

REGULAR COUNCIL MEETING – AGENDA #22

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 Mayor's Proclamation of May 16, 2019, as "Protolabs Day" in the City of Brooklyn Park

A. PROCLAMATION

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 Cost Participation Agreement with Three Rivers Park District for the 2019-2020 Trail Rehabilitation Project, CIP 2005-19

A. RESOLUTION

B. LOCATION MAP

C. AGREEMENT FOR COST PARTICIPATION

4.2 Resolution Calling a Public Hearing for the Purpose of Providing Host Approval for Hampton Senior Care

A. RESOLUTION

4.3 Accept Bids and Award Contract for CIP 2003-18 Bass Creek Parking Lot Reconstruction

A. RESOLUTION

B. LOCATION MAP

4.4 Acceptance of the Arbitration Decision with the Brooklyn Park Police Federation

- A.** RESOLUTION
- 4.5** Approve an Updated Sewer Availability Charge (SAC) and Water Access Charge (WAC) Reduction Policy and Authorize the Economic Development Authority to Administer the Program
 - A.** RESOLUTION
 - B.** PROPOSED SAC/WAC FEE REDUCTION PROGRAM
 - C.** RESTAURANT ATTRACTION PROGRAM: SAC REDUCTION GUIDELINES
 - D.** EXISTING WAC POLICY
 - E.** EXISTING SAC DEFERRAL PROGRAM
- 4.6** Authorize the Recreation and Parks Director to Enter into a Professional Services Agreement with Bluestem Heritage Group to Develop the Interpretative Plan for the Historic Eidem Farm
 - A.** RESOLUTION
 - B.** BLUESTEM HERITAGE GROUP PROPOSAL
- 4.7** Set a Public Hearing on May 28, 2019, to Solicit Testimony and Consider Issuance of an On-Sale Intoxicating Liquor License for Chipotle Mexican Grill of Colorado LLC dba Chipotle Mexican Grill, 5901 94th Avenue North, Brooklyn Park
 - A.** PUBLIC HEARING NOTICE
- 4.8** SECOND READING – City of Brooklyn Park – Code Amendment for Veterinary Clinics
 - A.** ORDINANCE
- 4.9** Internet Crimes Against Children Joint Powers Agreement
 - A.** RESOLUTION
 - B.** AGREEMENT
- 4.10** Resolution Authorizing Additional Services with Wold Architects and Engineers for Basic Architectural/Engineering for the City Hall Rehabilitation Project
 - A.** RESOLUTION
- 4.11** APPROVAL OF MINUTES
 - A.** CITY COUNCIL MEETING MINUTES, JANUARY 8, 2018
 - B.** SPECIAL CITY COUNCIL MEETING MINUTES, JULY 9, 2018
 - C.** CITY COUNCIL MEETING MINUTES, JULY 9, 2018
 - D.** CITY COUNCIL MEETING MINUTES, FEBRUARY 11, 2019
 - E.** BOARD OF APPEAL AND EQUALIZATION MEETING MINUTES, APRIL 8, 2019
 - F.** SPECIAL CITY COUNCIL MEETING MINUTES, APRIL 15, 2019
 - G.** RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING MINUTES, APRIL 22, 2019

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
None

7. GENERAL ACTION ITEMS

- 7.1** Award Bid to BCI Construction, Inc. for City Hall Rehabilitation
 - A.** RESOLUTION
 - B.** WOLD ARCHITECTS & ENGINEERS LETTER OF RECOMMENDATION/BID TAB
- 7.2** Resolution to Approve the Brooklyn Park Fair Housing Policy
 - A.** RESOLUTION
 - B.** FAIR HOUSING POLICY
- 7.3** Resolution Declaring Official Intent of the City of Brooklyn Park, Minnesota to Reimburse Certain Expenditures from the Proceeds of Tax-Exempt Bonds or Other Obligations to be Issued by the City
 - A.** RESOLUTION
- 7.4** Authorize Recreation and Parks Director to Enter into a Professional Services Agreement with Simplar Sourcing Solutions
 - A.** RESOLUTION
 - B.** SIMPLAR SOURCING SOLUTIONS SCOPE OF WORK
 - C.** SIMPLAR SOURCING SOLUTIONS PROJECT LIST

- 7.5** Approval to Enter into a Joint Powers Agreement with ISD 279 for Construction, Ownership, Maintenance and Operation of Dome, Support Building and Lights at Park Center High School
 - A.** RESOLUTION
 - B.** JOINT POWERS AGREEMENT
 - C.** DOME AND TURF FIELD PROPERTY MAP
- 7.6** Resolution to Approve the River Park Master Plan and to Advance to Design Development Phase for Implementation of the Plan
 - A.** RESOLUTION
 - B.** DRAFT RIVER PARK MASTER PLAN
 - C.** SUMMARY OF PUBLIC COMMENT
- 7.7** Resolution Providing for the Issuance and Sale of General Obligation Bonds
 - A.** RESOLUTION
 - B.** PRE-SALE REPORT

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:	May 13, 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 Employee		

City Manager's Proposed Action:

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

Overview:

<u>Employee</u>	<u>Start Date</u>	<u>Title</u>
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Community Development

Joseph Boyce	December 3, 2018	Property Maintenance Inspector
Sarah Abe	April 8, 2019	Project Facilitator

Police

Brittany Stockman	April 15, 2019	Property and Evidence Technician (PT)
Danielle Durand	April 29, 2019	Police Cadet (PT)
Cameo Strong	May 3, 2019	Police Cadet (PT)
Sean Burke	May 6, 2019	Program Assistant II

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:	May 13, 2019
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	1	Presented By:	Jeffrey Lunde, Mayor
Item:	Mayor's Proclamation of May 16, 2019, as "Protolabs Day" in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall proclaim May 16, 2019, as "Protolabs Day" in the City of Brooklyn Park by one of the following:

1. "I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota do hereby proclaim May 16, 2019, to be "Protolabs Day" in the City of Brooklyn Park.

OR

2. By reading the proclamation.

Overview:

Protolabs was founded in 1999 by Larry Lukis, a successful entrepreneur who wanted to radically reduce the time it took to produce injection-molded plastic parts. So he automated the traditional manufacturing process by developing complex software that communicated with a network of mills and presses.

Over the next decade, Protolabs expanded its envelope of services and opened multiple facilities across the U.S., Europe and Japan, becoming the leading digital manufacturing source for rapid prototyping and on-demand production through its suite of manufacturing services: 3D printing, CNC machining, sheet metal fabrication, and injection molding.

In December of 2019, Protolabs completed the installation of 300 CNC machines and additional support equipment at the Brooklyn Park facility and 225 employees are now working in the new plant at 8500 Wyoming Avenue N, Brooklyn Park, Minnesota.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A PROCLAMATION

PROCLAMATION

DECLARING MAY 16, 2019 AS “PROTOLABS DAY” IN BROOKLYN PARK, MINNESOTA

WHEREAS, Protolabs was founded in 1999 by Larry Lukis, a successful entrepreneur who wanted to radically reduce the time it took to produce injection-molded plastic parts. He automated the traditional manufacturing process by developing complex software that communicated with a network of mills and presses; and

WHEREAS, as a result of his innovations, plastic and metal parts could be produced in a fraction of the time it had ever taken before, revolutionizing manufacturing and ushering in the dawn of digital manufacturing; and

WHEREAS, over the next decade, Protolabs expanded its envelope of services and opened multiple facilities across the U.S., Europe and Japan, becoming the leading digital manufacturing source for rapid prototyping and on-demand production through its suite of manufacturing services: 3D printing, CNC machining, sheet metal fabrication, and injection molding; and

WHEREAS, in 2018, needing to expand its CNC machining capacity, Protolabs chose the City of Brooklyn Park for a new plant, purchasing a 165,000 sq. ft. facility and investing in an addition of 50,000 sq. ft; and

WHEREAS, in December of 2019, Protolabs completed the installation of 300 CNC machines and additional support equipment at the Brooklyn Park facility; and

WHEREAS, 225 employees are now working in the new plant at 8500 Wyoming Avenue N, Brooklyn Park, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, in recognition of the company's success and robust growth, and the economic development and jobs it has brought and is bringing to Brooklyn Park, I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, do hereby proclaim Thursday, May 16, 2019 “Protolabs Day” in the City of Brooklyn Park, Minnesota.



5200 85th Avenue North
Brooklyn Park, MN 55443

JEFFREY JONEAL LUNDE
MAYOR

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.1	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Greg Hoag, Park and Building Maintenance Manager
Ordinance:	N/A		
Attachments:	3	Presented By:	Greg Hoag
Item:	Approve Cost Participation Agreement with Three Rivers Park District for the 2019-2020 Trail Rehabilitation Project, CIP 2005-19		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING A COST PARTICIPATION AGREEMENT WITH THREE RIVERS PARK DISTRICT FOR THE 2019-2020 TRAIL REHABILITATION PROJECT, CIP 2005-19.

Overview:

As part of the Park Systems Plan and community polling, investments in trails was one of the top two priorities of the community. The proposed 2019-2020 project is a continuation of the park trails rehabilitation program, which began in 1999. The trails recommended for rehabilitation were selected by a condition study and review of other relevant issues such as safety and ADA requirements.

Three Rivers Park District is undertaking a multi-year trail rehabilitation project of the Shingle Creek Regional Trail, which runs through Brooklyn Park. The entire project runs from Interstate 694 in Brooklyn Center to the Rush Creek Regional Trail just North of 101st Avenue in Brooklyn Park. Through the Edinbrook Channel area from the Water Treatment Plant to Edinbrook Parkway, the City has connector trails that are in need of rehabilitation. (See attached project map.) City staff inquired to Three Rivers Park District to see if they would allow us to be partners in a larger project.

By including the City connector trails into a much larger reconstruction project, there would be an economy of scale and the unit prices for the materials would be much less than if we did standalone projects. As a result, the overall construction costs will be significantly smaller.

An agreement has been written by Three Rivers Park District and approved by their Board for cost participation, project design and administration, as well as on-going maintenance responsibilities between Three Rivers Park District and the City Brooklyn Park. Three Rivers Park District will be the lead agency for design and construction oversight.

Final design and bidding will be completed this summer with proposed construction to begin early fall. City staff recommends that the City Council approve the Agreement for Cost Participation for the 2019-2020 trail rehabilitation project.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The construction of these trail improvements was included in the approved 2019-2023 Capital Improvement Plan (CIP) as project 2005-19 for \$150,000. The cost of these improvements will be funded through the Heritage Infrastructure Fund.

Attachments:

- 4.1A RESOLUTION
- 4.1B LOCATION MAP
- 4.1C AGREEMENT FOR COST PARTICIPATION

RESOLUTION #2019-

RESOLUTION APPROVING A COST PARTICIPATION AGREEMENT
WITH THREE RIVERS PARK DISTRICT
FOR THE 2019-2020 TRAIL REHABILITATION PROJECT, CIP2005-19

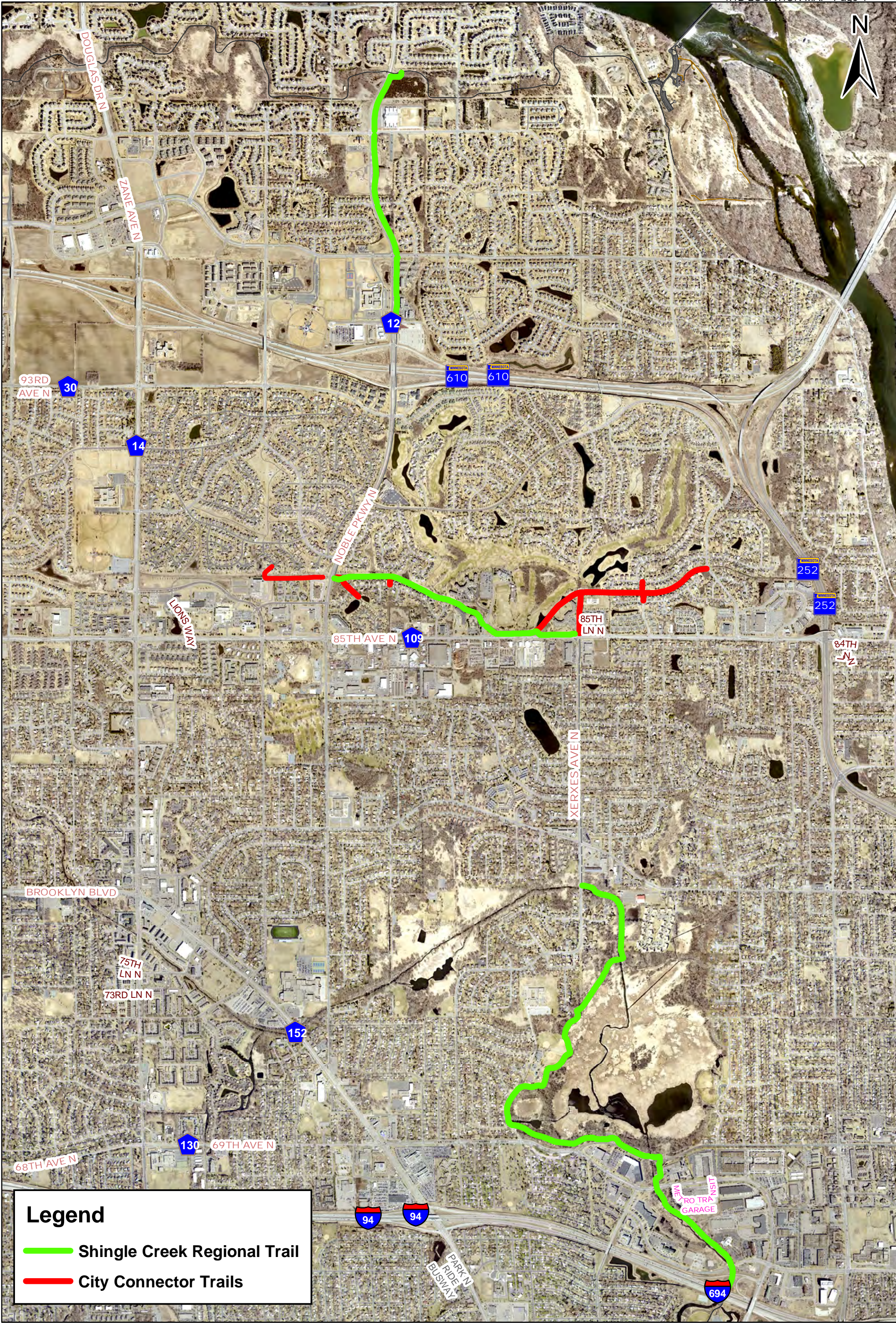
WHEREAS, Three Rivers Park District and the City of Brooklyn Park are jointly preparing for trail rehabilitation projects; and

WHEREAS, CIP 2005-19 is the city trail rehabilitation project, and the proposed project for 2019-2020 is the city connector trails to the Shingle Creek Regional Trail; and

WHEREAS, Three Rivers Park District and City staff have a willingness to complete a joint project; and

WHEREAS, a Cost Participation Agreement is required to complete this project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Mayor and City Manager to enter into a Cost Participation Agreement with Three Rivers Park District for the 2019-2020 trail rehabilitation project.



Legend

Shingle Creek Regional Trail

City Connector Trails

This map is a compilation of data from various sources and is provided "as is" without warranty of any representation of accuracy, timeliness, or completeness. The user acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and in a constant state of maintenance, correction, and update.



SHINGLE CREEK REGIONAL TRAIL AND CITY CONNECTOR TRAILS OVERLAY PROJECT

AGREEMENT FOR COST PARTICIPATION

This agreement (the "Agreement") is made and entered into this 25th day of April, 2019 by and between the Three Rivers Park District, a body corporate and politic and a political subdivision of the State of Minnesota ("Park District"), and the City of Brooklyn Park, a Minnesota municipal corporation ("City").

WHEREAS, Park District is a political subdivision of the State of Minnesota authorized by statute to acquire, establish, operate and maintain park and trail systems; and

WHEREAS, the Park District has a trail overlay project ("Project") along the Shingle Creek Regional Trail in the City of Brooklyn Park; and

WHEREAS, Brooklyn Park desires to have portions of their local connections to the Shingle Creek Regional Trail overlaid and included with the Park District's project; and

WHEREAS, the Park District or its agents will prepare preliminary and final plans and specifications for the construction of the Project, and will be responsible for the construction administration of the Project.

NOW THEREFORE, in consideration of the mutual covenants herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, City and Park District agree as follows:

1. **Financial Participation.** Upon completion of the Project, the Park District shall notify the City and shall submit invoices indicating the City's share of construction costs. The City shall be responsible for 100 percent (100%) of the final construction costs for all work on its trail.

Upon completion of the Project, the City shall reimburse the Park District the City's share of the construction costs for the Project. Park District will invoice the City in 2020.

It is understood and agreed by the parties hereto that the unit prices set forth in the contract with the successful bidder and the final quantities as measured by the Park District's engineering, or designated representatives, shall govern in computing the total final share of the construction costs for the City and Park District respectively according to the provisions herein. It is further understood and agreed that the final quantities as measured by the Park District's Engineer or designated representatives for contract pay items in which the City and Park District are participating shall be subject to the review and approval by the City.

Project costs also include fees incurred by the Park District for any consulting costs and will be attributed to each Party.

The City will within forty-five (45) days of said invoice, deposit with the Park District funds totaling the amount of said invoice.

2. **Lead Agency.** The Park District or its agents shall administer construction of the Project and perform all required engineering, inspection and testing.

The Park District shall apply for all necessary permits. Each Party will pay for necessary permits associated with work on its project.

The City and Park District agree that the Park District may make changes in the plans or in the character of said construction which are reasonably necessary to cause said construction to be in all things performed and completed in a satisfactory manner consistent with the plans approved by the City and Park District. The City and Park District, or designated representatives shall have the opportunity to review any proposed changes to the plans prior to the work being performed.

3. **Project Documents.** The Park District or its agents shall prepare the preliminary and final plans for the Project and shall obtain comments of said final plans from the City.

Plans and specifications prepared by the Park District or its agents, shall be designed according to the Minnesota Department of Transportation (MnDOT) construction standards and practices, and shall be consistent with the MnDOT "Bicycle Transportation Planning and Design Guidelines" and the "Guidance for Three Rivers Park District Trail Crossings".

One (1) set of final plans shall be provided at no cost to the City prior to the start of any construction in PDF format.

All records kept by the City and Park District with respect to this Project shall be subject to examination by the representatives of each party hereto.

The Park District will advertise for bids for the construction of the Project in accordance with Minnesota law and provide the City with an analysis of the bids received. The Park District may reject the bids. If the Park District rejects the bids, the Park District may terminate this Agreement.

4. **Maintenance of Trail.** It is understood and agreed by the parties hereto that upon completion of the Project proposed herein, all regional trail improvements included in the Project shall be maintained by the Park District and all maintenance, restoration, repair or replacement required thereafter shall be performed by the Park District at no expense to the City. Park District maintenance includes the regional trail, regional trail information and regulatory signage, and adjacent landscaping within trail easement right-of-way.

It is understood and agreed by the parties hereto that upon completion of the Project proposed herein, all street, local trail and sidewalk improvements included in the Project shall become the property of the City and Park District will not be responsible for maintenance, restoration, repair or replacement required thereafter. City maintenance includes City trail, City trail information and regulatory signage, and adjacent landscaping.

5. **Designated Representatives.** In order to coordinate the services of the Park District with the activities of the City so as to accomplish the purpose of the Agreement, the City Engineer, or designated representatives shall manage this Agreement on behalf of the City and shall serve as liaison between the City and the Park District.

In order to coordinate the services of the City with the activities of the Park District so as to accomplish the purpose of this Agreement, the Park District's Superintendent or a designated representative shall manage this Agreement on behalf of the Park District and shall serve as liaison between the Park District and the City.

6. **Liability and Indemnification.** Each party agrees that it will be responsible for its own acts and the results thereof, to the extent authorized by the law, and shall not be responsible for the acts of the other party and the results thereof. The City's and the Park District's liability are governed by the provisions of Minnesota Statutes, Chapter 466. To the full extent permitted by law, this Agreement is intended to be and shall be construed as a "cooperative activity" and it is the intent of the parties that they shall be deemed a "single governmental unit" for the purposes of liability, all as set forth in Minnesota Statutes, Section 471.59, Subd. 1a (a); provided further that for purposes of that statute, each party to this Agreement expressly declines responsibility for the acts or omissions of the other party. In addition to the foregoing, nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to either party, whether set forth in Minnesota Statutes, Chapter 466 or otherwise.

