outdoor Recreation Covenant from Sunny Lane Park to River Park.

Sunny Lane Park
6240 Sunny Ln. N.



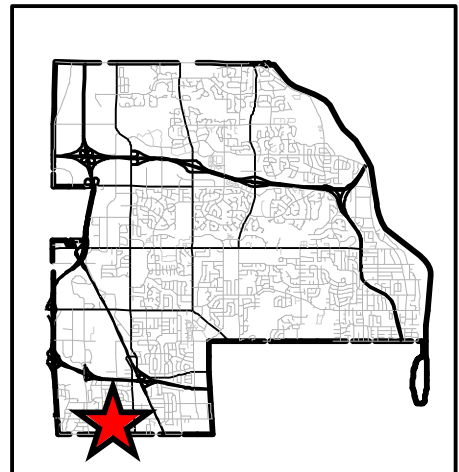
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Sunny Lane Park

6240 Sunny Ln. N.
Brooklyn Park, MN 55428

Spring 2016 Air Photo.

100
Feet



Map Date February 13, 2019

Brooklyn Park
Recreation & Parks

River Park

Previous Boundaries (pre-2015)

February 13, 2019



0 200 400 800 Feet

Park Boundary
41.1 acres

Brooklyn Park
Recreation & Parks

River Park

Current Boundaries

February 13, 2019



0 200 400 800 Feet

Park Boundary
43.7 acres

City of Brooklyn Park
5200 85th Ave N
Brooklyn Park, MN 55443
763-493-8140

March 03, 2019

Jody Yungers, Director
Recreation & Parks Dept
5600 85th Ave N
Brooklyn Park, MN 55443

Re: Property: 201 81st Ave N
Brooklyn Park, MN 55444
Legal Outlot A Sunkist Acres 2nd Addition
PID # 24-119-21-41-0066

Opinion of Value: \$ 230,000
Effective Date: 02/27/2019

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site as unimproved, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and prepared in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisitions.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

Appraiser is a Certified General Real Property Appraiser since 1999 with sufficient knowledge, education, experience, and resources and contacts to complete this assignment. Report contains data from my personal inspection and research from other sources deemed reliable; however is not guaranteed and appraiser does not assume responsibility for items furnished from other parties. To the best of my knowledge all information is true and accurate. Appraiser assumes there are no hidden or unapparent conditions of the property, subsoil which would render it more or less valuable. Market value is estimated based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. Appraiser is not an expert in identification of hazardous substances or detrimental environmental conditions. Neither my employment to the City of Brooklyn Park, nor compensation is contingent upon market value.

It has been a pleasure to assist you. Please do not hesitate to contact me or the City of Brooklyn Park Assessors Office if we can be of additional service to you.

Sincerely,



Gregory S Johnson
Certified General
License or Certification #: 20184709
State: MN Expires: 08/31/2019
greg.johnson@brooklynpark.org

APPRAISAL OF REAL PROPERTY**LOCATED AT**

201 81st Ave N
 Brooklyn Park, MN 55444
 Outlot A Sunkist Acres 2nd Addition

FOR

Recreation & Parks Dept
 5600 85th Ave N
 Brooklyn Park, MN 55443

OPINION OF VALUE

230,000

AS OF

02/27/2019

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LAND APPRAISAL REPORT

Property Address: 201 81st Ave N		City: Brooklyn Park																																																																																					
County: Hennepin		State: MN Zip Code: 55444																																																																																					
Legal Description: Outlot A Sunkist Acres 2nd Addition																																																																																							
Assessor's Parcel #: 24-119-21-41-0066																																																																																							
Tax Year: 2018		R.E. Taxes: \$ 0																																																																																					
Special Assessments: \$ 0		Map Reference: 78-C2																																																																																					
Market Area Name: Sunkist Acres		Census Tract: 0268.15																																																																																					
Current Owner of Record: City of Brooklyn Park		Borrower (if applicable): Outlot A Sunkist Acres 2nd Addition																																																																																					
Project Type (if applicable): <input type="checkbox"/> PUD <input type="checkbox"/> De Minimis PUD <input type="checkbox"/> Other (describe)		HOA: \$ 0 <input type="checkbox"/> per year <input type="checkbox"/> per month																																																																																					
Are there any existing improvements to the property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, indicate current occupancy: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Not habitable																																																																																							
If Yes, give a brief description:																																																																																							
The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe)																																																																																							
This report reflects the following value (if not Current, see comments): <input checked="" type="checkbox"/> Current (the Inspection Date is the Effective Date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective																																																																																							
Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)																																																																																							
Intended Use: To determine fair market value.																																																																																							
Intended User(s) (by name or type): City of Brooklyn Park Recreation & Parks Department, State of Minnesota, DNR, and the National Park Service.																																																																																							
Client: Recreation & Parks Dept		Address: 5600 85th Ave N, Brooklyn Park, MN 55443																																																																																					
Appraiser: Gregory S Johnson		Address: 5200 85th Ave N, Brooklyn Park, MN 55443																																																																																					
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Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural																																																																																							
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Growth rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow																																																																																							
Property values: <input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining																																																																																							
Demand/supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply																																																																																							
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* To:																																																																																							
Factors Affecting Marketability																																																																																							
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th>Item</th><th>Good</th><th>Average</th><th>Fair</th><th>Poor</th><th>N/A</th><th>Item</th><th>Good</th><th>Average</th><th>Fair</th><th>Poor</th><th>N/A</th></tr></thead><tbody><tr><td>Employment Stability</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Adequacy of Utilities</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Convenience to Employment</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Property Compatibility</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Convenience to Shopping</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Protection from Detrimental Conditions</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Convenience to Schools</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Police and Fire Protection</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Adequacy of Public Transportation</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>General Appearance of Properties</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr><tr><td>Recreational Facilities</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>Appeal to Market</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>				Item	Good	Average	Fair	Poor	N/A	Item	Good	Average	Fair	Poor	N/A	Employment Stability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Utilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Employment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Shopping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Detrimental Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police and Fire Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Public Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreational Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Item	Good	Average	Fair	Poor	N/A	Item	Good	Average	Fair	Poor	N/A																																																																												
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Convenience to Employment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																																												
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Recreational Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																																												
Market Area Comments: Quiet neighborhood located at the intersection of 81st Ave and Mississippi LN with approximately 189.28' of river frontage on the Mississippi River with River Park adjacent to subject. Subject consists of PID #24-119-21-41-0066 containing 2.63 acres. The subject parcel is currently used as a City Park for the City of Brooklyn Park.																																																																																							
Dimensions: Irregular Site Area: 2.63 Acres																																																																																							
Zoning Classification: Conservancy District Description: A voluntary zoning district to provide for general agricultural and open space activities with the prohibition of any structures or buildings. It is intended to be used as a tool to preserve tracts of land that are to remain free from structural development.																																																																																							
Do present improvements comply with existing zoning requirements? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No Improvements																																																																																							
Uses allowed under current zoning: Open space, no structures.																																																																																							
Are CC&Rs applicable? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown Have the documents been reviewed? <input type="checkbox"/> Yes <input type="checkbox"/> No Ground Rent (if applicable) \$ /																																																																																							
Comments:																																																																																							
Highest & Best Use as improved: <input type="checkbox"/> Present use, or <input checked="" type="checkbox"/> Other use (explain) Single Family Residential																																																																																							
Actual Use as of Effective Date: Unimproved Residential Use as appraised in this report: Residential																																																																																							
Summary of Highest & Best Use: Single Family Residential is seen as the highest and best use. Could be improved with residential structure for homestead purposes.																																																																																							
Utilities																																																																																							
Public Other Provider/Description																																																																																							
Electricity <input checked="" type="checkbox"/> <input type="checkbox"/> Local																																																																																							
Gas <input checked="" type="checkbox"/> <input type="checkbox"/> Local																																																																																							
Water <input checked="" type="checkbox"/> <input type="checkbox"/> Municipal																																																																																							
Sanitary Sewer <input checked="" type="checkbox"/> <input type="checkbox"/> Municipal																																																																																							
Storm Sewer <input checked="" type="checkbox"/> <input type="checkbox"/> Municipal																																																																																							
Telephone <input type="checkbox"/> <input checked="" type="checkbox"/> Private																																																																																							
Multimedia <input type="checkbox"/> <input checked="" type="checkbox"/> Private																																																																																							
Off-site Improvements																																																																																							
Type Public Private																																																																																							
Street Asphalt <input checked="" type="checkbox"/> <input type="checkbox"/>																																																																																							
Width Typical																																																																																							
Surface Asphalt																																																																																							
Curb/Gutter None <input type="checkbox"/> <input type="checkbox"/>																																																																																							
Sidewalk None <input type="checkbox"/> <input type="checkbox"/>																																																																																							
Street Lights Public <input checked="" type="checkbox"/> <input type="checkbox"/>																																																																																							
Alley None <input type="checkbox"/> <input type="checkbox"/>																																																																																							
Frontage 198.0' on 81st Ave N																																																																																							
Topography Gently Rolling																																																																																							
Size 2.6 Acres																																																																																							
Shape Irregular																																																																																							
Drainage Appears Adequate																																																																																							
View River Frtg																																																																																							
Other site elements: <input type="checkbox"/> Inside Lot <input checked="" type="checkbox"/> Corner Lot <input type="checkbox"/> Cul de Sac <input type="checkbox"/> Underground Utilities <input type="checkbox"/> Other (describe)																																																																																							
FEMA Spec'l Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No FEMA Flood Zone AE FEMA Map # 27053C0207F FEMA Map Date 11/04/2016																																																																																							
Site Comments: Subject consists of 2.63 acre parcel, PID # 24-119-21-41-0066 located at the intersection of 81st Ave and Mississippi LN. The subject is a mix of open/wd marginal gently rolling parcel to the Mississippi River adjacent to River Park.																																																																																							

LAND APPRAISAL REPORT

File No.:

TRANSFER HISTORY	My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.									
	Data Source(s): County Records, MLS									
	1st Prior Subject Sale/Transfer		Analysis of sale/transfer history and/or any current agreement of sale/listing: The sale on 11/24/2015 was part of a split of an existing single family home located at 8048 Mississippi LN, Lot 1 Blk 1 Sunkist Acres 2nd Addition and Outlot A Sunkist Acres 2nd Addition purchased from the City of Brooklyn Park for an unknown amount.							
	Date: 11/24/2015									
SALES COMPARISON APPROACH	Price: Unknown									
	Source(s): County Records									
	2nd Prior Subject Sale/Transfer									
	Date:									
	Price:									
	Source(s):									
	FEATURE		SUBJECT PROPERTY		COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
	Address 201 81st Ave N Brooklyn Park, MN 55444		15590 Dayton River Rd Dayton, MN 55327		8420 Mississippi Blvd NW Coon Rapids, MN 55433		830x Riverview Terrace NW Fridley, MN 55432			
	Proximity to Subject		12.92 miles NW		1.58 miles NW		1.27 miles NW			
	Sale Price		\$ 230,000		\$ 253,000		\$ 158,000		\$ 141,000	
Price/ Acre		\$ 87,452.47		\$ 65,885.42		\$ 207,894.74		\$ 165,882.35		
Data Source(s)		Exterior Inspection		MLS #4886160; 101 CDOM		MLS #4851462; 184 CDOM		MLS #4783409; 134 CDOM		
Verification Source(s)		Cty Rcds,MLS		ExtInsp,Cty Rcds,MLS		ExtInsp,Cty Rcds,MLS		ExtInsp,Cty Rcds,MLS		
VALUE ADJUSTMENT		DESCRIPTION		DESCRIPTION		DESCRIPTION		DESCRIPTION		
Sales or Financing		N/A		ArmsLngh;Cash		ArmsLngh;Other		ArmsLngh;Cash		
Concessions		N/A		0		0		0		
Date of Sale/Time		N/A		Cldd 6/6/2018		Cldd 1/26/2018		Cldd 8/25/2017		
Rights Appraised		Fee Simple		Fee Simple		Fee Simple		Fee Simple		
Location		Good		Avg		Good		Good		
Site Area (in Acres)		2.63		3.84		-54,450		+84,150		
Flood Zone		Flood Zone		Non Flood Zone		Flood Zone		Non Flood Zone		
Appeal		189'RiverFrtg/Gd		395'RiverFrtg/Gd		0 130'River Frtg/Gd		0 84'River Frtg/Gd		
Net Adjustment (Total, in \$)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -36,740		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 84,150		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 75,870				
Adjusted Sale Price (in \$)		Net 14.5 % \$ 216,260		Gross 34.5 % \$ 216,260		Net 53.3 % \$ 242,150		Gross 59.8 % \$ 216,870		
Summary of Sales Comparison Approach The subject consists of PID #24-119-21-41-0066 containing 2.6 acres with approximately 189.28' of river frontage on the Mississippi River located in the City of Brooklyn Park.										
ADJUSTMENTS:										
Location: The subject and comparables #2, #3, and #4 are considered in similar locations. Comparable #1 is located 12.92 miles NW of the subject and considered inferior and adjusted 10%.										
SITE: All comparables were adjusted at the rate of \$45,000 per acre with respect to overall site size.										
FLOOD ZONE: The subject and comparable #2 are located in the flood zone and considered equal with no adjustments made. Comparables #1, #3, and #4 are not located in the flood zone and considered superior and adjusted 3%.										
RIVER FRONTAGE: There were no adjustments made to river frontage size due the subject and all comparables are located on the Mississippi River and considered equal.										
PUD	PROJECT INFORMATION FOR PUDs (if applicable) <input type="checkbox"/> The Subject is part of a Planned Unit Development.									
	Legal Name of Project:									
RECONCILIATION	Describe common elements and recreational facilities:									
	Indicated Value by: Sales Comparison Approach \$ 230,000 87,452.47									
	Final Reconciliation The subject property is bracketed by comparables per acre. The subject and all comparables are not bank owned or short sales and considered equal. All comparables are out of adjustments due to site size and location.									
	This appraisal is made <input checked="" type="checkbox"/> "as is", or <input type="checkbox"/> subject to the following conditions: Appraised "as is" with highest and best use being residential.									
ATTACH:	<input checked="" type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.									
	Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 230,000, as of: 02/27/2019, which is the effective date of this appraisal.									
	If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.									
	A true and complete copy of this report contains 15 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report, which contains the following attached exhibits: <input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting cond./Certifications <input type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Location Map(s) <input checked="" type="checkbox"/> Flood Addendum <input checked="" type="checkbox"/> Additional Sales <input checked="" type="checkbox"/> Photo Addenda <input checked="" type="checkbox"/> Parcel Map <input checked="" type="checkbox"/> Hypothetical Conditions <input checked="" type="checkbox"/> Extraordinary Assumptions <input checked="" type="checkbox"/> Letter of Transmittal									
SIGNATURES	Client Contact: Jody Yungers, Director Client Name: Recreation & Parks Dept									
	E-Mail: Address: 5600 85th Ave N, Brooklyn Park, MN 55443									
	APPAISER				SUPERVISORY APPRAISER (if required) or CO-APPAISER (if applicable)					
	Appraiser Name: Gregory S Johnson Company: City of Brooklyn Park Phone: 763-493-8140 Fax: _____ E-Mail: greg.johnson@brooklynpark.org Date of Report (Signature): March 03, 2019 License or Certification #: 20184709 State: MN Designation: Certified General Expiration Date of License or Certification: 08/31/2019 Inspection of Subject: <input checked="" type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect (Desktop) Date of Inspection: 02/27/2019				Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date of Report (Signature): _____ License or Certification #: _____ State: _____ Designation: _____ Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect Date of Inspection: _____					

File No.:

SALES COMPARISON APPROACH

Supplemental Addendum

File No.

Client	Recreation & Parks Dept		
Property Address	201 81st Ave N		
City	Brooklyn Park	County Hennepin	State MN Zip Code 55444
Client	Recreation & Parks Dept		

Subject Property: 201 81st Ave N, Brooklyn Park, MN 55444.
PID #24-119-21-41-0066
Outlot A Sunkist Acres 2nd Addition

The subject is a 2.63 irregular shaped parcel at the intersection of 81st Ave and Mississippi LN with approximately 189.28' of river frontage on the Mississippi River at the high water mark. The subject is adjacent to Rivers Park to the north with residential properties to the south and west with the Mississippi River to the East. Subject was a split off a residential site with home on November 24, 2015 with transfer to City of Brooklyn Park, MN. No improvements on subject site.

Highest and Best Use: Residential

Approaches to Market Value as of Effective Date 2/27/2019:

Sales Comparison: \$230,000
Cost Approach: Not Utilized
Income Approach: Not Utilized

Hypothetical Conditions: Subject granted to be rezoned to Residential. Was residential until City of Brooklyn Park purchased the property and was rezoned as Conservancy District. Zoned residential to south and west of subject.

Current Zoning: Conservancy District: A voluntary zoning district to provide for general agricultural and open space activities with the prohibition of an any structures or buildings. It is intended to be used as a tool to preserve tracts of land that are to remain free from structural development.

Scope of Work:

- *Recreation & Parks Department
- *City of Brooklyn Park Recreation & Parks Department, State of Minnesota, DNR, and the National Park Service.
- *Determine market value
- *Definition of Market Value-Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of value, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property.
- *February 27, 2019
- *2.63 irregular shaped parcel with approximately 189.28' of river frontage on the Mississippi River
- *Unimproved site to determine fair market value completed under Uniform Appraisal Standards for Federal Land Acquisition (UASFLA), and Uniform Standards of Professional Appraisal Practice (USPAP).

Use/Sales History: Vacant-Subject was a part of a split and transferred 11/2/2015 as vacant (2.63 acres per survey, Obtained from 1/13/2016 City of Brooklyn Park Planning Commission Minutes)
Improved-Original parcel (3.55 +/- acres per survey) transferred as improved 8/28/2015 for \$525,000; transferred 11/15/2012 for \$465,000.


Assessed Value and Annual Tax Load: Exempt, No Value

Highest and Best Use:

physically possible, legally permissible, financially feasible, and highest value:

As Vacant: The highest and best use as vacant would be for single family residence with access to Mississippi LN and 81st Ave.

As Improved: The highest and best use as improved is a single family residence fronting the Mississippi River .

Signature 	Signature _____
Name Gregory S Johnson	Name _____
Date Signed March 03, 2019	Date Signed _____
State Certification # 20184709 State MN	State Certification # _____ State _____
Or State License # _____ State _____	Or State License # _____ State _____

Aerial Map



Hennepin County Property Map

Date: 3/1/2019



PARCEL ID: 2411921410066

OWNER NAME: City Of Brooklyn Park

PARCEL ADDRESS: 201 81st Ave N, Brooklyn Park MN 55444

PARCEL AREA: 2.56 acres, 111,341 sq ft

A-T-B: Torrens

SALE PRICE:

SALE DATA:

SALE CODE:

ASSESSED 2017, PAYABLE 2018

PROPERTY TYPE: Vacant Land-Lakeshore

HOMESTEAD: Non-Homestead

MARKET VALUE: \$0

TAX TOTAL: \$0.00

ASSESSED 2018, PAYABLE 2019

PROPERTY TYPE: Vacant Land-Lakeshore

HOMESTEAD: Non-homestead

MARKET VALUE: \$0

Comments:

201 81st Ave N, Brooklyn
Park MN

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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COUNTY 2019

Subject Photo Page

Client	Recreation & Parks Dept			
Property Address	201 81st Ave N			
City	Brooklyn Park	County	Hennepin	State MN Zip Code 55444
Client	Recreation & Parks Dept			



Subject Looking SE

201 81st Ave N
Sales Price 230,000
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Good
View
Site 2.63
Quality
Age

Photo Taken: 2/27/2019
by: Gregory S Johnson



Subject Looking E Towards River

Photo Taken: 2/27/2019
by: Gregory S Johnson



Subject Street

Photo Taken: 2/27/2019
by: Gregory S Johnson

Client	Recreation & Parks Dept				
Property Address	201 81st Ave N				
City	Brooklyn Park	County	Hennepin	State	MN Zip Code 55444
Client	Recreation & Parks Dept				



Comparable 1

15590 Dayton River Rd
 Prox. to Subject 12.92 miles NW
 Sales Price 253,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location Avg
 View
 Site 3.84
 Quality
 Age

Photo Taken: 2/27/2019
 by: Gregory S Johnson



Comparable 2

8420 Mississippi Blvd NW
 Prox. to Subject 1.58 miles NW
 Sales Price 158,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location Good
 View
 Site .76
 Quality
 Age

Photo Taken: 2/27/2019
 by: Gregory S Johnson



Comparable 3

830x Riverview Terrace NW
 Prox. to Subject 1.27 miles NW
 Sales Price 141,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location Good
 View
 Site .85
 Quality
 Age

Photo Taken: 2/27/2019
 by: Gregory S Johnson

Comparable Photo Page

Client	Recreation & Parks Dept				
Property Address	201 81st Ave N				
City	Brooklyn Park	County	Hennepin	State	MN Zip Code 55444
Client	Recreation & Parks Dept				



Comparable 4

8324 Mississippi Blvd NW
 Prox. to Subject 1.36 miles NW
 Sales Price 225,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location Good
 View
 Site 1.95
 Quality
 Age

Photo Taken: 2/27/2019
 by: Gregory S Johnson

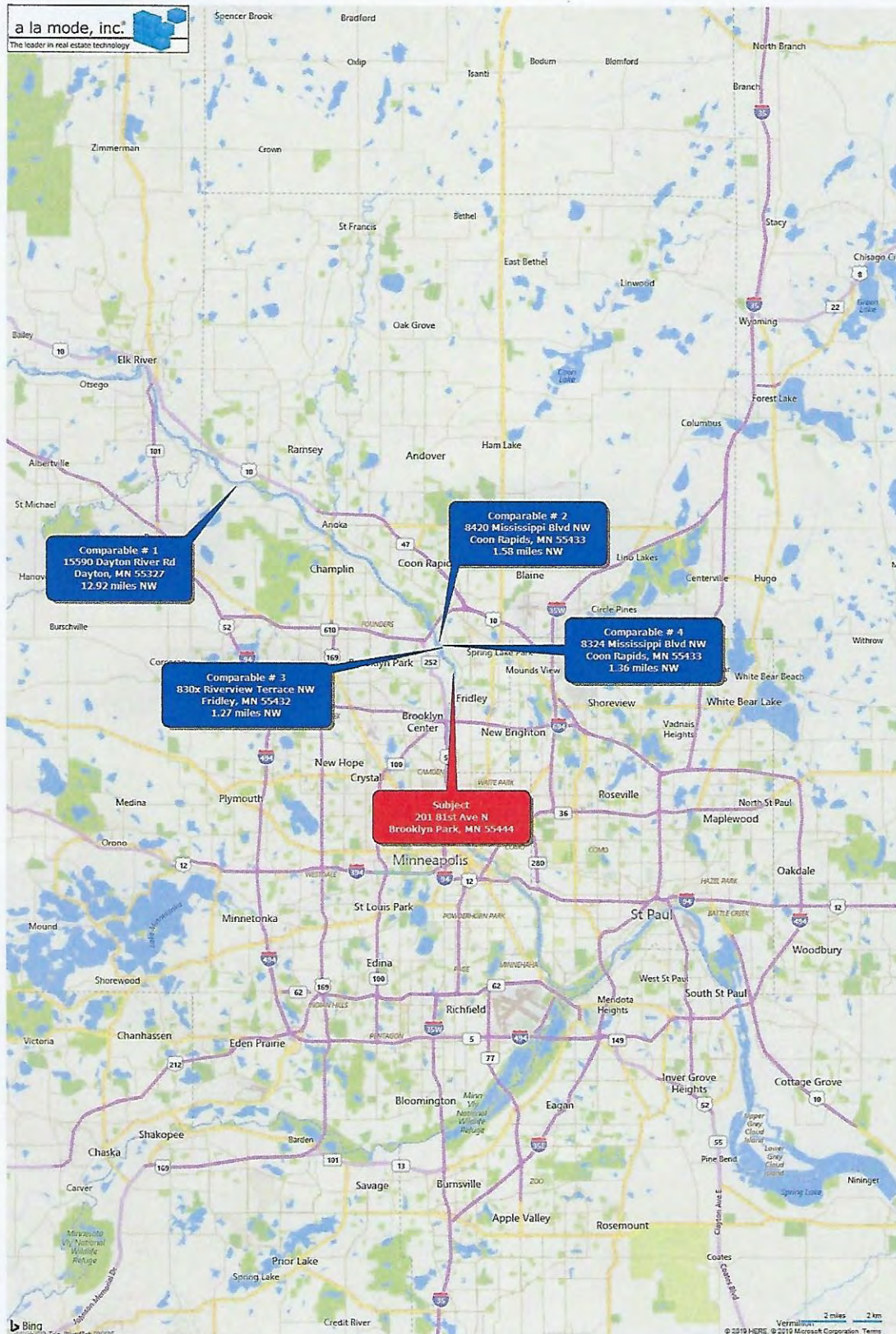
Comparable 5

Prox. to Subject
 Sales Price
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location
 View
 Site
 Quality
 Age