The City agrees to defend, indemnify and hold harmless the Park District, its officials, officers, agents, volunteers, and employees from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of the City, its subcontractors, anyone directly or indirectly employed by it, and/or anyone for whose acts and/or omissions it may be liable related to the ownership, maintenance, existence, restoration, repair or replacement of the City owned improvements.

The Park District agrees to defend, indemnify and hold harmless the City, its officials, officers, agents, volunteers, and employees from any liability, claims, causes of action, judgments, damages, losses, cost or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of the Park District, its subcontractors, anyone directly or indirectly employed by it, and/or anyone for whose acts and/or omissions it may be liable related to ownership, maintenance, existence, restoration, repair or replacement of the Park District owned improvements.

The intent of this paragraph is to impose on each party a limited duty to defend and indemnify each other subject to the limits of liability under Minnesota Statutes Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among the parties and to permit liability claims against both parties from a single occurrence to be defended by a single attorney.

The City and the Park District each warrant that they are able to comply with the aforementioned indemnity requirements through an insurance or self-insurance program.

7. **Entire Agreement.** It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement.
8. **Amendment, Modification or Waiver.** No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid or of any effect unless made in writing and signed by the party or parties to be bound, or its duly authorized representative. Any waiver by either party shall be effective only with respect to the subject matter thereof and the particular occurrence described therein, and shall not affect the rights of either party with respect to any similar or dissimilar occurrences in the future.
9. **Termination.** This Agreement may be terminated by Park District or City by mutual agreement or as otherwise provided in this Agreement. This Agreement shall be terminable by either party upon a material breach by the other party.

The provisions of Section 6 survive termination with respect to claims that arise from actions or occurrences that occurred prior to termination.

10. **Claims.** It is further agreed that any and all employees of the Park District and all other persons engaged by the Park District in the performance of any work or services required or provided for herein to be performed by the Park District shall not be considered employees of the City, and that any and all claims that may or might arise under the Worker's Compensation Act or the Minnesota Economic Security Law on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of said employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the City.

Also, any and all employees of the City and all other persons engaged by the City in the performance of any work or services required or provided for herein to be performed by the City shall not be considered employees of the Park District, and that any and all claims that may or might arise under the Worker's Compensation Act or the Minnesota Economic Security Law on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act of omission on the part of said employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the Park District.

11. **Preamble Inclusion.** The matters set forth in the "WHEREAS" clauses at the beginning of this Agreement are incorporated into and made part hereof by this reference.
12. **Audit Disclosure and Data Practices.** The books, records, documents and accounting procedures and practices of the Park District and City relevant to

this Agreement are subject to examination by each party and either the Legislative Auditor or the State Auditor for a period of six (6) years after the effective date of this Agreement. This Agreement is subject to the Minnesota Government Data Practice Act, Minnesota Statutes Chapter 13 (Data Practices Act). All government data, as defined in the Data Practices Act Section 13.02, Subd 7, which is created, collected, received, stored, used, maintained, or disseminated by Park District or City in performing any of the functions of the City during performance of this Agreement is subject to the requirements of the Data Practice Act and the City and Park District shall comply with those requirements. All subcontracts entered into by the City and Park District in relation to this Agreement shall contain similar Data Practices Act compliance language.

IN TESTIMONY WHEREOF, The parties hereto have caused this Agreement to be executed by their respective duly authorized officers as of the day and year first above written.

CITY OF BROOKLYN PARK

THREE RIVERS PARK DISTRICT

By: _____
Its Mayor
Jeffrey Joneal Lunde
Date

By: John Gunyou 4/25/19
John Gunyou, Board Chair
Date

By: _____
Its City Manager
Jay Stroebel
Date

By: Boe R. Carlson 4/25/19
Boe R. Carlson, Superintendent
and Secretary to the Board
Date

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Finance
Resolution:	X	Prepared By:	LaTonia Green, Finance Director
Ordinance:	N/A		
Attachments:	1	Presented By:	LaTonia Green
Item:	Resolution Calling a Public Hearing for the Purpose of Providing Host Approval for Hampton Senior Care		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ CALLING A PUBLIC HEARING FOR THE PURPOSE OF PROVIDING HOST APPROVAL FOR THE ISSUANCE OF REVENUE OBLIGATIONS BY THE PUBLIC FINANCE AUTHORITY.

Overview:

The City has received a request from Hampton Senior Care of Brooklyn Park, LLC to grant host approval for conduit revenue bonds (the "Bonds") being issued through the Public Finance Authority, a joint powers commission under Wisconsin Statutes, Sections 66.0301, 66.0303, and 66.034, as amended under the laws of the State of Wisconsin (the "Issuer") in a principal amount, which is not expected to exceed \$8,500,000 in one or more series. The conduit debt will be used by Hampton Senior Care and the Issuer to finance the acquisition, construction, and equipping of Hampton Senior Care of Brooklyn Park, an approximately 32-unit, 19-bed assisted living and 14-bed memory care facility to be located at 8500 Regent Avenue North in the City.

The required public hearing is proposed to be scheduled for May 28, 2019, on or after 7:00 p.m. Following the public hearing, the City Council will be asked to consider a resolution granting host approval.

The City's Conduit Debt policy provides for a fee of 0.5 percent of the issuance amount to be paid to the City upon closing the financing. Consistent with past practices in similar transactions, the City will impose that fee upon the portion of the Bonds that refinance facilities located in the City. Upon adoption of the resolution establishing the date for the public hearing, City staff will determine the amount of the City fee and report the amount to the City Council in the Request for Council Action prepared in connection with the host approval.

The City's Bond Counsel confirms that this issuance will not impact the City's debt capacity, that it does not constitute a general or moral obligation of the City, and will not be secured by the taxing powers of the City or any assets or property of the City. Further, the actions requested from the City Council will not adversely impact the City's ability to issue bank qualified obligations for City projects.

As additional background information, at the March 18, 2019 Economic Development Authority meeting, the EDA approved a term sheet with Dignicare Properties of Brooklyn Park LLC ("Developer") for funding soil correction and construction of this Project. This action would approve the Contract for Private Development between the EDA and Dignicare providing up to \$435,000 to the Developer to correct poor soils on the site and allow for construction of the new development to occur. At the April 15, 2019 City Council meeting, the Council approved a contract for private development between Brooklyn Park EDA and Dignicare Properties of Brooklyn Park, LLC for soil correction and construction of the Project.

Tim Eppler or another representative of Hampton Senior Care of Brooklyn Park, LLC will be available to answer any questions that may arise.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The City's Conduit Debt policy provides for a fee of 0.5% of the issuance amount to be paid to the City upon closing the financing.

Attachments:

4.2A RESOLUTION

RESOLUTION #2019-

RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF PROVIDING
HOST APPROVAL FOR THE ISSUANCE OF REVENUE OBLIGATIONS
BY THE PUBLIC FINANCE AUTHORITY

BE IT RESOLVED by the City Council (the "City Council") of the City of Brooklyn Park, Minnesota (the "City") as follows:

Section 1. Recitals.

1.01. Hampton Senior Care of Brooklyn Park, LLC, a Minnesota limited liability company, or any of its affiliates (collectively, the "Borrower"), the sole member of which is Suburban Housing & Community Services Corporation, a California nonprofit, public benefit corporation, has proposed to finance the acquisition, construction, and equipping of Hampton Senior Care of Brooklyn Park, an approximately 32-unit, 18-bed assisted living and 14-bed memory care facility to be located at 8500 Regent Avenue North in the City (the "Project").

1.02. The Borrower has requested that the Public Finance Authority, a joint powers commission under Wisconsin Statutes, Sections 66.0301, 66.0303, and 66.0304, as amended (the "Act"), and a unit of government and body corporate and politic organized and existing under the laws of the State of Wisconsin (the "Issuer"), issue its revenue bonds, in one or more series, as taxable or tax-exempt obligations (the "Bonds"), in an estimated maximum principal amount of \$8,500,000, pursuant to the terms of the Act, and loan the proceeds thereof to the Borrower to (i) refinance an interim loan made to the Borrower for the acquisition, construction, and equipping of the Project; (ii) finance the remainder of the costs of the construction and equipping of the Project; (iii) finance capitalized interest during the construction of the Project; (iv) fund required reserves; and (v) pay costs of issuance of the Bonds.

1.03. Prior to the issuance of the Bonds by the Issuer, the City Council of the City is required to (i) conduct a public hearing in accordance with the requirements of the Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the proposed issuance of the Bonds; and (ii) approve the issuance of the Bonds by the Issuer to finance the Project.

Section 2. Required Actions.

2.01. The City Council will meet at 7:00 p.m. on Tuesday, May 28, 2019, to conduct a public hearing and consider the proposed issuance of the Bonds by the Issuer in accordance with the Code to finance the Project.

2.02. Kennedy & Graven, Chartered, as bond counsel to the Issuer, is hereby authorized and directed to publish on behalf of the City a notice of the public hearing, in substantially the form attached hereto as EXHIBIT A, once, at least seven (7) days prior to the public hearing, in a newspaper of general circulation in the City. The notice shall be published in accordance with the requirements of the Code and all Treasury Regulations promulgated thereunder.

2.03. The Borrower shall pay to the City any and all costs paid or incurred by the City in connection with the Bonds or the financing contemplated herein, whether or not the financing is carried to completion and whether or not the Bonds or operative instruments are executed and delivered.

EXHIBIT A

NOTICE OF PUBLIC HEARING

CITY OF BROOKLYN PARK, MINNESOTA

NOTICE OF A PUBLIC HEARING TO BE CONDUCTED BY THE CITY OF BROOKLYN PARK
WITH RESPECT TO THE ISSUANCE OF REVENUE OBLIGATIONS BY THE PUBLIC FINANCE
AUTHORITY

NOTICE IS HEREBY GIVEN that the City Council of the City of Brooklyn Park, Minnesota (the "City") will hold a public hearing on Tuesday, May 28, 2019, at or after 7:00 p.m. at City Hall, 5200 85th Avenue North in the City, to consider a proposal that the City grant host city approval to the issuance of one or more series of taxable or tax-exempt revenue obligations (the "Bonds") in the maximum principal amount of \$8,500,000 by the Public Finance Authority, a joint powers commission under Wisconsin Statutes, Sections 66.0301, 66.0303, and 66.0304, as amended (the "Act"), and a unit of government and body corporate and politic organized and existing under the laws of the State of Wisconsin (the "Issuer"), under Section 66.0304 of the Act, for the benefit of Hampton Senior Care of Brooklyn Park, LLC, a Minnesota limited liability company, or any of its affiliates (collectively, the "Borrower"), the sole member of which is Suburban Housing & Community Services Corporation, a California nonprofit, public benefit corporation. The Borrower intends to apply the proceeds of the Bonds to (i) finance the acquisition, construction, and equipping of Hampton Senior Care of Brooklyn Park, an approximately 32-unit, 18-bed assisted living and 14-bed memory care facility to be located at 8500 Regent Avenue North in the City (the "Facility"); (ii) finance capitalized interest during the construction of the Facility; (iii) fund required reserves; and (iv) pay costs of issuance of the Bonds.

The Bonds will be special, limited obligations of the Issuer, and the Bonds and interest thereon will be payable solely from the revenues and assets pledged to the payment thereof. No holder of any Bonds will ever have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon, nor to enforce payment against any property of the City. The Bonds are to be payable solely from revenues and security provided by the Borrower to the Issuer and pledged to the payment of the Bonds.

Anyone desiring to be heard during this public hearing will be afforded an opportunity to do so.

Dated: [Date of Publication]

CITY OF BROOKLYN PARK, MINNESOTA

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.3	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance Engineering Services Division
Resolution:	X	Prepared By:	Greg Hoag, Park and Building Maintenance Manager; Craig Runnakko, Construction Engineer
Ordinance:	N/A		
Attachments:	2	Presented By:	Greg Hoag
Item:	Accept Bids and Award Contract for CIP 2003-18 Bass Creek Parking Lot Reconstruction		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ ACCEPTING BIDS AND AWARDING CONTRACT TO BITUMINOUS ROADWAYS OF MENDOTA HEIGHTS, MN FOR CIP 2003-18 BASS CREEK PARKING LOT RECONSTRUCTION.

Overview:

Bass Creek Park is located in the southwest area of the city. The current parking lot was constructed in 1984, is 35 years old, and is in need of repair as the pavement structure has failed in many locations. The existing parking lot, which accommodates parking for 20 vehicles, does not include curb and gutter. The proposed replacement of the parking lot will include complete reconstruction of the lot to include new pavement, curb and gutter and drainage improvements.

Bids were opened on May 1, 2019, with two bids received. Bids ranged from \$221,703.10 to a high of \$243,337.75. Bituminous Roadways, Inc. regularly works in the City of Brooklyn Park as a paving subcontractor for several different prime contractors. City staff recommends the City Council award the contract to Bituminous Roadways, Inc.

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 2003-18 with estimated cost of \$300,000.00. Funding for this project is \$150,000.00 from the Water Utility Fund and \$150,000.00 from the Heritage Infrastructure Fund.

Attachments:

- 4.3A RESOLUTION
- 4.3B LOCATION MAP

RESOLUTION #2019-

RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT
TO BITUMINOUS ROADWAYS, INC. FOR BASS CREEK PARK
PARKING LOT RECONSTRUCTION CIP 2003-18

WHEREAS, pursuant to an advertisement for bids for the following improvements, to wit:

CIP NO. 2003-18 – Bass Creek Park Parking Lot Reconstruction

bids were received, opened and tabulated according to law and the following bids were received complying with the advertisement:

<u>BIDDER</u>	<u>TOTAL AMOUNT OF BID</u>
BITUMINOUS ROADWAYS, INC.	\$ 221,703.10
KUECHLE UNDERGROUND, INC.	\$ 243,337.75
Engineer's Estimate	\$ 257,003.75

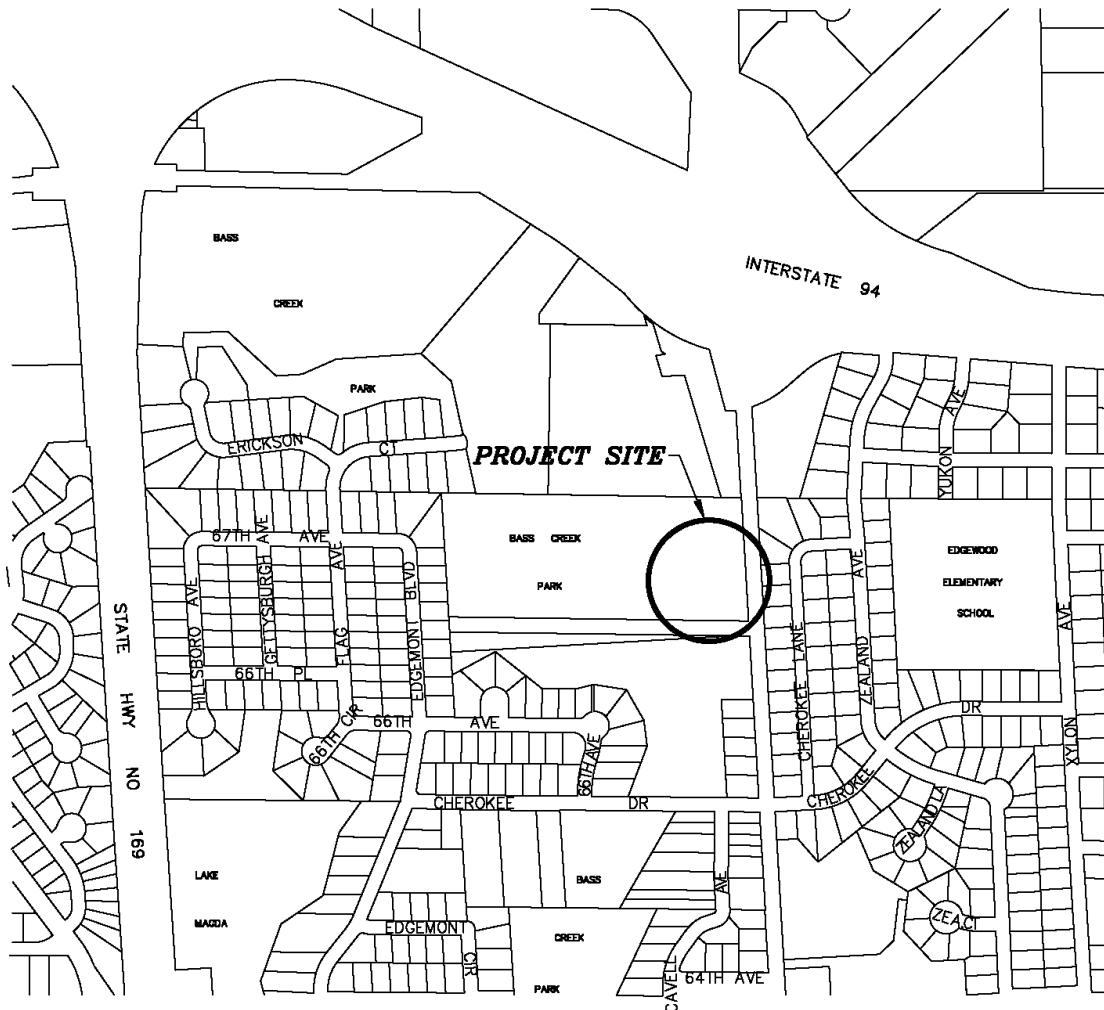
and

WHEREAS, the City Manager recommends award of contract to Bituminous Roadways, Inc. of Mendota Heights, MN as the lowest responsible bidder.

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

1. The Mayor and Manager are hereby authorized and directed to enter into a contract with Bituminous Roadways, Inc. of Mendota Heights, MN in the name of the City of Brooklyn Park for the improvements aforesaid according to the plans and specifications thereof approved by the Council and on file in the office of the Clerk.

BOONE AVE RESERVOIR PARKING LOT REPAIR CIP 2003-18



Brooklyn Park 



NO SCALE

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.4	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Beth Toal, Human Resources Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Acceptance of the Arbitration Decision with the Brooklyn Park Police Federation		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ APPROVING STAFF TO ENTER INTO A TWO-YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE BROOKLYN PARK POLICE DEPARTMENT FOR 2018-2019.

Overview:

City staff and union representatives from the Brooklyn Park Police Federation were unable to come to a tentative agreement on a collective bargaining agreement for the period of January 1, 2018 through December 31, 2019. Therefore, the union filed a motion to participate in interest arbitration. The City and Union engaged in that process and the arbitrator made his award on March 22, 2019. The arbitrator's decision is final and binding.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Funds are available in the 2018 general fund budget.

Attachments:

4.4A RESOLUTION

RESOLUTION #2019-

RESOLUTION APPROVING STAFF TO ENTER INTO A TWO-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH THE BROOKLYN PARK POLICE DEPARTMENT FOR 2018-2019

WHEREAS, the City of Brooklyn Park has reached a negotiated agreement with the Brooklyn Park Police Federation; and

WHEREAS, section 4.02 of the Employee Handbook, dated September 2013, gives City Council sole authority to enter into a collective bargaining agreement covering City Employees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the 2018-2019 agreement between the City of Brooklyn Park and the Brooklyn Park Police Department is hereby accepted based on the arbitration decision awarded on March 22, 3019 and the City Manager is hereby authorized to execute the same on behalf of the City.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.5	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Daniela Lorenz, Business Development Coordinator
Ordinance:	N/A		
Attachments:	5	Presented By:	Daniela Lorenz
Item:	Approve an Updated Sewer Availability Charge (SAC) and Water Access Charge (WAC) Reduction Policy and Authorize the Economic Development Authority to Administer the Program		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-____ APPROVING AN UPDATED SEWER AVAILABILITY CHARGE (SAC) AND WATER ACCESS CHARGE (WAC) REDUCTION POLICY AND AUTHORIZE THE ECONOMIC DEVELOPMENT AUTHORITY TO ADMINISTER THE PROGRAM.

Overview:

At its meeting on April 15, 2019, the Economic Development Authority unanimously approved an updated Sewer Availability Charge (SAC) and Water Access Charge (WAC) policy aimed at reducing the SAC/WAC fees charged to eligible businesses and projects looking to expand or locate in Brooklyn Park.

The updated policy expands the existing SAC Reduction Program adopted by the City Council in 2018 to include more eligible businesses and offers a fee reduction for eligible development and redevelopment projects in the City and details the process of when paid credits can be pooled for city-wide use. The updated policy also incorporates the existing WAC policy adopted by the City in 2007 which allows paid WAC from demolished buildings to be used for other development projects.

In order to begin advertising and utilizing the updated policy, the City Council must approve the updated SAC/WAC Reduction Policy and direct the Economic Development Authority and staff to administer the program.

Background:

At its work session on January 22, 2019, the Economic Development Authority expressed interest in creating a policy related to pooling Sewer Availability Charge (SAC) paid credits to be used as an economic development tool. The concept of using paid SAC credits as an economic development tool was first explored in 2018 when the City Council directed the EDA to administer the current SAC Reduction Program. The current program utilizes 32 paid SAC credits that were previously taken city-wide to support the development of new or expanding restaurants in the City. The City Council also adopted a Water Access Charge (WAC) policy in 2007 that allows for staff to use paid WAC credits from demolished buildings for other development projects as an incentive.

Staff recommends consolidating the existing SAC Reduction Program and the WAC policy and expanding the existing SAC Reduction Program to provide fee assistance to a broader range of businesses and development or redevelopment projects in the city. In order to provide support to both businesses and development and redevelopment projects, staff is proposing that the program provide two tracks:

- Track one will cater to eligible businesses looking to start, move to, or expand in Brooklyn Park.
- Track two will be subject to broad discretion of the EDA and cater to development and redevelopment projects that meet the authority's strategic priorities.

Broadening the program gives the EDA more ability to provide fee reductions to projects that meet the authority's strategic priorities and offers critical resources to a wider-variety of businesses and projects in the city.

Following the EDA's direction, staff is bringing this item to the City Council to direct the EDA and its staff to administer the program.

Primary Issues/Alternatives to Consider:

- **What is the current SAC Reduction Program?**

In 2018, the Economic Development Authority approved a Sewer Availability Charge (SAC) Reduction Program that uses excess paid SAC that have been taken city-wide to attract restaurants to Brooklyn Park. The purpose of the program was to reduce the cost associated with connecting to the regional sewer system for new and expanding restaurants. The current SAC Reduction Program was started with 33 paid SAC credits from properties off 63rd Avenue that were demolished as a result of the Highway 81 expansion. Since the SAC Reduction program was created, one credit has been used by Skaalvenn Distillery for the expansion of its distillery and taproom located at 8601 73rd Avenue N Suite #14.

- **What is the purpose of the proposed policy?**

The proposed policy has two purposes: first, is to ensure consistency when determining when paid SAC credits should be taken city-wide and when they should remain connected to a property. Second, is to attract new businesses, development and redevelopment, or help existing businesses expand in the city by providing an upfront fee reduction to qualified projects. The proposed program guidelines will continue to be available to support restaurants per the original program guidelines.

SAC is an upfront cost that can be a heavy burden for some projects. Currently, SAC costs \$2,485/SAC unit. It is not uncommon for projects to be assessed multiple SAC. The City of Brooklyn Park also assesses Water Access Charge (WAC) on a 1-to-1 ratio to the SAC assessment. WAC currently costs \$2,185/unit. Therefore, a business or project assessed six units each of SAC and WAC would be responsible for an upfront charge of almost \$28,020. Under the expanded program, that same business or project assessed \$28,020 could be issued a fee reduction of \$10,732.50, which could favorably tip the decision to move forward.

- **How does this work with Water Access Charge (WAC)?**

Part of the proposed policy is to consolidate the existing Water Access Charge (WAC) policy and the new SAC policy. The merging of these two policies helps to ensure the two fees work to complement one another. The City of Brooklyn Park began charging a Water Access Charge (WAC) for access to the city's water system in 1994. Currently, the City has about 28 paid WAC credits from buildings that were built and demolished after June 1, 1994. Since 2007, WAC is charged on a 1-to-1 ratio with SAC, meaning for every one SAC charged, one WAC is also charged. In 2007, the City Council adopted a policy allowing for paid WAC credits from demolished buildings to be pooled and applied to other development projects in the City.

Given the smaller number of available WAC credits only businesses in program track one of the Fee Reduction Program will be automatically eligible for a WAC fee reduction. WAC payments will be reduced by a ratio of up to half of the amount of paid SAC credits awarded through the Fee Reduction Program but may receive no more than two WAC credits. For example, a business that was awarded 3 SAC credits from the Fee Reduction Program will automatically receive a credit of 1.5 WAC. The ongoing reduction of WAC fees is subject to the availability of paid WAC credits.

- **Can this program be used with the existing SAC and WAC deferral programs?**

The City of Brooklyn Park also administers a SAC deferral program in agreement with the Metropolitan Council. The deferral program allows any eligible business to defer SAC payments at 0% interest over a 5-year period. The City also administers a WAC deferral program that mirrors the SAC deferral program. A business that uses the SAC and WAC fee reduction program may also use the deferral programs. In the event a business uses both the fee reduction program and the deferral program, the deferral payment amounts would be calculated using the amount owed after a business receives a fee reduction.

- **When will paid SAC credits be pooled and taken city-wide?**

The proposed policy would pool credits by appealing to the Met Council to take available credits city-wide from demolished properties without development potential (e.g. sidewalk or road construction) or properties demolished without plans for redevelopment beginning within one-year of the issuance of a demolition permit.

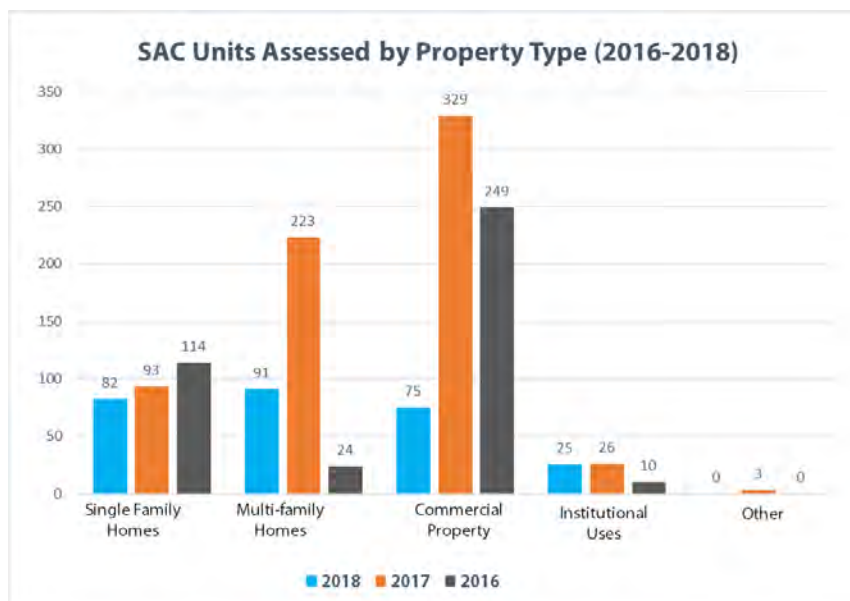
If a property has plans to be redeveloped after demolition, construction must start within three years of the issuance of a demolition permit. In the case that a property is redeveloped and a new user does not utilize most of the available paid credits, the City will attempt to pool the balance of the available credits.

- **What credits are available for a SAC program?**

The EDA/City currently has access to 132 credits that would be utilized as part of this program for economic development purposes. The demolition of Grand Rios Water Park, formerly located at 6900 Lakeland Avenue N, resulted in a balance of 104 paid credits on the property. In 2016, CarMax redeveloped the site and utilized 4 of the 104 paid credits leaving a balance of 100 paid SAC credit available to be pooled and taken city-wide. The other 32 paid credits were a result of a demolition of a former commercial site off 63rd Avenue and County Road 81. Most of the property was converted to stormwater use to accommodate the expansion of County Road 81. The ongoing availability of credits will be subject to the existence of paid SAC credits from demolished properties with no development plan within a year of demolition. When paid SAC credits qualify to be taken city-wide, it is anticipated that approximately half of the credits will go to each program track.

- **How many SAC units are assessed in Brooklyn Park every year?**

The amount of SAC units assessed to property in Brooklyn Park every year changes depending on the amount of development in the community and the land use types of those developments in a given year. The Met Council has a formula for reaching a SAC determination that looks at factors such as property use, type of business, or building size. Below is a table showing the amount of SAC units assessed in Brooklyn Park from 2016 to 2018. The table is separated by single family home development, multi-family home development (including townhomes and apartment projects), commercial development, institution development (like schools or government buildings), and other.



- **What Businesses Can Utilize the Program?**

Businesses eligible to use track one of the program include:

- a. **Independently-owned restaurants or other commercial businesses:**

- i. Independently owned businesses are defined as businesses that have no corporate headquarters where the owner(s) have full decision-making authority over the business.

- b. **All manufacturing and industrial businesses that meet at least one of the following criteria:**

- i. Businesses currently operating in the city that are planning to expand in order to add more capacity for employment (same or new location in Brooklyn Park);
 - ii. Small businesses (25 or less full-time equivalent employees);
 - iii. Businesses (at least 25% stake)-owned by a Brooklyn Park resident; and
 - iv. Business owned (at least 25% stake) and/or operated by women, people of color, or immigrants.

By limiting the program eligibility of restaurants and other commercial businesses to only include those that are independently owned, this program aims to primarily help small and start-up businesses. Franchises of chain brands are not considered independently-owned.

If a corporately-owned restaurant or commercial business is part of a larger development or redevelopment project, those uses could receive a fee reduction if the project is eligible for track two of the program. In that case, the amount of the fee reduction would be determined by the EDA.

- **Would existing businesses and development projects qualify for the new program?**

Yes. Program track one can be used by businesses currently located in Brooklyn Park that were assessed at least one SAC unit as the result of an expansion. A business that was assessed one SAC unit would be eligible to receive a reduction of 0.5 WAC units.

- **Will credits be available to housing projects?**

Program track two credits can be used for housing projects. Eligibility for track two of the fee reduction program would be determined on a case by case basis at the discretion of the EDA. However, projects proposing only single-family home construction would not be eligible for the program.

- **What is the recommendation of the Business Forward Advisory Board on this program?**

The Business Forward Advisory Board discussed creating a program with paid SAC credits at its November 2018 meeting. It was in favor of creating a program that utilizes paid SAC/WAC credits as a way to incentivize new business development and to help existing businesses expand.

Budgetary/Fiscal Issues:

Funding for the SAC/WAC Reduction Program will come from funds accumulated by SAC/WAC credits the City of Brooklyn Park has collected and will continue to collect in accordance with the SAC/WAC policy. Existing staff resources will be used to administer the program.

Recommendation:

The Executive Director of the Economic Development Authority recommends approval.

Attachments:

- 4.5A RESOLUTION
- 4.5B PROPOSED SAC/WAC FEE REDUCTION PROGRAM
- 4.5C RESTAURANT ATTRACTION PROGRAM: SAC REDUCTION GUIDELINES
- 4.5D EXISTING WAC POLICY
- 4.5E EXISTING SAC DEFERRAL PROGRAM

RESOLUTION #2019-

RESOLUTION TO APPROVE AN UPDATED SEWER AVAILABILITY CHARGE (SAC)
AND WATER ACCESS CHARGE (WAC) REDUCTION POLICY AND AUTHORIZE
THE ECONOMIC DEVELOPMENT AUTHORITY TO ADMINISTER THE PROGRAM

WHEREAS, the City of Brooklyn Park is in possession of one hundred thirty-eight (138) Sewer Availability Charge (SAC) credits and twenty-eight (28); and

WHEREAS, the SAC and WAC credits may be used as an economic development tool anywhere in the City; and

WHEREAS, the Economic Development Authority (EDA) oversees business development and other economic development activities and incentives in the City of Brooklyn Park; and

WHEREAS, the EDA expressed interest in expanding the existing SAC Reduction Program that was solely for restaurant and destination business attraction; and

WHEREAS, the updated policy can be used by a wider range of businesses and development projects looking to expand or start in the City; and

WHEREAS, the new program outlines the process for pooling available credits to be used as an economic development tool.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve an updated sewer availability charge (SAC) and water access charge (WAC) reduction policy and authorize the economic development authority to administer the program

Sewer Availability Charge (SAC) and Water Access Charge (WAC) Reduction Policy

Purpose: This policy aims to reduce the barriers to starting and expanding a business and completing strategic development or redevelopment projects in the City by reducing the number of Sewer Availability Charge (SAC) and/or Water Access Charge (WAC) a qualified business or project is obligated to pay.

It is the policy of the City of Brooklyn Park to pool paid SAC and/or WAC credits from demolished buildings where another use on the property is not planned within one year of demolition. The pooled credits can act as an economic development tool which can be offered to businesses and other qualified projects looking to start or expand in Brooklyn Park.

SECTION ONE: POOLING CREDIT POLICY

A. Demolished properties that will not be rebuilt upon

If a property is demolished and there is no plan for development such as, but not limited to, property used for a roadway project, then the City will pool the SAC/WAC credits (when available) at the time the demo permit is issued.

B. Demolished property that could be rebuilt upon

If a property is demolished and there is no is plan for development within one year, then the City will pool the SAC/WAC (when available) credits a year from the issuance of demolition permit by appealing to the Met Council.

If development is planned, the plan for development must be submitted to the EDA within 12 months after demolition and construction must commence within three years of demolition. If construction under the plan does not commence within three years of demolition, then the City will pool the SAC/WAC (when available) credits three years from the issuance of demolition permit by appealing to the Met Council

If the new user does not utilize most of the available paid credits, the City will pool or attempt to pool the balance of the available credits.

SECTION TWO: PROGRAM GUIDELINES

Given the wide-variety of projects that take place in Brooklyn Park and in an effort to best utilize the paid SAC/WAC credits that are available, there will be two fee reduction program options available. Track One will specifically cater to small and new businesses, including restaurants. Track Two will be used as a re-development and development project tool. It is anticipated that approximately half of the credits will be used for each track.

Track One-- Business Fee Reduction Program

Amount to be credited:

The program will credit up to half of the SAC units incurred by an eligible project as assessed by the Metropolitan Council with a maximum of 3 credits issued by the City of Brooklyn Park. For example, if a business is assessed 5 SAC units it would be eligible for a SAC fee reduction of 2.5 credits. With approval from the EDA, more credits can be awarded if the project demonstrates a financial need.

Due to the lower number of available WAC credits, eligible Track One businesses may be eligible to receive up to half their SAC credit allocation in WAC credits (if available). Example: a business that is awarded 2 SAC credits from this program will receive a credit of 1 WAC (if available).

Program Track One Eligibility:

1. An eligible business must be a qualified business type as defined below and have been assessed at least 3 SAC units for a new business or assessed 1 SAC credit for an expanding business;
2. Qualified business types include:
 - a. **Independently-owned restaurants or other commercial businesses:**
 - i. *Independently owned businesses are defined as businesses that have no corporate headquarters where at least 25% the ownership interests and 25% of the decision-making control of the business is held by a Brooklyn Park resident, women, people of color, or immigrants.*
 - ii. *Independently-owned businesses do not include franchises of chain brands.*
 - b. **All manufacturing and industrial businesses that meet at least one of the following criteria:**
 - i. Businesses currently operating in the city that are planning to expand in order to add more capacity for employment (same or new location in Brooklyn Park);
 - ii. Small businesses (25 or less full-time equivalent employees);
 - iii. Businesses (at least 25% stake)-owned by a Brooklyn Park resident; and
 - iv. Business owned (at least 25% stake) and/or operated by women, people of color, or immigrants

Track Two—Project Based Fee Reduction Program

As development continues across the City there is an opportunity to provide a project-based fee reduction to attract development and re-development projects that meet the strategic priorities of the Economic Development Authority. The purpose of this track of the program is to give the EDA broad discretion to award credits to businesses and/or projects that align with the goals of the EDA but do not meet the criteria outlined in track one.

Amount to be Credited:

The amount to be credited will be determined by the EDA with consideration of the financial need of the project.

Program Track Two Eligible Projects:

Eligibility of projects in Track Two of the fee reduction program is based on the discretion of the EDA and will be based on determined community benefit. Track Two can be used for housing, however, developments of only single-family detached units are ineligible.

SECTION THREE: PROGRAM ADMINISTRATION:

Awards of credits through track one of the program will be administered by EDA staff with the Executive Director of the EDA signing-off on all final awards. Awards of credits through track two will be subject to the approval of the EDA.



Restaurant Attraction Program:

Sewer Availability Charge Reduction Guidelines

The City of Brooklyn Park's Sewer Availability Charge (SAC) Reduction Program promotes new restaurant and destination business attraction by easing the startup costs incurred by new businesses. The program operates under the following guidelines:

1. This program applies to new businesses that open in Brooklyn Park after February 1st, 2018.
2. Qualifying businesses must meet one of the following designations:
 - a. Restaurants: casual, fast-casual, quick-casual, family style, fine dining or high end, café or coffeehouse, bistro, cafeteria, buffet, destination, gastropubs, teppanyaki-style, brasserie, or pop-up restaurants.
 - b. Destination businesses: distilleries, wineries, breweries, or taprooms.
3. Fast food restaurants as defined in Brooklyn Park City Zoning Code (152.008) are excluded from participation in this program, except for as identified above.
4. The SAC Reduction Program will credit up to half of the Sewer Availability Charge units incurred by an eligible business as assessed by the Metropolitan Council, with a maximum of three (3) credits issued by the City of Brooklyn Park. For example, a restaurant assessed seven SAC units could apply for a maximum of three credits while a restaurant assessed four SAC units could apply for a maximum of two credits. Credits will be issued in whole unit increments. Credits will be rounded up to the nearest whole unit in the event of an odd number SAC assessment (i.e., a business assessed five (5) SAC units can apply for 3 SAC credits).
5. Restaurants that participate in the SAC Reduction Program may also participate in the Sewer Availability Charge/Water Access Charge (SAC/WAC) Deferral Program. Only the SAC/WAC fees that remain after application of SAC credits will be considered for the deferral program.
6. Participating businesses agree to be included or featured in City of Brooklyn Park marketing or promotional materials.
7. Final determination of eligibility for program participation will be at the discretion of the Economic Development Authority with input from the Business Forward Advisory Board.

WATER ACCESS CHARGE CREDIT ALLOCATION PROGRAM (EXISTING)

The Brooklyn Park Economic Development Authority Board of Commissioners and the Brooklyn Park City Council hereby jointly adopt the following policy:

The current § 100.63 of the Brooklyn Park Code of Ordinances states that “in all areas and for all uses where city water service is available, at the time an application is filed with the city for a new or enlarged water service, or fire suppression system water service, a water access charge (WAC) must be paid to the city.”

WAC initially began to be collected by the City on June 1, 1994. At that time, one unit was charged regardless of the type or size of user being issued the permit. Effective January 1, 2003, the Water Access Charge total is calculated utilizing the same unit charge multiplier as per the Metropolitan Council Environmental Services (MCES) Sewer Availability Charge (SAC) Procedure Manual. The current WAC unit rate is \$1,575 and SAC unit rate is \$1,675. These charges have a substantial impact to businesses, specifically to those whose use is such that they are charged multiple units.

In cooperation with Brooklyn Park Engineering and Building Inspections Department and the Public Utilities Division, the Economic Development Authority will tabulate any Water Access Charge credits that result from the demolition of a building that had previously paid WAC upon the original issuance of a building permit. The credits may be allocated to projects located in targeted sectors or redevelopment areas, as defined in the EDA’s Redevelopment and Greenfield Commercial/Industrial Policies. Following staff evaluation and recommendation, the Brooklyn Park Economic Development Authority (EDA) will consider and approve requests.

Sewer Availability and Water Access Charge Payment Deferral Policy City of Brooklyn Park, Minnesota

Sections I through VII of this document govern the use of two programs, including the Metropolitan Council's "SAC Deferral Program" for certain sewer fees ("Regional Program") and the City of Brooklyn Park's "Payment of Permit Fees" for certain sewer and water fees ("Local Program"). Hereinafter, the City of Brooklyn Park is referred to as the "City".

SECTION I - PURPOSE.