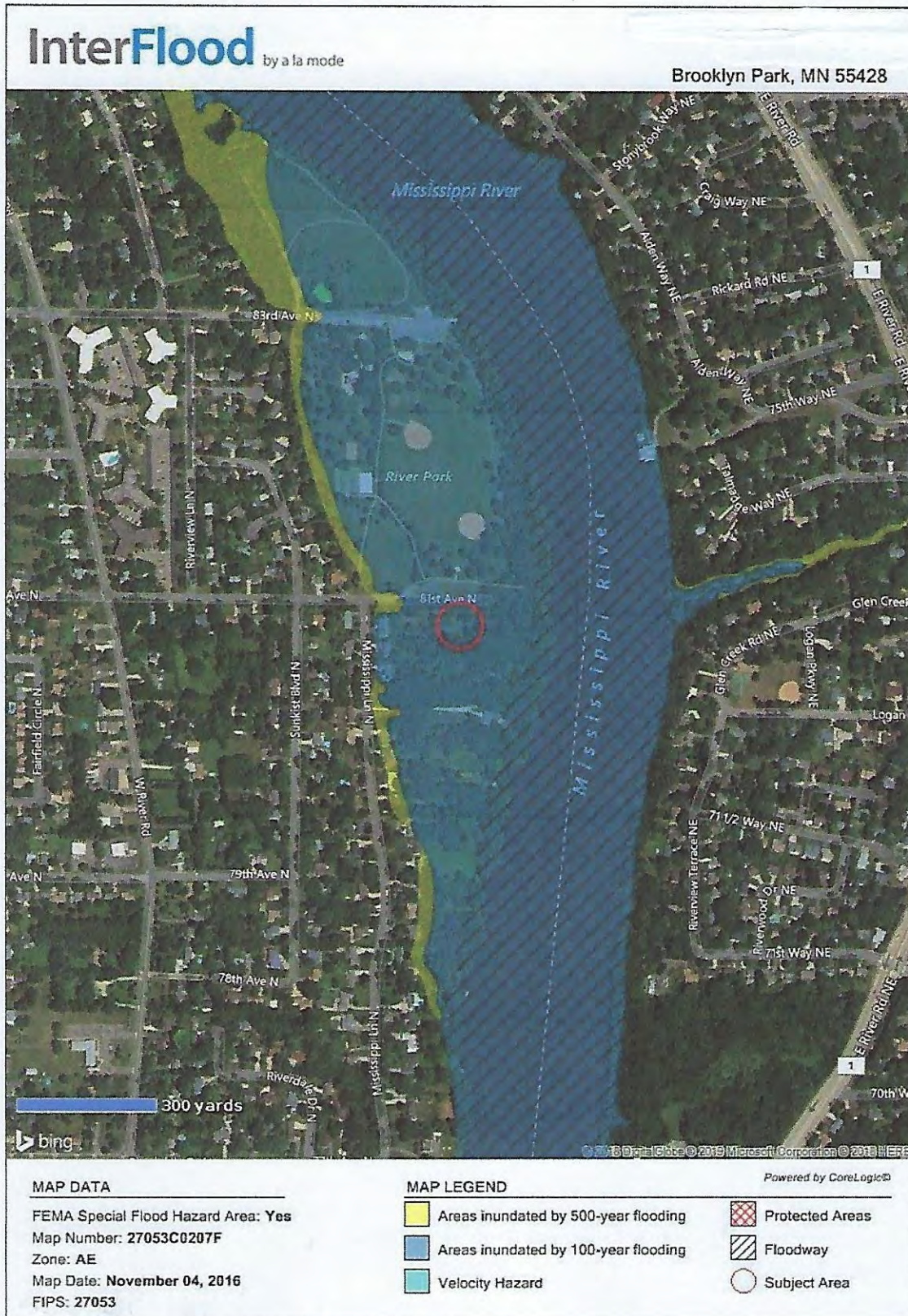
Comparable 6

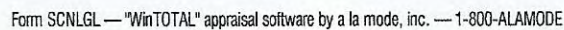
Prox. to Subject
 Sales Price
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location
 View
 Site
 Quality
 Age

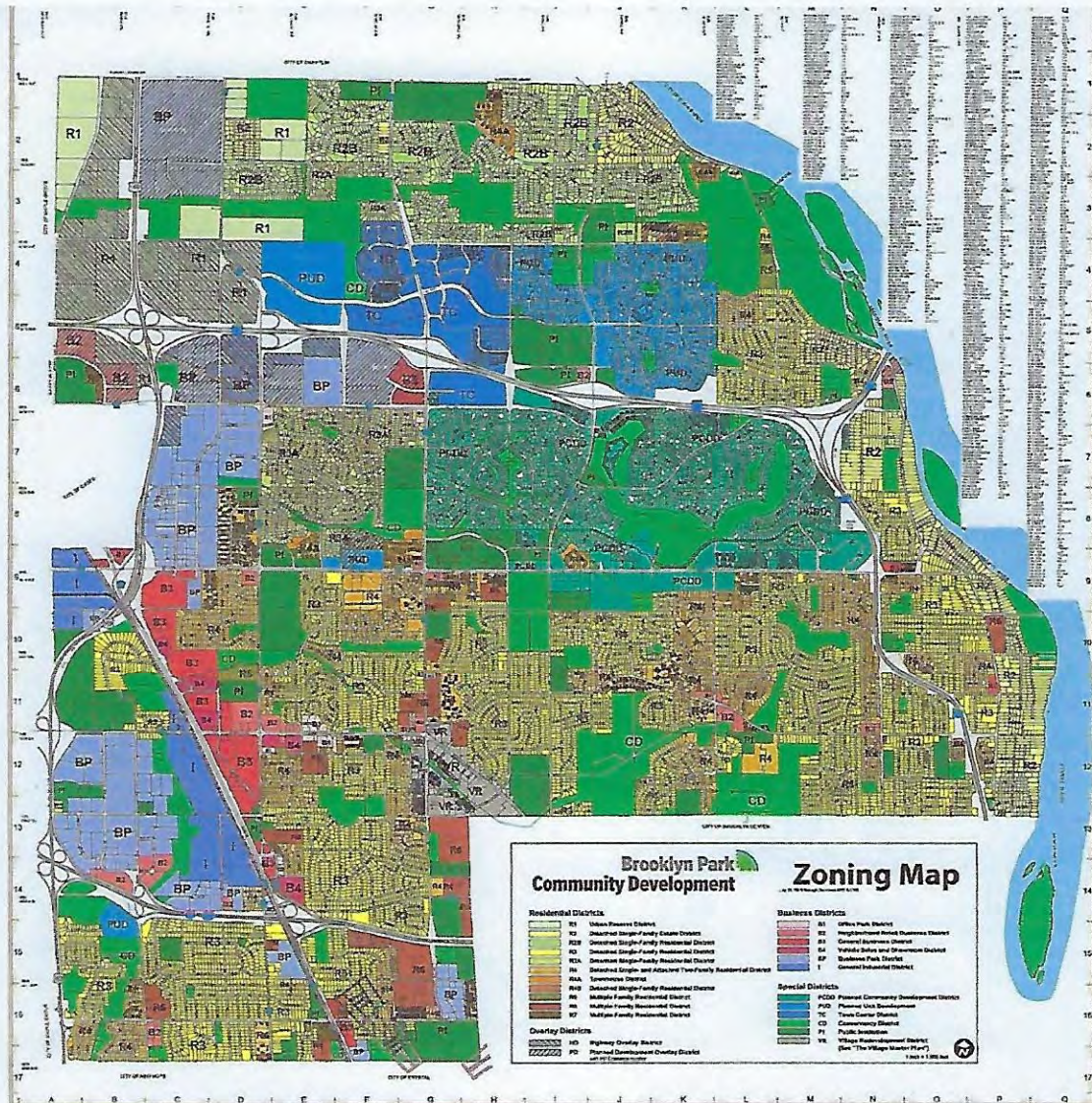
Client	Recreation & Parks Dept				
Property Address	201 81st Ave N				
City	Brooklyn Park	County	Hennepin	State	MN
Client	Recreation & Parks Dept	Zip Code	55444		



Client	Recreation & Parks Dept				
Property Address	201 81st Ave N				
City	Brooklyn Park	County	Hennepin	State	MN Zip Code 55444
Client	Recreation & Parks Dept				







Assumptions, Limiting Conditions & Scope of Work

File No.:

Property Address: 201 81st Ave N	City: Brooklyn Park	State: MN	Zip Code: 55444
Client: Recreation & Parks Dept	Address: 5600 85th Ave N, Brooklyn Park, MN	55443	
Appraiser: Gregory S Johnson	Address: 5200 85th Ave N, Brooklyn Park, MN	55443	

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a plat and/or parcel map in the appraisal report to assist the reader in visualizing the lot size, shape, and/or orientation. The appraiser has not made a survey of the subject property.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database. Possession of this report or any copy thereof does not carry with it the right of publication.
- Forecasts of effective demand for the highest and best use or the best fitting and most appropriate use were based on the best available data concerning the market and are subject to conditions of economic uncertainty about the future.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

- *the appraisal was developed and the report prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions.
- *the appraisal was developed and the appraisal report prepared in conformance with the Appraisal Standards Board's Uniform Standards of Professional Appraisal Practice and complies with USPAP's Jurisdictional Exception Rule when invoked by Section 1.2.7.2 of the Uniform Appraisal Standards for Federal Land Acquisitions; and
- *the appraiser has made a physical inspection of the property appraised and that the property owner was given the opportunity to accompany the appraiser on the property inspection.

Highest and Best Use: Residential

Currently the subject is zoned Conservancy District. Hypothetical Condition that the subject can rezoned to Single Family Residential to be improved with residential structure.

Certifications & Definitions

File No.:

Property Address: 201 81st Ave N	City: Brooklyn Park	State: MN	Zip Code: 55444
Client: Recreation & Parks Dept	Address: 5600 85th Ave N, Brooklyn Park, MN 55443		
Appraiser: Gregory S Johnson	Address: 5200 85th Ave N, Brooklyn Park, MN 55443		


APPRAISER'S CERTIFICATION

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

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

Additional Certifications:**Effective Date:** 2/27/2019**Appraiser's Opinion of Market Value:** \$230,000

DEFINITION OF MARKET VALUE *:Definition of Market Value-Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of value, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property.

Client Contact: Jody Yungers, Director	Client Name: Recreation & Parks Dept
E-Mail:	Address: 5600 85th Ave N, Brooklyn Park, MN 55443
APPRAISER	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)
 Appraiser Name: Gregory S Johnson Company: City of Brooklyn Park Phone: 763-493-8140 Fax: _____ E-Mail: greg.johnson@brooklynpark.org Date Report Signed: March 03, 2019 License or Certification #: 20184709 State: MN Designation: Certified General Expiration Date of License or Certification: 08/31/2019 Inspection of Subject: <input checked="" type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect (Desktop) Date of Inspection: 02/27/2019	Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date Report Signed: _____ License or Certification #: _____ State: _____ Designation: _____ Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect Date of Inspection: _____



STATE OF MINNESOTA



GREGORY SCOTT JOHNSON
33995 XEON ST NW
CAMBRIDGE, MN 55008

Department of Commerce

The Undersigned COMMISSIONER OF COMMERCE for the State of Minnesota hereby certifies that
Gregory Scott Johnson

33995 XEON ST NW
CAMBRIDGE, MN 55008

has complied with the laws of the State of Minnesota and is hereby licensed to transact the business of
Resident Appraiser : Certified General

License Number: 20184709

unless this authority is suspended, revoked, or otherwise legally terminated. This license shall be in effect
until August 31, 2019.

IN TESTIMONY WHEREOF, I have hereunto set my hand this August 31, 2017.

A handwritten signature in cursive script, reading "Mike Portman".

COMMISSIONER OF COMMERCE

Minnesota Department of Commerce

Licensing Division
85 7th Place East, Suite 500
St. Paul, MN 55101-3165
Telephone: (651) 539-1599
Email: licensing.commerce@state.mn.us
Website: commerce.state.mn.us

Notes:

- **Individual Licensees Only - Continuing Education:** 15 hours is required in the first renewal period, which includes a 7 hour USPAP course. 30 hours is required for each subsequent renewal period, which includes a 7 hour USPAP course.
- **Appraisers:** You must hold a licensed Residential, Certified Residential, or Certified General qualification in order to perform appraisals for federally-related transactions. Trainees do not qualify. For further details, please visit our website at commerce.state.mn.us.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.3	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Steve Nauer, Street/Fleet Manager
Ordinance:	N/A		
Attachments:	3	Presented By:	Dan Ruiz, Director of Operations and Maintenance
Item:	Award the Bid for the 2019 Bituminous Overlay Project to Northwest Asphalt, Inc.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO AWARD THE BID FOR THE 2019 BITUMINOUS OVERLAY PROJECT TO NORTHWEST ASPHALT, INC.

Overview:

The proposed bituminous overlay project is a continuation of the street maintenance and rehabilitation program, which began in 1993 to preserve/increase street life. The street studies by IMS, Braun-Intertec and staff and research by APWA, MnDOT, MN Local Road Research Board, counties and other cities have shown a benefit if bituminous overlays are performed when streets are in relatively fair condition. Overlays will not, however, rejuvenate a street that is in a severe problem condition.

The bituminous overlays are necessary to extend the useful life of existing streets in fair condition for this treatment in Street/Utilities Maintenance District Five. The streets recommended for overlay were selected by condition study, review of other related infrastructure items and other relevant input. Seventeen and four-tenths (17.4) miles of residential streets and two parking lots will receive an overlay in this project.

The 2019 Bituminous Overlay Project O&M-SM-19-01 was advertised on February 7, 2019, in the Brooklyn Park Sun-Post. On February 28, 2019, seven bids were received. The lowest responsible bid meeting specifications is from Northwest Asphalt, Inc., in the amount of \$2,694,503.00. The project preliminary estimated cost was \$2,700,000.00.

Primary Issues/Alternatives to Consider:

Should the Council award the bid as recommended?

This project is necessary to meet the goal to provide continuous infrastructure preservation and improvement and is recommended for contract award.

Budgetary/Fiscal Issues:

The project recommended bid cost of \$2,694,503.00 is within the preliminary estimate of \$2,700,000.00 and is included in the 2019-2023 Capital Improvement Plan. Expenditures for the street portion of this project will initially come out of the Construction Fund, but the Construction fund will be reimbursed at the end of the year by franchise fee revenue. Heritage funds will be used to fund the Operations and Maintenance parking lot and the Park Maintenance expenditure fund will be used to fund the Northwoods parking lot.

Attachments:

- 4.3A RESOLUTION
- 4.3B BID TAB
- 4.3C MAPS

RESOLUTION #2019-

RESOLUTION TO AWARD THE BID
FOR THE 2019 BITUMINOUS OVERLAY PROJECT
TO NORTHWEST ASPHALT, INC.

WHEREAS, the 2019 Bituminous Overlay Project was advertised in the Brooklyn Park Sun-Post on February 7, 2019; and

WHEREAS, on February 28, 2019, seven bids were received; and

WHEREAS, the lowest responsible bid meeting specifications is from Northwest Asphalt, Inc., for \$2,694,503.00; and

WHEREAS, the construction project, CIP #4001, is budgeted to be funded by the 2019 Construction Fund expenditure budget and reimbursed by franchise fee revenue at the end of the year, the Heritage Fund and the Park Maintenance expenditure budget for a total preliminary estimated cost of \$2,700,000.00; and

WHEREAS, the Bituminous Overlay Program is necessary to preserve/increase the useful life of existing streets and parking lots.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to award the bid for the 2019 Bituminous Overlay Project to Northwest Asphalt, Inc. in the amount of \$2,694,503.00.

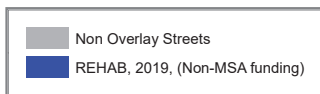
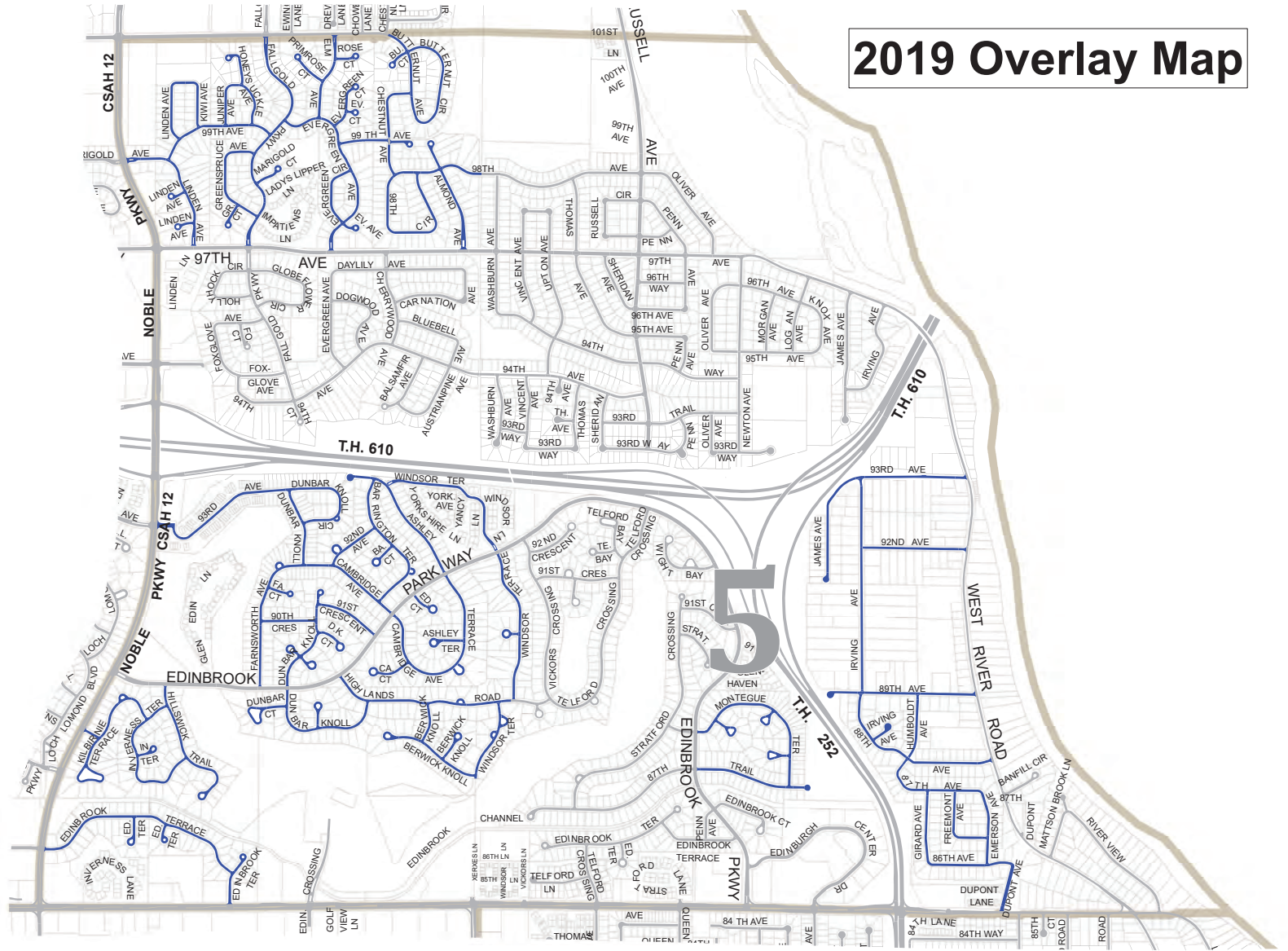
2019 BITUMINOUS OVERLAYS
PROJECT O&M-SM-19-01

FOR WHICH BIDS WERE OPENED AT
BROOKLYN PARK CITY HALL ON
FEBRUARY 28, 2019, AT 10AM

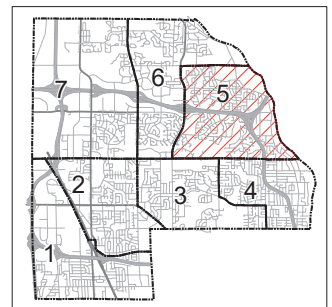
CONTRACTOR	BID SECURITY AT 5%	BID AMOUNT
Northwest Asphalt*	X	\$2,694,503.00
C.S. McCrossan	X	\$2,720,300.00
GMH Asphalt	X	\$2,855,003.00
Valley Paving, Inc.	X	\$2,857,245.60
North Valley, Inc.	X	\$2,869,863.60
Park Construction	X	\$2,899,775.80
Omann Bros.	X	\$3,452,827.00