The purpose of this policy is to establish procedures to regulate, coordinate, and facilitate the approval of certain sewer and water fee deferrals for eligible businesses or properties. Eligible businesses or properties can apply for the deferral of a portion of one or more sewer/water fees, including:

1. Metropolitan Council Sewer Availability Charge (SAC) – Regional Program sewer fee; and/or
2. Brooklyn Park Water Access Charge (WAC) – Local Program water fee.

SECTION II - AUTHORIZATION AND FUNDING SOURCES

On November 28, 2012 (based on Minnesota Statutes 473.517, Subd. 6), the Metropolitan Council adopted changes to its SAC program to include a small business deferral program. The Regional Program which became effective on January 1, 2013, and was later amended, allows a deferment of SAC fees up to ten (10) years at a low annual interest rate based on Metropolitan Council Environmental Services' (MCES) average cost of debt per statute and is applied to all new deferrals originating in that particular year. The Brooklyn Park Regional Program and Local Program will allow deferment of SAC and/or WAC fees over a five (5) year term with a fixed interest rate of 3%.

Brooklyn Park City Code Sections 99.76 and 100.63 allow any business or property owner who qualifies to defer a portion of the City's water fees. These Sections are to be amended to include the following category:

1. "Regional Program" allows eligible small businesses or property owners to apply for a sewer availability charge deferment for a maximum of ten (10) SAC charges.
2. "Local Program" allows eligible small businesses or property owners to apply for a City water access charge deferment for a maximum of ten (10) WAC charges to match the terms and conditions of the Regional Program.

The City reserves the right to approve or reject specific Local Program funding requests based on the availability of funding. Businesses with SAC and WAC determinations exceeding the program limit will be considered on a case by case basis. Funding for the Regional Program is not required due to the Metropolitan Council's deferral of its revenue for up to ten (10) years.

SECTION III - PROGRAM OBJECTIVE

The Metropolitan Council's stated objective is to encourage and help communities promote small business development by deferring SAC payment obligations. The City of Brooklyn Park's goal is to minimize the financial impact to new or expanding businesses.

SECTION IV - ELIGIBILITY

For the Regional Program and Local Program, an eligible applicant is a "small business" as defined in a Master SAC Deferral Agreement between Brooklyn Park and the Metropolitan Council. "Business"

means a property or business for which the aggregate SAC Determination results in a liability of twenty-five (25) SAC units or less, before application of any Credits available on the Site. Business does not include *any type* of “Residential Property” or “Publicly Assisted Housing” as those terms are defined in the *SAC Procedure Manual*; nor does it include motels, hotels, camps, nursing homes, senior housing or prisons. Business includes “Commercial Properties,” as that term is defined in the *SAC Procedure Manual*, but only when the aggregate SAC Determination for a Commercial Property is twenty-five (25) SAC units or less, before any applicable Credits.

For the Regional Program and Local Program, the City has chosen to limit the amount of units available for deferral to a maximum of ten (10) SAC and/or WAC units (total of 20 SAC and WAC units combined) before credits.

SECTION V - DEFERRAL STRUCTURE

The structure of the Regional and Local Program deferrals include the following provisions:

1. The deferral amount can equal up to eighty percent (80%) of the total sewer and/or water fees due.
2. The deferment term is five (5) years.
3. Each deferment liability will be effective the first day of the subsequent month (e.g., for an April building permit that is due and typically reported in May, interest will begin accruing June 1).
4. Interest for the Regional Program and Local Program is set at 3% for the deferment period. Interest is amortized over the term of the deferment period using whole months.
5. For the Regional Program, payments will be billed to the or property owner or business on a monthly basis
6. For the Local Program, payments will be billed to the property owner or business on a monthly basis
7. In the event of a default of payment that is at least sixty (60) days past due, the City shall assess the unpaid balance upon the fee owner’s property taxes the following taxable year subject to the same interest rate applied to the deferred amount. At the discretion of the City, the City may terminate any amount due related to assessments for the Regional Program, resulting in a SAC unit credit for only the amount paid by the small business or property.
8. A “Deferred Payment Agreement” will be executed between the eligible business, the fee property owner, and the City stating all conditions and requirements of the parties for the Regional and Local Programs. This document shall be recorded.

SECTION VI - INELIGIBLE CONDITIONS

The following conditions create ineligibility for a business or property to apply for the Regional or Local Programs:

1. The fee owner’s property taxes are delinquent.
2. The business is not in good standing with the State of Minnesota, or is in violation of a Brooklyn Park City Code.
3. The property is not located within the City of Brooklyn Park.
4. The small business does not meet the definition of eligible commercial properties in the Metropolitan Council’s SAC Deferral Program (for the Regional Program and Local Program).

SECTION VII - ADMINISTRATION

The City of Brooklyn Park is responsible for administering the Regional Program on behalf of the Metropolitan Council. Once the Master SAC Deferral Agreement has been executed by the City and the Metropolitan Council, the City is responsible for all loan deferral collections from the eligible small

business or properties participating in the Regional Program. The City is responsible for making payments of the required SAC deferment amount, plus interest, to the Metropolitan Council on an annual basis. The City of Brooklyn Park EDA is responsible for administering the Local Program on behalf of the City.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.6	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Brad Tullberg, Parks and Facilities Manager
Ordinance:	N/A		
Attachments:	2	Presented By:	Brad Tullberg
Item:	Authorize the Recreation and Parks Director to Enter into a Professional Services Agreement with Bluestem Heritage Group to Develop the Interpretive Plan for the Historic Eidem Farm		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO AUTHORIZE THE RECREATION AND PARKS DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLUESTEM HERITAGE GROUP TO DEVELOP THE INTERPRETIVE PLAN FOR THE HISTORIC EIDEM FARM.

Overview:

The advancement of the Master Plan for the Historic Eidem Farm was identified as a project within the \$26 Million Park Bond Referendum approved in November 2018. The development of an interpretive plan is a foundational document that helps institutions tell their stories, interpret their exhibits and achieve their overall mission. An interpretive plan outlines an institution's goals and objectives, establishes themes to guide the interpretation and sets priorities for implementing interpretive programming.

The Interpretive Plan for Historic Eidem Farm will include:

- A self-directed and directional signage plan will identify the where, what, and how of the signs on site;
- An interior exhibit concept and program plan will be developed to understand what the space, staffing, and material needs for the existing farm and new building;
- An exterior exhibit plan to understand what animals, crops, space, staffing, and material needs of the new site will be; and
- Messaging, budget, and work plan to help communicate the history of the site, and to further refine the budget and next steps for interpretive development.

Staff is recommending entering into a Professional Services Agreement with Bluestem Heritage Group to develop the Interpretive Plan for the Historic Eidem Farm.

Primary Issues/Alternatives to Consider:

Bluestem Heritage Group is familiar with Historic Eidem Farm as they worked closely with Miller Dunwiddie on the development of the 2018 Master Plan that was accepted at the July 23, 2018 City Council meeting.

Development of an interpretive plan is an important next step in the planning for the future of Historic Eidem Farm. The interpretive plan will help inform the programming and space needs for the proposed construction of a separate restroom/classroom building on the site, away from the historic home, to improve the visitor experience.

Budgetary/Fiscal Issues:

The cost of the services to be provided by Bluestem Heritage Group is \$49,900 and includes all project management, travel, mileage, parking, copy costs and printing of eight (8) copies of the final plan.

The Interpretive Plan for Historic Eidem Farm is identified as a project in the \$26 Million Park Bond Referendum and would be paid from the Park Bond Project Fund.

The Historic Eidem Farm Interpretive Plan will be used to leverage grant funding for future development of the Master Plan, including Minnesota Legacy Heritage Funds and Institute for Museum and Library Services Grants.

Attachments:

4.6A RESOLUTION

4.6B BLUESTEM HERITAGE GROUP PROPOSAL

RESOLUTION #2019-

RESOLUTION AUTHORIZING THE RECREATION AND PARKS DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLUESTEM HERITAGE GROUP TO DEVELOP THE INTERPRETIVE PLAN FOR THE HISTORIC EIDEM FARM

WHEREAS, the development of an interpretive plan is a foundational document that helps institutions tell their stories, interpret their exhibits and achieve their overall mission; and

WHEREAS, the Interpretive Plan for Historic Eidem Farm will include a self-directed and directional signage plan that will identify the where, what, and how of the signs on site; and

WHEREAS, the Interpretive Plan for Historic Eidem Farm will include an interior exhibit concept and program plan to help define the space, staffing, and material needs for the existing farm and a new building; and

WHEREAS, the Interpretive Plan for Historic Eidem Farm will include an exterior exhibit plan to understand what animals, crops, space, staffing, and material needs of the new site will be; and

WHEREAS, the Interpretive Plan for Historic Eidem Farm will include messaging, budget, and work plan to help communicate the history of the site, and to further refine the budget and next steps for interpretive development; and

WHEREAS, development of an interpretive plan is an important next step in the planning for the future of Historic Eidem Farm; and

WHEREAS, Bluestem Heritage Group is familiar with Historic Eidem Farm as they worked closely with Miller Dunwiddie on the development of the 2018 Master Plan; and

WHEREAS, the Interpretive Plan for Historic Eidem Farm is identified as a project in the \$26 Million Park Bond Referendum and would be paid from the Park Bond Project Fund; and

WHEREAS, the Historic Eidem Farm Interpretive Plan will be used to leverage grant funding for future development of the Master Plan, including Minnesota Legacy Heritage Funds and Institute for Museum and Library Services Grants; and

WHEREAS, the cost of the services to be provided by Bluestem Heritage Group is \$49,900 and includes all project management, travel, mileage, parking, copy costs and printing of eight (8) copies of the final plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Recreation and Parks Director to enter into a Professional Services Agreement with Bluestem Heritage Group to Develop the Interpretive Plan for the Historic Eidem Farm.



April 3, 2019

Brad Tullberg
Parks and Recreation
Brooklyn Park

Dear Brad,

It was great to talk to you, Jody, and Eve last Thursday about the Historic Eidem Farm and your needs for interpretive planning up there. I appreciated the opportunity to drill down a bit more and better understand what your needs are. Once again, I am impressed by the thoughtful approach that you all demonstrate, and your attention to meaning and detail is really impressive. You all “get” how good interpretation is supposed to work – and collaborating with folks like you is really satisfying.

My sense is that your needs fall into four main categories:

- A **signage plan** to articulate the where, what, and how of the signs on site;
- An **interior exhibit concept plan** and enough **program development** to understand what the space, staffing, and material needs for the new building will be;
- An **exterior exhibit plan** to understand what the animal, crops, space, staffing, and material needs of the new site will be; and
- **Messaging, Budget, and Work Plan guidance** to help communicate the history of the site, and to better understand what the likely budget and next steps for interpretive development should be.

In order to properly develop those ideas, we would need to conduct additional **research** on topics like historic and heritage crops and animals, historic farm (especially sheep and potato farm) practices, ethnic games, existing agricultural curricula, historic and modern soil conservation practices, and contextual history in the 1905-1920 era.

I have revised the proposal to better articulate the different pieces you need, and have revised the budget to reflect the altered scope, too. I’ve also included a little more background about Bluestem. Please take a look and let me know what you think.

Sincerely,

-Nancy

Nancy O’Brien Wagner and Sara Yaeger
(651) 295-1246
nancy@bluestemheritage.com

BLUESTEM HERITAGE GROUP

At Bluestem Heritage Group, we love what we do. We believe that history matters, and that sharing our past stories and experiences helps to inform our present and guide our future. We also believe history is fun, and love sharing our passion with like-minded groups. Local history can connect with us and inspire us in particularly powerful ways, and the work of local history organizations is critical to the field. We enjoy working with small- and mid-sized organizations to expose them to new ideas and to give them the knowledge and tools to continue to make history.

We have experience consulting for over a dozen history and heritage organizations and specialize in strategic and interpretive planning. We have deep experience in research and writing, and have won three Saint Paul Heritage Preservation Awards (2015, 2017, 2017) for our local history work. In addition, we also conduct exhibit planning, design, and development, and are proud to have had our exhibit "81 Minutes: After the Bridge Collapse" be a winner of a 2013 American Association of State and Local Historians (AASLH) award of merit.

We meet the standards for the Secretary of Interior's Professional Qualification for Historians, and the National Association for Interpretation's standards as an Interpretive Planners. Bluestem Heritage Group is also registered with the City of Saint Paul as a Women-Owned Business Enterprise.

Some of our Clients

American Red Cross Minnesota
American Swedish Institute
Capitol Region Watershed District
Cathedral Heritage Foundation
City of Brooklyn Park: Parks and Recreation
City of Eden Prairie: Heritage Commission
City of Saint Paul: Parks and Recreation
Eden Prairie Historical Society
Firefighters Hall and Museum
Giants of the Earth Heritage Center
James J. Hill Library and Center
Legacy of the Lakes Museum
Lyon County Historical Society
Maplewood Area Historical Society
Marine Restoration Society
Minnesota Governor's Residence / 1006 Summit Avenue Society
Minnesota Newspaper Foundation
Minnesota Transportation Museum
Model Cities Saint Paul
Mower County Historical Society
Nicollet County Historical Society
Rondo, Inc.
Stearns County Historical Society
Stillwater Fire Department
Trinity Lone Oak Lutheran Church
Twin City Model Railroad Museum
Upper Minnesota River Regional Development Commission
Wabasha County Historical Society
Waseca County Historical Society
Wasioja Heritage Partnership

THE PROJECT TEAM

Nancy O'Brien Wagner

Nancy O'Brien Wagner is a partner at Bluestem Heritage Group, and has over 20 years of experience as a historian, writer, project manager, exhibit developer, teacher, trainer, grant writer, and interpretive planner. Wagner was co-author of the award-winning textbook *Northern Lights: the Stories of Minnesota's Past*, and her work was most recently published in Minnesota History magazine. This article, "Awfully Busy These Days" was the winner of the 2012 Solon J. Buck award for best article in *Minnesota History*. Three of her histories have won Saint Paul Heritage Preservation Awards ("Trout Brook," 2015; "Frogtown Park and Gardens," 2017; and "Central High School," 2017). Her book *Alice in France: the World War I letters of Alice M. O'Brien* was published in 2017.

Wagner graduated cum laude with a BA in History from Williams College, and earned an MAT in History from Smith College. Wagner meets the standards for the Secretary of Interior's Professional Qualification for a Historian, and the National Association for Interpretation's standards as an Interpretive Planner.

Sara Yaeger

Sara Yaeger has a twenty-year track record in non-profit management, content development, publishing, project management and fund development. She provides strategic guidance for clients, including leading museums through the Standards and Excellence Program for History Organizations (StEPs) program, a self-evaluation process designed by the American Association for State and Local History (AASLH).

Prior to joining Bluestem Heritage Group, Yaeger led the Education Publications division of the Minnesota Historical Society, the largest historical society in the U.S. There she developed award-winning textbooks, curriculum and multimedia learning tools for elementary and middle school. She previously served as an editor for several educational publishers, including Harcourt Brace, West Publishing, and Holt, Rinehart & Winston. She is a past board member of the Minnesota Council for the Social Studies and the Junior League of Saint Paul. Yaeger graduated with a BA in English from the University of the Pacific.

PROJECT DESCRIPTION

The City of Brooklyn Park is seeking a firm to help further develop the Interpretive plans for the Historic Eidem Farm site. This project will help provide guidance for the development of programs at the site, and the future creation of a new visitor center and altered grounds. The project will include:

Research

- Conduct research and develop research files including bibliographies, books, notes, and other materials to help inform following steps. These materials will be transferred to Parks and Recreation staff at the end of the project. (Note: paper resources in paper form, digital resources in digital form)

Signage Plan

- Identify the location and number of signs throughout the park. Identify the intended quality and interactivity level of the signs. Identify the intended audience, theme and central message for each sign, and outline the content. (Note that sign copy, image procurement, graphic design, production and installation are not included. Note that directional signage is not included here.)

Interior (Visitor Center) Exhibit Concept Planning

- Identify the intended audience, space needs, quality and interactivity level, and recommended exhibit topics and learning goals for a small permanent exhibit.

Exterior (Site) Exhibit Planning

- **Demonstration Gardens and Crops:** Identify 6-15 crops that would work well for demonstrating the interpretive messages, identify how public will interact with them.
- **Animal Activities:** Identify 6-10 animals that would work well for demonstrating the interpretive messages, identify their housing, feed and upkeep needs, and develop a proposed schedule feedings and presentations. Identify how public will interact with them.

Program Planning

- **Daily/Drop-In Programs:** Develop outlines for 9 self-directed activities that drop-in visitors can enjoy. Outlines will include intended audience, activities, learning goals, staffing, space, and material needs.
- **Monthly/Standing Programs:** Identify the typical space needs for programs such as guided tours, lectures, readings, performances, demonstrations, workshops, classes, and special interest groups. Identify the staffing, space, and material needs.
- **Special/Seasonal Programs:** Develop program descriptions for 6-11 different special days at the farm. Descriptions will include example marketing descriptions, intended audience, activities, learning goals, and typical staffing, space, and material needs.
- **School Programs:** Develop descriptions and outlines for 4 new youth group tour programs. Outlines will include example marketing descriptions, intended audience, activities, learning goals, and typical staffing, space, and material needs (Note that actual curriculum is not included)

Messaging, Budget and Work Plan Guidance

- **Online Content:** Write historic content suitable for website use today (max 4 pages)
- **Budget and Work Plan:** Develop a sample budget and recommend next steps for the development of these ideas.

(Note: This proposal does not include brochure text nor a sample yearly schedule of monthly/standing programs.)

PROJECT TIMELINE

This project would begin in mid-April, and would be concluded by mid-October.

PROJECT BUDGET

Research	\$9,600
Signage Plan	\$10,000
Interior (Building) Exhibit Planning	\$5,700
Exterior (Site) Exhibit Planning	\$9,900
Program Planning	\$7,500
Messaging, Budgeting, and Work Plan	\$1,500
Graphic Design, Printing, Mileage, etc.*	\$5,700
Total:	\$49,900

*Note, the proposed fee includes all project management, meeting, travel time, mileage, parking, copy costs, and printing for 8 copies of the plans.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.7	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	1	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Set a Public Hearing on May 28, 2019, to Solicit Testimony and Consider Issuance of an On-Sale Intoxicating Liquor License for Chipotle Mexican Grill of Colorado LLC dba Chipotle Mexican Grill, 5901 94th Avenue North, Brooklyn Park		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO SET A PUBLIC HEARING ON MAY 28, 2019, TO SOLICIT TESTIMONY AND CONSIDER ISSUANCE OF AN OFF-SALE INTOXICATING LIQUOR LICENSE FOR CHIPOTLE MEXICAN GRILL OF COLORADO LLC DBA CHIPOTLE MEXICAN GRILL, 5901 94TH AVENUE NORTH, BROOKLYN PARK.

Overview:

This is a newly constructed establishment applying for an on-sale intoxicating liquor license for Chipotle Mexican Grill of Colorado LLC dba Chipotle Mexican Grill, 5901 94th Avenue North, Brooklyn Park.

Pursuant to state statute, they must comply with state laws, local laws and procedures. To comply with state laws, a public hearing must be held prior to City Council approval of the license required. The results of the inspections and investigations will be available at the public hearing on May 28, 2019.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.7A PUBLIC HEARING NOTICE

**NOTICE
CITY OF BROOKLYN PARK
5200 85TH AVENUE NORTH**

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Brooklyn Park City Council will hold a public hearing in the City Hall Council Chambers, 5200 85th Avenue North, on May 28, 2019, to consider the issuance of an On-Sale Intoxicating Liquor License for Chipotle Mexican Grill of Colorado LLC doing business as Chipotle Mexican Grill, located at 5901 94th Avenue North. All persons desiring to be heard are invited to attend. Written comments will be received by the Licensing Division prior to the hearing.

Devin Montero
City Clerk

Published in the Brooklyn Park Sun Post on May 16, 2019.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.8	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A		
Ordinance:	SECOND READING		
Attachments:	1		
Item:	SECOND READING – City of Brooklyn Park – Code Amendment for Veterinary Clinics		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2019-_____ AMENDING SECTION 152.342 OF CITY CODE PERTAINING TO VETERINARY CLINICS.

Overview:

The City Council approved the first reading of the ordinance on April 22, 2019.

There is a veterinary clinic proposed in an Industrial-zoned (I) building with an existing commercial kennel, a permitted use. The I zoning district does not currently permit veterinary clinics. The two businesses serving pets seem to be a natural fit for co-location.

The existing use classification for a veterinary clinic falls into a category titled "Care centers, convalescent homes, hospitals, veterinary clinics, and assisted living facilities." The other uses in that category are human-based and do not seem like comparable uses. Instead, staff is proposing to create a separate category and make it a permitted use in all standard business districts (B1, B2, B3, B4, BP, and I) because they operate similar to other office uses. Brooklyn Park has five other veterinary clinics in various zoning districts and have not received any complaints about their operations over the years, even with three of them located adjacent to residential uses. These uses are also regulated by the State for their operations.

The effect of this ordinance is that the existing veterinary clinics (in the standard business districts) will become permitted uses and proposed new clinics will work with staff for any building permits they may need. If a proposed site for new construction is adjacent to residential, then site plan review by the Planning Commission and Council will be required. Clinics existing or proposed in any of the special districts (PCDD, TC, or PUD) will remain conditional uses as all uses in those districts are conditional when in conformance with the Comprehensive Plan.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the Code Amendment as recommended by the Planning Commission.
2. Approve the Code Amendment with modifications.
3. Deny the Code Amendment keeping the existing regulations in place.

Attachments:

4.8A ORDINANCE

ORDINANCE #2019-

ORDINANCE AMENDING SECTION 152.342 OF CITY CODE PERTAINING TO VETERINARY CLINICS

The City of Brooklyn Park does ordain:

Underlined Text – Added language

~~Strike Through Text~~ – Deleted language

The following uses in Figure 152.342.01 “Uses in Business Districts” are hereby modified as follows:

	B1	B2	B3	B4	BP	I
Care centers, convalescent homes, hospitals, veterinary clinics , and assisted living facilities	C	C	C	C	NP	NP
<u>Veterinary Clinics</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.9	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Police Department
Resolution:	X	Prepared By:	Stephanie Heiberger, Administrative Assistant
Ordinance:	N/A		
Attachments:	2	Presented By:	Deputy Chief Todd Milburn
Item:	Internet Crimes Against Children Joint Powers Agreement		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO AUTHORIZE THE POLICE DEPARTMENT TO ENTER INTO A JOINT POWERS AGREEMENT WITH THE MINNESOTA BUREAU OF CRIMINAL APPREHENSION AS AN INVESTIGATIVE PARTNER IN THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC).

Overview:

The Minnesota Bureau of Criminal Apprehension (MN BCA) has been a leader in Minnesota law enforcement in the prevention and investigation of the exploitation of children over the internet. These acts of criminal internet exploitation include crimes such as child prostitution and child pornography. The Brooklyn Park Police Department (BPPD) is routinely called upon to investigate these terrible acts. A partnership between our agency, the MN BCA, and other police departments participating in the Minnesota Internet Crimes Against Children Task Force (MN ICAC Task Force) will improve our ability to protect children and prosecute offenders.

By entering into the Joint Powers Agreement, the Brooklyn Park Police Department is eligible for financial and technical assistance. The assistance included in the agreement will cover the cost of additional training for a BPPD detective, some computer hardware, and overtime for larger multi-jurisdictional investigations. More importantly, the increased collaboration and information sharing will improve our investigative capabilities and speed up our ability to save more exploited children.

This Joint Powers Agreement would be an extension of the agreement entered into in December 2013. The authorization for this JPA will expire in 2024, five years from the date that all required signatures are obtained.

For the purposes of this agreement, Inspector of Investigations, Marcus Erickson, is the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The BPPD will receive reimbursement for training, hardware, and occasional overtime that is generated during larger multi-jurisdictional investigations. We do not have a specific dollar amount. No additional resources are needed by the BPPD to participate in this joint powers agreement.

Attachments:

4.9A RESOLUTION
4.9B AGREEMENT

RESOLUTION #2019-

RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO ENTER
INTO A JOINT POWERS AGREEMENT WITH THE
MINNESOTA BUREAU OF CRIMINAL APPREHENSION
AS AN INVESTIGATIVE PARTNER IN THE
MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE

WHEREAS, the Minnesota Bureau of Criminal Apprehension (MN BCA) has been a leader in Minnesota law enforcement in the prevention and investigation of the exploitation of children over the internet; and

WHEREAS, the Brooklyn Park Police Department is routinely called upon to investigate these terrible acts of internet exploitation; and

WHEREAS, a partnership between the Brooklyn Park Police Department, the MN BCA, and other police departments participating in the Minnesota Internet Crimes Against Children Task Force (MN ICAC Task Force) will improve our ability to protect children and prosecute offenders; and

WHEREAS, by entering into this agreement, the Brooklyn Park Police Department will receive some financial and technical assistance; and

WHEREAS, the increased collaboration and information sharing will improve our investigative capabilities and speed up our ability to save more exploited children; and

WHEREAS, Inspector of Investigations, Marcus Erickson, is the Authorized Representative for the Police Department and is authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Police Department to enter into a Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension as an investigative partner in the Minnesota Internet Crimes Against Children Task Force.



STATE OF MINNESOTA

JOINT POWERS AGREEMENT MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE

This Joint Powers Agreement ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension ("BCA"), and the "City of Brooklyn Park on behalf of its Police Department, 5400 85th Avenue North Brooklyn Park, MN 55443" ("Governmental Unit").

Recitals

Under Minnesota Statutes, § 471.59, the BCA and the Governmental Unit are empowered to engage in agreements that are necessary to exercise their powers. The parties wish to work together to investigate and prosecute crimes committed against children and the criminal exploitation of children that is committed and/or facilitated by or through the use of computers, and to disrupt and dismantle organizations engaging in these activities. The Governmental Unit wants to participate in the Minnesota Internet Crimes Against Children (ICAC) Task Force and be provided reimbursement of the following: equipment, training, and expenses (including travel and overtime) as are incurred by law enforcement as a result of ongoing investigations.

Agreement

1. Term of Agreement

- 1.1 **Effective Date.** This Agreement is effective on the date BCA obtains all required signatures pursuant to Minnesota Statutes, § 16C.05, subdivision 2.
- 1.2 **Expiration Date.** This Agreement expires five years from the date it is effective unless terminated earlier pursuant to clause 12.

2. Purpose

The Governmental Unit and BCA enter into this Agreement to implement a three-pronged approach of prevention, education and enforcement to combat internet crimes against children. This Agreement provides the mechanism to reimburse the Governmental Unit for equipment, training and expenses (including travel and overtime), which are incurred by law enforcement as a result of these investigations.

3. Standards

The Governmental Unit will adhere to the ICAC Program standards identified below.

- 3.1 Investigate activities related to internet crimes and the exploitation of children through the use of computers.
- 3.2 Investigate organizations to disrupt and dismantle crimes committed against children.
- 3.3 Investigators will follow appropriate state and/or federal laws in obtaining arrest warrants, search warrants and civil and criminal forfeitures. Investigators will follow proper legal procedures in securing evidence, including electronic devices.
- 3.4 Investigators will understand and use appropriate legal procedures in the use of informants including documentation of identity, monitoring of activities, and use and recordation of payments.

- 3.5 Investigators will use, as appropriate, the most current investigative technologies and techniques.
- 3.6 Investigators must be licensed Minnesota peace officers.
- 3.7 Investigators will comply with the guidelines of the Department of Justice Internet Crimes Against Children Program Operational and Investigative Standards.

4. Responsibilities of the Governmental Unit and the BCA

4.1 The Governmental Unit will:

- 4.1.1 Assign a Governmental Unit point of contact to act as the liaison between it and the BCA ICAC Project Commander to assist in reimbursement deadlines.
- 4.1.2 Submit an ICAC reimbursement request for pre-approval of funds. This request shall include a description of the item requested for reimbursement and an explanation of how it qualifies under the required criteria in Clauses 3.1 and 3.2 and an operational plan.
- 4.1.3 Conduct investigations in accordance with provisions of the ICAC Operational and Investigative Standards, identified in Clause 3.7 above, and conclude the investigations in a timely manner.
- 4.1.4 Allow BCA to inform participating agencies of potential case connections based on data submitted to BCA through the ICAC Program.
- 4.1.5 Not commingle ICAC funds with any other existing federal or state grant funded overtime or additional local Governmental Unit funding.

4.2 The BCA will:

- 4.2.1 Provide a Senior Special Agent who will serve as the Commander of the Task Force.
- 4.2.2 Review and approve or decline reimbursement requests under clause 4.1.2 within seven (7) business days of the reimbursement request.

- 4.3 Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by a Governmental Unit acting through its employees.

5. Payment

- 5.1 To receive reimbursement for an expense, Governmental Unit must make a request for reimbursement to the BCA Authorized Representative under the required criteria for operational and investigative standards.
- 5.2 To receive approved reimbursement, Governmental Unit must submit an expense form no later than 15 business days after the end of the month during which the expense is incurred.
- 5.3 The BCA will pay the Governmental Unit within thirty (30) calendar days of the submission of the expense form.
- 5.4 In the event Governmental Unit breaches this Agreement, it will not be eligible to receive reimbursement for any expenses.

6. Authorized Representatives

The BCA's Authorized Representative is the following person or his successor:

Name: Donald Cheung, Senior Special Agent/Commander of MN ICAC
Address: Department of Public Safety; Bureau of Criminal Apprehension
1430 Maryland Street East
Saint Paul, MN 55106
Telephone: 651.793.7000
E-mail Address: donald.cheung@state.mn.us

The Governmental Unit's Authorized Representative is the following person or his/her successor:

Name: Marcus Erickson, Inspector
Address: 5400 85th Avenue North
Brooklyn Park, MN 55443
Telephone: 763-493-8293
E-mail Address: marcus.erickson@brooklynpark.org

If the Governmental Unit's Authorized Representative changes at any time during this Agreement, the Governmental Unit must immediately notify the BCA.

7. Assignment, Amendments, Waiver, and Agreement Complete

- 7.1 Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement.
- 7.2 Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3 Waiver.** If the BCA fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- 7.4 Agreement Complete.** This Agreement contains all negotiations and agreements between the BCA and the Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

8. Liability

The BCA and the Governmental Unit agree each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The BCA's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes, § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes, §§ 466.01-466.15, and other applicable law.

9. Audits

Under Minnesota Statutes, § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the BCA and/or the State Auditor and/or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

10. Government Data Practices

The Governmental Unit and the BCA must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 and other applicable law, as it applies to all data provided by the BCA under this Agreement and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the BCA.

If the Governmental Unit receives a request to release the data referred to in this Clause, the Governmental Unit must immediately notify the State. The State will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

11. Venue

The venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

12. Expiration and Termination

- 12.1** Either party may terminate this Agreement at any time, with or without cause, upon 30 days written notice to the other party. To the extent funds are available, the Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.
- 12.2** In the event that federal funding is no longer available, the BCA will email the Governmental Unit's Authorized Representative and terminate the Agreement. The termination will be effective two (2) business days after email notification to the Governmental Unit; and the Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.

13. Continuing Obligations

The following clauses survive the expiration or cancellation of this Agreement: 8, Liability; 9, Audits; 10, Government Data Practices; and 11, Venue.

The parties indicate their agreement and authority to execute this Agreement by signing below.

GOVERNMENTAL UNIT

Governmental Unit certifies that the appropriate person(s) has(have) executed this Agreement on behalf of the Governmental Unit and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions, or ordinances.

By and Title: _____
Governmental Unit

_____ Date

By and Title: _____
Governmental Unit

_____ Date

By and Title: _____
Governmental Unit

_____ Date

By and Title: _____
Governmental Unit

_____ Date

By and Title: _____
Governmental Unit

_____ Date

DEPARTMENT OF PUBLIC SAFETY, BUREAU OF CRIMINAL APPREHENSION

By and Title: _____
(with delegated authority)

_____ Date

COMMISSIONER OF ADMINISTRATION

As delegated to the Office of State Procurement

By: _____

_____ Date

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.10	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X		
Ordinance:	N/A		
Attachments:	1		
Item:	Resolution Authorizing Additional Services with Wold Architects and Engineers for Architectural/Engineering for the City Hall Rehabilitation Project		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ AUTHORIZING PAYMENT FOR ADDITIONAL SERVICES BY WOLD ARCHITECTS AND ENGINEERS FOR THE CITY HALL REHABILITATION PROJECT.

Overview:

This request is to authorize additional services required to complete the City Hall rehabilitation project. The original estimated construction cost was \$3.25 million for rehabilitation, remodeling, and restoration work. Our agreement with Wold Architects and Engineers (Wold) pays them 7.5% of the construction project they design.

The scope of work at City Hall expanded considerably to include perimeter wall heat, windows and a possible heated sidewalk outside the main entrance. The value of this work added \$750,000 in construction costs. This would be an additional \$56,250 (7.5%); Wold has agreed to a reduced amount of \$36,500.

Primary issues/alternatives to consider:

Operations and Maintenance staff and the City Manager recommend approval of the additional design fees for Wold Architects and Engineers.

Budgetary/Fiscal Issues:

The additional fees of \$36,500 are part of the City Hall rehabilitation project and are accounted for in the updated project budget.

Attachments:

4.10A RESOLUTION

RESOLUTION #2019-

RESOLUTION AUTHORIZING PAYMENT FOR ADDITIONAL SERVICES BY WOLD ARCHITECTS AND
ENGINEERS FOR THE CITY HALL REHABILITATION PROJECT

WHEREAS, Wold Architects and Engineers has a contract with the City for design services; and

WHEREAS, the City Hall rehabilitation project was originally estimated to have a construction cost of \$3,250,000; and

WHEREAS, the City Hall project scope expanded to include windows, perimeter heat and a snow melt system with a value of \$750,000; and

WHEREAS, Wold receives 7.5% payment or \$56,250 for design services based on the estimated construction cost; and

WHEREAS, Wold agreed to a discounted fee of \$36,500 for the additional services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize payment for additional services by Wold Architects and Engineers in the amount of \$36,500.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.11	Meeting Date:	May 13, 2019
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	7	Presented By:	Devin Montero
Item:	Approval of Minutes		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 8, 2018, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF JULY 9, 2018, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JULY 9, 2018, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF FEBRUARY 11, 2019 AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK BOARD OF APPEAL AND EQUALIZATION MEETING OF APRIL 8, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF APRIL 15, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING OF APRIL 22, 2019, AS PRESENTED BY THE CITY CLERK.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.11A CITY COUNCIL MEETING MINUTES, JANUARY 8, 2018
- 4.11B SPECIAL CITY COUNCIL MEETING MINUTES, JULY 9, 2018
- 4.11C CITY COUNCIL MEETING MINUTES, JULY 9, 2018
- 4.11D CITY COUNCIL MEETING MINUTES, FEBRUARY 11, 2019
- 4.11E BOARD OF APPEAL AND EQUALIZATION MEETING MINUTES, APRIL 8, 2019
- 4.11F SPECIAL CITY COUNCIL MEETING MINUTES, APRIL 15, 2019
- 4.11G RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING MINUTES, APRIL 22, 2019

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, January 8, 2018
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Rich Gates, Susan Pha, Terry Parks, Mark Mata, Bob Mata and Lisa Jacobson; City Manager Jay Stroebe; City Attorney Jim Thomson; Community Development Director Kim Berggren; Police Chief Craig Enevoldsen and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT – None.

2B PUBLIC COMMENT

1. Mike Ostaffe, Vice Chair, Osseo School Board stated Superintendent Dr. McGuire was retiring at end of the year and they were putting together a process to hire her replacement. They had three forums scheduled, Wednesday, January 10, 6:30 check in and from 7:00 p.m. to 8:30 p.m. in the Park Center cafeteria, Monday, January 18, Maple Grove Senior High cafeteria, 6:30 p.m. check in and from 7:00 p.m. to 8:30 p.m., Wednesday, January 24 at Osseo Senior High School cafeteria, check in at 6:30 p.m. and from 7:00 p.m. to 8:30 p.m. He stated they also had an online survey at district279.org and would also have input via email at welisten@district279.org. He stated they were building the specifications from the input of the citizens of what they wanted in a new superintendent and taking that input through the end of January. He stated they would put that specification together and be putting it out in February and accepting applications through February and early March. He stated they would bring in candidates and have something done by mid-April so they could start by the end of June.
2. Dan Helgeson, 6301 65th Ave N. Presented a petition for “no parking” from 12 a.m. to 7 a.m. on his street because of the overflow parking from Eden Park and Willow Apartments.
3. Collette Guyott-Hempel, 9277 Trinity Gardens. Continued with her concerns with speeding on 93rd Avenue. She stated the TH610 traffic used the street as an alternate route. She stated the Council had the authority by the State to make changes and determine the speeds and post the signs without authorization from the Commissioner of Transportation. She was also concerned with the noise enforcement. Stated 93rd Avenue needed to be safer for kids to go from Super America to her neighborhood and

there were no sidewalks or asphalt pavements for them to be on safely. Stated she was present at the budget meeting and there were no plans for the next five years. There was only a limited amount set aside for development of 94th and redevelopment of 93rd Avenue that would not even cover a stop light that was supposed to replace the four stop signs at Regent Parkway and 93rd Avenue. She stated she needed help making it safe because there was not enough room on that road for the police to pull someone over and safely get out of their cars.

3A MOTION GATES, SECOND PARKS TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

3B1 Introduction of New Employees.

Police Chief Craig Enevoldsen introduced Herr Xiong as a new Police Cadet to the Police Department.

3B2 Interview Applicants for the Shingle Creek and West Mississippi Watershed Management Commission.

4.0 MOTION GATES, SECOND PARKS TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-1 DESIGNATING REAL PROPERTY APPRAISERS FOR 2018.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-2 DESIGNATING U.S. BANK AS THE OFFICIAL DEPOSITORY FOR THE CITY OF BROOKLYN PARK FOR 2018.

4.3 TO CONFIRM THE CITY COUNCIL APPOINTMENT OF MARK ANDERSON AS CITY TREE INSPECTOR FOR THE YEAR 2018.

4.4 TO CONFIRM THE MAYOR'S APPOINTMENT OF MARK ANDERSON AND JASON NEWBY AS ASSISTANT WEED INSPECTORS FOR THE YEAR 2018.

4.5 TO CONFIRM THE CITY MANAGER'S APPOINTMENT OF DR. MATTHEW HOCKETT AS BROOKLYN PARK'S HEALTH OFFICER FOR A TERM OF ONE YEAR TO EXPIRE DECEMBER 31, 2018.

4.6 TO DESIGNATE THE BROOKLYN PARK SUN-POST AS THE OFFICIAL NEWSPAPER FOR THE CITY OF BROOKLYN PARK FOR THE YEAR 2018.

4.7 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-3 RELATING TO COUNCIL/STAFF RESPONSIBILITIES.

4.8 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-4 RELATING TO BUSINESS EXPENSES OF THE CITY COUNCIL.

4.9 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-5 AUTHORIZING SUPPLEMENTAL COMPENSATION FOR MAYOR AND COUNCIL MEMBERS WHO ATTEND APPROVED MUNICIPAL FUNCTIONS.

4.10 TO APPROVE THE ELECTED OFFICIALS RULES OF PROCEDURES AND CODE OF CONDUCT MANUAL.

4.11 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-6 APPOINTING JESSE STRUVE AS DIRECTOR AND LATONIA GREEN AS ALTERNATE DIRECTOR OF THE SUBURBAN RATE AUTHORITY FOR 2018.

4.12 TO AUTHORIZE THE CITY MANAGER TO DESIGNATE A DEPARTMENT DIRECTOR, FIRE CHIEF, POLICE CHIEF OR THE ASSISTANT CITY MANAGER TO SERVE, IF NEEDED, AS ACTING CITY MANAGER THROUGH DECEMBER 31, 2018.

4.13 REMOVED FROM THE AGENDA PRIOR TO THE MEETING

4.14 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-7 TO APPROVE CHANGE ORDER NO. 1 FOR 2017 UNDERGROUND COMMUNICATIONS CABLING TO M-P NEXLEVEL LLC.

4.15 TO SET A PUBLIC HEARING ON JANUARY 23, 2018 TO CONSIDER THE ISSUANCE OF AN ON-SALE WINE LICENSE FOR TOKYO SUSHI BROOKLYN PARK INC DOING BUSINESS AS TOKYO SUSHI ALL YOU CAN EAT LOCATED AT 9750 SCHREIBER TERRACE.