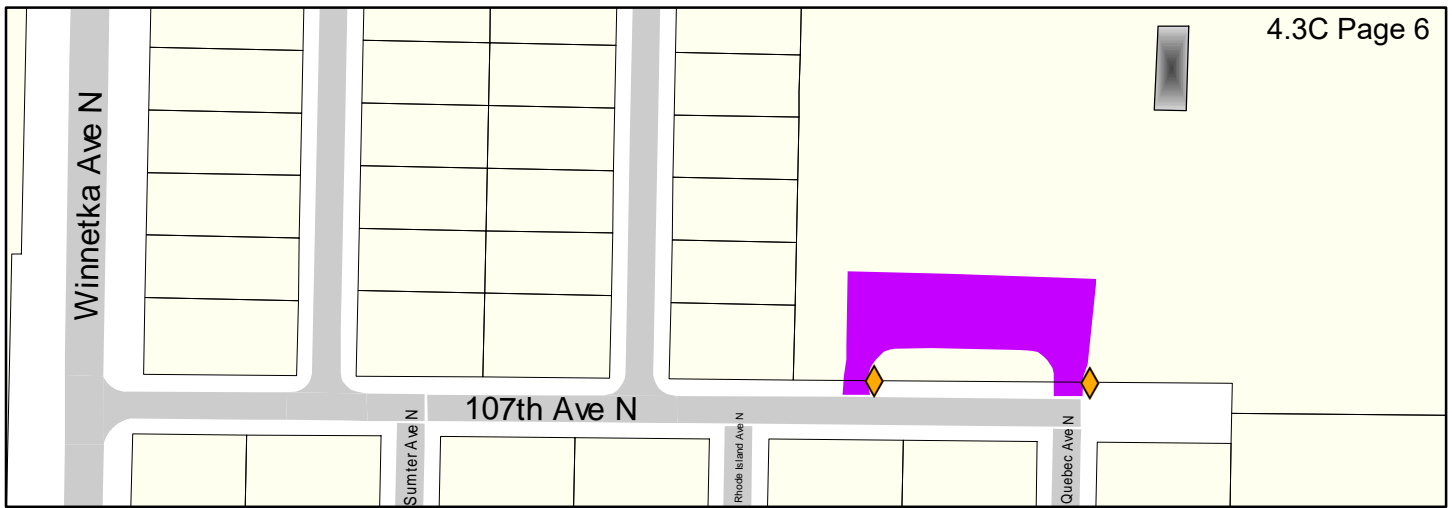
*Low Bidder

2019 Overlay Map

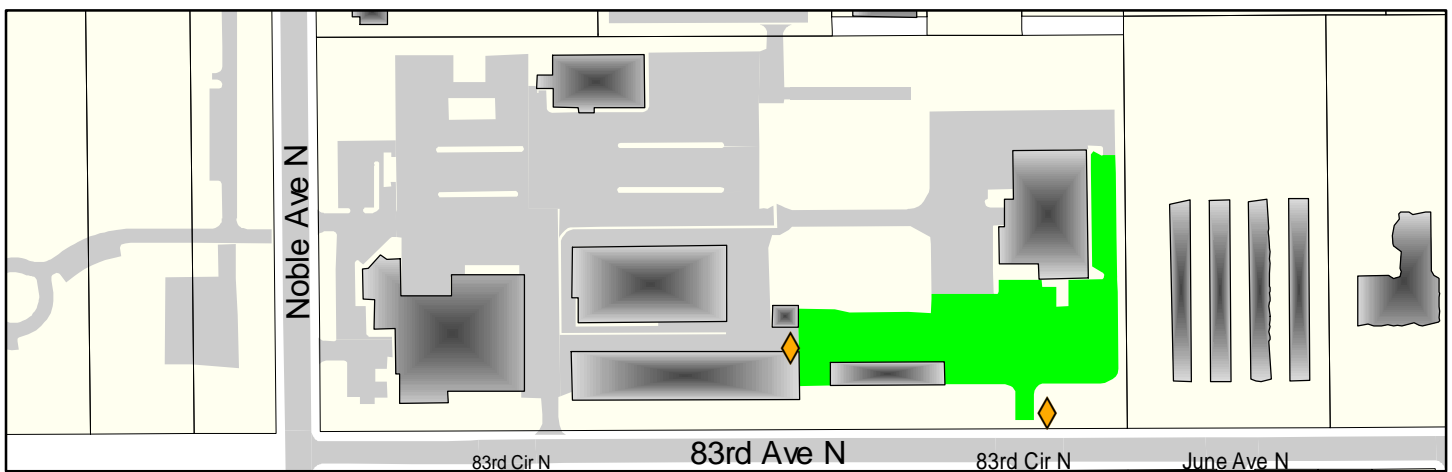


District 5 - 302,940 SY
Northwoods Park(SW) - 2,381 SY
O & M Facility (Partial Lot) - 8,060 SY
Total: 313,381 SY

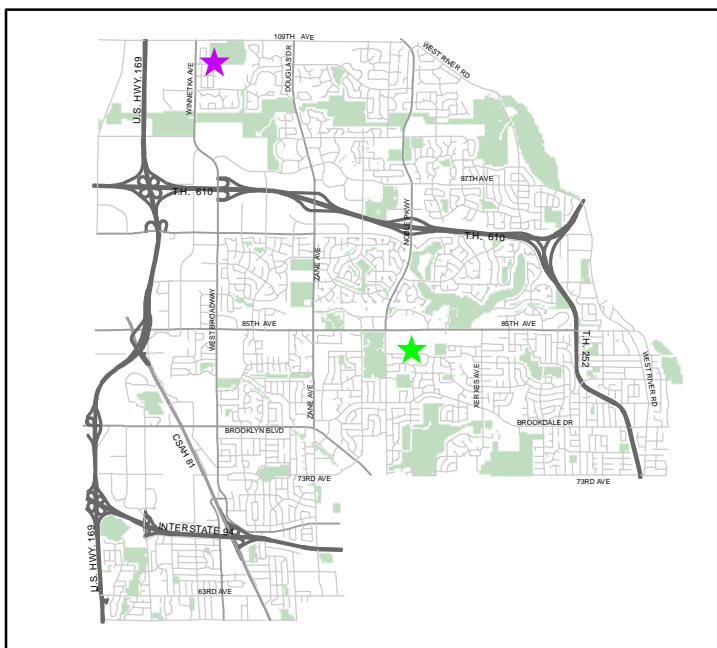




Northwoods Park (SW)



OM Facility Yard (Partial Lot)



CITY OF BROOKLYN PARK PARKING LOT OVERLAY 2019

Legend

- Northwoods Park (SW) - 2,381 SY
- O & M Facility (Partial Lot) - 8,060 SY

Warning Sign
Locations (4)

Date: 1/24/2019

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.4	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Steve Nauer, Street/Fleet Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Dan Ruiz, Director of Operations and Maintenance
Item:	Approve the Bid Award for the 2019 Street Traffic Centerline Striping Project on City Streets to AAA Striping Service Co		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO APPROVE THE BID AWARD FOR THE 2019 STREET TRAFFIC CENTERLINE STRIPING PROJECT ON CITY STREETS TO AAA STRIPING SERVICE CO.

Overview:

This request is to approve the bid and award the contract for the 2019 Street Traffic Centerline Striping Project on city streets. The benefits of this annual project include increased vehicle and pedestrian safety. This allows the city to adhere to guidelines in the Minnesota Manual on Traffic Control to avoid liability issues.

On February 27, 2019, four bids were received. The lowest responsible bid meeting specifications is from AAA Striping Service Co who has worked for the City of Brooklyn Park in the past and the work has been satisfactory.

Primary issues/alternatives to consider:

Should the Council award the bid as recommended?

Operations and Maintenance staff recommends approval as presented.

Budgetary/Fiscal Issues:

The recommended bid proposal of \$25,395.00 from AAA Striping Service Co is within the 2019 Street Signs and Markings Project expenditure budget in the General Fund. The project preliminary estimated cost was \$31,000.00.

Attachments:

4.4A RESOLUTION

RESOLUTION #2019-

RESOLUTION TO APPROVE THE BID AWARD FOR THE 2019 STREET TRAFFIC CENTERLINE STRIPING
PROJECT ON CITY STREETS TO AAA STRIPING SERVICE CO

WHEREAS, the annual city street traffic centerline striping project is necessary to provide increased vehicle and pedestrian safety and adhere to guidelines in the MN Manual on Traffic Control; and

WHEREAS, on February 27, 2019, four bids were received as follows:

<u>Contractor</u>	<u>Total</u>
AAA Striping Service Co	\$25,395.00
Sir Lines-A-Lot	\$27,400.00
Traffic Marking Service, Inc.	\$29,120.00
Warning Lights	\$62,335.00

WHEREAS, the 2019 Street Traffic Centerline Striping Project O&M-SM-19-04 is recommended to be awarded to the lowest responsible bidder meeting specifications, AAA Striping Service Co for an amount of \$25,395.00; and

WHEREAS, the recommended bid proposal of \$25,395.00 is within the 2019 Street Maintenance Signs and Markings program expenditures estimated budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the bid award for the 2019 Street Traffic Centerline Striping Project on city streets to AAA Striping Service Co for \$25,395.00.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.5	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Jody Yungers, Director Recreation and Parks
Ordinance:	N/A		
Attachments:	1	Presented By:	Jody Yungers
Item:	Approval of MN DNR Outdoor Recreation Grant Application for River Park		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO APPROVE APPLICATION OF MN DNR 2019 OUTDOOR RECREATION GRANT FOR REDEVELOPMENT OF RIVER PARK.

Overview:

Over the last year, staff has been engaging the community in the vision and goals for the redevelopment of River Park. We are in the final stages for completion of the Master Plan for River Park, which will be brought to City Council for approval on April 22, 2019.

City Council has encouraged staff to leverage other resources, including grants and partnerships, to support the City's investment or reinvestment in the parks and trails system. The goals and vision for River Park redevelopment are in alignment with the goals and priorities of the MN DNR Outdoor Recreation Grant.

The MN DNR, as part of the grant application, requires that the City Council take formal action, via the attached prescribed resolution, giving the authority to submit the grant application on behalf of the City.

Primary Issues/Alternatives to Consider:

The MN DNR Outdoor Recreation Grant Application request for \$250,000 requires a grant match. In December 2018, City Council approved the 2019-2023 Capital Improvement Plan that included Project #2011 and an appropriation of \$2,038,000 out of the Open Space Land Acquisition and Development Fund (OSLAD) over three years (2019 – 2022) for the redevelopment of River Park.

Budgetary/Fiscal Issues:

The requested grant amount for the MN DNR Outdoor Recreation Grant Application is \$250,000, which is the maximum grant request possible.

Staff will be submitting other grants to help support the redevelopment of River Park:

- NPS Technical Assistance Grant – Received
- NPS – Alternative Transportation Plan Capital Improvement Plan – Grant Application of \$362,000 pending April 2019
- NPS Urban Parks Campaign Grant – Storm Water Management Plan (fall of 2019)

Attachments:

4.5A RESOLUTION

RESOLUTION #2019-

RESOLUTION TO APPROVE APPLICATION OF MN DNR 2019 OUTDOOR
RECREATION GRANT FOR REDEVELOPMENT OF RIVER PARK

BE IT RESOLVED that THE CITY OF BROOKLYN act as legal sponsor for the project contained in the Outdoor Recreation grant application to be submitted on 11 /MARCH/ 2019 and that JODY YUNGERS, DIRECTOR RECREATION AND PARKS is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of THE CITY OF BROOKLYN PARK RECREATION AND PARKS DEPARTMENT.

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Outdoor Recreation Grant Program Manual and certifies it will report any actual, potential, perceived or organizational conflicts of interest upon discovery to the state related to the application or a grant award.

BE IT FURTHER RESOLVED that CITY OF BROOKLYN PARK has the legal authority to apply for financial assistance, and financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that CITY OF BROOKLYN PARK has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED that CITY OF BROOKLYN PARK has or will acquire fee title or permanent easement over the land described in the site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the state, CITY OF BROOKLYN PARK may enter into an agreement with the State of Minnesota for the above-referenced project, and that CITY OF BROOKLYN PARK certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED that CITY COUNCIL OF THE CITY OF BROOKLYN PARK_is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.6	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Todd A. Larson, Senior Planner
Ordinance:	N/A		
Attachments:	3	Presented By:	Cindy Sherman, Planning Director
Item:	"NorthPark Business Center 4 th Addition" (Scannell Properties/Brooklyn Holdings LP) – Final Plat at the Northwest Corner of Winnetka Avenue and Oxbow Creek Drive		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING FINAL PLAT OF "NORTHPARK BUSINESS CENTER FOURTH ADDITION," SUBDIVIDING 147.17 ACRES INTO TWO OUTLOTS NORTHWEST OF WINNETKA AVENUE AND OXBOW CREEK DRIVE.

Overview:

On May 26, 2015, the City Council approved the development plan and preliminary plat of NorthPark Business Center. The 227-acre development was anticipated to be phased over several years. The developer, Scannell Properties, has an agreement with the property owner, Brooklyn Holdings LP, to purchase the property in three segments over several years. The first third was the area south of Oxbow Creek Drive and has been developed into three industrial/warehouse buildings with two more buildings planned.

This plat splits the remaining two-thirds of the site (still owned by Brooklyn Holdings) into two equal-sized outlots so that Scannell Properties can purchase the next third based on the two parties' contract. No lots are being created for development nor is any right-of-way being dedicated for the extension of Xylon Avenue. The property will be replatted in the future with any development proposal into lots suitable for development and with the dedication of roadway right-of-way. There are no development proposals on this property for consideration at this time. The recently submitted proposal for project "Hot Dish" has been withdrawn by the developer.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the plat constant with the preliminary plat.
2. Deny the Plat based on certain findings.

Attachments:

- 4.6A RESOLUTION
- 4.6B LOCATION MAP
- 4.6C FINAL PLAT

RESOLUTION #2019-

RESOLUTION APPROVING FINAL PLAT OF
"NORTHPARK BUSINESS CENTER FOURTH ADDITION,"
SUBDIVIDING 147.17 ACRES INTO TWO OUTLOTS
NORTHWEST OF WINNETKA AVENUE AND OXBOW CREEK DRIVE

Planning Commission File #15-101

WHEREAS, the plat of "NorthPark Business Center Fourth Addition" has been submitted in the manner required for platting of land under the Brooklyn Park City Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder; and

WHEREAS, said plat is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Final Plat Request #15-101 "NorthPark Business Center Fourth Addition" shall be approved subject to the following conditions:

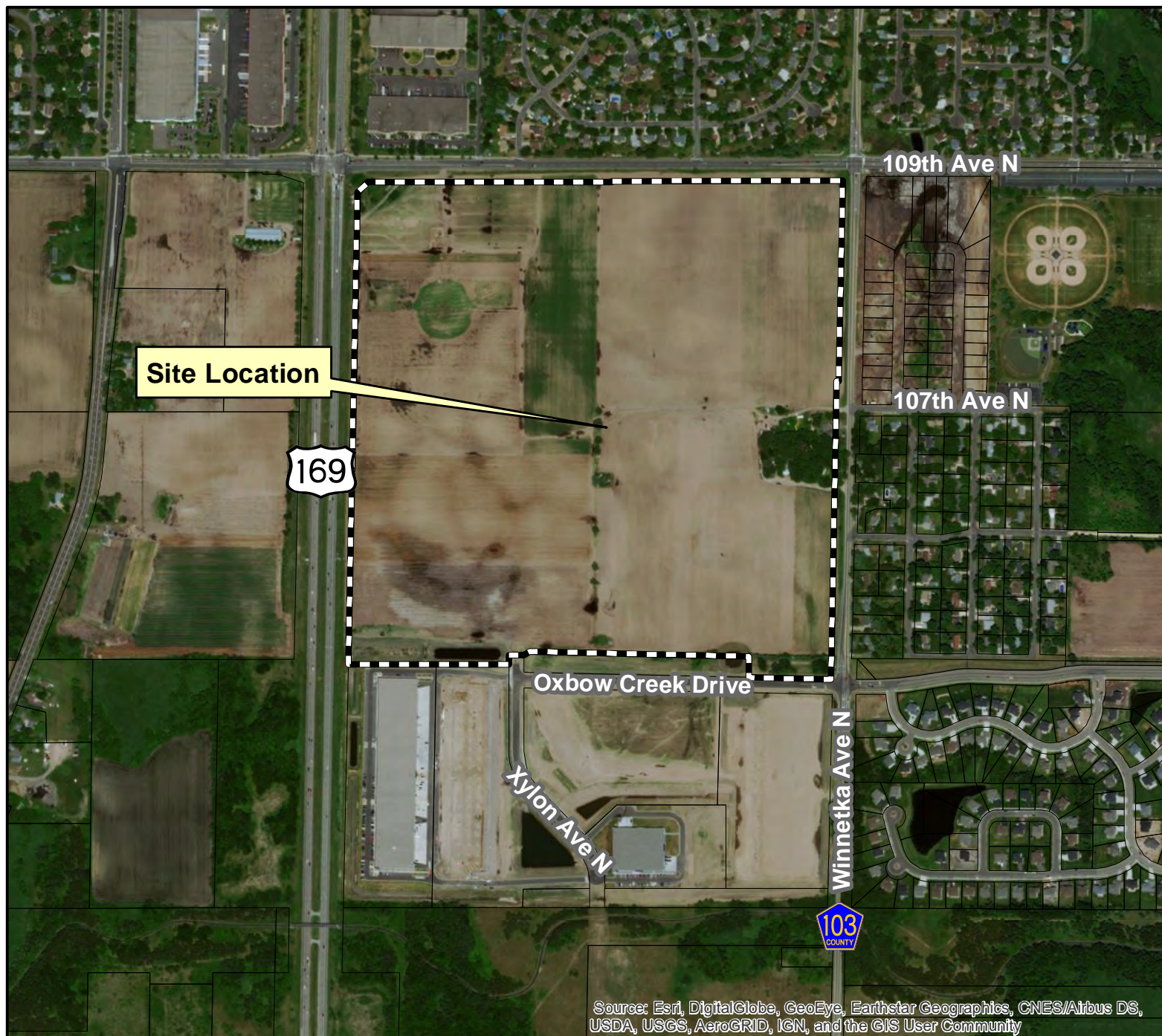
- a. Title review by the City Attorney and all conditions therein.
- b. Easement review by the City Engineer and all conditions therein.
- c. Per requirements set forth in Resolutions #2015-107 and #2016-47 or as subsequently amended by motion, approving the preliminary and final plats, respectively, of "NorthPark Business Center" which are made part of this resolution by reference and are on file and can be examined in the City Clerk's office.
- d. Submission of a letter from the land surveyor or engineer indicating the square footage contained in each lot on the plat, per Section 151.043, Subdivision J, of the City Code.
- e. Submission of a CAD copy of the plat.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the subdivider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Subdivision Code of the City.

**Plat #15-101 Scannell Properties
NorthPark Business Center Fourth Addition**

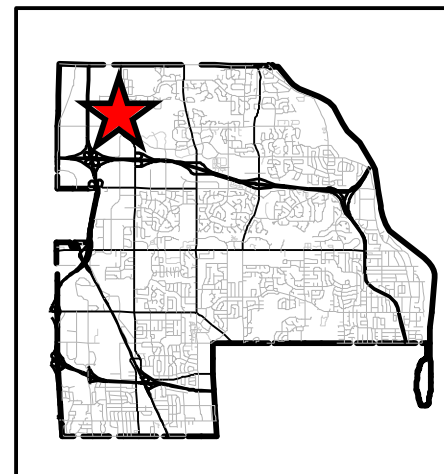
4.6B LOCATION MAP Page 3

Brooklyn Park
Community Development



Spring 2016 Air Photo.

400
Feet



Map Date February 28, 2019

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

NORTHPARK BUSINESS CENTER FOURTH ADDITION

R.T. DOC. NO. _____
C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That Brooklyn Holdings, LP, a Minnesota limited partnership, fee owner, of the following described property situated in the County of Hennepin, State of Minnesota to-wit:

[TORRENS PROPERTY] [That part of Outlot A, Northpark Business Center, embraced within the West Half of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter, all in Section 6, Township 119, Range 21.
AND
[ABSTRACT PROPERTY] [That part of Outlot A, NORTHPARK BUSINESS CENTER embraced within the Southeast Quarter of the Northeast Quarter except the East 450 feet of the North 416.4 feet thereof, Section 6, Township 119, Range 21, Hennepin County, Minnesota.
AND
That part of Outlot A, NORTHPARK BUSINESS CENTER embraced within the Northwest Quarter of the Southeast Quarter, Section 6, Township 119, Range 21, Hennepin County, Minnesota.

And that The Harstad Limited Partnership, a Minnesota limited partnership, fee owner, of the following described property situated in the County of Hennepin, State of Minnesota to-wit:

[ABSTRACT PROPERTY] [That part of Outlot A, NORTHPARK BUSINESS CENTER embraced within the North 186.00 feet of the East 450.00 feet of the Southeast Quarter of the Northeast Quarter of Section 6, Township 119, Range 21, Hennepin County, Minnesota.
AND
That part of Outlot A, NORTHPARK BUSINESS CENTER embraced within the East 450 feet of the North 416.4 feet of the Southeast Quarter of the Northeast Quarter of Section 6, Township 119, Range 21, except the North 186.00 feet thereof as measured at right angles, Hennepin County, Minnesota.
AND
That part of Outlot A, NORTHPARK BUSINESS CENTER embraced within the North Half of the Northeast Quarter of the Southeast Quarter of Section 6, Township 119, Range 21, Hennepin County.

Have caused the same to be surveyed and platted as NORTHPARK BUSINESS CENTER FOURTH ADDITION as shown on this plat.

In witness whereof said Brooklyn Holdings, LP, a Minnesota limited partnership, has caused these presents to be signed by its proper partner this _____ day of _____, 20 ____.

Signed: BROOKLYN HOLDINGS, LP
By: Harstad Properties, Inc., a Minnesota corporation, General Partner

Martin N. Harstad, President
STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20 ____, by Martin N. Harstad, as President of Harstad Properties, Inc., a Minnesota corporation, General Partner of Brooklyn Holdings, LP, a Minnesota limited partnership, on behalf of the partnership.

_____(Signature)
_____(Print name)
Notary Public, _____ County, _____
My Commission Expires _____

In witness whereof said The Harstad Limited Partnership, a Minnesota limited partnership, has caused these presents to be signed by its proper officer this _____ day of _____, 20 ____.

Signed: THE HARSTAD LIMITED PARTNERSHIP
By: Martin N. Harstad, General Partner

Martin N. Harstad, General Partner

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20 ____, by Martin N. Harstad, as General Partner of The Harstad Limited Partnership, a Minnesota limited partnership, on behalf of the partnership.

_____(Signature)
_____(Print name)
Notary Public, _____ County, _____
My Commission Expires _____

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

Dated _____ day of _____, 20 ____.

Daniel W. Obermiller, Licensed Land Surveyor
Minnesota License No. 25341

STATE OF MINNESOTA
COUNTY OF _____
This instrument was acknowledged before me this _____ day of _____, 20 ____, by Daniel W. Obermiller, Licensed Land Surveyor.

_____(Signature)
_____(Print name)
Notary Public, Anoka County, Minnesota
My Commission Expires _____

CITY COUNCIL, CITY OF BROOKLYN PARK, MINNESOTA

This plat of NORTHPARK BUSINESS CENTER FOURTH ADDITION was approved and accepted by the City Council of the City of Brooklyn Park, Minnesota, at a regular meeting thereof held this _____ day of _____, 20 ____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL, BROOKLYN PARK, MINNESOTA

Mayor _____ Manager

RESIDENT AND REAL ESTATE SERVICES, HENNEPIN COUNTY, MINNESOTA

I hereby certify that taxes payable in _____ and prior years have been paid for the land described on this plat, dated this _____ day of _____, 20 ____.

Mark Chapin, County Auditor By _____ Deputy

SURVEY DIVISION, HENNEPIN COUNTY, MINNESOTA

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 20 ____.

Chris F. Mavis, County Surveyor By _____

REGISTRAR OF TITLES, HENNEPIN COUNTY, MINNESOTA

I do hereby certify that the within plat of NORTHPARK BUSINESS CENTER FOURTH ADDITION was filed in this office this _____ day of _____, 20 ____, at _____ o'clock _____.M.