4.16 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-8 TO AWARD THE BID FOR COMMUNITY ACTIVITY CENTER GARDENVIEW ROOM EXCAVATION AND WATERPROOFING TO DERAU CONSTRUCTION.

4.17 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-9 APPROVING COOPERATIVE AGREEMENT NO. PW 26-04-17 WITH HENNEPIN COUNTY FOR THE INSTALLATION OF A BICYCLE TRAIL ALONG 63RD AVENUE BETWEEN THE EAST CITY LIMIT BOUNDARY AND HAMPSHIRE AVENUE, CIP 4045-17.

4.18 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-10 APPROVING MNDOT CONTRACT NO. 1029925 APPOINTING THE COMMISSIONER OF TRANSPORTATION AS

AGENT OF THE CITY OF BROOKLYN PARK TO ACCEPT FEDERAL AID FUNDS WHICH MAY BECOME AVAILABLE FOR ELIGIBLE TRANSPORTATION RELATED PROJECTS.

4.19 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-11 APPROVING PLANS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR CIP 3001-18, WATERMAIN REHABILITATION IN MAINTENANCE DISTRICT 1.

4.20 TO ACCEPT WORK AND AUTHORIZE FINAL PAYMENT IN THE AMOUNT OF \$281,944.46 TO PARK CONSTRUCTION COMPANY OF SPRING LAKE PARK, MN FOR THE 2016 STREET RECONSTRUCTION PROJECT, CIP 4003-16.

4.21 TO ACCEPT WORK AND AUTHORIZE FINAL PAYMENT IN THE AMOUNT OF \$230,928.43 TO GMH ASPHALT CORPORATION OF CHASKA, MN FOR THE 2017 STREET RECONSTRUCTION PROJECT, CIP 4003-17.

4.22 TO SET A PUBLIC HEARING FOR FEBRUARY 12, 2018, AT 7:00 P.M., TO CONSIDER AN ORDINANCE AMENDING CHARTER CHAPTER 9, SECTION 9.04 OF THE HOME RULE CITY CHARTER.

4.23 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-12 APPROVING FINAL PLAT OF "HIDDEN TRAILS ESTATE" SUBDIVIDING 2.51 ACRES INTO SIX SINGLE-FAMILY LOTS AT THE NORTHEAST CORNER OF 101st AVENUE AND FALLGOLD PARKWAY.

4.24 TO APPROVE THE APPLICATION AND APPOINTMENT POLICY FOR FILLING A VACANCY IN THE OFFICE OF MAYOR OR COUNCIL MEMBER.

MOTION PASSED UNANIMOUSLY.

5.1 Rental and Business Licensing Manager Keith Jullie briefed the Council on the Issuance of an Off-Sale Brewer Intoxicating Liquor License for Blue Wolf Brewing Company LLC dba Blue Wolf Brewing Company Located at 8515 Edinburgh Center Dr. North.

5.1 Mayor Lunde opened the public hearing to consider the Issuance of an Off-Sale Brewer Intoxicating Liquor License for Blue Wolf Brewing Company LLC dba Blue Wolf Brewing Company Located at 8515 Edinburgh Center Dr. North.

5.1 The following individuals addressed the Council – None.

5.1 Mayor Lunde closed the public hearing and returned the item back to the table for consideration.

5.1 MOTION LUNDE, SECOND M. MATA TO SOLICIT TESTIMONY AND RECOMMEND THE ISSUANCE OF AN OFF-SALE BREWER INTOXICATING LIQUOR LICENSE FOR BLUE WOLF BREWING COMPANY LLC DBA BLUE WOLF BREWING COMPANY LOCATED AT 8515 EDINBURGH CENTER DR NORTH AND CONTINGENT UPON ISSUANCE OF BUILDING PERMITS, UPON OBTAINING A CERTIFICATE OF OCCUPANCY FOLLOWING COMPLETION, APPROVAL OF INSPECTIONS AND APPROVAL OF MINNESOTA DEPARTMENT OF PUBLIC SAFETY ALCOHOL AND GAMBLING ENFORCEMENT DIVISION BREWER LICENSE. MOTION PASSED UNANIMOUSLY.

5.2 Rental and Business Licensing Manager Keith Jullie briefed the Council on the Issuance of an On-Sale Brewer's Taproom License for Blue Wolf Brewing Company LLC dba Blue Wolf Brewing Company Located at 8515 Edinburgh Center Drive North.

5.2 Mayor Lunde opened the public hearing to consider the Issuance of an On-Sale Brewer's Taproom License for Blue Wolf Brewing Company LLC dba Blue Wolf Brewing Company Located at 8515 Edinburgh Center Drive North.

5.2 The following individuals addressed the Council – None.

5.2 Mayor Lunde closed the public hearing and returned the item back to the table for consideration.

5.2 MOTION GATES, SECOND B. MATA TO SOLICIT TESTIMONY AND RECOMMEND THE ISSUANCE OF AN ON-SALE BREWER'S TAPROOM LICENSE FOR BLUE WOLF BREWING COMPANY LLC DBA BLUE WOLF BREWING COMPANY LOCATED AT 8515 EDINBURGH CENTER DR NORTH AND CONTINGENT UPON ISSUANCE OF BUILDING PERMITS, UPON OBTAINING A CERTIFICATE OF OCCUPANCY FOLLOWING COMPLETION, APPROVAL OF INSPECTIONS AND APPROVAL OF MINNESOTA DEPARTMENT OF PUBLIC SAFETY ALCOHOL AND GAMBLING ENFORCEMENT DIVISION BREWER LICENSE. MOTION PASSED UNANIMOUSLY.

6.1 Planning Director Cindy Sherman briefed the Council on the Conditional Use Permit to Re-Open the Drive-Thru for a New Sandwich Shop at 8540 Edinburgh Centre Drive.

6.1 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2018-13 APPROVING A CONDITIONAL USE PERMIT FOR A CLASS-I RESTAURANT WITH DRIVE-THRU AT 8540 EDINBURGH CENTRE DRIVE NORTH. MOTION PASSED UNANIMOUSLY.

6.2 Planning Director Cindy Sherman briefed the Council on the Conditional Use Permit to Change an Existing Baseball Field Light to a Communications Monopole with an Equipment Shelter at Champlin Park High School.

Council Member Mark Mata stated that until Champlin Park High School hooked up to the city water supply, he wouldn't support anything for Champlin Park High School.

Mayor Lunde stated there were some agreements with Champlin High School and the City that when they worked on their parking lot, they were going to hook up to city water. He stated his understanding was they neglected to do so when they re-did the parking lot.

Council Member M. Mata stated Champlin Park was a large user of the water and Champlin Park High School was sitting inside the city limits of Brooklyn Park. He stated it would help reduce costs for residents of the city and that was not happening now. He stated the agreement was when the parking lot was to be resurfaced it was going to happen at that time. The parking lot had been resurfaced, the past summer and the school had not hooked up to the city's water.

Mayor Lunde stated he was still going to support the motion but shared the concerns by Council Member Mark Mata. He stated that if he told another resident they didn't have to live up to their agreement or vice versa, asked how he could tell a resident they should if they agreed to do something. He stated the high school went ahead and did the construction and they didn't enforce that agreement. He stated he would support the motion, but shared concerns and thought it was unfair they forced other people to live up to their agreements but not Champlin Park High School.

Planning Director Sherman stated she knew staff had been in conversations with the school representatives about the water issue and it was an ongoing discussion. She asked the attorney if it would be possible to put a condition in the conditional use permit.

Mayor Lunde asked the City Manager to provide the Council with an update in the future.

City Attorney Thomson stated he didn't think that would be a reasonable condition for two reasons. Champlin was not the applicant because it was a third party and there were federal laws that restricted the types of conditions they could put on telecommunications towers.

Council Member Jacobson stated she was at the Planning Commission meeting when it was discussed. She stated that every time Champlin was listed as the address with the zip code of 55316, it was upsetting to them because the school was in Brooklyn Park. She stated it now said on the plan Brooklyn Park Minnesota 55316, which was not the zip code. She stated it should be corrected because that was their mailing address. She agreed on everything that had been said and was hopeful they could fix it once and for all and should still be listed on the plans as Champlin with the zip code that was correct.

6.2 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT

RESOLUTION #2018-14 APPROVING A CONDITIONAL USE PERMIT FOR A COMMUNICATIONS TOWER AT CHAMPLIN PARK HIGH SCHOOL LOCATED AT 6025 109TH AVENUE NORTH. MOTION PASSED. (6 TO 1) M. MATA VOTED NO.

6.3 Planning Director Cindy Sherman briefed the Council on the Conditional Use Permit for a 16-Bed Residential Care Facility at 9235 Zane Avenue North.

6.3 MOTION LUNDE, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-15 APPROVING A CONDITIONAL USE PERMIT FOR A TWO-BUILDING 16-BED RESIDENTIAL CARE FACILITY AT 9235 ZANE AVENUE NORTH. MOTION PASSED UNANIMOUSLY.

6.4 Planning Director Cindy Sherman briefed the Council on the Development Plan Amendment, Conditional Use Permit, and Preliminary Plat #17-133 for a Multi-Family Residential Development: 207-Unit Market Rate Apartment Building and a 103-Unit Senior Assisted Living Building North of 93rd Avenue North between Regent and Zane Avenues.

The following individual addressed the Council:

1. Collette Guyott-Hempel stated that according to the plan, it was less than 600 feet from Regent Ave, Regent Parkway and 93rd Avenue intersection for the stop signs and that was a problem. She stated the other problem was the school district. She stated it was not in the Zane corridor and the Zane corridor schools and the 610 Apartments were all scheduled for Park Center High School. She stated there were no apartments being built into the Anoka Hennepin or the Osseo school districts and were concentrating all those apartments into the same school.

Council Member Jacobson stated she had been concerned about 93rd Avenue for quite a while and was in favor of the project but not in favor of waiting several years to fix 93rd Avenue. She stated the staff report said it would likely be reconstructed after completion of both buildings and wanted to know the process for the Council to move it forward faster. She asked what the timeline was for the completion of the development.

Planning Director Sherman stated the process would be to start talking about it and putting it in the CIP. She stated it was all about funding and they had other areas that were higher in priority from an MSA perspective and the franchise fee ability to use that for road construction. She stated it was a policy discussion to have on how to prioritize it against other things.

Mr. Roger Fink, Trident Development, stated the timeline of the construction of the project, best case, was 36 months from the start of construction and would be early summer this year.

Council Member Jacobson asked the anticipated timeframe before they would have a full capacity. She stated what she was looking for was to build the case when the project was done and how long before they could get an idea what the traffic count would be.

Mr. Fink stated they would begin construction of the assisted living property later in the year and it would take a year to complete. He stated they might start construction of the first phase of the apartment building before that building was complete and a lot had to do with ownership decisions, financing, equity capital, etc. He stated the first phase of the apartment building would probably take an additional 12 months for construction and the third phase about 9 months.

He stated the question was how soon the traffic impacts would start to be realized. He stated the assisted building wouldn't have a great impact on traffic because the nature of residents with the average being 84 years old or older and they didn't have cars and some were in memory care. He stated they would have employees coming and going on different shifts of the day. The assisted living building would take 24 to 36 months to reach full occupancy, and the apartment building, once the first phase was completed, expected be fully occupied over the course of the first 12 months after construction and the same with second phase, another 12 months following completion of construction and that phase would be fully occupied.

Council Member B. Mata stated historically the senior assisted living was going to be a large user of the 911 service and asked if they were going to have staff in the building to handle those situations rather than calling 911 except for the need of an ambulances.

He stated the EMTs were firefighters and responded to all 911 calls and a lot of them were for transport. He asked if they were going to require having an EMT or paramedic on staff to handle those things rather than calling the Fire Department or if there was a way they could put a limit on calls a property could have without getting fined or having to pay for the service.

Mr. Fink stated the property would be staffed 24 hours a day with qualified personnel there to deal with emergency matters. He stated every resident was offered the opportunity to have on their person an emergency call button, necklace or wristlet. If they had a problem, they could page the front call center and they would dispatch the individual on staff to deal with the emergency. He stated the apartment units were equipped with emergency call devices and if there was a problem in the unit, the first response would be within their building with staff, and if it was determined they could not manage it and an outside ambulance or emergency medical team was needed, they would then make that call.

Mayor Lunde stated he had seen the numbers on the average parking. He was concerned about it and asked if it was less than what they used to require, which was

driving a lot of the parking complaints and if they tried to emulate the market with lower parking, asked if they were heading down the same path where they spent a few meetings talking about parking.

Planning Director Sherman stated they toured the Fridley facility and asked how they operated. She stated they gave each unit four to five parking passes they kept in apartments for guests. She heard they had enough parking at most of the apartment projects, but they were not being managed so people could use it. She stated part of it was management and she felt confident that based on what she had seen on apartment projects, parking would be more than adequate. She stated they were proposing to manage it with providing guest passes and allowing parking underground to be available without an extra charge built in to the rent and people would likely use it. She stated other apartments charged monthly for a garage. She stated the underground garage was climate controlled and secured. She stated they knew the parking regulations were overparked for lots of things, like retail, and that was why several years ago they added one line that said if they had proof that they were asking them to do was too much, they could provide an analysis that showed reduction in parking. She stated they used it often on restaurants, hotels and retail uses, like Walmart, was over-parked, as an example of what they required for their parking requirements.

Mayor Lunde stated he knew that management company had a policy, but the next company might change those policies. He stated the Council talked about the parking this summer prior to that application and they talked about how people were applying for their parking, what they had right now and were asking for money and forcing residents to park in the streets when they had parking on site. He stated he always thought they needed to take every opportunity, whether they helped an existing apartment that had been in the city for 40 years or a new one, to start honing that fact. He stated if Trident sold the property and changed the policy to the paid methodology, it drove people back onto the streets and back to the same problem. He stated Trident's policy was what they wanted but was the next company that came in. He stated if they had apartments that had parking through a new management, and now suddenly didn't have parking, the rest of the neighborhood had to suffer when there was parking on site. He stated if they didn't have a CUP to address it, it just meant the next Council 20 years from now would be having the same problem.

Planning Director Sherman stated they did include a condition about if parking became an issue, they had to work with the city on a management plan. She stated in this case there wouldn't be anywhere to park on the street because they were isolated by roads that didn't have on-street parking. She stated 93rd Avenue didn't allow off-street parking and 94th Avenue might allow it on one side of the street but that would be a final design issue as that road was built. She asked the City Attorney if they could include a condition that required underground parking to be part of the normal rent as a condition of the CUP so it would bind future owners to also do that.

City Attorney Thomson stated they could impose that condition as a use on the property and would need work on the wording of it.

Mayor Lunde stated he would like to revisit that language to see if it was acceptable to Trident if they enforced their current policy to the next company. He stated things changed quickly where the market blew up and things changed and got requests to do things cheaper to make the market rates work. He stated the plan would come back to change and thought the CUP would allow it to live up to those standards.

Planning Director Sherman stated when they took action on an application, it included the plans and what the Council saw was what would be constructed. She stated any modifications would come back to the Council.

Mayor Lunde asked if the Fire Department could do some analysis. He stated that as the city added different types of facilities, it drove certain type of services and he was not in favor of charging if they hit a certain limit. He thought they should look at them as service drivers and certain facilities were frequent users of city services, like EMT. He stated the analysis would look at per unit so many calls were made, because from a budgetary standpoint they needed to look at it because he wondered if it was cheaper to have staff at one of those facilities.

Council Member Parks asked what would trigger phase two of the complex and asked if they did not reach a 95% occupancy, was it possible phase two would not get started.

Mr. Fink stated phase two would proceed forward once the ownership group felt confident that phase one would reach stabilization, a 95% occupancy on the first phase. He stated they had confidence they would likely achieve it within the time it got phase two started.

He stated there was a possibility of not starting on Phase 2 if they failed to get the first phase full. He stated for that reason, they prepared a grading and landscape plan at the request of the Planning Commission that illustrated how landscaping and grading would be finished if Phase 2 was permanently put on hold. He stated the grading and landscaping was required to be put in place if phase two was not started within 24 months of phase 1 receiving its occupancy permit.

Council Member Parks stated Ms. Guyott-Hempel had been to Council meetings several times and her message was consistent with safety on 93rd Avenue. He agreed with Council Member Jacobson and needed to expedite it if they could to make it safer.

Council Member M. Mata stated the multifamily studies from the different Commissions said too much high density in one area would be a problem. He stated it was done long time ago and what they got was an area they were trying to figure out, the Zane Corridor. He stated in the area to the north of 610, there was high density; to the east of

Regent, there was high density; and the proposed project was another high-density area, all within the four corners of the intersection and at some point they should learn from the past mistakes. He stated when the Astra Development came forward in 2007, he said no because he wanted the commercial component first and everyone came in and built the residential component and Council never saw the retail component. He stated on Zane and Brooklyn Boulevard, it was supposed to be a large retail component and every year said they couldn't build two or three stories. He stated he was told by Community Development there was not a market for office building, yet the plan showed four different office buildings. He stated they could build office along TH610 and had a market for it and would fill them up. He stated that on the map being shown and 94th Avenue that connected to Zane to cross over to Hy-Vee, asked if that was going to be blocked off and not able to cross it. He stated he was under the impression that it would be a divider and not be able to go from 94th Avenue to cross over to Hy-Vee and cross back.

Planning Director Sherman stated it was likely to change in the late summer and would not be a complete closure. She stated it would limit the left outs and would still be able to go right in

and right out and left into Hy-Vee but not a left out of Hy-Vee. She stated it was the left in both directions that wouldn't be there anymore.

Council Member M. Mata stated the piece that connected to 94th Avenue out to Zane Avenue should go away because it would not have a stop light and did not funnel traffic. He stated he was looking at the developer to take 94th Avenue, call it 93rd Avenue, start at the intersection of Regent and meander it through and come back around. He stated they had to tear up and redo 93rd Avenue anyway and asked why the city should tear up and redo 93rd Avenue to put in a sidewalk, and curb and gutter and trees, when they had two roads there and suggested making one road and meander it through the property. He stated there was no reason to have 93rd Avenue there because it abutted to homeowner's backyards on the other side of the property. He stated it could start at 94th Avenue and Regent and turn the road and become 94th Avenue to go through development and turn it so it came back and connected to the back side to Super America because it was one road. He stated there was nothing that said they had to make a straight road through there.

Planning Director Sherman referenced the roadway classification map. She stated when there was a city like Brooklyn Park, they had to set up a system to move traffic because not everything could be a residential street. She stated 93rd Avenue was a collector road and was designed to have limited access to have limited driveways. She stated that was why all the houses backyards backed up to it was to prevent a lot of traffic and a lot of intersections. She stated there were some, but they were spaced relatively far apart to accommodate the traffic.

She stated they wouldn't want this traffic to be going through the middle of any development, whether residential or commercial, and needed to have things separate from the through trips. She referenced the map and stated the hierarchy were the red roads that were the big highway and freeways, and the blue and yellow roads that were on the edges and carried more traffic. She stated sometimes there were city streets and County streets and could see all the neighborhood streets were smaller. She stated the trips a day were up to 1,800 versus a collector road that could be between 8,000 and 10,000 a day.

She stated that when talking about changing the road system for that development, she was not sure that was the answer. She stated when people were going to Prairie Care, a lot of the trips came from TH610 and a lot of people went to that facility along with ambulances and other vehicles. She stated they would still be able to come in and make that left-hand turn into that facility and get access to the hospital. She didn't think they should eliminate the road because the modifications to the intersection would still provide good access to the development. She stated if a person wanted to go to Hy-Vee they would take a left either via Zane or via Colorado Avenue, which at some point would be signalized for access in and out of there. She stated there was a very detailed study that was done initially with the environmental review for Astra and then had been updated each step of the way when Hy-Vee went in and they had to update the traffic study. She stated they felt confident the design of the road in the system could accommodate the development that was proposed, understanding that people had concerns about 93rd Avenue, especially with regard to pedestrians and access. She stated the long-term plan was that Hennepin County had to reconstruct 93rd Avenue on the west side of Zane and that would have trails and or sidewalks on both sides of the road and would anticipate a similar design on the other side of the road at some point.

Council Member M. Mata stated that once they crossed over to Zane to the east side, there was no way they could tell the percentage in decrease in cars. He stated they couldn't go through that intersection. He stated that on TH610 as far as lanes, it was stop and go in morning and at night, both ways. He stated he was confused how that much of traffic went from the same direction both times. He stated what they were going to do, they would find a straight shot from a map on their phone or car and cut down to 93rd Avenue and follow it all the way across. He stated they wouldn't be able to go past Noble Parkway because it meandered through the neighborhoods. He stated that was why there was no reason to build 93rd Avenue and they could do away with 93rd Avenue and move those buildings closer and redesign the development and meander it back behind Super America. He stated they could eliminate 93rd Avenue and make one road instead of two, make the road wider and was a huge savings. He stated they could make it meander instead of straight grids and Target did it through their development, a development on Regent Parkway and Zane, Oak Grove Parkway was meandered instead of a straight line and it could be done. He stated that when someone had to make turns and go around things, it was less likely they used it for a cut through road.

Mayor Lunde stated that everyone had ideas on 93rd and 94th that maybe they could ask for a work session because tonight they couldn't redesign the roads. He stated to invite the applicant to the meeting for discussion to address those concerns and then they could decide on the merits of the proposal.

Council Member M. Mata stated that it was brought up about the Fire Department and their responses. He stated someone could make an administrative change now and say they didn't need to respond to someone who stubbed their toe or fell down and someone could pick them up if there was no injury. He stated there were many changes that could happen now to stop those many calls and they could be done administratively, which came from one department and those would be well in line with all surrounding cities.

6.4 MOTION LUNDE, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-16 APPROVING THE PRELIMINARY PLAT AND AMENDED DEVELOPMENT PLAN FOR "ASTRA VILLAGE 4TH ADDITION."

Council Member Pha stated she was at the initial meeting they had in the community on the project in August and at the Planning Commission meeting. She stated she saw a crowd of residents who lived in that area talk about their concerns and thoughts about the development. She stated she didn't see the same people returning, but said their concerns had been heard. She stated she was surprised the residents didn't come out tonight and only had one person tonight that spoke. She thought that played into one of the comments made at the Planning Commission meeting, that they felt the Council and the City didn't care about what they thought and didn't listen to residents. She stated that tonight seeing that many who didn't return made her feel that way.

She stated the Council did listen and for the last couple of months the development had been receiving comments from the community and staff about the development. She stated she had been giving it a lot of thought and it was a difficult decision for her. She felt it would pass if she voted for it or not. She stated she represented the residents and what kind of developments they wanted to see in their neighborhoods and the city and it was hard for her to vote for something the residents didn't feel was a right fit for their neighborhood and they opposed it. She stated because she didn't see the same people tonight, she only assumed that was the reason why they didn't come back. She stated that another assumption was that maybe they had settled on the idea the development was okay for their neighborhood and some of the concerns they brought up had been addressed and okay. She stated that if they had enough residents who opposed a certain development, it didn't matter if she believed it was a good development in that area, she would go with what the residents said because it impacted the lives of those who lived in that neighborhood. She stated she spent much time researching and reading studies how multi-unit buildings, high density buildings did not actually play to the myth that most people thought it did: that it created more crime, lowered property values, and

had traffic issues. She stated that was not the actual reality if they properly planned for a high density that was a good fit for the community.

She stated tonight she would vote for it because she had not heard the same concerns from those tonight who came out in volumes before and assumed that meant that people were okay with the development. She stated they needed to move forward with 93rd Avenue road construction ahead of time and they should discuss it and that development should not wait. She stated she was in favor of putting a conditional use requirement that every unit was given one parking stall underground as part of their rental contract because she did not want to see the same parking issues repeated in the community with that development and needed to be part of the Conditional Use Permit that they were allowing tonight.

Council Member B. Mata stated he came in tonight's meeting prepared to say no to the development, but between phone calls this afternoon and the responses he got tonight, he was willing to support the project if it could expedite development of 93rd Avenue. He stated he didn't believe in traffic studies and believed what people saw, what the neighbors said and what he could see on the traffic. He stated if it would help the redevelopment of 93rd Avenue then he was in favor of it.

Council Member Jacobson asked about the one parking stall per unit. She asked if there was a possibility of doing one per bedroom because one per unit in a two bedroom with two different people was going to push someone somewhere else.

Planning Director Sherman stated there wouldn't be enough to do one per bedroom underground. She stated the way they did the analysis, they assumed it to be at least one driver per studio and one bedroom apartment, and in some cases they used two drivers in the one bedroom analysis, but there was not enough underground to do it one per bedroom.

Council Member Jacobson asked if there was enough overall parking on site and what about when they had guests. She stated one of the issues in apartment complexes where people were being pushed to park in street was around more long term guests, the guests who were not on a lease but stayed for longer period of time.

Planning Director Sherman stated there was enough overall parking and the management provided guest parking passes. She stated they still monitored and controlled who was on the site and provide those passes to the people ahead of time to put the guest pass on dashboard.

She stated when they went on a tour in Fridley, they said they tracked all cars and had cars who were registered to tenants. She stated if they started to see a tenant that had a guest pass that was there for a longer period, they followed up from a lease

perspective and took care of it that way. She stated they had good controls in tracking who was in the building and in parking lots. She stated all vehicles on the lease were required to be registered so they knew who was on a lease and who wasn't.

6.4 THE MOTION PASSED. (6 TO 1) M. MATA VOTED NO.

6.4 MOTION LUNDE, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-17 APPROVING A CONDITIONAL USE PERMIT FOR A 103-UNIT SENIOR ASSISTED LIVING BUILDING AT 5601 94TH AVENUE NORTH. MOTION PASSED. (6 TO 1) M. MATA VOTED NO.

6.4 MOTION LUNDE, SECOND PHA TO WAIVE THE READING AND ADOPT RESOLUTION #2018-18 APPROVING A CONDITIONAL USE PERMIT FOR A 207-UNIT APARTMENT BUILDING AT 5401 94TH AVENUE NORTH, REQUIRING EACH APARTMENT UNIT BE SUPPLIED WITH ONE UNDERGROUND PARKING UNIT AS PART OF THE NORMAL RENT PAID FOR THE LEASE OF THE UNIT. MOTION PASSED. (6 TO 1) M. MATA VOTED NO.

7.1 Finance Director LaTonia Green briefed the Council on the Public Purpose Expenditures Policy.

7.1 MOTION LUNDE, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-19 ACCEPTING THE CURRENT PUBLIC PURPOSE EXPENDITURES POLICY. MOTION PASSED UNANIMOUSLY.

7.2 Mayor Lundebach briefed the Council on the appointment of Council Liaisons to Commissions and Committees.

7.2 MOTION LUNDE, SECOND GATES TO CONFIRM THE MAYOR'S COUNCIL LIAISON APPOINTMENTS TO COMMISSIONS AND COMMITTEES FOR THE YEAR 2018.

APPOINTING JEFFREY LUNDE, MARK MATA AND SUSAN PHA AS MEMBERS OF THE AUDIT COMMITTEE.

APPOINTING RICH GATES AS LIAISON BETWEEN THE CITY COUNCIL AND THE BUDGET ADVISORY COMMISSION.

APPOINTING MARK MATA AS LIAISON BETWEEN THE CITY COUNCIL AND THE CHARTER COMMISSION.

APPOINTING JEFFREY LUNDE AS LIAISON BETWEEN THE CITY COUNCIL AND THE CITIZEN LONG-RANGE IMPROVEMENT COMMITTEE.

APPOINTING BOB MATA AS LIAISON BETWEEN THE CITY COUNCIL AND THE HUMAN RIGHTS COMMISSION.

APPOINTING LISA JACOBSON AS LIAISON BETWEEN THE CITY COUNCIL AND THE PLANNING COMMISSION.

APPOINTING TERRY PARKS AS LIAISON BETWEEN THE CITY COUNCIL AND THE RECREATION AND PARKS ADVISORY COMMISSION.

APPOINTING SUSAN PHA AS LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYNS YOUTH COUNCIL.

APPOINTING RICH GATES AS LIAISON AND LISA JACOBSON AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE FIRE RELIEF ASSOCIATION.

APPOINTING MARY TAN AS LIAISON AND JEFFREY LUNDE AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE NORTHWEST SUBURBS CABLE COMMUNICATIONS COMMISSION.

APPOINTING LISA JACOBSON AS LIAISON BETWEEN THE CITY COUNCIL AND THE PROPERTY MANAGER'S COALITION.

APPOINTING LISA JACOBSON AS LIAISON BETWEEN THE CITY COUNCIL AND THE TATER DAZE PLANNING TEAM.

MOTION PASSED UNANIMOUSLY.

7.3 Mayor Lunde briefed the Council on the appointment as Mayor Pro Tem.

7.3 MOTION LUNDE, SECOND M. MATA TO APPOINT BOB MATA AS MAYOR PRO TEM FOR THE YEAR 2018.

7.3 MOTION PHA, SECOND GATES TO AMEND THE MOTION TO APPOINT TERRY PARKS AS MAYOR PRO TEM FOR THE YEAR 2018. THE VOTE ON THE AMENDMENT PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PARKS, PHA, JACOBSON, GATES, B. MATA; NO – M. MATA, LUNDE.

7.3 VOTE ON THE MAIN MOTION PASSED UNANIMOUSLY.

7.4 City Manager Stroebel briefed the Council on the ordinance amendments to City Code Chapters 30 and 31, relating to Boards and Commissions and Approval of the Council Policy for Boards and Commissions Appointments.

7.4 MOTION LUNDE, SECOND JACOBSON TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CITY CODE CHAPTERS 30 AND 31 RELATING TO BOARDS AND COMMISSIONS. MOTION PASSED UNANIMOUSLY.

7.4 MOTION LUNDE, SECOND JACOBSON TO APPROVE THE COUNCIL POLICY FOR BOARDS AND COMMISSIONS APPOINTMENTS. MOTION PASSED UNANIMOUSLY.

7.5 City Manager Stroebel briefed the Council on the Resolution Setting Standards for Boards and Commissions.

7.5 MOTION JACOBSON, SECOND PHA TO WAIVE THE READING AND ADOPT RESOLUTION #2018-20 TO REPLACE RESOLUTION #2008-38, SETTING STANDARDS FOR CITY BOARDS AND COMMISSIONS. MOTION PASSED UNANIMOUSLY.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Lundé stated that tomorrow, the Blue Line Connect Coalition was presenting to Public Works Committee of the Hennepin County Commissioners on behalf of all the cities. He stated he would be joined by Mayor Harris and a Council Member from Crystal to talk about the Coalition's desire for the Blue Line to be treated as its own line and its own timetable.

Council Member Parks stated he was the Council Liaison for the Charter Commission and at a meeting in December, one issue came up. He stated when they tried to set their agenda up a year in advance, asked him to bring up to the Council if there were any issues the Council wanted them to look into in the next six months to a year. He stated he would be willing to take any input the Council and staff might have if there was anything that was needed from the Charter Commission, so they could put those items on their agenda.

Council Member Pha stated that often the community and residents didn't know who the Mayor Pro Tem was. She suggested a Mayor Pro Tem name plate to reflect who the Mayor Pro Tem was so people knew that in the absence of the Mayor that person was Mayor Pro Tem. She stated the website did not have that listed under the Council Members name that they were also the Mayor Pro Tem and wanted to make sure they had that information there so people knew who to contact as Mayor Pro Tem.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel thanked City Engineer Jeff Holstein and staff who were involved in being successful in securing \$11.5 million of TED and TEDI dollars. He stated they

also received \$10 million out of the \$18 million for the 101st interchange. He stated that in addition to the \$7 million of the regional solicitation, they already received \$18.5 million that went toward that project and a huge gratitude toward staff on that work.

He stated there was an open house for the Mississippi Gateway Regional Park Master Plan two times, tomorrow, January 9; and next Tuesday from 5 p.m. to 7 p.m. at the Community Activity Center.

He stated there was the State of Cities event on Thursday, 11:30 a.m. to 1 p.m., at the Marriott.

There would be Crime Prevention seminars at the Police Department training room from 6:30 to 8:30 p.m. on Thursday and next Thursday.

He stated the City Hall offices would be closed next Monday.

He stated Tuesday was the Martin Luther King, Jr., Day of Service at Hennepin Technical College, with a community luncheon, from 11: 30 a.m. to 1:30 p.m.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 9:24 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

**SPECIAL BROOKLYN PARK CITY COUNCIL MEETING
WORK SESSION**

Monday, July 9, 2018
6:00 p.m.

Steve Lampi Meeting Room
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Bob Mata, Terry Parks, Susan Pha, Lisa Jacobson, Mark Mata and Rich Gates; City Manager Jay Stroebe; Recreation and Parks Director Jody Yungers; Parks and Facilities Manager Brad Tullberg and City Clerk Devin Montero.

ABSENT: None.

B. GENERAL INFORMATION

C. DISCUSSION ITEMS/GENERAL ACTION ITEMS

C.1 Presentation of Eidem Homestead Master Plan (Recreation and Parks Director Yungers; Parks and Facilities Manager Brad Tullberg; and Project Manager Jean Turck, Miller Dunwiddie Architecture; and Landscape Architect Amy Elias, SRF Consulting and Interpretive Planner Nancy O'Brien-Wagner.

Project Manager Turcks and Interpretative Planner O'Brien-Wagner presented the Master Plan goals for this project to Council.

Council Member B. Mata stated he was a little confused that during the presentation, it was said they wanted to keep it within a historical perspective and what life was like on the farms in the early 1900s and now they wanted to put in bathrooms.

Interpretive Planner Obrien-Wagner stated she wanted the history part to be more meaningful and for it to connect to a much broader context. She wanted the physical site to be clearly curated between what was the past and what was today. She stated the bathrooms were not going to be in the exhibit.

Director Yungers stated they wanted to identify what the exhibit was and what they were trying to do was to make the exhibit be the boundary, which they were interpreting that. She stated everything else around it was support or could be demonstration.

Facilities Manager Tullberg asked Council if they agreed with the general recommendations of the plan and stated the purpose of the work session was to get the feel and appetite of Council.

Council Member Parks stated he agreed with it but his concern was the price tag. He stated they just recently talked about a \$32 million pool and now they were talking about

a \$7 million farm and it was a big price tag.

Director Yungers stated there were a variety of granting sources for the preservation of historic areas. She stated what became important to leveraging those other resources was the Master Plan. She stated they must have the Plan, the vision and have some leveraging matching dollars to go after some of those funds. She stated she believed that by having the Plan and the phase plan, they could get some support to advance the Master Plan. She stated they would not be doing it alone and thought that was important.

Council Member B. Mata asked how they planned to transition people from 1905 to today. He stated he could envision a room they go into and there was either a narrated slide projector presentation or a movie showing the history and then brought it up decade by decade or however they did it to bring them up to speed and then walk out the other door to something newer and more modern. He stated there needed to be a transition and just putting up new buildings didn't do it for him.

Project Manager Turcks stated that a good example would be Fort Snelling. They had the parking lot, which transitioned into the Visitor's Center, and then they introduced them to the story and sent them on a path and as they walked their way through, they were back in 1836. She stated that now that they had a Visitor's Center onsite, they would park and transition to a Welcome Center and visitors could start with the tours, watch the slide shows or look at the exhibits and then transition into the site. She stated they would be creating that staged theatrical introduction into the farm.

Council Member Pha asked that if they reinvested the money, would they make enough revenue to sustain the operation of the farm or would there always be a debt that they would have to add.

Project Manager Turcks stated it would be for the good of the community, kind of like the parks.

Council Member Parks asked if there were any preliminary numbers available for what it might be.

Director Yungers stated they didn't have a proforma and they didn't get into the operational dollars for it and would be the next step and part of the concept development.

D. VERBAL REPORTS AND ANNOUNCEMENTS

D.1 Council Member Reports and Announcements – None.

D.2 City Manager Reports and Announcements – None.

F. ADJOURNMENT

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 6:57 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, July 9, 2018
7:07 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Rich Gates (arrived at 7:10 p.m.), Susan Pha, Terry Parks, Mark Mata, Bob Mata and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Police Chief Craig Enevoldsen and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager stated there were three public comments at the last meeting. Two of those were related to the behavioral clinic, which the Council took up, and the third was related to 93rd Avenue which is a continuing dialog among the Council, staff and the community. No additional follow was needed.

2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Stated today, a big dirt truck was stalled with mechanical difficulties along 93rd on the no parking area and two more in a 15 minute time span had their brakes squealing. She stated during that time, there was a child on his bike and that road was still at 50 mph. She stated with those dirt trucks hauling, they could at least put up “trucks hauling signs.” She stated the city could ask for a temporary reduction in speed and could put up signs saying, “no pedestrians, no bike riders or no joggers.” She stated people were not making full stops at Regent. She stated she called Commissioner Opat’s Office asking for the County’s help for getting a light and she would call the State regarding the speed issue.
2. Dan Helgeson, 6305 65th Avenue North. He had a petition for no parking and asked about the future changes to the snow emergency ordinance. He talked about the apartment complexes and their use of their parking lots pushing their tenants to park on city streets to the detriment of the property owners in the area. He stated the Police Department had not been enforcing the overnight parking. He opposed the addition of the snow emergency unless it was part of the year-round overnight parking ban. He called the Police Department on cars parking in the area, but was told they couldn’t do anything until October and suggested to end the apartment complex parking permit system and keep the overnight parking ban with the snow emergency or go to a year round 2 a.m. to 5 a.m. parking ban and snow emergency.

3A. MOTION GATES, SECOND B. MATA TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

3B1 Assistant City Manager Wokie Freeman introduced Communications Manager Bobbie Dahlke as a new employee to the Administration Department.

4.0 MOTION GATES, SECOND PARKS TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 MOTION GATES, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2018-98 TO AUTHORIZE ENTERING INTO AN AGREEMENT WITH BOLTON & MENK INC. FOR ENGINEERING SERVICES FOR REPLACEMENT OF CHLORINE FEED EQUIPMENT AT THE WATER TREATMENT PLANT.

4.2 MOTION GATES, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2018-99 TO AUTHORIZE FULL SCALE REPLACEMENT OF METER READING DEVICES IN UTILITY BILLING DISTRICTS 1, 4, 5, and 6.

4.3 MOTION GATES, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2018-100 TO AUTHORIZE THE REPLACEMENT OF THE COMPUTER HARDWARE SYSTEM AT THE WATER TREATMENT PLANT TO IN CONTROL, INC.

4.4 MOTION GATES, SECOND PARKS TO SET FRIDAY, AUGUST 17, 2018, AT 7:00 P.M., AS THE DATE AND TIME TO CANVASS THE RESULTS OF THE AUGUST 14, 2018 CITY PRIMARY ELECTION.

4.5 MOTION GATES, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2018-101 APPOINTING ELECTION JUDGES FOR THE AUGUST 14, 2018 PRIMARY ELECTION.

4.6 MOTION GATES, SECOND PARKS TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE CHURCH OF ST. GERARD FOR THEIR CORN FEST TO BE HELD AUGUST 10 AND 11, 2018, FROM 5:00 TO 11:00 P.M. AT 9600 REGENT AVENUE NORTH.

4.7 MOTION GATES, SECOND PARKS TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE CHURCH OF ST. VINCENT DE PAUL FOR THEIR FEAST OF ST. VINCENT DE PAUL TO BE HELD SEPTEMBER 22, 2018, AT 9100 93RD AVENUE NORTH.

MOTION PASSED UNANIMOUSLY.

5.1 Operations Maintenance Director Dan Ruiz briefed the Council on the Amendments to Ordinance 72.11 Pertaining to Additional Regulations for Snow Emergencies.

5.1 Mayor Lunde opened the public hearing to consider the amendments to Ordinance 72.11 Pertaining to Additional Regulations for Snow Emergencies. The following individuals addressed the Council:

1. Craig Harris, 6025 92nd Ave N. Stated it would be a summer parking free for all.
2. Laura Merilatt, 6908 Dutton Avenue. Wanted to know what the purpose of the parking ban was because it said it was for snow removal. She stated in place now for regulations for parking

when there was snow was they weren't to park in the city streets until it was plowed if there was 2 inches of snow or more. She stated what was being proposed for the snow emergency was what the city had in place right now. She stated it didn't solve anything and didn't put anything new into effect. She stated changing the rules on the 2 a.m. to 5 a.m. parking didn't have an effect as far as snow removal went. She stated if they didn't have two inches of snow they were not going to be plowing and didn't think there was a lot of plowing going on between the hours of 2 a.m. to 5 a.m. She stated if the purpose was to quit having people park on the street, then they needed to be up front with that and be transparent so that everyone understood that was the purpose for changing the parking rules. She stated then they would have other people upset because they could only enforce it four to five months out of the year or have a summer free for all. She asked what the true intent was that they didn't want residents parking in the streets overnight; if that was the case, then that was the ban they should be putting in place. She stated it was a highly restrictive ban and was unfairly discriminatory to those in the community who had larger families and often came for a socioeconomic status and minorities when there was a snow event. She stated whatever they were looking to ban as stated now, the rule did not fit what the stated intent was for snow removal.