Martin McCormick, Registrar of Titles By _____ Deputy

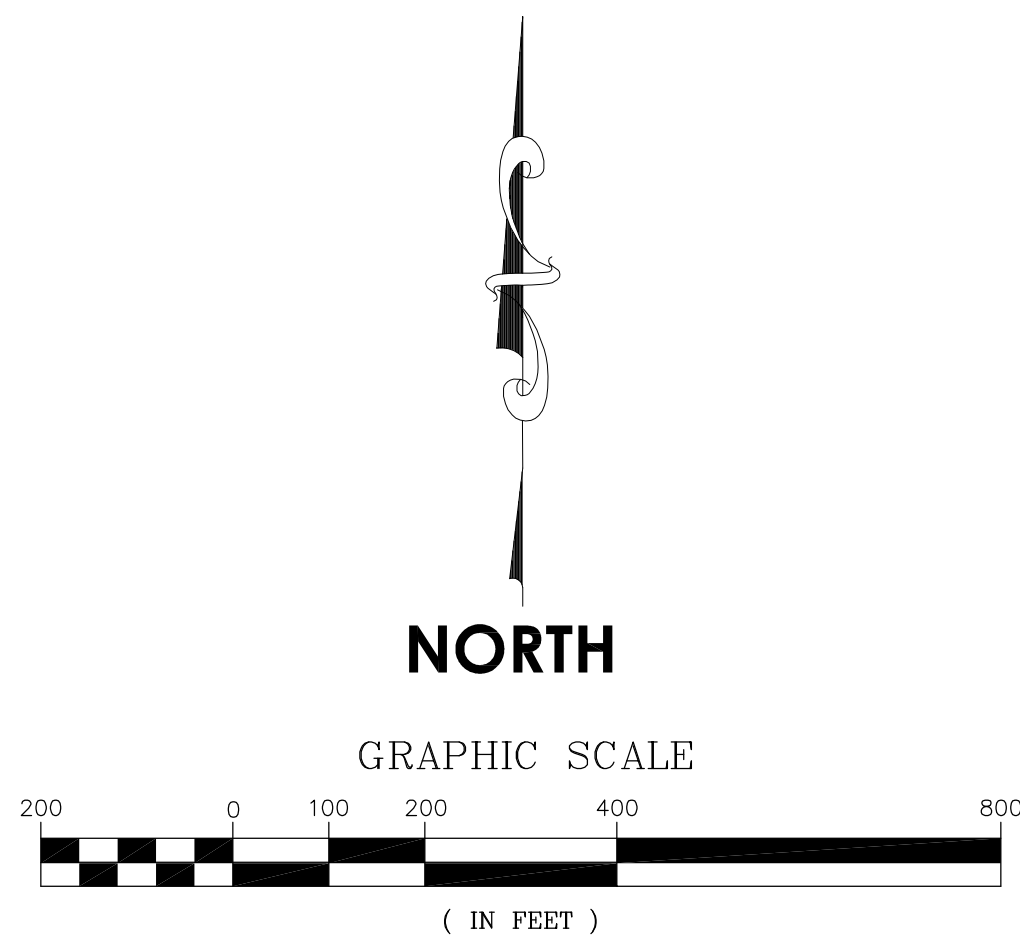
COUNTY RECORDER, HENNEPIN COUNTY, MINNESOTA

I do hereby certify that the within plat of NORTHPARK BUSINESS CENTER FOURTH ADDITION was recorded in this office this _____ day of _____, 20 ____, at _____ o'clock _____.M.

Martin McCormick, County Recorder By _____ Deputy

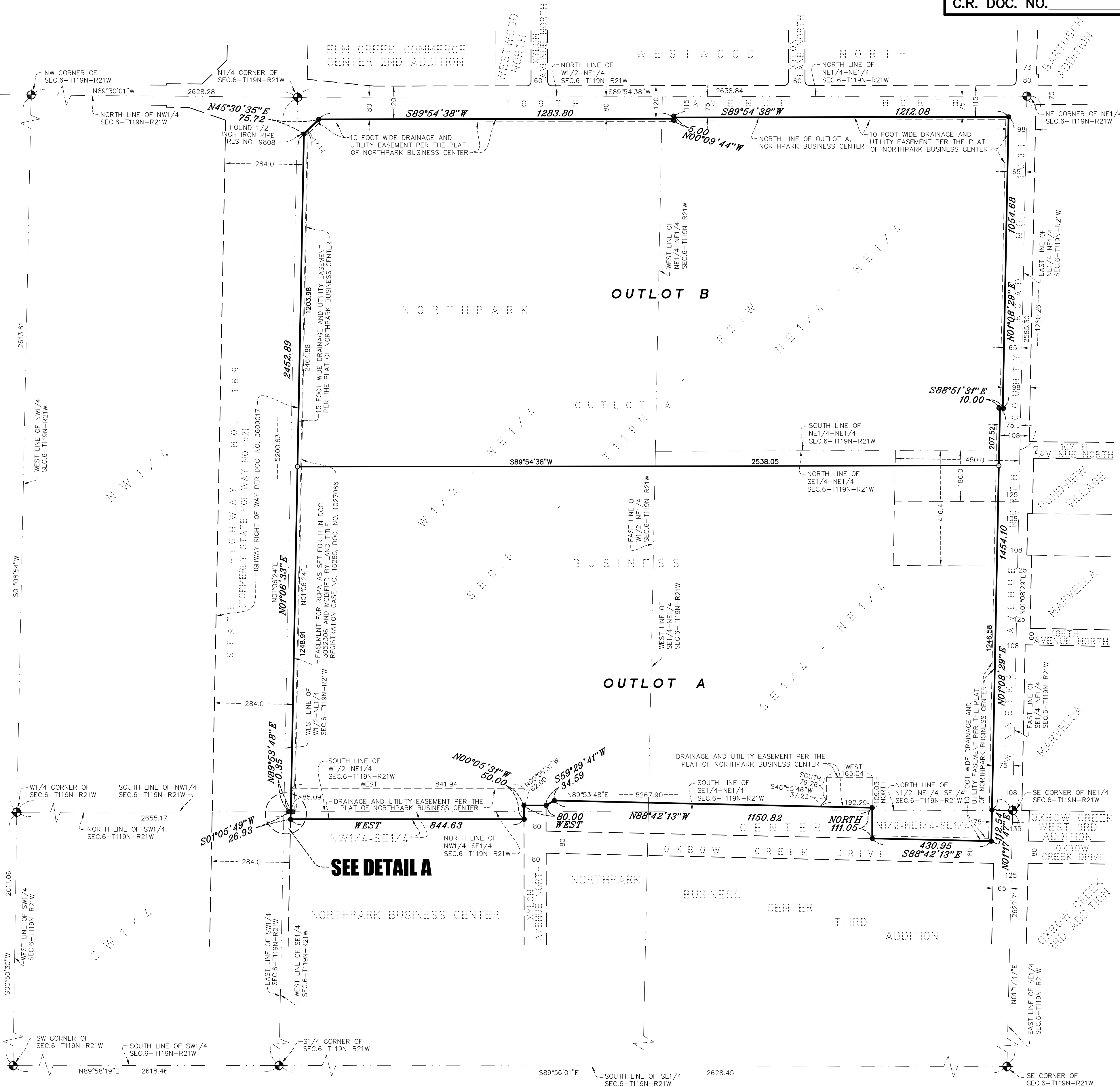
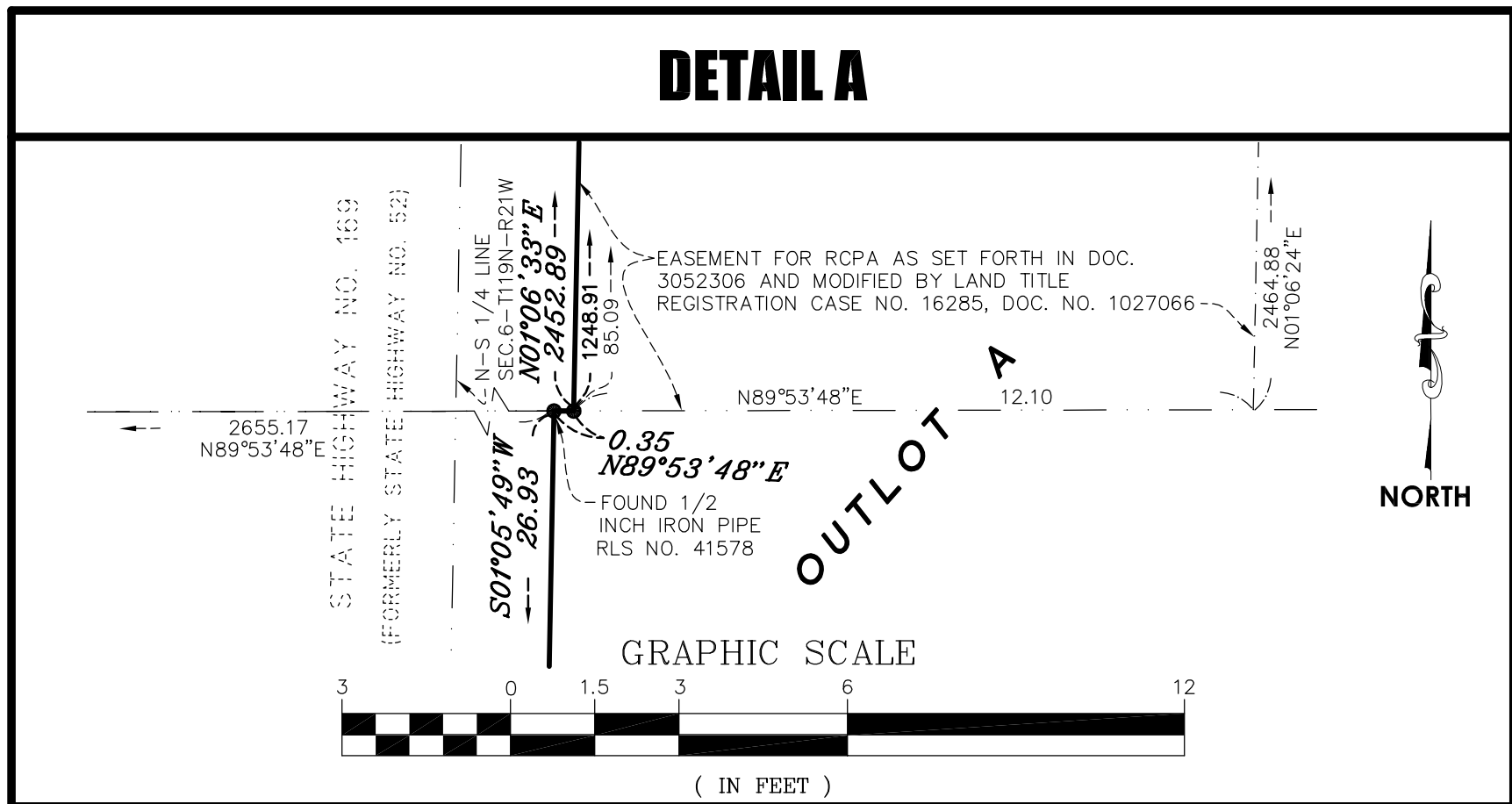
NORTHPARK BUSINESS CENTER FOURTH ADDITION

R.T. DOC. NO. _____
C.R. DOC. NO. _____



- Denotes Found Hennepin County Cast Iron Monument
- Denotes 1/2 inch x 14 inch iron monument set and marked RLS No. 25341.
- Denotes found 1/2 inch iron pipe marked RLS. No. 25341. (unless otherwise noted).

For the purpose of this plat the north line of the Outlot A, NORTHPARK BUSINESS CENTER is assumed to bear South 89 degrees 54 minutes 38 seconds West.



City of Brooklyn Park Request for Council Action

Agenda Item:	4.7	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance Engineering Services Division
Resolution:	X		Craig Runnakko, P.E., Construction Engineer
Ordinance:	N/A		
Attachments:	3	Presented By:	Jesse Struve, P.E. City Engineer
Item:	Approve Plans and Authorize Ad for Bids for CIP 3001-19 Sanitary Sewer Lining		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING PLANS AND AUTHORIZING ADVERTISEMENT FOR BID FOR 2019 SANITARY SEWER LINING, CIP 3001-19.

Overview:

Project 3001-19 is a sanitary sewer and storm sewer lining project that will rehabilitate 16,733 feet of sanitary sewer and 1238 feet of storm sewer in various locations in the city. The segments were constructed in the 1960s and 1970s, and the sanitary sewer pipes carry sewage to the Metropolitan Council Environmental Services (MCES) Brooklyn Park Interceptor pipe, and the storm sewer to various ponding areas or ditches. The pipes were recently inspected and the segments deemed in fair to poor condition, and the streets above are scheduled for bituminous overlay in the next five years. Like some of the more recent MCES sewer projects in the vicinity, this project will require a pumping bypass (conveyance) cut into and over the street in several areas. Therefore, a sewer rehabilitation project was planned to repair the utility lines before the street overlay. This sanitary and storm sewer lining is recommended to ensure the reliability of the sewer system in the southern part of the city.

The proposed schedule is as follows:

1. March 11, 2019 – Council Accepts Plans and Orders Advertisement for Bid
2. April 16, 2019 – Bid Opening
3. April 22, 2019 – Award Contract
4. May 2019 – Start Construction
5. October 2019 – Complete Construction

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The project is included in the adopted 2019-2023 Capital Improvement Plan (CIP) for a scheduled 2019 completion as project CIP 3001-19 and CIP 3708-19 with an estimated cost of \$1,500,000.00.

Attachments:

- 4.7A RESOLUTION
- 4.7B LOCATION MAP
- 4.7C CONSTRUCTION PLANS

RESOLUTION #2019-

RESOLUTION APPROVING PLANS AND AUTHORIZING
ADVERTISEMENT FOR BID FOR
2019 SANITARY SEWER LINING, CIP 3001-19

WHEREAS, the sewer lines are 40 to 50 years old and in need of rehabilitation; and

WHEREAS, the street above the lines are scheduled for resurfacing; and

WHEREAS, the project is identified in the 2019-2023 CIP as projects 300119 and 370819; and

WHEREAS, the City Engineer has prepared plans for the following improvement to wit:

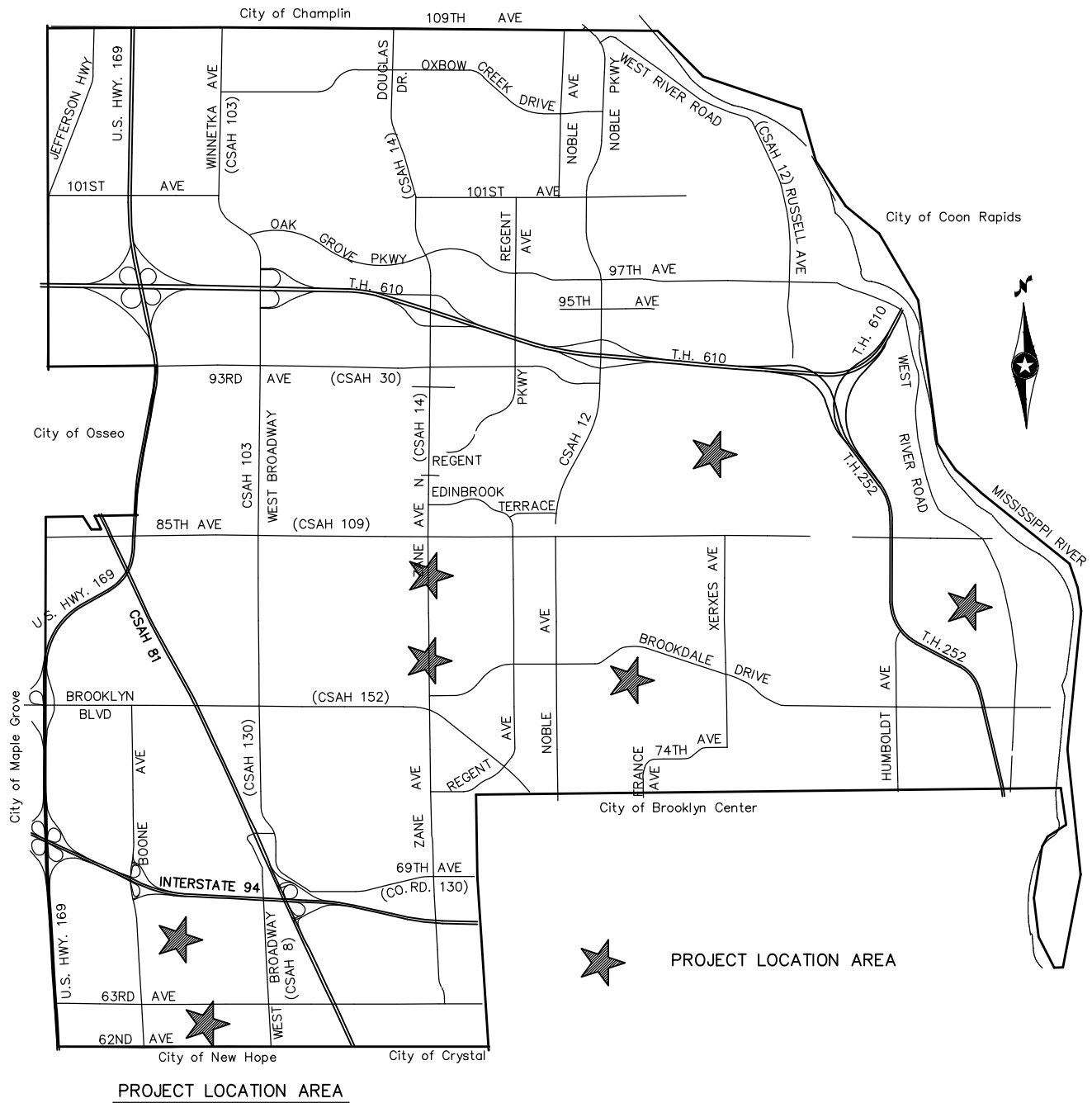
CIP 3001-19: Sanitary Sewer Lining.

And having presented such plans to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park.

1. Such plans, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and online for bids upon the making of such improvement under such approved plans. The advertisement shall be published as required by law, shall specify the work to be done, shall state that bids will be opened at 11:00 a.m. on April 16, 2019 in the Council Chambers at City Hall, and that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cashier's check, bid bond or certified check payable to the City of Brooklyn Park for not less than 5% of the amount of such bid.

CAPITAL IMPROVEMENT 3001-19 SANITARY SEWER LINING



Brooklyn Park

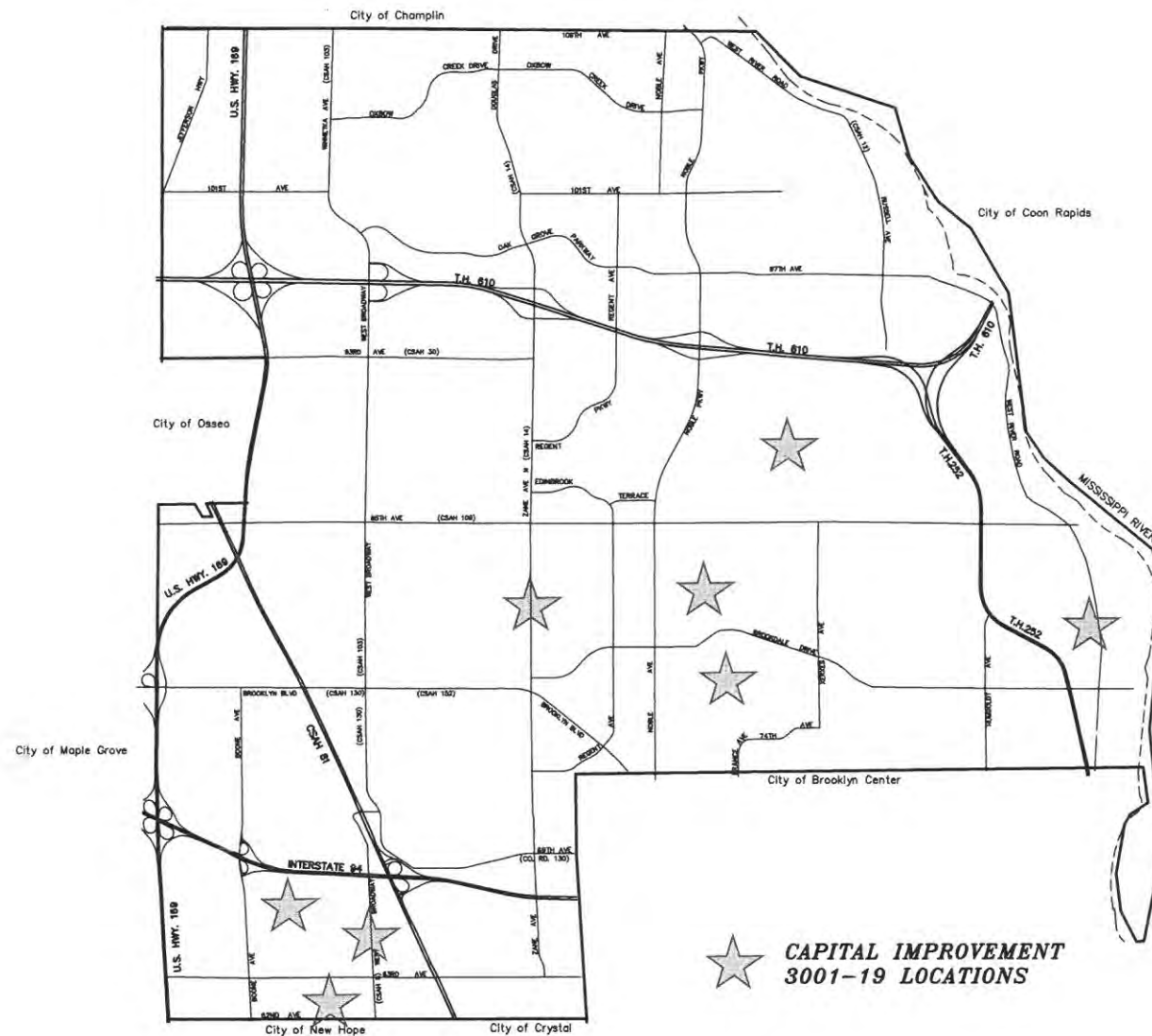
CITY OF BROOKLYN PARK, MINNESOTA

CAPITAL IMPROVEMENT 3001-19

SANITARY-STORM SEWER LINING



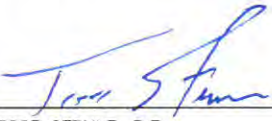
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2-12	SECTION/PLAN LOCATION SHEETS

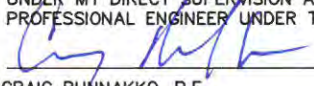


VICINITY MAP

CONSTRUCTION PLAN LEGEND

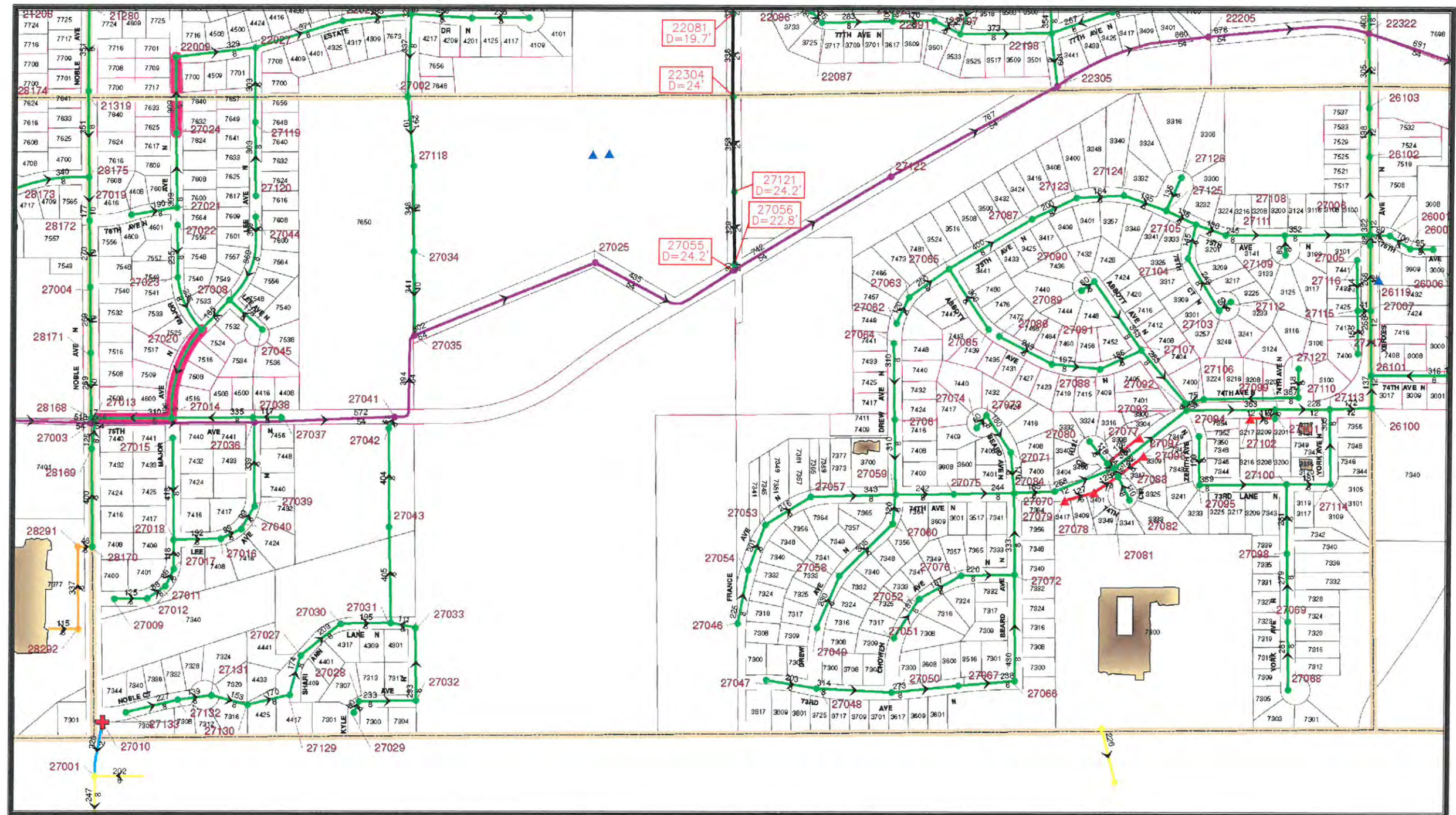
	DENOTES PROPOSED SANITARY SEWER AND MANHOLE, THIS IMPROVEMENT
	DENOTES PROPOSED WATERMAIN, HYDRANT AND GATE VALVE, THIS IMPROVEMENT
	DENOTES PROPOSED STORM SEWER, CATCH BASIN AND/OR CATCH BASIN M.H., THIS IMPROVEMENT
	DENOTES EXISTING STREET R/W LINES
	DENOTES PROPOSED STREET AND/OR EASEMENT R/W LINES
	DENOTES EXISTING LOT LINES
	DENOTES PROPOSED LOT LINES
	DENOTES EXISTING SANITARY SEWER, MANHOLE AND SEWER HOUSE SERVICE
	DENOTES EXISTING WATERMAIN, HYDRANT, GATE VALVE AND WATER HOUSE SERVICE
	DENOTES EXISTING STORM SEWER AND CATCH BASIN OR MANHOLE
	DENOTES EXISTING GAS MAINS
	DENOTES EXISTING UNDERGROUND TELEPHONE
	DENOTES EXISTING ELECTRIC CABLES
	DENOTES EXISTING TREES
	DENOTES EXISTING BITUMINOUS PAVEMENT
	DENOTES EXISTING CONCRETE PAVEMENT
	DENOTES EXISTING DIRT OR GRAVEL ROADWAY OR DRIVEWAY
	DENOTES EXISTING POLE OR DOWN GUY

Approved 
JESSE STRUVE, P.E.
CITY ENGINEER

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

CRAIG RUNNAKCO, P.E.
CONSTRUCTION ENGINEER
LIC. NO. 26155 DATE 3-4-19

Brooklyn Park
Unique. United. Undiscovered.

PLANS PREPARED BY
ENGINEERING SERVICES DIVISION
CITY OF BROOKLYN PARK



Legend

- City of Brooklyn Park Sanitary Sewer System Operations & Maintenance**
- CIPP
 - Half Section Grid
 - Parcel
 - Pipe Length
 - Pipe Diameter
 - 99001 MH ID Number
 - ▲ Clean Out, Brooklyn Park
 - ▲ Clean Out, Private
 - ✱ Blind Drop

Sanitary Points

- + Lift Station, Brooklyn Park
- + Lift Station, Interceptor
- + Lift Station, Private
- Manhole, Brooklyn Park
- Manhole, Interceptor
- Manhole, Private
- Manhole, Surrounding City
- Manhole, Other Agency
- Sanitary Valve, Brooklyn Park

Sanitary Lines

- Force, Brooklyn Park
- Force, Private
- Gravity, Brooklyn Park
- Gravity, Interceptor
- Gravity, Private
- Force, Champlin
- Gravity, Surrounding City
- Gravity, Other Agency

06N	05N	04N	03N	02N
06S	05S	04S	03S	02S
07N	06N	05N	04N	03N
07S	06S	05S	04S	03S
16N	15N	14N	13N	12N
16S	15S	14S	13S	12S
19N	18N	17N	16N	15N
19S	18S	17S	16S	15S
20N	19N	18N	17N	16N
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21N	20N	19N	18N	17N
21S	20S	19S	18S	17S
22N	21N	20N	19N	18N
22S	21S	20S	19S	18S
23N	22N	21N	20N	19N
23S	22S	21S	20S	19S
24N	23N	22N	21N	20N
24S	23S	22S	21S	20S
25N	24N	23N	22N	21N
25S	24S	23S	22S	21S
26N	25N	24N	23N	22N
26S	25S	24S	23S	22S
27N	26N	25N	24N	23N
27S	26S	25S	24S	23S

1 inch = 400 feet

Date: 2/5/2018



27N

NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION
Brooklyn Park
 5200 85TH AVE. N.
 BROOKLYN PARK, MN. 55443
 PH# 763/493-8100
 Unique. United. Undiscovered. FAX# 763/493-8391

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

 CRAIG RUNNACK, P.E. CONSTRUCTION ENGINEER
 DATE 3-4-19 LIC. NO. 26155

SANITARY SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET 4
DESIGNED BY CER	CHECKED BY JMS	HORIZ. SCALE	VERT. SCALE
STATE AID PROJ. NO.			

OF
12



 CIPP 99001 MH ID Number
 Half Section Grid
 Parcel
 Pipe Length
 Pipe Diameter
 Clean Out, Brooklyn Park
 Clean Out, Private
 Blind Drop

Lift Station, Brooklyn Park
 Lift Station, Interceptor
 Lift Station, Private
 Manhole, Brooklyn Park
 Manhole, Interceptor
 Manhole, Private
 Manhole, Surrounding City
 Manhole, Other Agency
 Sanitary Valve, Brooklyn Park

-  Force, Brooklyn Park
-  Force, Private
-  Gravity, Brooklyn Park
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-  Force, Champlin
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06N	05N	04N	03N	02N
06S	05S	04S	03S	02S
07N	06N	05N	10N	11N
07S	06S	05S	10S	11S
18N	17N	16N	15N	14N
18S	17S	16S	15S	14S
19N	20N	21N	22N	23N
19S	20S	21S	22S	23S
20N	25N	26N	27N	28N
20S	25S	26S		
31N	32N	33N		
31S	32S	33S		

31N

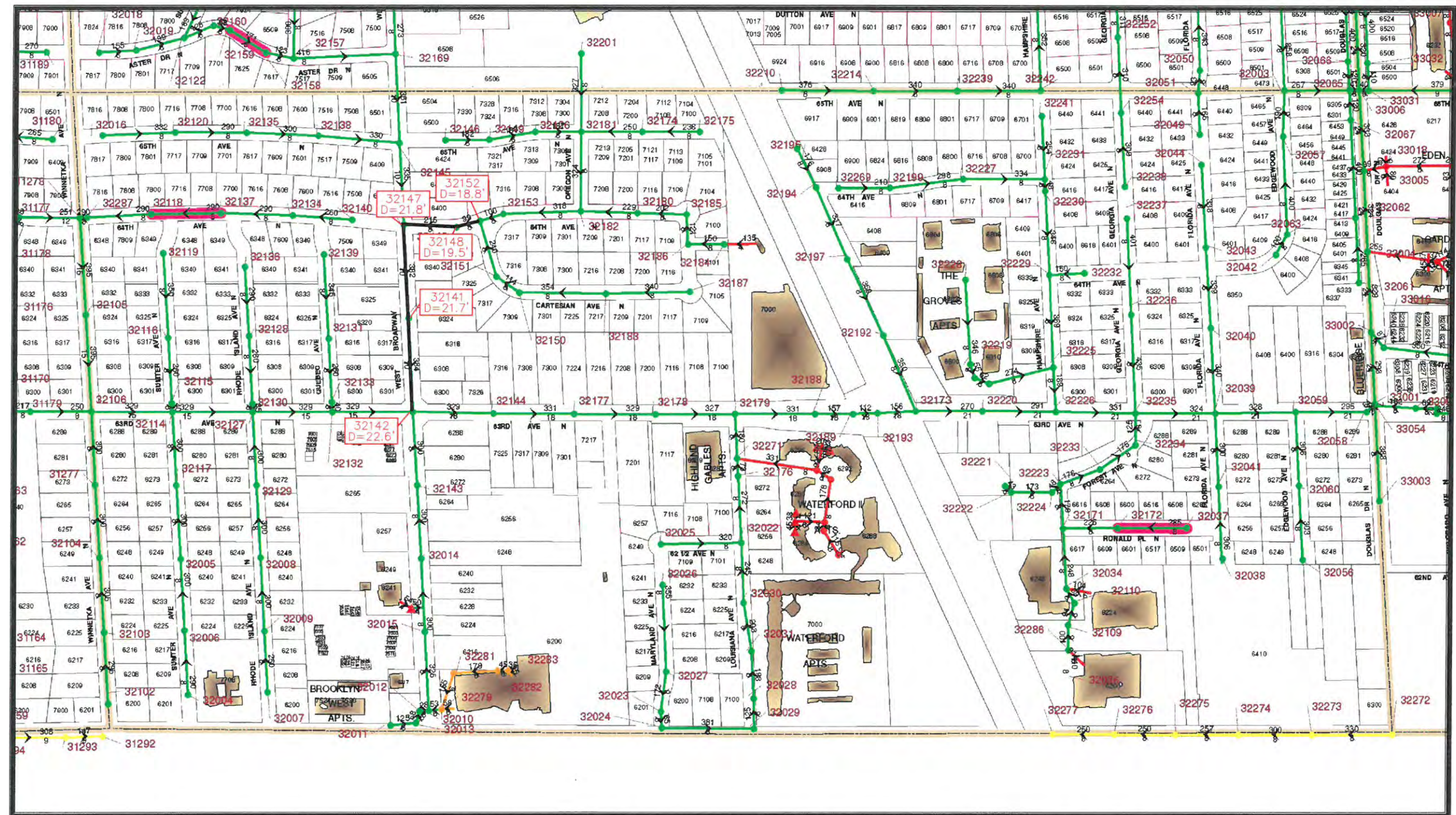
CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION

Brooklyn Park  5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
FAX# 763/493-8391

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SANITARY SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET 5
	DESIGNED BY CER	HORIZ. SCALE	
STATE AID PROJ. NO.	CHECKED BY JMS	VERT. SCALE	OF 12



Legend

- City of Brooklyn Park Sanitary Sewer System Operations & Maintenance**
- CIPP
 - Half Section Grid
 - Parcel
 - Pipe Length
 - Pipe Diameter
 - 99001 MH ID Number
 - Clean Out, Brooklyn Park
 - Clean Out, Private
 - Blind Drop

Sanitary Points

- Lift Station, Brooklyn Park
- Lift Station, Interceptor
- Lift Station, Private
- Manhole, Brooklyn Park
- Manhole, Interceptor
- Manhole, Private
- Manhole, Surrounding City
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06N	05N	04N	03N	02N
06S	05S	04S	03S	02S
07N	06N	05N	04N	03N
07S	06S	05S	04S	03S
08N	07N	06N	05N	04N
08S	07S	06S	05S	04S
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25N	24N	23N	22N	21N
25S	24S	23S	22S	21S
26N	25N	24N	23N	22N
26S	25S	24S	23S	22S
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30N	29N	28N	27N	26N
30S	29S	28S	27S	26S
31N	30N	29N	28N	27N
31S	30S	29S	28S	27S
32N	31N	30N	29N	28N
32S	31S	30S	29S	28S

1 inch = 400 feet

Date: 2/5/2018



32S

NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION

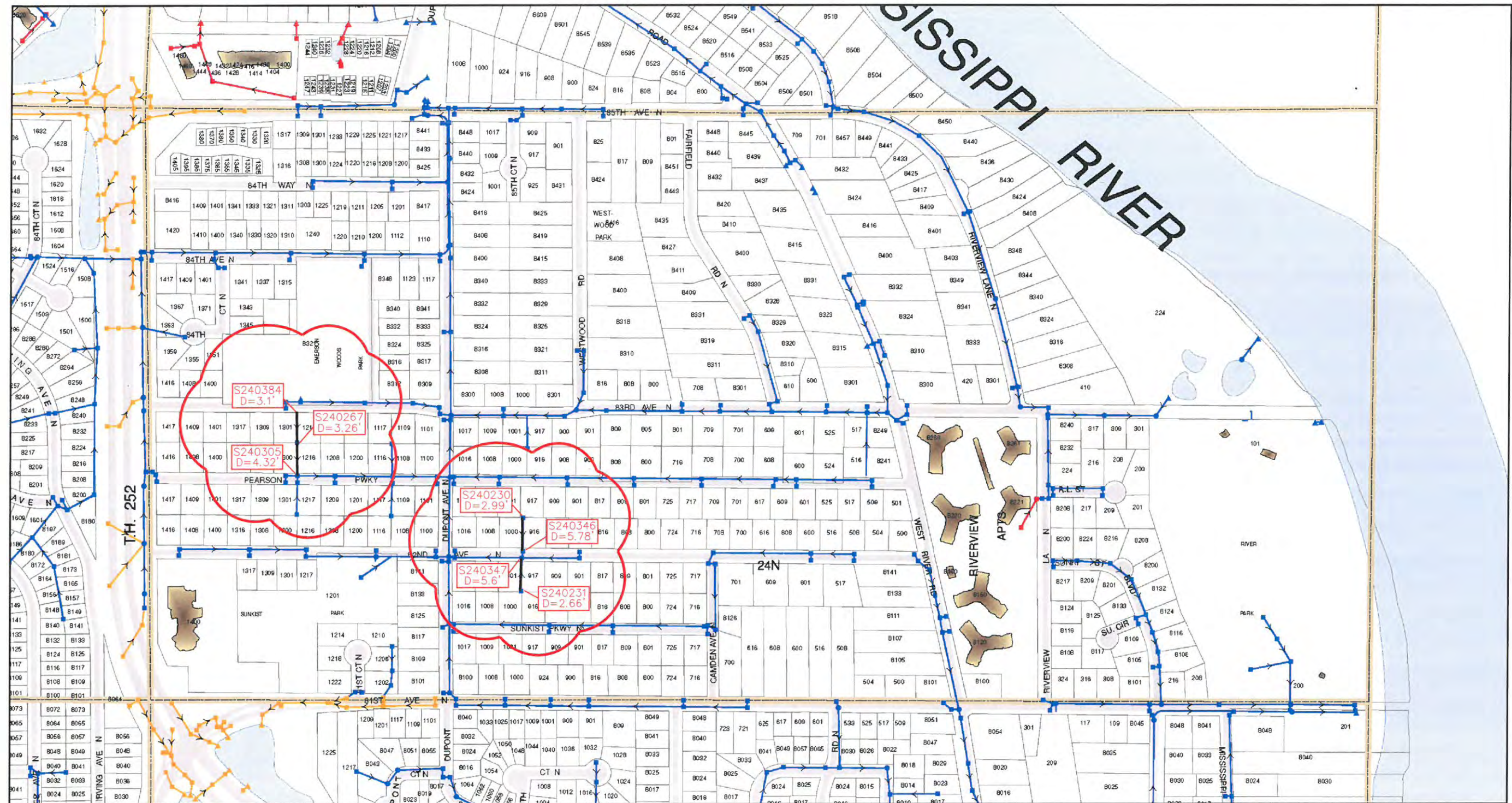
Brooklyn Park
5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
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Craig Runnaglo
CRAIG RUNNAGLO, P.E. CONSTRUCTION ENGINEER
DATE 3-4-19 UC.NO. 28155

SANITARY SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET 7
DESIGNED BY CER	CHECKED BY JMS	HORIZ. SCALE	OF 12
STATE AID PROJ. NO.		VERT. SCALE	



Legend

- Rain Garden
- Storm Sewer
- Note: Arrow shows direction of flow.

Water Points

- Catch Basin
- FES
- Lift Station
- Storm Manhole
- Rock Vane
- Sump Catch Basin
- Sump Manhole

Jurisdiction

- Brooklyn Park
- Hennepin County
- MNDOT
- Private
- Surrounding City

- Other Agency
- Parcels
- Half Section Grid
- Water Bodies

06N	05N	04N	03N	02N
06S	05S	04S	03S	02S
07N	06N	05N	04N	03N
07S	06S	05S	04S	03S
08N	07N	06N	05N	04N
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11N	10N	09N	08N	07N
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30S	29S	28S	27S	26S
31N	30N	29N	28N	27N
31S	30S	29S	28S	27S
32N	31N	30N	29N	28N
32S	31S	30S	29S	27S
33N	32N	31N	30N	29N
33S	32S	31S	30S	28S



1 inch = 400 feet

Brooklyn Park
Operations and Maintenance
Department

Printed on
Date: 10/10/2017

24N

NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION
5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
FAX# 763/493-8391

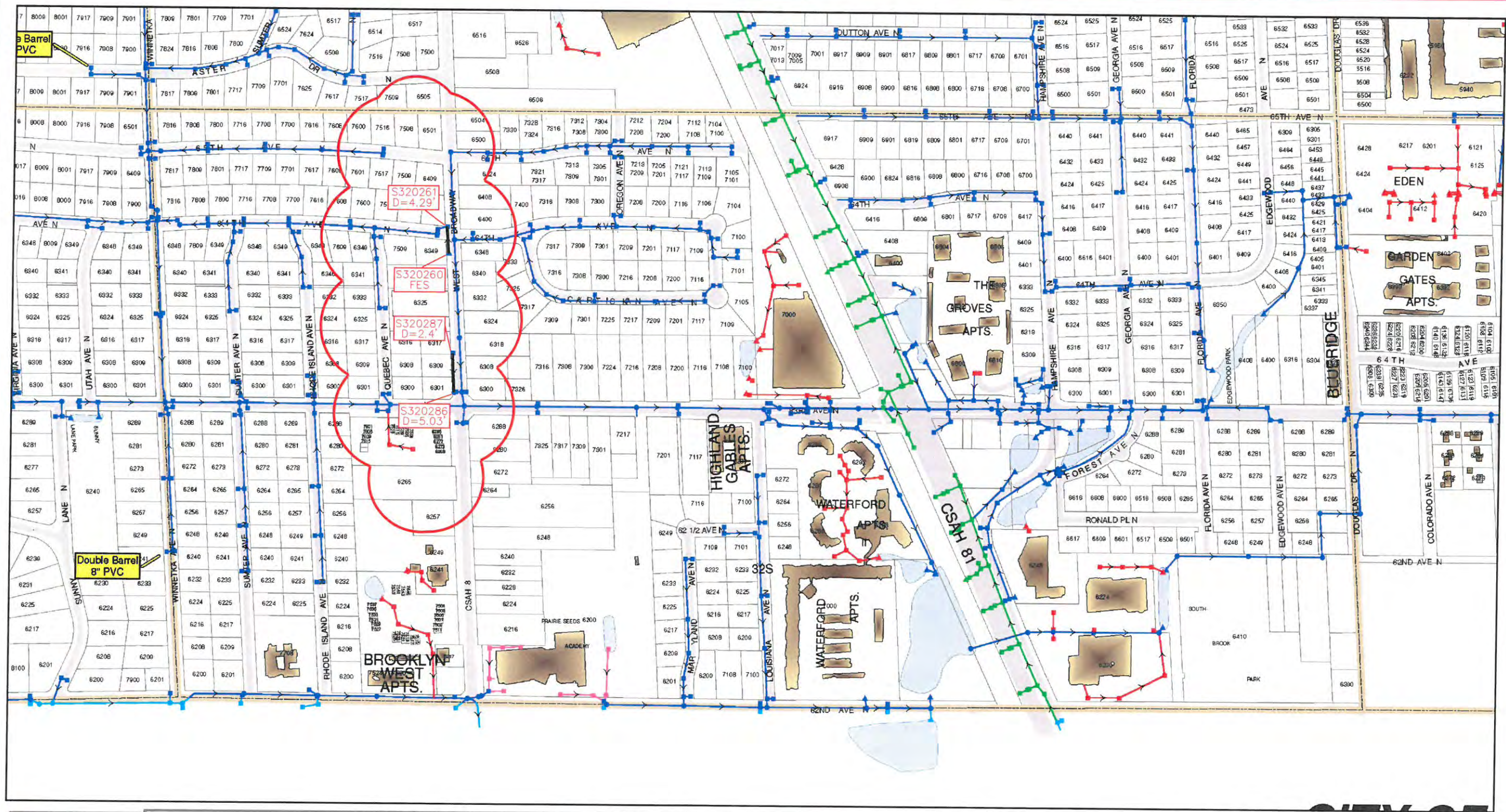
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Craig Runnako
CRAIG RUNNAKO, P.E. CONSTRUCTION ENGINEER
DATE 3-4-19 LIC. NO. 26155

STORM SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET 8
DESIGNED BY CER	CHECKED BY JMS	HORIZ. SCALE	VERT. SCALE
STATE AID PROJ. NO.			12



Legend

- Rain Garden
- Storm Sewer
- Note: Arrow shows direction of flow.

Water Points

- Catch Basin
- FES
- Lift Station
- Storm Manhole
- Rock Vane
- Sump Catch Basin
- Sump Manhole

Jurisdiction

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- Hennepin County
- MNDOT
- Private
- Surrounding City

- Other Agency
- Parcels
- Half Section Grid
- Water Bodies

06N	05N	04N	03N	02N
06S	05S	04S	03S	02S
07N	06N	05N	04N	03N
07S	06S	05S	04S	03S
08N	07N	06N	05N	04N
08S	07S	06S	05S	04S
09N	08N	07N	06N	05N
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11N	10N	09N	08N	07N
11S	10S	09S	08S	07S
12N	11N	10N	09N	08N
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21N	20N	19N	18N	17N
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22N	21N	20N	19N	18N
22S	21S	20S	19S	18S
23N	22N	21N	20N	19N
23S	22S	21S	20S	18S
24N	23N	22N	21N	20N
24S	23S	22S	21S	20S
25N	24N	23N	22N	21N
25S	24S	23S	22S	21S
26N	25N	24N	23N	22N
26S	25S	24S	23S	22S
27N	26N	25N	24N	23N
27S	26S	25S	24S	23S
28N	27N	26N	25N	24N
28S	27S	26S	25S	24S
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31N	30N	29N	28N	27N
31S	30S	29S	28S	27S
32N	31N	30N	29N	28N
32S	31S	30S	29S	28S
33N	32N	31N	30N	29N
33S	32S	31S	30S	29S

Printed on
Date: 10/10/2017

1 inch = 400 feet

Brooklyn Park
Operations and Maintenance
Department

32S



Legend

- Rain Garden
- Storm Sewer
- Note: Arrow shows direction of flow.

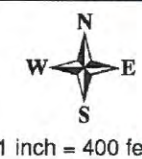
Water Points

- Catch Basin
- FES
- Lift Station
- Storm Manhole
- Rock Vane
- Sump Catch Basin
- Sump Manhole

Jurisdiction

- Brooklyn Park
- Hennepin County
- MNDOT
- Private
- Surrounding City
- Other Agency
- Parcels
- Half Section Grid
- Water Bodies

06N	05N	04N	03N	02N
06S	05S	04S	03S	02S
07N	06N	05N	04N	03N
07S	06S	05S	04S	03S
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22N	21N	20N	19N	18N
22S	21S	20S	19S	18S
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1 inch = 400 feet

Brooklyn Park
Operations and Maintenance
Department

Printed on
Date: 10/10/2017

24S

NO	DATE	BY	CKD	REVISION

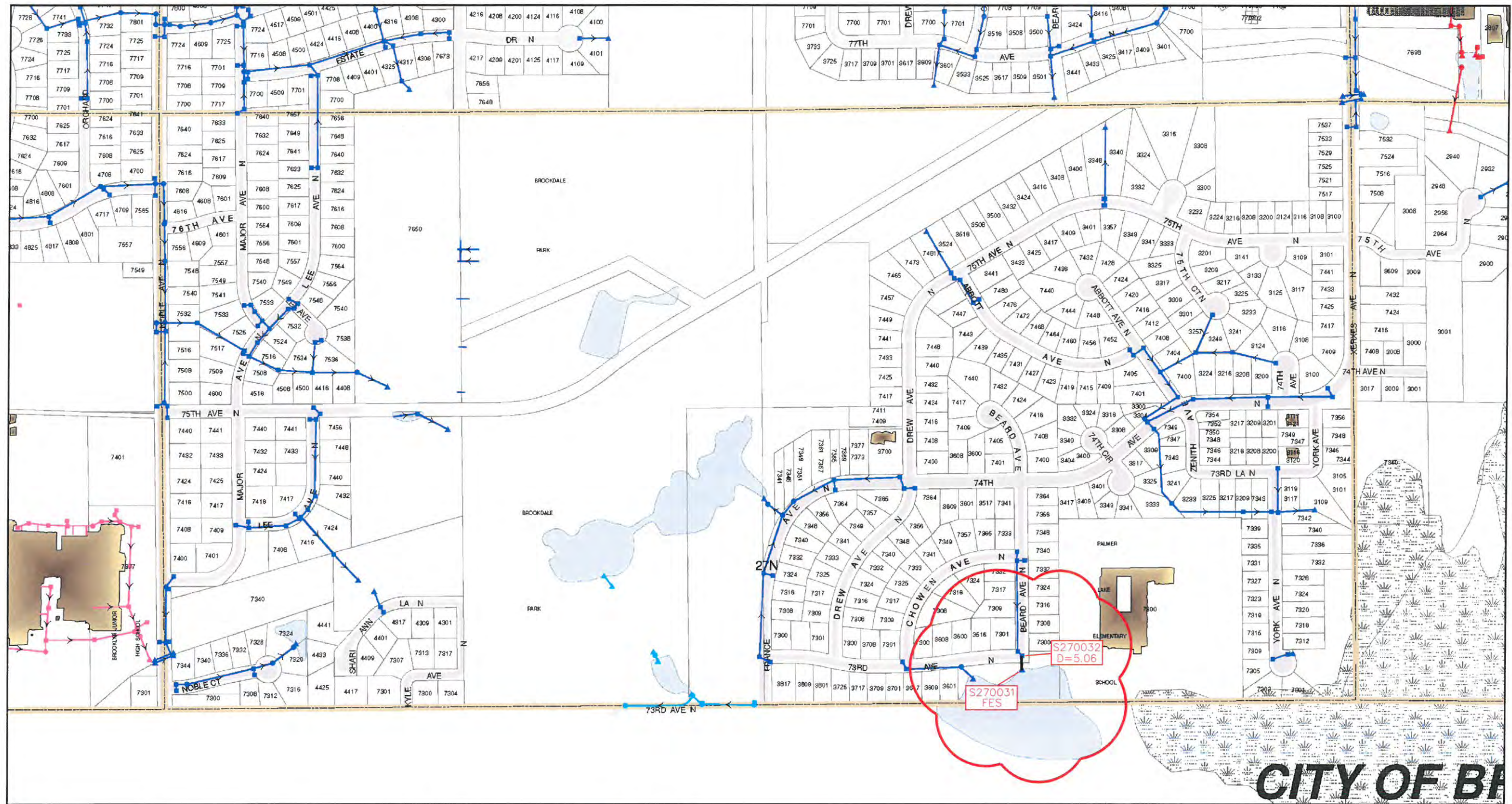
CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION
Brooklyn Park
5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
FAX# 763/493-8391
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ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

CRAIG RUNNACKO, P.E. CONSTRUCTION ENGINEER
DATE 3-4-19 UC.NO. 26155

STORM SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET 10
STATE AID PROJ. NO.	DESIGNED BY CER	HORIZ. SCALE	OF 12
	CHECKED BY JMS	VERT. SCALE	



Legend

- Rain Garden
 - Storm Sewer
- Note: Arrow shows direction of flow.

Water Points

- Catch Basin
- FES
- Lift Station
- Storm Manhole
- Rock Vane
- Sump Catch Basin
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Jurisdiction

- Brooklyn Park
- Hennepin County
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06N	05N	04N	03N	02N
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1 inch = 400 feet

Brooklyn Park
Operations and Maintenance
Department

Printed on
Date: 10/10/2017

27N

NO	DATE	BY	CKD	REVISION

CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION

Brooklyn Park
5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
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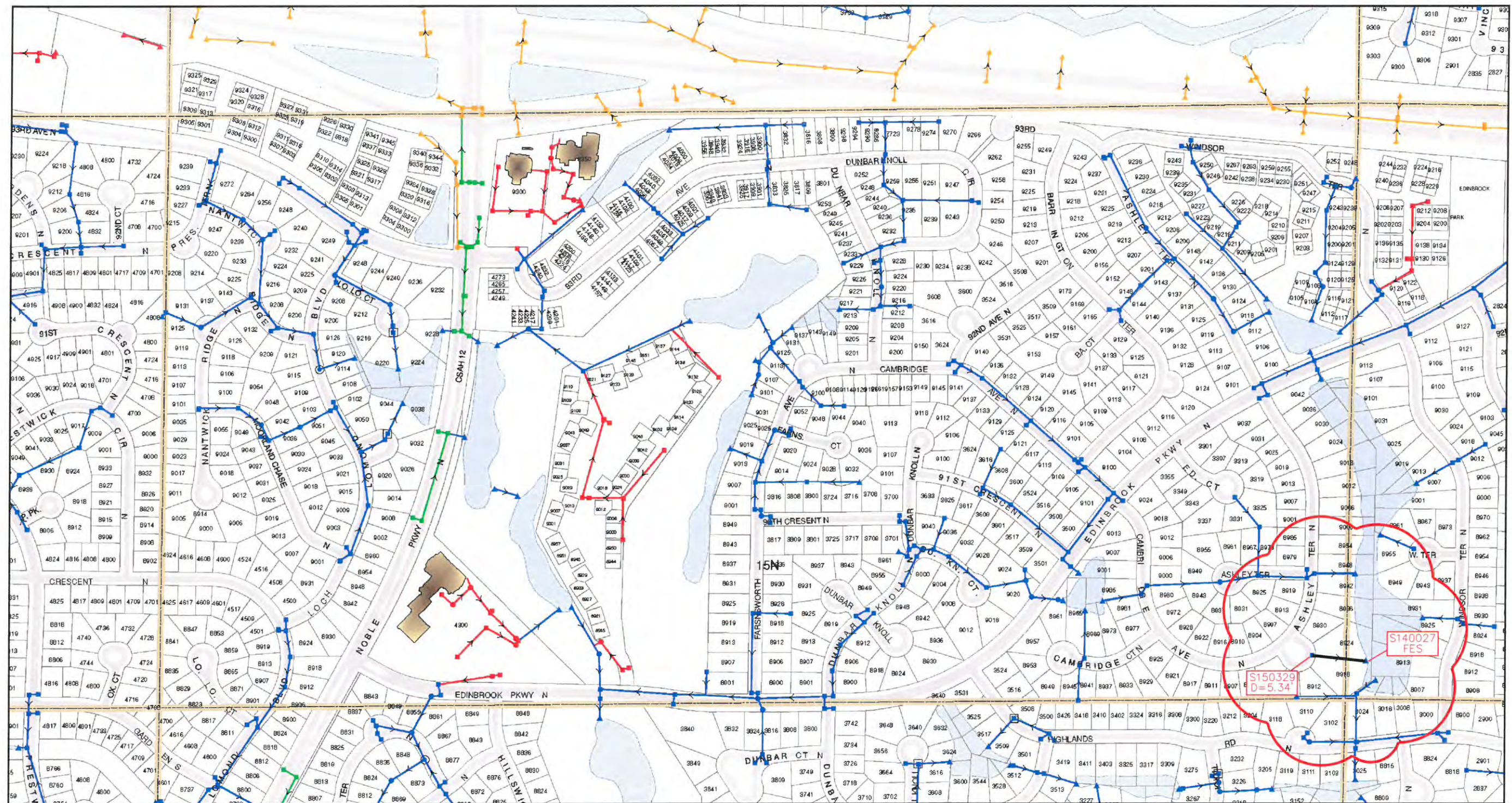
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CRAIG RUNNAKO, P.E. CONSTRUCTION ENGINEER
DATE 3-4-19 LIC. NO. 26155

STORM SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET 11
STATE AID PROJ. NO.	DESIGNED BY CER	HORIZ. SCALE	OF 12
	CHECKED BY JMS	VERT. SCALE	



Legend

- ⊛ Rain Garden
- Storm Sewer

Note: Arrow shows direction of flow.

Water Points

- Catch Basin
- ▲ FES
- ✚ Lift Station
- Storm Manhole
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19N	20N	21N	22N	23N	24
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31S	32S	33S			



1 inch = 400 feet

Brooklyn Park
Operations and Maintenance
Department

Printed on
Date: 10/10/2017

15N


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CITY OF BROOKLYN PARK
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CRAIG RUNNAGKO, P.E. CONSTRUCTION ENGINEER

DATE 3-4-19 LIC.NO. 26155

STORM SEWER LINING

CAPITAL IMPROV. NO. 3001-19	DRAWN BY ACM	DATE APPROVED 3-4-19	SHEET <u>12</u> OF <u>12</u>
STATE AID PROJ. NO.	DESIGNED BY CER	HORIZ. SCALE	
	CHECKED BY JMS	VERT. SCALE	

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.8	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Community Development Rental and Business Licensing
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Approve a Temporary On-Sale Liquor License for Brooklyn Park Lions for their Smelt Fry to be held April 24-26, 2019 at the Armory Gymnasium, 5500 85 th Avenue North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR BROOKLYN PARK LIONS FOR THEIR SMELT FRY TO BE HELD APRIL 24-26, 2019 AT THE ARMORY GYMNASIUM, 5500 85TH AVENUE NORTH.

Overview:

The Police Department has completed their investigation of the applicant. The Community Development Department inspected the property and signed the approval form on February 15, 2019. The last general fire inspection was conducted on January 9, 2017. The Police Department and the Community Development Department find no reason that would preclude the issuance of this Temporary On-Sale Liquor license. Their reports are on file in the Licensing Division and are available upon request.

The license must be approved by the State of Minnesota, Alcohol and Gambling Enforcement Division once the City of Brooklyn Park has approved the license.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.9	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X		
Ordinance:	N/A		
Attachments:	3	Prepared By:	Beth Toal, HR Manager
		Presented By:	Beth Toal
Item:	Approval of Vacation and Vacation Payout Policies		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO APPROVE THE AMENDMENTS TO EMPLOYEE HANDBOOK POLICIES 10.14 – VACATION AND 11.10 – VACATION PAYOUT.

Overview:

In the fall of 2018, the City conducted its second Employee Engagement Survey. Based on the results of this survey, it was identified that the City's employee Benefits were an area for improvement.

Many employees have vacation balances at the current 240-hour cap. As the employee continues to accrue time, if they are at the cap, they lose that vacation time or request vacation time off on short notice, which could impact business needs. To ensure employees receive the benefits they are entitled to and to make sure the business needs of the City are met, it is proposed that the vacation policy be altered to allow for employees to go over the 240-hour cap throughout the year. On the payroll that includes April 1 of each year, any balance over 240 hours will be reduced to that amount. Additionally, if an employee leaves the City with a balance over 240 hours at any point in the year, the payout of vacation time will be capped at 240 hours.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

There is no financial impact to the City because the liability to the City has been removed by maintaining the 240-hour cap at time of separation.

Attachments:

- 4.9A RESOLUTION
- 4.9B 10.14 – VACATION POLICY
- 4.9C 11.10 – VACATION PAYOUT POLICY

RESOLUTION #2019-

RESOLUTION APPROVING AMENDMENTS TO THE EMPLOYEE HANDBOOK
POLICIES 10.14 – VACATION AND 11.10 – VACATION PAYOUT

WHEREAS, the employee handbook is a living document that is revised from time to time as the need arises; and

WHEREAS, such revisions are needed to ensure the employee handbook complies with changes to state statutes and federal employment laws; and

WHEREAS, changes to Sections 10.14 and 11.10 positions the organization to attract and retain a high-quality workforce able to meet the service delivery demands of our community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the amendments to the employee handbook policies Section 10.14 – Vacation and Section 11.10 – Vacation Payout, effective April 1, 2019.

10.14 VACATION

Each department shall establish a vacation schedule to meet the needs of the department while allowing an employee to use accrued vacation. Requests for vacation shall be made in advance, with the length of the notice to be determined by the department.

Vacation leave may be used as it is earned subject to approval by the employee's supervisor and/or Director, unless addressed separately in a CBA.

- A. Vacation leave must be used in one (1) hour increments.
- B. Vacation may be accrued to a maximum of 240 hours. **An employee may exceed this cap throughout the year. If an employee is over the cap, the balance will be reduced to 240 hours on the pay period that includes April 1 of each year.**
- C. For an employee on a leave of absence, vacation earned is pro-rated based on the number of paid hours during a payroll period.
- D. Vacation for a regular, full-time employee is earned according to the following schedule:

<u>Continuous Years of Service</u>	<u>Days Per Year</u>
0 – 5 Years	10
6 – 10 Years	15
Over 10 Years	+1 day per year, not to exceed 20 days

- E. Vacation for a regular, part-time employee who works twenty (20) hours or more per week on a regular basis will earn vacation on a prorated basis of the full-time employee schedule. A part-time employee who works fewer than twenty (20) hours per week on a regular basis will not earn or accrue vacation leave.

Please refer to Section 7.08 for the City's Leave Donation Policy.

11.10 VACATION PAYOUT

When a regular full- or part-time employee leaves employment after six (6) months of service, accumulated vacation leave will be paid in full **up to 240 hours** with required deductions. Temporary or seasonal service does not count toward vacation accrual or payout benefits.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.10	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Community Development/ Recreation and Parks
Resolution:	N/A	Prepared By:	Todd A. Larson, Senior Planner, and Jody Yungers, Recreation and Parks Director
Ordinance:	SECOND READING		
Attachments:	2	Presented By:	Cindy Sherman, Planning Director
Item:	SECOND READING – Transfer of Park Property to Three Rivers Park District		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2019-_____ AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY.

Staff Recommendation:

Staff recommends approval of the property transfer.

Overview:

At the February 25, 2019 meeting, the Council approved the first reading of the ordinance.

Over the past couple years, the City has been working with the Three Rivers Park District (TRPD) on plans for the upcoming investment in Mississippi Gateway Regional Park (currently named Coon Rapids Dam Regional Park). The City owns the Environmental Nature Area along the west side of West River Road and both parks will be improved together. TRPD owns most of the property east of West River Road/Russell Avenue.

The City owns two small undeveloped parcels totaling 5.19 acres along the east side of West River Road/Russell Avenue as well. These two parcels are undeveloped wooded parcels. The attached map shows the locations of the two parcels. The desire is to have both parcels transferred so that TRPD can have seamless control over the eastern side. The land will be maintained as public parkland.

The City received the southeastern parcel through the plat of "Island View Park" plat in 1987. As part of the development project, the City was paid \$33,720 park dedication. This was the required amount based upon the 10% formula used at the time. Our records indicate that the land was given to the City, as the property was deemed an unbuildable wedge between the Mississippi River and West River Road. This 2.61-acre parcel can be transferred via quit claim deed to TRPD. The transfer of this parcel is done by ordinance per the City Charter.

The other 2.58-acre parcel, Outlot B, North Point 3rd Addition, was acquired through tax forfeiture. The process for transferring it is cumbersome. City and TRPD staff have agreed to wait out the associated 30-year deed restriction set to expire in 2022 and transfer the parcel at that time. A request will be brought forward to the Council after the deed restriction expires.

Budgetary/Fiscal Issues:

No money is expected from the transfer, but TRPD will take over maintenance and associated expenses. The City would not be obligated to maintain it any longer. Staff researched the property history and found that the land was given to the City, probably because it was unbuildable. The developer still paid the full required park dedication in cash. The City Assessor is working on a valuation of the parcels and staff will use those values in future negotiations with the Three Rivers Park District, as requested by the Council.

Alternatives to consider:

1. Approve the transfer as presented.
2. Deny the transfer based on certain findings.

Attachments:

- 4.10A ORDINANCE
- 4.10B LOCATION MAP

ORDINANCE #2019-

ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY
OWNED PROPERTY

The City of Brooklyn Park Does Ordain:

The City of Brooklyn Park, as trustee for the public, holds a dedicated interest in and to that certain parcel of real property located north of West River Road between Coon Rapids Regional Park and Highway 610 in the City of Brooklyn Park and legally described as: Park, Island View Park, Hennepin County, Minnesota (C/T # 711199) ("Property"). The City finds it is in the public interest to convey the Property to the Three Rivers Park District so that the Property can be added to Mississippi Gateway Regional Park (Coon Rapids Dam Regional Park).

The Mayor and City Manager are authorized and directed to convey the Property to Three Rivers Park District. City staff and consultants are authorized and directed to take all necessary and convenient steps to accomplish the intent of this Ordinance.

All actions shall be pursuant to Section 14.06 of the City Charter. The City Council finds that the conveyance of the Property has no relationship or impact on the City's comprehensive plan and therefore there is no need for the City's Planning Commission to review and comment on the proposed conveyance.

Mississippi Gateway Regional Park Island View Park and North Point 3rd Addition Property Transfer

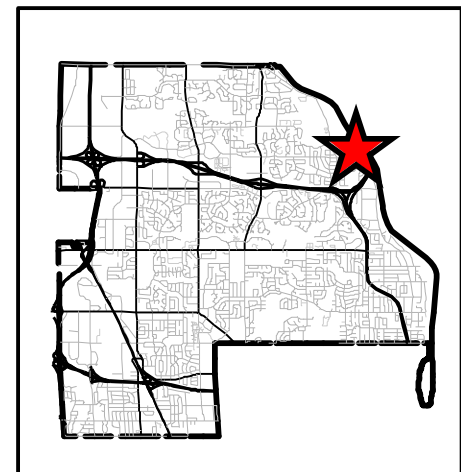


Spring 2016 Air Photo.

Legend

- City Property
- Three Rivers Property
- Properties to be Transferred

600
Feet



Map Date January 4, 2019

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.11	Meeting Date:	March 11, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance Engineering Services Division
Resolution:	X		
Ordinance:	N/A		
Attachments:	3	Prepared By:	Jesse Struve, City Engineer
Item:	Accept Petition and Order Public Hearing for the Vacation of all Easements Associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat		

City Manager's Proposed Actions:

1. MOTION _____, SECOND _____, TO RECEIVE AND PLACE ON FILE THE PETITION FOR VACATION OF ALL EASEMENTS ASSOCIATED WITH OUTLOT B AND 10214 REGENT AVENUE N. (LOT 1, BLOCK 1) OF WINDCHIME TRAIL PLAT.
2. MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ ORDERING A PUBLIC HEARING FOR THE VACATION OF ALL EASEMENTS ASSOCIATED WITH OUTLOT B AND 10214 REGENT AVENUE N. (LOT 1, BLOCK 1) OF WINDCHIME TRAIL PLAT.

Overview:

Kevin Ahlstrom is requesting the vacation of all easements associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat, according to the recorded plat thereof, Hennepin County, Minnesota. The property is located at 10214 Regent Avenue N. Mr. Ahlstrom is requesting the vacation of these easements and the perimeter easements will be reestablished with a new plat.

A vacation hearing is scheduled to be held on April 8, 2019, for Council's review of the proposed vacation of all easements associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat. Prior to the hearing, staff will notify the utility companies of the petitioner's request so they can provide input on the proposed vacation.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.11A RESOLUTION
- 4.11B PETITION
- 4.11C PROPOSED EASEMENT VACATION AREA

RESOLUTION #2019-

RESOLUTION ORDERING A PUBLIC HEARING FOR THE VACATION OF
ALL EASEMENTS ASSOCIATED WITH OUTLOT B AND
10214 REGENT AVENUE N. (LOT 1, BLOCK 1) OF WINDCHIME TRAIL PLAT

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that a public hearing be held on the 8th day of April 2019 at 7:00 p.m. in the City Hall Council Chambers at 5200 85th Avenue North, to consider the vacation of all easements associated with Outlot B and Lot 1, Block 1 of Windchime Trail Plat.

Parcel Description

Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat, according to the recorded plat thereof, Hennepin County, Minnesota.

Easement Vacation Description

Entire easements on properties, but perimeter easements will be reestablished with a new plat.

BE IT FURTHER RESOLVED, that the City Clerk be directed to file the proper legal notice of such hearing in the manner required by law.

PETITION

In the Matter of Vacation of certain easements as described below

TO: **THE CITY COUNCIL OF BROOKLYN PARK, HENNEPIN COUNTY, STATE OF MINNESOTA**

Kevin Ahlstrom
(Owner)

Hereby petitions the City Council of Brooklyn Park, pursuant to the provisions of Section 14.07 of the City Charter and applicable State Law to vacate:

All easements associated with parcels Outlot B and Lot 1 Block 1 of Windchime Trail plat
(Describe type of easement)

Located in said City and described as follows:

Parcel Description:

Outlot B and Lot 1 Block 1 of the Windchime Trail Plat

Easement Description:

The portion of said easement sought to be vacated adjoins and abuts lands owned by said petitioners.










Date: March 5, 2019

Petitioner:

Kevin K Ahlstrom
(Print Name)

Kevin K. Ahlstrom
(Signature)

Map Scale = 1: 439

-  City Boundary
- Streets (by maint auth)
 -  City Street
 -  County Road
 -  Highway
 -  Other City
 -  Park Road
 -  Private Street
-  RASTER.GIS.AERIALPHOTO
-  City Background



City of Brooklyn Park Request for Council Action

Agenda Item:	6.1	Meeting Date:	March 11, 2019
Agenda Section:	Land Use Actions	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Todd A. Larson, Senior Planner
Ordinance:	SECOND READING		
Attachments:	3	Presented By:	Cindy Sherman, Planning Director
Item:	SECOND READING – City of Brooklyn Park – Rezoning #18-112 to Rezone Eight Business Parcels from Business Park (BP) to General Business District (B3) at 8500, 8501, 8504, 8508, 8509, 8511, and 8517 Xylon Avenue North; and 8501-8509 Wyoming Avenue North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2019-____ AMENDING CHAPTER 152 REZONING 12.45 ACRES FROM BUSINESS PARK (BP) TO GENERAL BUSINESS DISTRICT (B3) NORTH OF 85TH AVENUE BETWEEN WYOMING AVENUE AND HIGHWAY 169.

Planning Commission Recommendation:

At its meeting on January 9, 2019, the Planning Commission unanimously (8-0) recommended approval of the rezoning.

Overview:

The City Council approved the first reading (6-1) at its meeting on January 28, 2019.

In the summer of 2018, the City Council reviewed the existing uses within the Business Park (BP) as a part of the Transit Oriented Development (TOD) Zoning Code adoption process. As a part of that review, it was determined that self-storage facilities were not a desirable use in the TOD areas or along Highway 610 due to the lack of jobs typically found at that business type. So, when the TOD Zoning was adopted, a companion ordinance was passed removing self-storage facilities from the BP district.

In that process, the Council heard from Public Storage who operated the sole self-storage business zoned BP at 8517 Xylon Avenue North. Though the business could continue to operate as a legal non-conforming use, the property owner expressed interest in redeveloping the site to add a climate-controlled building someday. The Council provided direction to work with the businesses on a solution that worked for everyone.

It was determined that the businesses just north of 85th Avenue could be rezoned to General Business District (B3), the same district as the Fleet Farm property to the south, since their uses would all be legal in that district, including self-storage. The nature of these businesses is more customer-focused and active as service, retail, restaurant, or auto uses.

The outdoor sales yard at Town and Country Fence will now be a legal use, although some of the performance standards will continue to remain legal non-conforming such as the total area of storage and the location in the front yard. (Under BP zoning, the outdoor storage was not an allowed use since the lot size is too small).

The proposed 2040 Comprehensive Plan identifies this area as Business Park. The land use will need to be modified as we finalize the plan following rezoning of the site.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the rezoning as recommended by the Planning Commission.
2. Deny the rezoning keeping the existing BP zoning in place.

Attachments:

- 6.1A ORDINANCE
- 6.1B LOCATION MAPS
- 6.1C ZONING CODE USE COMPARISON TABLE

ORDINANCE #2019-

ORDINANCE AMENDING CHAPTER 152 REZONING 12.45 ACRES
FROM BUSINESS PARK (BP) TO GENERAL BUSINESS DISTRICT (B3)
NORTH OF 85TH AVENUE BETWEEN WYOMING AVENUE AND HIGHWAY 169

WHEREAS, the City modified the uses in the Business Park (BP) zoning district in 2018; and

WHEREAS, the zoning change created a legal non-conforming use which the owner asked to be rectified;
and

WHEREAS, the use and surrounding properties meet the requirements of the General Business District (B3); and

WHEREAS, the property to the south of these businesses is zoned General Business District (B3), a district described in City Code as a district "intended to provide centralized areas for businesses that have a community or regional customer base in that they generally draw customers from farther away than the adjacent neighborhoods."

NOW, THEREFORE, THE CITY OF BROOKLYN PARK DOES ORDAIN:

Section 152 of the Zoning code is amended to rezone the following properties from Business Park District (BP) to General Business District (B3):

8501-8509 Wyoming Ave. N.

Lot 7, Block 1, Boblyn 2nd Addition, Hennepin County, Minnesota;

8500 Xylon Ave. N.

Lot 1, Block 1, Boblyn 3rd Addition, Hennepin County, Minnesota;

8501 Xylon Ave. N.

The east 297.07 feet of Lot 1, Block 1, Xylon addition, Hennepin County, Minnesota;

8504 Xylon Ave. N.

Lot 2, Block 1, Boblyn 3rd Addition, Hennepin County, Minnesota;

8508 Xylon Ave. N.

Lot 5, Block 1, Boblyn Addition, Hennepin County, Minnesota;

8509 Xylon Ave. N.

That part of Lot 1, Block 1, Xylon Addition, lying west of the east 297.07 feet thereof, Hennepin County, Minnesota;

8511 Xylon Ave. N.

That part of Lot 2, Block 1, Xylon Addition lying easterly and northerly of a line described as commencing at the northeast corner thereof then on an assumed bearing of south 88 degrees 52 minutes 31 seconds west along north line thereof 234.6 feet to actual point of beginning of line to be described then south 01 degree 01 minute 38 seconds east 339.47 feet then north 88 degrees 49 minutes 25 seconds east 22.21 feet then south 01 degree 01 minute 38 seconds east 30 feet to the south line of lot 2 and there terminating, Hennepin county, Minnesota; and

8517 Xylon Ave. N.

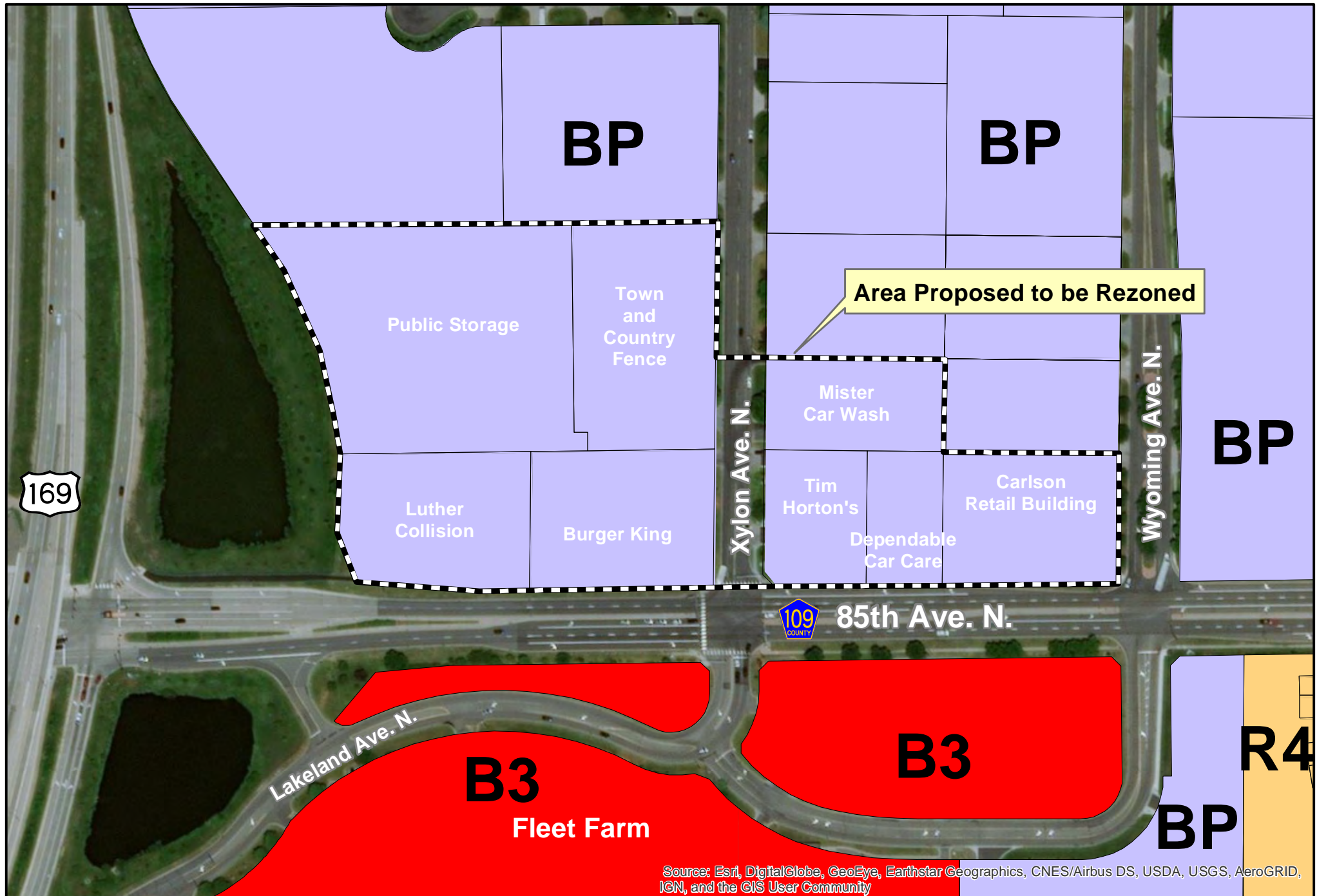
That part of Lot 2, Block 1, Xylon Addition, lying westerly and southerly of a line described as commencing at the northeast corner thereof then on an assumed bearing of south 88 degrees 52 minutes 31 seconds west along north line thereof 234.6 feet to actual point of beginning of line to be described then south 01 degree 01 minute 38 seconds east 339.47 feet then north 88 degrees 49 minutes 25 seconds east 22.21 feet then south 01 degree 01 minute 38 seconds east 30 feet to the south line of Lot 2 and there terminating, Hennepin County, Minnesota.

The zoning map of the City on file with the City Clerk and referred to in Section 152 of the City Code is hereby amended in accordance with the provisions of this ordinance.

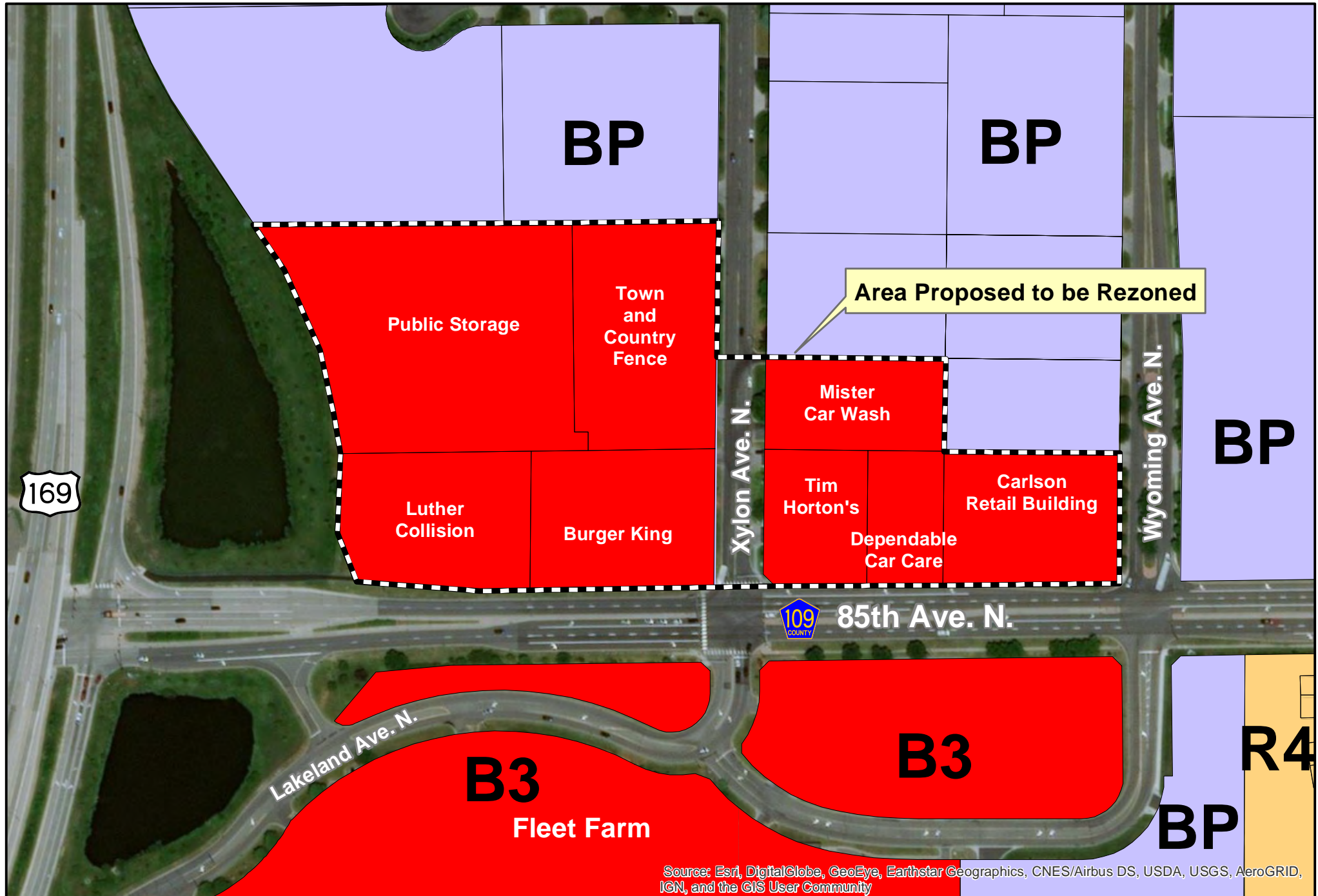
Zoning Code Amendment #18-112
85th & Xylon Ave. Area - Potential Rezoning from BP to B3



Zoning Code Amendment #18-112 EXISTING ZONING
85th & Xylon Ave. Area - Potential Rezoning from BP to B3



Zoning Code Amendment #18-112 PROPOSED ZONING
85th & Xylon Ave. Area - Potential Rezoning from BP to B3



Principal Use P = Permitted Use, C = Conditional Use, NP = Use Not Permitted	B-3	BP
Assembly, banquet, convention halls, or conference centers	C	NP
Automobile rental containing more than six cars on site	C	NP
Body art in compliance with M.S. Chapter 146B and Chapter 123 of this code	P	NP
Bus or truck storage or service shops, including fuel stations	NP	NP
Business, trade, or non-academic colleges operated for profit	P	P
Care centers, convalescent homes, hospitals, veterinary clinics, and assisted living facilities	C	NP
Clubs	C	NP
Commercial indoor recreational facilities under 2,450 square feet	P	P
Commercial indoor recreational facilities over 2,450 square feet	C	C
Commercial kennels in accordance with § 92.15	P	P
Commercial outdoor recreational facilities	C	NP
Concrete or asphalt mixing plants, concrete block fabrication, or builders' or contractors' yards, brick yards, and accessory sale of dirt, sand, gravel, rock, concrete blocks, bricks, etc.	NP	NP
Daycare facilities, licensed	P	P
Distribution center	NP	P
Fabrication or assembly of heavy equipment or vehicles	NP	NP
Funeral homes	P	NP
Helicopter pad/landing site	NP	C
Hotels and motels	C	C
Manufacturing, assembly, processing, fabricating, brewing, distilling, and accessory sale of the product produced on site, except those uses further restricted in this ordinance.	NP	P
Multiple principal structures on a single lot	C	C
Multiple family dwelling and cluster housing in compliance with § 152.344	C	NP
Offices, banks or clinics	P	P
Public and quasi-public facilities	C	NP
Public schools, including charter schools in compliance with § 152.182	NP	NP
Religious institutions, in compliance with §§ 152.180 through 152.182	P	NP
Restaurants, brewpub	C	C
Restaurants, Class I, in compliance with § 152.033	P	P
Restaurants, Class II	C	C
All structures for retail or service businesses with 25,000 square feet or less, excluding those mentioned elsewhere in this section	P	C
All structures for retail or service businesses with between 25,000 and 50,000 square feet, excluding those mentioned elsewhere in this section	P	NP
All structures for retail or service businesses with 50,000 square feet or more, excluding those mentioned elsewhere in this section	C	NP
Auto oriented repair services	C	C

Principal Use P = Permitted Use, C = Conditional Use, NP = Use Not Permitted	B-3	BP
Carwashes	C	C
Currency exchanges and pawnshops in compliance with § 152.344	C	NP
Fuel stations	C	C
Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales	NP	NP
Indoor sales of automobiles, trucks and recreational vehicles and the like in compliance with § 152.344	NP	C
Sexually oriented businesses in compliance with § 152.343	P	NP
Showrooms and sales of automobiles, trucks and recreational vehicles and equipment and the like in compliance with § 152.344	NP	NP
Wholesale, broker and auction dealer of automobiles, trucks and recreational vehicles and the like in compliance with § 152.343	P	P
Self-service storage facility	C	NP
Social clubs	C	NP
Stone, marble or granite grinding and cutting	NP	NP
Theaters, excluding drive-ins	C	NP
Transient sales, in compliance with § 152.344	C	NP
Truck or motor freight terminal	NP	NP
Vehicle impound yards	NP	NP
Warehousing	NP	P

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	March 11, 2019
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Marlene Kryder, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Mayor Jeffrey Lunde
Item:	Appointments to Commissions		

City Manager's Proposed Action:

Appoint commissioners to serve on the Budget Advisory Commission, Community Long-range Improvement Commission, Human Rights Commission, Planning Commission, and the Recreation and Parks Advisory Commission.

BUDGET ADVISORY COMMISSION (BAC) Four appointments (One City At-large; One East; One West; One City At-large for the Balance of a Term)

City At-large

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Replacing Mark Paynter)

East District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Sandra Stearn)

West District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Eric Pone)

District Change

MOTION _____, SECOND _____, TO CHANGE NANCY OMONDI'S BUDGET ADVISORY COMMISSION APPOINTMENT FROM CITY AT-LARGE TO HER RESIDING CENTRAL DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2020. (Replacing Tanya Simons)

City At-large

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2020. (Replacing Nancy Omondi's At-large appointment)

COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION (CLIC) Five appointments (Two City At-large; One East; One Central; One West) *(Per Section 9.04 of our City Charter, the Mayor appoints to this Committee with the approval of the City Council.)*

City At-large (2)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Trelawny Grant)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Yordanos Kiflu-Martin)

East District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Sheila Iteghete)

Central District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Kathy Fraser)

West District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Doneva Carter)

HUMAN RIGHTS COMMISSION (HRC) Two appointments (One Central; One East)

District Change

MOTION _____, SECOND _____, TO CHANGE AJA KING'S APRIL 1, 2019 TO APRIL 1, 2022 HUMAN RIGHTS COMMISSION APPOINTMENT FROM THE CENTRAL DISTRICT TO CITY AT-LARGE. (Replacing Mary Pargo)

Central

MOTION _____, SECOND _____, TO APPOINT _____ TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Replacing Aja King's Central District [out of district] appointment)

East District

MOTION _____, SECOND _____, TO APPOINT _____, TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Replacing Ty Vang)

PLANNING COMMISSION Three appointments (One City At-large; One East; One Central)**City At-large**

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Marshall Morton-Spears)

East District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Carol Vosberg)

Central District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Michael Kisch)

RECREATION AND PARKS ADVISORY COMMISSION (RPAC) Four appointments (Two City At-large; One Central; One West)**City At-large**

MOTION _____, SECOND _____, TO APPOINT _____ AND _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Replacing Kimberly Carpenter and Rafito Thomas)

Central District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Cindi Matthew)

West District

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022. (Reappointing or replacing Dwain Erickson)

Overview:

On February 25, 2019, the City Council interviewed applicants to fill commission openings.

Primary Issues/Alternatives to Consider:

Selection and appointment of commissioners.

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	7.2	Meeting Date:	March 11, 2019
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A		
Ordinance:	N/A		
Attachments:	1	Prepared By:	Devin Montero, City Clerk
		Presented By:	Wokie Freeman-Gbogba, Acting City Manager
Item:	Approve Code of Conduct for Brooklyn Park Boards, Commissions, and Committees		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE CODE OF CONDUCT FOR BROOKLYN PARK BOARDS, COMMISSIONS, AND COMMITTEES.

Overview:

The Commissions Guidebook prepared last year contained some provisions related to the city of Brooklyn Park employees, which included Commissions but was confusing and vague. Staff felt a separate Commission's Code of Conduct was needed to focus primarily on Commissions similar to the Council's Code of Conduct and include a provision related to reporting violations. This Code of Conduct will be presented to the Commissioners at the annual Commissioners orientation in April.

The Code of Conduct for Brooklyn Park Boards, Commission and Committees has been reviewed by the Human Resources Manager and City Attorney.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

7.2A CODE OF CONDUCT FOR BROOKLYN PARK BOARDS, COMMISSIONS, AND COMMITTEES



CODE OF CONDUCT FOR BROOKLYN PARK BOARDS, COMMISSIONS, AND COMMITTEES

The purpose of City of Brooklyn Park Commissions is to give residents the opportunity to give their opinions and recommendations on the work of city government. The commissions also serve as advisory groups for the City Council.

“Commission” means all Boards, Committees and Commissions of the City.

“Commissioner” means a member serving on Boards, Committees, and Commissions of the City.

This Code of Conduct applies to Boards, Commissions, Committees, and Task Forces. Commissions are expected to support the City Council and serve at the discretion of council members. It is important that every commissioner read their particular board or commission’s bylaws at the beginning of their term.

1. DUTIES AS A COMMISSIONER

- To investigate matters within the scope of the particular commission or as directed by the council and/or city manager
- To advise the council by communicating the viewpoint or advice of the commission
- To hold hearings, receive information, research and make recommendations to the Council about the matters within the commission’s scope
- To attend scheduled meetings or let the staff liaison know if you will be absent
- To prepare in advance of meetings (e.g., read agenda packet carefully prior to the meeting) and be familiar with issues on the agenda
- To be considerate of fellow members, their opinions and be respectful of other people’s time

2. COMMISSIONERS SHOULD NOT

- Direct the work of city staff
- Speak for the commission unless authorized by your fellow commission members or by the city council
- Take responsibility for financial performance of any city facility or program

3. ETHICAL AND RESPECTFUL CONDUCT

a. Avoid:

- Speaking over or cutting off another individual
- Insulting, disparaging, or putting down people or their ideas
- Bullying other members by displaying a pattern of belittling
- Demeaning, judging, or patronizing comments

b. Strive to:

- Use Robert's Rules of Order
- Treat people with courtesy, politeness and kindness
- Encourage others to express their opinions and ideas
- Listen to what others have to say
- Recognize differences

4. RESPECTFUL WORKPLACE

- The City Council will not tolerate or condone acts of harassment by members of City commissions, based upon race, religion, color, sex, national origin, sexual orientation, age, disability, or political affiliation.
- Violators of this Code of Conduct will be subject to appropriate disciplinary action as set forth in the Code of Conduct. This Code of Conduct is applicable to members serving on advisory boards, committees or commissions.

a. Definitions

- 1) Harassment is verbal or non-verbal conduct or physical acts which are unwelcome or offensive to or retaliatory against an employee, group of employees, or members serving on commissions based on their race, religion, color, sex, national origin, sexual orientation, age, disability or political affiliation, and which:
- 2) Sexual Harassment is unwelcomed verbal, non-verbal or physical advances of a sexual nature or non-sexual hostile or physically aggressive behavior directed to an employee or members serving on commissions because of such sex. Sexual harassment can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's appointment; or
 - Submitting to or rejecting the conduct is used as the basis for an appointment decision affecting an individual's appointment; or
 - Such conduct has the purpose or result of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive environment

Sexual harassment includes, but is not limited to, the following:

- Unwelcomed or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, making jokes, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's appointment in the commission.

- The harassment applies to social media posts, tweets, etc., that are about or may be seen by fellow commissioners, council members, employees, customers, etc.

Sexual harassment and inappropriate conduct is strictly prohibited and will not be tolerated. Inappropriate conduct in violation of this Code of Conduct constitutes just cause for discipline which may include removal.

- 3) Hostile Environment means an environment that has become intimidating or offensive due to conduct of a member of commissions, which is threatening in nature.

b. Types of Disrespectful Behavior

The following types of behaviors cause a disruption in the meeting place and are, in many instances, unlawful:

- Violent behavior includes the use of physical force, harassment, or intimidation.
- Discriminatory behavior includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance.
- Offensive behavior may include such actions as rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive to a reasonable person. It is not possible to anticipate in this Code of Conduct every example of offensive behavior.

Accordingly, commissioners are encouraged to discuss with their fellow commissioners and officers what is regarded as offensive, taking into account the sensibilities of commissioners and the possibility of public reaction. Although the standard for how commissioners treat each other and the general public will be the same throughout the City, there may be differences between work groups about what is appropriate. If a commissioner is unsure if a particular behavior is appropriate, the commissioner should request clarification from the Staff Liaison or City Manager.

5. SOCIAL MEDIA

Social media has changed the way we work, connect and communicate. At the City of Brooklyn Park, the City understands that social media can be a way to share information with family, friends and co-workers. However, use of social media also presents certain risks and carries with it certain responsibilities.

- To assist members serving on advisory boards, committees or commissions with making responsible decisions about use of social media, the City has established guidelines for appropriate use of social media. This Code of Conduct applies to members serving on commissions for the City of Brooklyn Park.

a. Guidelines

Social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, whether or not associated or affiliated with the City of Brooklyn Park. Social media tools may include:

- Social media networking sites such as Facebook, LinkedIn and MySpace

- Blogs
- Microblogs such as Twitter
- Video sharing sites such as YouTube and iReport
- Photo sharing sites such as TwitPic and Flickr
- Wikis, or shared encyclopedias such as Wikipedia
- RSS feeds
- Mobile phone content uploaded to the Internet
- Any other form of electronic communication and technology

Members serving on commissions are solely responsible for what they post online. Before creating online content, consider the risks and rewards that are involved. Keep in mind that any commissioner conduct that adversely affects their performance as a commissioner, the performance of employees or otherwise adversely affects residents, suppliers, or people who work on behalf of the City of Brooklyn Park may result in removal from the commission.

b. Know and Follow the Rules

Carefully read the guidelines, to ensure postings are consistent with those guidelines. Inappropriate postings that may include bias, discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject a commissioner to be removed from the commission.

c. Be respectful

A commissioner should always be fair and courteous to fellow commissioners, employees, residents, or people who work on behalf of the City of Brooklyn Park. Also, keep in mind that a commissioner is more likely to resolve commissioner-related complaints by speaking directly with the commissioner, fellow commissioners, or officers of the commission than by posting complaints to a social media outlet.

Nevertheless, if a commissioner decides to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage commissioners, council members, employees, residents or business associates, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile meeting environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

d. Be honest and accurate

A commissioner must always be honest and accurate when posting information or news, and if a mistake is made, the mistake must be corrected quickly. A commissioner should be open about any previous posts the commissioner altered.

Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never upload, post or transmit any information or rumors that are false, fraudulent or misleading about the City of Brooklyn Park, fellow commissioners, council members, employees, residents, business associates, or people working on behalf of the City of Brooklyn Park.

A commissioner should express only personal opinions. A commissioner may never represent themselves as a spokesperson for the City of Brooklyn Park.

If the City of Brooklyn Park is a subject of the content the commissioner is creating, the commissioner must be clear and open about the fact that they are a commissioner and must make it clear that the commissioner's views do not represent those of the City of Brooklyn Park, fellow commissioners, council members, employees, residents, business associates or people working on behalf of the City of Brooklyn Park.

If the commissioner publishes a blog or post online related to the work or subjects associated with the City of Brooklyn Park, the commissioner must make it clear that the commissioner is not speaking on behalf of the City of Brooklyn Park. It is best to include a disclaimer such as *"The postings on this site are personal and do not necessarily reflect the views of the City of Brooklyn Park."*

6. POSSESSION AND USE OF DANGEROUS WEAPONS

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle being used for City business. This includes members serving on commissions with valid permits to carry firearms.

The City reserves the right to search and inspect property and persons while on City premises, or while engaged in City commission business off premises.

7. LEGAL ISSUES

a. City Attorney's Office

The City Attorney's office is available to all commissions. Their retainer includes commission legal services. The City Attorney attends all Regular and Special Council meetings, and with few exceptions, does not attend commission meetings. It is recommended that the Staff Liaison and/or the Commission Chair communicate on behalf of the commission directly with the City Attorney.

b. Open Meeting Law

1) Why It Exists

- Prohibits actions from being taken at a secret meeting, where it is impossible for the interested public to become fully informed concerning decisions of public bodies or to detect improper influences.
- Ensures the public's right to be informed.
- Affords the public an opportunity to present its views to the public body.

2) To Comply

Provide public notice of the meeting of minimum of three days in advance. Hold meetings in public places.

3) Violation of Open Meeting Law

There is a violation of open meeting law if there is discussion of business between quorums of members outside of a publicly noticed meeting. Serial communication defined below is an open meeting law violation.

4) Serial Communication

Serial communication is communication between Board and Commission members that lead to a concurrence among the majority of the members. Serial communication may involve a series of communications (example: email, face-to-face, text) with each communication involving less than a quorum of the Board or Commission, but when taken as a whole, involve a majority of the board or commission.

5) Ensure Compliance

- Email communication intended for the group to the Staff Liaison for distribution.
- Members should not “reply all” to group messages.
- Members should not blind copy other members.

6) Committees and Working Groups

Some Committee or Working Group meetings may be designated as public meetings by the City Council or the Commission based on potential public interest on the topic.

c. If Committee or Working Group meetings are designated public, the following items are required:

- Notice of the meeting 3 days in advance
- Written agenda
- Meeting Minutes
- Public meeting location

d. Data Practices Law

- 1) The Data Practices Law governs all data maintained by a public entity. There are three classifications of data:
 - Public: accessible to anyone.
 - Private/Non-public: accessible to the person who is the subject of the data and to the governmental entity.
 - Confidential/protected non-public: accessible only to the governmental entity.
- 2) The identity of individuals who register complaints concerning violations of state laws or local ordinances concerning the use of real estate/real property is confidential data.
- 3) Data pertaining to members of the boards and commissions is governmental data:
 - Names and home addresses of board and commission members are public.
 - The telephone number or email address where the member can be reached, or both, at the request of the member, are public. Any email address or telephone number provided for the member by the City is also public, and the member may use that email address or telephone number as the member's designated contact information.

e. Conflict of Interest

- 1) Definition: any member who has a financial interest in, or who may receive a financial benefit as a result of, any commission action or if there is potential for the appearance of conflict of interest.
- 2) Members who have a conflict of interest must:
 - Disclose the conflict of interest to the group, and
 - Abstain from discussing or voting on the matter.

f. Liability

- 1) State law requires municipalities to defend and indemnify, or secure against harm or loss, both elective and appointive officials for damages so long as the commissioner is acting in the performance of duties of his or her position and is not guilty of malfeasance, willful neglect of duty, or bad faith.
- 2) Likewise, the Brooklyn Park City Code requires the City to defend and indemnify all its members of the advisory commissions arising out of an alleged act or omission occurring in the performance of their duty, except in cases of malfeasance in office or willful neglect of duty.

g. Gifts

- Members may not receive gifts from any “interested person” in conjunction with their commission duties.
- Commissions can recommend acceptance of general gifts through the City’s donation policy.

h. Gift Law

- 1) “Local official” means “an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city.”
- 2) An interested person may not give a gift or request another to give a gift to a commissioner. A commissioner may not accept a gift from an “interested person.” A “gift” includes money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.” An “interested person” is “someone, or a representative of a person or association, that has a direct financial interest in a decision that a local official is authorized to make.” The term “local official” includes members of boards and commissions.
- 3) There are a few limited exceptions where you can accept a gift.
 - Campaign contributions.
 - Services or mementos of insignificant monetary value.
 - Plaques or mementos recognizing service.
 - Food or beverage given in connection to a speech.
 - Gifts given to members of a group, the majority of whose members are not local officials.

- Gifts given by family members.
- 4) In conclusion, be cautious. The city's local officials, including commissioners, are in the eye of the public and it is public opinion and political opponents, which will be the ultimate enforcer of this law.

8. ACCOUNTABILITY/CONSEQUENCES

a. A potential action for failing to comply with this code of conduct may include the following:

- 1) Warning. A warning shall be verbal or written non-public statement made by the Mayor and City Manager to the commission member.
- 2) Removal. Removal from a commission requires an action from the City Council.

b. Commission Members' Behavior and Conduct

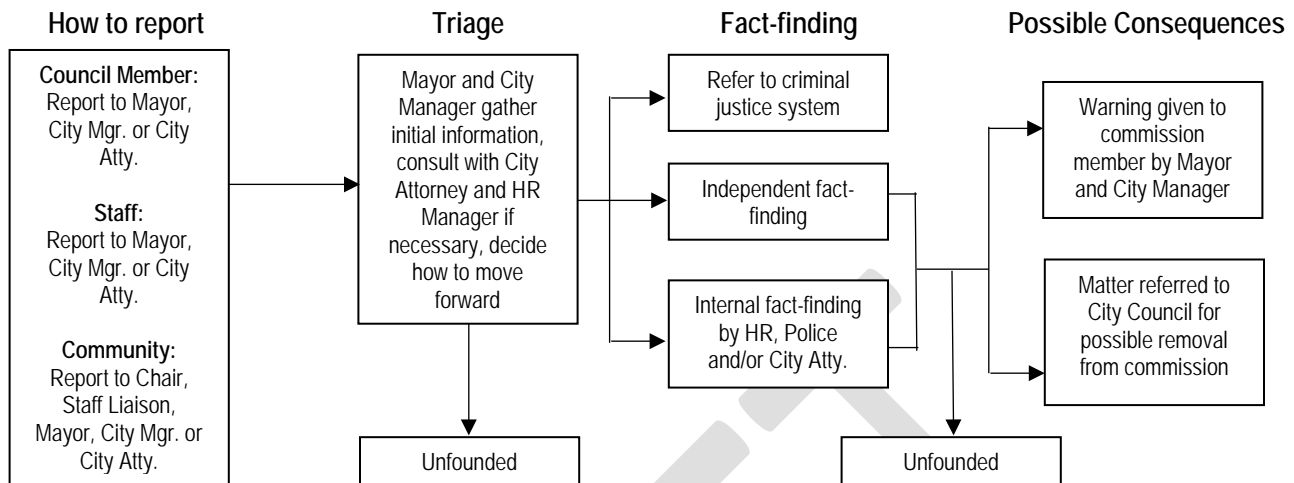
- 1) Depending on the offense, commission members who violate the code of conduct are subject to warning or removal. Any violations that potentially constitute criminal conduct shall be handled by the criminal justice system.
- 2) Factors that will be considered in determining the appropriate consequence include but are not limited to the following: seriousness of the violation and number of preceding violations.

c. Procedures for reporting:

- 1) A member of the Brooklyn Park City Council may report a potential code of conduct violation by a commission member by bringing the matter to the attention of the Mayor, City Manager, or City Attorney.
- 2) A Brooklyn Park staff member may report a potential code of conduct violation by a commission member by bringing the matter to the attention of the Mayor, City Manager, or City Attorney.
- 3) A community member, including commission and committee members, may report potential code of conduct violations by a commission member by bringing the matter to the attention of the commission chair, staff liaison, Mayor, City Manager, or City Attorney.

d. Upon receipt of a complaint, the following diagram highlights the process that will be used:

Reporting and Addressing Possible Code of Conduct Violations



- e.** For inappropriate statements or conduct by commission members during a commission meeting, a verbal correction by the Chair or other members of the commission will normally be the first step to address the matter during the meeting. Further incidents may be addressed by subsequent verbal corrections or, if necessary, bringing the meeting to a close and reporting the behavior. A commission member can request that the Chair take any of these actions against an offending commission member if the chair has not done so on his/her own.

**Acknowledgement of Receipt of the Code of Conduct for Brooklyn Park Boards,
Commissions, and Committees**

On the date written below, I received the Code of Conduct for Brooklyn Park Boards, Commissions, and Committees. I acknowledge this contains information related to serving as a volunteer on a commission as well as specific items as shown below:

- Duties as a Commissioner
- Ethical and Respectful Conduct
- Respectful Workplace
- Social Media
- Possession and Use of Dangerous Weapons
- Legal Issues
- Accountability/Consequences

I understand that I am responsible for reviewing the contents of this Code of Conduct and asking questions if I do not understand any part of it.

Name: _____

Commission: _____

Signature: _____ Date: _____

A signed copy of this form will be maintained in the Administration Department.

City of Brooklyn Park

Request for Council Action

Agenda Item:	7.3	Meeting Date:	March 11, 2019
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	X		Marlene Kryder, Program Assistant
Ordinance:	N/A		
Attachments:	1		
		Prepared By:	Wokie Freeman-Gbogba, Acting City Manager
Item:	Adopt Changes to the Boards and Commissions Resolution		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ REPLACING RESOLUTION #2018-20 SETTING STANDARD FOR BOARDS AND COMMISSIONS.

Overview:

Minor updates have been made to the Commissions resolution to make it current. Language was added to 7.c regarding appointments made for the last few months of a term, 7.e to give the Council the option of requesting a larger applicant pool when making appointments, and also added language to 9.d to include the violation of Code of Conduct as a cause for removal from the commissions.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

7.3A RESOLUTION

RESOLUTION #2019-

RESOLUTION REPLACING RESOLUTION #2018-20 SETTING STANDARDS FOR
CITY BOARDS AND COMMISSIONS

WHEREAS, the City Council believes that it is appropriate to the extent possible to adopt a uniform set of guidelines under which City Boards and Commissions operate; and

WHEREAS, the purpose of this Resolution is to address the administrative matters relating to the functioning of City Boards and Commissions and not to interfere with legislative matters; and

WHEREAS, in late 2015, city staff conducted a survey and focus groups to solicit feedback from commissioners and liaisons on their commission experiences; and

WHEREAS, a Commissions Improvement Steering Committee was formed in 2016-2017 to formulate suggested improvements to present to the Council for consideration.

NOW, THEREFORE, BE IT RESOLVED by the City Council, the City of Brooklyn Park approves this resolution setting standards for City Boards and Commissions:

1. Purpose. The purpose of this Resolution is to establish a uniform set of guidelines for City Boards and Commissions to follow so that the administrative work of the Boards and Commissions can be conducted in an efficient manner. Nothing in this Resolution is intended to supersede any provision in State Law, City Charter, or City Code. To the extent that there is any conflict between State Law, City Charter, or City Code with the provisions of this Resolution, State Law, City Charter, or City Code shall prevail. Nothing in this Resolution is intended to limit, expand, or otherwise modify the authority given to City Boards and Commissions by City Charter, State Law, or City Code.
2. Definitions. As used in this Resolution, the following words will mean:
 - a. "Advisory" means to advise the Council with respect to municipal concerns.
 - b. "Commission" means all Boards, Committees and Commissions of the City.
 - c. "Council" means the Mayor and six elected City Council Members.
 - d. "Staff" means the City Manager and designated administrative employees who assist Commissions in the administration of their duties.
 - e. "Liaison" means non-voting member of a Commission who shall speak on behalf of the Council (or staff) as a whole, not as an individual, thus providing a communication link between the commission and Council (or staff).
3. Authority. Section 2.02 of the City Charter authorizes the Council to create Commissions, as the Council deems necessary. The Commissions are created pursuant to that authority and pursuant to applicable state law. The Authority, which established each Commission, is as follows:
 - a. Charter Commission, Charter Section 14.18 and State Statute 410.05 - 410.06
 - b. Community Long-range Improvement Commission, Charter Section 9.
 - c. Human Rights Commission, City Code Section 31.75

- d. Recreation and Parks Advisory Commission, City Code Section 31.45
 - e. Planning Commission, City Code Section 31.60 and State Statutes "Municipal Planning": 462.351 through 462.365
 - f. Budget Advisory Commission, City Code Section 31.90
4. Advisory Nature. Except as otherwise provided by law or City Charter, the Commissions created are advisory to the Council and to the City Manager in all matters pertinent to the duties of the Council and the City Manager, but the Commissions have no other official status or independent authority.
 5. Compensation. Unless otherwise provided by law or City Charter, members of Advisory Commissions serve without compensation, but may be reimbursed for actual and necessary expenses if funds for that purpose are identified in the adopted city budget.
 6. Membership and terms of office.
 - a. Eligibility. Members of commissions must lawfully reside in the City of Brooklyn Park and, if required, reside in the council district from which they are appointed.
 - b. Terms. Members of commissions shall be appointed for a term of three (3) years. Terms commence on April 1 of the year in which they are appointed for the Budget Advisory Commission (BAC), Community Long-range Improvement Commission (CLIC), Human Rights Commission (HRC), Recreation and Parks Advisory Commission (RPAC), and Planning Commission. This section is not applicable to the Charter Commission or other non-city commissions to which Brooklyn Park has an appointed representative.
 - c. Term Limits. Appointments to a Commission shall be limited to two full consecutive terms on each Commission (the appointment may also include an initial balance of a term served). Residents who have previously served two full consecutive terms on a Commission are eligible for reappointment to that Commission one year after the expiration of their last full term.
 - d. Commission Representation.
 1. All commissions will be represented by members from each district and at-large members. All commissions with the exception of the CLIC will have six seats by district and the remainder at-large. The CLIC will have nine seats by district and six at-large. (The Charter Commission is excluded from district representation.)
 2. The Council will consider appointments to be geographically balanced as practicable to the districts established under Section 2.04 of the City Charter.
 3. An individual who is serving on a board or commission and who does not reside in the appropriate district is eligible for reappointment to the same seat even if other individuals who reside in the appropriate district apply for the seat.
 7. Notification; Application; Appointment/Reappointment.
 - a. Notification. The City Manager must cause to be publicized in the official newspaper and by posting on the principal bulletin board in the entryway of City Hall a notification of vacancies and impending expiration of terms of members of various advisory commissions together with an invitation to interested residents of Brooklyn Park to apply for appointment.

If a vacancy occurs within 90 days of applicant interviews, the Council may appoint a

commissioner from that applicant pool without providing notification of the vacancy. Staff would notify the City Council and contact the applicants to confirm their interest, availability and eligibility.

b. Application.

1. Applications for appointment or reappointment to a Commission must be submitted on an official "application for appointment to a city commission" form and forwarded to the City Manager. City staff schedules the applicant interviews and notifies the City Council. Applications for the Charter Commission are forwarded by City staff to the Hennepin County Chief Judge. Applications for all commissions are held for one year from date of receipt.

- c. Appointment/Reappointment. Members of Commissions are appointed by the Council (with the exception of the Charter Commission, who are appointed by the Hennepin County Chief Judge). When a vacancy currently exists, appointments shall be effective immediately upon appointment; otherwise, appointments shall commence at the beginning of the term year. Commission appointments made by the Council shall be for three-year terms unless the appointment is to fill a vacancy for an unexpired term, in which case the appointment is for the balance of the term. If an appointment is made in January for the balance of a term to end April 1 of the same year (or appointment is made in December of the preceding year), the appointment will be for the balance of the term and for a three-year term.
- d. In the case of a new commission, appointments may be made for less than three (3) year terms in order to achieve a system of staggered expiration of terms. No person shall be appointed to serve on more than one city commission at the same time with the exception of the Budget Advisory Commission.
- e. Council may request that staff re-advertise to create a larger applicant pool for a specific district on a commission or the commission as a whole.
- f. Orientation. Orientation of newly appointed commission members whose terms start April 1 shall take place during the months of April or May. Commission members with mid-term appointments (filling vacancies) will receive individual orientations.

8. Meetings.

- a. Open Meeting. Meetings of Commissions are subject to the Open Meeting Law. Dates, times and places of meetings shall be posted on the City's principal bulletin board located in the entryway of City Hall three days in advance of the meeting and on the City's website.
- b. Regular Meetings. Meetings of commissions are held at such date, time and place as are set forth in their respective bylaws, and they meet as necessary to fulfill the objectives of the commission. The procedure at meetings is governed by Robert's Rules of Order, Revised, and the bylaws of the commission.
- c. Special Meetings. Meetings of commissions held for a specific purpose outside of their regularly scheduled meetings must have a special meeting notice posted on the City's principal bulletin board in the entryway of City Hall and on the City's website three days in advance of such special meeting, in accordance with state law. Special meetings may be called in accordance with the bylaws established by each commission.
- d. Joint Meeting. Council and each commission will have at least one joint meeting annually to discuss goals, major items/issues and miscellaneous items.

9. Attendance; Vacancies; Resignations; Removal from office; Recognition.

- a. Attendance.
 - 1. Members of the commissions are expected to faithfully participate in the meetings or other activities of the commission to which they have been appointed. A commission member shall notify his/her staff liaison, commission chair, or designated officer if he/she is unable to attend a commission meeting. A Commission Attendance Form shall be used by all commissions for the Commission Secretary or Staff Liaison to record attendance. The City Manager's office staff shall forward the attendance records to the City Council each quarter ending March, June, September and December. The Council shall conduct a quarterly review of the attendance of members of city commissions.
 - 2. If a Commissioner misses 25% or more of meetings in a 12-month period or is absent for two consecutive meetings without notification (unexcused absence) to the Staff Liaison, the Staff Liaison will contact the City Manager's office. Staff will create a Request for Council Action for the Council to remove the Commissioner. Staff will notify the Commissioner of the removal by mail.
- b. Vacancies. Vacancies in commissions are filled for the remainder of the unexpired term.
- c. Resignations. Resignation from any commission member who elects not to complete his/her appointed term shall be in writing to the Staff Liaison and/or City Manager 30 days in advance of the date the resignation shall take effect. The Staff Liaison shall send a copy of the letter of resignation to the Chair of the Commission and to the City Manager's office. Staff will provide the resignation letter to the Council.
- d. Removal from commissions. Commission members appointed by the Council may be removed from a commission by a majority vote of the Council. Cause for removal includes, but is not limited to, missing two consecutive meetings without notification (unexcused absence), missing 25% or more meetings in a 12-month period, violation of the Code of Conduct for the Brooklyn Park Boards, Commissions and Committees, etc.
- e. City Manager staff will advertise as appropriate to fill vacancies due to terms ending, resignations or removals from the commissions.
- f. Recognition. Commissioners are recognized for their contributions to the City as outlined in a recognition policy adopted by the Council.

10. Organization; Bylaws.

- a. Organization. Within thirty (30) days after the first appointment of its members, each Commission shall meet to adopt bylaws for the conduct of its affairs.
- b. Annual Work Plan. Each Commission shall develop an annual work plan and present it to the City Council for acceptance in the first quarter of each year and report on the previous year's work.
- c. Bylaws. Each Commission shall endeavor to adopt uniform bylaws by including all of the items listed below. The bylaws of each Commission shall be forwarded to the City Council immediately upon their adoption.
 - Election of Officers. Officers elected from its membership in January shall include a Chair, Vice-Chair and such other officers as it deems necessary. Bylaws must specify:
 - Terms of officers and duties
 - Composition of task forces and subcommittees

- Date and meeting times
 - Number of members to constitute a quorum
 - Order of business
 - Attendance requirements
 - Other matters necessary to define bylaws and provide for the conduct of the business of the advisory commission.
- d. Chair. The Chair of each Commission shall conduct the meeting in such a manner that provides all members a fair and equal opportunity to express themselves.
- e. Secretary. The Commission Secretary is appointed by the Chair; provided, however, that the City Manager may assign members of the City Administrative staff to serve as secretary to a Commission as deemed necessary. The secretary performs the clerical duties of the commission. State Statutes authorize the Charter Commission to budget for secretarial expenses; other Commissions may budget for secretarial expenses as appropriate.

11. Minutes; Reports; Budget; Liaison.

- a. Minutes. The proceedings of Commission meetings must be recorded in minute form and transmitted to the City Clerk, who must furnish copies to the City Manager and Council. A Commission shall make copies of its minutes available to other advisory commissions and individuals as requested. In addition to minutes, other commission-related information (written, audio and visual) is public record and city property, and is to be transmitted to the City Clerk, who is charged with maintaining the City's official records. Minutes are permanent records; audio/video media is retained for three months after the minutes are approved (state record retention requirements).
- b. Reports. Commissions shall make an annual verbal report to the Council containing a summary of the commission's activities, conclusions and recommendations. Other commission reports shall be made from time to time to the Council as may be requested by the Council or as the Commission deems appropriate.
- c. Requests for Budget. Advisory commissions who have activities requiring the expenditures of funds must submit an itemized budget request to the staff liaison by July 1 of each year to be included in the appropriate departmental budget.
- d. Liaison. The Mayor must annually appoint one Council Member as an ex-officio member without voting rights to each advisory commission who shall serve as liaison between the Council and the Commission. The City Manager shall appoint a staff liaison without voting rights from the department most closely associated with the activities of that particular commission who shall arrange for meeting space and provide technical and/or clerical assistance.