3. Collette Guyott-Hemphell, 7122 Trinity Gardens. She stated the two-inch snow language had been in the city for 20 plus years. If they made it year-long, then what happened to people putting in new black top. She stated in Trinity Gardens in the winter there were a couple of houses that thought they should park where ever and the snow plows did try to go through their area around 5 a.m. When people parked on the street with all the extra snow in the cul-de-sac, it made it dangerous and challenging. She liked it the way it was and was changed from October 15 to November 1 and that was appropriate because kids that were trying to walk to the bus, snow plows weren't able to clear the street for them to get down the block they were putting them at risk and not all of the streets had sidewalks.

4. Shannon Carristy; 6025 92nd Ave N. Stated there were multigeneration families living in a home and they had many cars, but they also used their garage as a living room. If they had a garage full of bikes, maybe they should get a shed and put their bikes in the shed and use the garage as a garage because people were parking on a street. And where there was a corner, there was a blind spot right up to the curb and another car there. She stated the road wasn't wide enough and didn't have sidewalks. She stated the police came out and chalked the tires and after it was sitting there for 24 hours, they need to tag it. She called the Police Department and had different cadets who didn't know it was a zero tolerance and they were supposed to get ticketed. She stated the roads weren't wide enough for the kids on bikes and people should use the garages for cars.

5.1 Mayor Lunde closed the public hearing and returned the item back to the table for consideration.

Mayor Lunde stated he heard questions on the purpose of the parking ban and the enforcement and during the summer months people parking beyond the corner.

Operations and Maintenance Director Ruiz stated the purpose of the parking ban was to give the ability to tag and tow immediately for snow removal purposes, so they could clear the street, and the plows didn't have to drive around and come back. He stated one of the frustrations by staff and from residents was that people might get a parking ticket and the police needed to do things on a priority basis. He stated police could only ticket overnight parking violations between 2 to 5 a.m. whether it snowed or not.

He stated that in terms of the enforcement, that during the summer there were certainly ticketable offenses if they were parked by a fire hydrant, parking within certain distance of a stop sign or parked in front of a mail box. He stated the police addressed them on a priority basis.

Deputy Police Chief Milburn stated that in the summer time there was a progression to it. If there was a violation on the street, citations were issued and if the cars were not moved or became abandoned, then they could move into towing. He stated it was different than what was seen in the winter when they had snow plow events. He stated that progression was sped up, and if the ordinance is passed, they were looking at staffing allocations and they would call in some kind of hybrid with their cadets and or reserves came in and provided adequate resources to go out and do that type of work with the tow truck companies.

Council Member M. Mata stated that on the first slide, the last comment said, "city may tag and tow if vehicles are in violation of this ordinance." He asked if that was in the ordinance in place right now that was just passed last winter that had the same language.

Operations and Maintenance Director Ruiz stated the language was more specific and gave the city the ability to tow with any violation when there was a snow emergency declared. He stated the existing language was if a vehicle hadn't been moved in 24 hours then it was considered a snowbird. He stated there could be a tow truck in front of the snow plow, carrying cars as they went and was more proactive versus reactive and that was the difference.

Council Member M. Mata stated he had an issue with the ordinance. He stated not every house was built the same and not every same family lived in the same house and would have one with three car garages, with single car garages and some didn't have garages. He stated there are families with a lot of kids that become legal to drive at the same time. He stated he didn't like a lot of things on the street, especially at night time and not every street light covered every car parked on the street. He stated the dark streets without lights gave someone the ability to hide and do mischievous things.

He stated he had questioned why a car was not towed when he thought they could tow them before and now people had to drive on top of an ice curb and stayed there for two weeks until the weather changed and melted it. He thought that with current technology they could use Excel spreadsheets and put together a list of license plate numbers and after a second time that police officer noted it in the spreadsheet, towed it. He stated the driveway was meant to park cars and not the streets and if they could figure out in the winter time they could figure out how to do it in the summer time too.

He stated he saw the problem affecting rental properties where there are six people living in the house and all have cars and they were on the street. He stated when they did something one way, there would be people affected the other way. He stated he wanted to find a way they could can get a variance to help some people who needed it for a situation because the house didn't fit the need to be able to make it work. He stated the only way to enforce something already in place was to throw more people at it and was curious why they couldn't do the job.

He stated he didn't know why they were having the discussion around apartment complexes, it was a business and needed to get their cars back on their property. He stated it should be part of the rent and not an extra expense that went to the residents, so they could profit from it. He

stated that was the biggest issue, deal with the apartment complexes and staff the problem they have and stop changing things.

Council Member Parks stated there were many meetings on it and thought they were getting close now. He stated since he had been on the Council he had pushed the 2 a.m. to 5 a.m. all year long and since then heard from residents and asking why they could not do the 2 a.m. to 5 a.m. all year long. He stated he was willing to compromise and go with what they are putting forward now. He stated that if it came back in one or two years to address it and it didn't work, he was willing to go back to the 2 a.m. to 5 a.m. all year round push.

Council Member B. Mata stated the only thing the new amendment would do, would add snow emergency and not changing anything else. He stated it wasn't just around apartment complexes but people turning the city into junk yards with scrap vehicles parked in the streets, people running illegal car operations out of their garages and had 8 or 10 cars and had 3 to 5 cars parked in the street or in the grass. He stated he would rather have no parking anytime anywhere in the streets just to be done with it. He stated he understood about the no overnight parking and would be in favor of it being year-round because it was a problem for emergency vehicles driving down a lot of the roads with cars parked on both sides.

Council Member Jacobson agreed with what had said by Council. She stated there was no winning that argument because there were people on either side of the argument that felt passionate and correct in what they thought. She agreed it was also a safety issue and got calls and emails from residents who didn't feel safe any longer in their neighborhoods because of the parking issue. She stated cars had backed into cars parked in the street and that was an issue. She stated that any of the streets that were winding in anyway where there were cars parked were accidents waiting to happen and someone will be hurt or killed and then it would be different.

She agreed the apartments needed to fix their businesses and it was not okay for them to say the residents had their spots but when people were not on the lease, they had to park in the street. She stated then the residents and business owners showed up asking to put up signs for no parking on their street. She stated if they were not enforcing it now because enforcement was impossible and keep adding more rules about it, all they were going to hear about was that they had more rules that were not enforced. She stated no one felt safer or better about it and wondered if there was a way they could vote to do it now and bring it back after one season of this to see what the difference was and seeing what the true costs of it was and looking at adding the 2 a.m. to 5 a.m. and maybe creating some kind of program if it was a winding street because it was a safety concern and someone was going to get hurt.

Operations and Maintenance Director stated they could do it for a year and revisit the ordinance at any time and just giving the proper notice and holding a public hearing.

Council Member Pha stated the community engagement and the surveys clearly showed the parking issue was limited to a very small percentage of the residents that had a parking issue that existed around their home. She stated the majority of residents in the city were fine with the ordinance the way it was and didn't have those issues.

She thought it was being amplified because the City didn't have the proper enforcement in place for a winter parking ordinance. She stated if they were able to enforce it, they wouldn't have

those issues. She stated she was for stricter enforcement for what they had as an ordinance and believed the snow emergency addition to the current ordinance would allow the ability to tag and tow and enforce the ordinance now. She stated she would never be in favor of an all year parking ordinance and thought the snow emergency ordinance was a great addition to stricter enforcement and was in favor of the ordinance.

5.1 MOTION PHA, SECOND GATES TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CITY CODE SECTION 72.11 PERTAINING TO ADDITIONAL REGULATIONS FOR SNOW EMERGENCIES.

Council Member Gates stated he had been asking for a year-round ban because that was what the residents wanted and he heard it since he had been on the Council. He thought it was a bigger problem than what people thought and there were a lot of neighborhoods that had problems all year round.

He stated there were a lot of streets where putting two cars on each side of the street, they could barely fit a fire truck through there and now that work he was working in the EMS field, trying to get an ambulance down the street was just as bad. He stated when trying to get a fire truck, police car and ambulance on a street that had cars parked on each side was impossible.

He stated it was just a winter issue, it was a public safety issue and a street maintenance issue. He stated he was fine with the ordinance the way it was and thought it should be a year round. He stated they also needed to work on the apartments. He stated that going through the apartments complexes at 2:00 a. m, there were hundreds of opens spots and a hundred cars in the street and didn't make sense at all.

He stated the city of Brooklyn Center had a year round ban for 2:00 a.m. to 5:00 a.m. If someone was working construction on a house or doing a driveway, all they had to do is call the police department and let them know what was going on and that information was put in the computer. If the police showed up they could look it up. He stated the city had the technology now to do the same.

City Manager stated last fall the Council asked staff to step up enforcement. Chief Enevoldsen showed the Council and the community many slides showing that over the last winter, they did step up enforcement. He stated they had taken proactive steps to do that and had additional strategies they were looking at putting in place. He stated that if the ordinance passed tonight, in addition to the enforcement and communication side, where staff was frustrated was that state law and the county bound the city around the enforcement steps they would like to take. He stated it took six citations before they could tow a car on a regular parking violation, with the exception of a few instances and one of those was the snow emergency staff was proposing it tonight.

He stated it was not a big priority by the Council and people threw away the parking tickets. He stated the County had more pressing public safety issues to focus on and parking for them was not a big deal. He stated he wanted the community to understand those facts and was part of the reality they were working within and was frustrating. He stated the community was very divided on the issue and not necessarily one the city was able to win on. He stated that while some felt they should have loose regulations, others felt they should have stronger regulations.

He stated staff would do the best they could on what city codes there were and go from there and thought it was a great idea to annually check in with the Council.

Mayor Lunde stated he wanted the snow emergency regulations and also considered having the ability to move people off the streets, whether they got the alert and they moved or the city moved it for them.

Operations and Maintenance Director Ruiz stated two cars on each side was 8 foot each and the average street was 32 feet. Two 8 foot cars on each side and the plows were 16 feet wide, and then the snow banks would encroach on the streets too and could get narrowed down quickly.

Mayor Lunde stated the fire truck had 8 feet wide and they needed 2 to 4 feet to deploy whether they deployed one side or both sides. He stated that in a snow emergency if a fire truck had to respond to a fire, they were not driving on the yard, they were driving in the middle of the street.

He stated to him was making sure the streets were plowed and if there were two bands of weather that came through, the snow banks started to stack up the streets. He stated the city would need to push it back and could get to a point where there was only enough room for a fire truck to get down the street. If it was a snow emergency and the city declared it, they had no problem towing people. He stated that all it would take was one house going up and one person to die and suddenly the whole conversation would change.

He stated text messages was the way people got info these days from alerts from apps and that anything they could do to work with apartment owners to get their renters signed up proactively with the apartment owner would help get the alerts to them right away.

Council Member Mata stated that during a fire truck situation at night when chaos was going on, they had to think about an ambulance next to a fire truck so they were not going backwards to get someone out because if it was a house fire, they needed multiple trucks next to each other. He asked if the ordinance was just a snow emergency and was something special they were putting in place there. He stated they were not going to stop focusing on what they had on hand to do and had to deal with cars in the street.

Operations and Maintenance Director Ruiz stated it was specific to the snow emergencies so they could enforce it better with the parked cars when they were trying to do snow plow operations.

Council Member Mata stated it was an ordinance that was resident driven. He stated that when someone called, they were the city's eyes to report it and were doing their job because they had a problem with it. He stated that in some neighborhoods, they had problems all over the place and never called. He stated that when a resident called, short of a life-threatening situation, expected it to be addressed.

Council Member Jacobson made a friendly amendment to the motion to bring the ordinance back after one season of it.

Motioner Pha and Secoder Gates accepted the friendly amendment to the motion.

Mayor Lunde called for a roll call vote.

5.1 THE MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – PARKS, PHA, M. MATA, JACOBSON, GATES, B. MATA, LUNDE.

6.1 Planning Director Cindy Sherman briefed the Council on an Ordinance to Adopt Transit-Oriented Zoning Districts to be Applied to Transit Station Areas.

6.1 MOTION PHA, SECOND LUNDE TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2018-1231 APPROVING ZONING ORDINANCE AMENDMENT #18-113 ADOPTING TRANSIT-ORIENTED ZONING DISTRICTS TO BE APPLIED TO TRANSIT STATION AREAS LOCATED AT: 1.) 63RD AVENUE AND BOTTINEAU BOULEVARD, 2.) BROOKLYN BOULEVARD AND WEST BROADWAY, 3.) 85TH AVENUE AND WEST BROADWAY, 4.) 93RD AVENUE AND WEST BROADWAY, AND 5.) OAK GROVE AND WEST BROADWAY AND ADDING SECTIONS 152.601 THROUGH 152.610 TO THE CITY CODE.

Council Member B. Mata stated he would not be supporting the motion because the area around the 63rd Station was completely residential and with the transient oriented development, although it might take a long time to change, was changing the residences into commercial districts. He stated he was not in favor of kicking anyone out of their house to make it more convenient for a developer to come in and tear them all down and put a development in. He stated he wouldn't be supporting those two motions.

Council Member M. Mata stated he also would not be supporting both motions because there wasn't a railroad in the city and wanted the zoning before it came. He stated that to tell businesses who owned the land who were there already what they had to do with their business in the future as opposed to allowing them to develop it how they see fit. He stated when the rail road did come through the city, if it did, they could deal with it at that time. He stated they were setting requirements on business owners who didn't have a vote in the city on what they were going to do with their land.

Council Member Jacobson wanted to confirm that the LDI property was not included in the plan any longer.

Planning Director Sherman stated that was correct and was not included in the plan.

Council Member Pha stated it was in her district and the zoning district was not going to kick people out of their homes and not going to displace people from their neighborhoods.

Council Member Gates stated the City of Crystal did something similar on Bass Lake Road and Highway 81 area. He stated it was part of the grand scheme of Becker Park and the work they were doing. He stated it was not to kick people out of their house. He stated it was to make sure when the train came through. The city had protected itself and had a plan going forward.

6.1 THE MOTION PASSED. (5 TO 2) B. MATA, M. MATA VOTED NO.

6.1 MOTION PHA, SECOND PARKS TO APPROVE THE TEXT OF THE SUMMARY OF ORDINANCE #2018-1231 DETERMINING THAT IT CLEARLY INFORMS THE PUBLIC OF

THE INTENT AND EFFECT OF THE ORDINANCE. THE MOTION PASSED. (5 TO 2) B. MATA, M. MATA VOTED NO.

6.2 Planning Director Cindy Sherman briefed the Council on an Amendment Pertaining to Self-Storage Facilities in the Business Park Zoning District.

6.2 MOTION PHA, SECOND B. MATA TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2018-1232 AMENDING SECTION 152.342 OF CITY CODE PERTAINING TO SELF-STORAGE BUSINESSES. THE MOTION PASSED UNANIMOUSLY.

7.1 City Manager Stroebel briefed the Council on an Ordinance to Amend City Code Section 30.01 Mayor and Council Member Salaries.

7.1 MOTION LUNDE, SECOND PHA TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2018-1233 AMENDING CITY CODE SECTION 30.01 MAYOR AND COUNCIL MEMBER SALARIES.

Council Member Parks stated he would not be supporting it and going with what he normally did. He stated there were some comments about it at the last meeting about trying to entice more people to come in and run for Council. He stated that if someone was doing it for the money, they didn't belong up at the dais. He stated he would not be supporting giving himself a raise.

Council Member Jacobson stated she wanted to reiterate what was not in the staff report. She stated it only talked about a two percent salary adjustment and came out to be with a net take home for all the Council about \$14 a month. She wanted to make sure the Council stated that with people when the Council raised their taxes or brought a park bond referendum, which was going to raise their taxes. She stated all they heard and knew was the Council gave themselves a raise and didn't know it was \$12 to \$13 a month. She stated that every time they talked about it or it was printed in the newspaper to make sure they put those numbers down so they clearly understood the impact on the city budget that the raise was less than \$2,000 a year and very small in the scope of the budget.

Council Member M. Mata stated he would not be supporting the motion. He stated he voted no in 2007/2008 and although the income had changed, he was not doing it for the pay check and if people were, the dollar amount would have changed long time ago because the Council could change the dollar value anytime they wanted and just need four votes to change it.

Council Member B. Mata stated he had been very adamant about finding every way they could keep to their budget and would not be supporting the motion. He stated he knew it was small, but it was a start and if everyone could do something small within the city, with staff and employees it made a big difference with everyone giving a little.

Council Member Pha stated she would be voting for the motion, just as they were asked to plan for the future of the city and development stayed strong in the city and was strong for the next generation. She stated it also meant the Council had to think about the future of the City Council and made sure they were on track for the future Councils and stayed competitive what other cities were giving their Council Members. She stated that was important in planning for the future and will be in favor of the motion.

Mayor Lunde called for a roll call vote.

7.1 THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PHA, JACOBSON, GATES, LUNDE; NO – M. MATA, B. MATA, PARKS.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS – None.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated that Tuesday, July 10, was an additional corridor development initiative community workshop at the Brooklyn Park Library, 8500 West Broadway, 6 p.m. to 8 p.m., to talk about the light rail project and corridor development;

He stated on Wednesday, July 11, kicks off the Farmer Market at Zane Sports Park, 2 to 6 p.m. and would be going on weekly over the remainder of the summer into the fall.

10.1 MOTION PARKS, SECOND B. MATA TO ADJOURN THIS MEETING OF THE BROOKLYN PARK CITY COUNCIL IN RECOGNITION OF AND RESPECT FOR THE LIFE AND CONTRIBUTIONS OF FORMER COUNCIL MEMBER RONALD DOW AND RESPECTFULLY ASK THE SUPPORT OF FELLOW COUNCIL MEMBERS.

COUNCIL MEMBER DOW SERVED THE CITY OF BROOKLYN PARK AS THE EAST DISTRICT COUNCIL MEMBER FROM 1970-1976 AND 1979-1982; HE SERVED ON THE PLANNING COMMISSION IN 1967; PRESIDENT OF THE BROOKLYN PARK ATHLETIC ASSOCIATION IN 1967; TATER DAZE COMMITTEE CHAIR IN 1968; APPOINTED TO THE CHARTER COMMISSION IN 1983 AND WAS THE FIRST PRESIDENT OF THE LOCAL CIVIC ASSOCIATION THAT DEDICATED TWENTY-FIVE ACRES AS NORWOOD PARK.

HIS LEADERSHIP AND INVOLVEMENT ON THE CITY COUNCIL WAS INSTRUMENTAL IN THE DEVELOPMENT OF BROOKLYN PARK AS ONE OF THE FASTEST GROWING SUBURBS IN THE METROPOLITAN AREA.

HIS DEDICATED CONTRIBUTIONS ALSO TOUCHED MANY LIVES THROUGHOUT THE CITY AND THE SURROUNDING COMMUNITIES.

I FURTHER REQUEST THE MOTION BE MADE A PART OF THE PERMANENT RECORDS OF THIS BODY AND THAT A LETTER BEARING THE CITY SEAL AND THE SIGNATURE OF THE MAYOR BE SENT TO THE FAMILY ADVISING THEM OF THIS ACTION.

THE MOTION PASSED UNANIMOUSLY.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 8:37 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, February 11, 2019
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Susan Pha, Mark Mata, and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Deputy Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: Council Member Wynfred Russell (excused) and Council Member Terry Parks (excused)

Mayor Lunde opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated...

2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Stated she was there again to ask if there was money from the 109th Avenue project not being finished between Champlin and Brooklyn Park to consider spending it on 93rd Avenue between Zane and Regent. She stated that section was turned over to city at the City's request from the County 20 years. The City Council at that time promised within a year and half that roadway would be done with asphalt along the north side and would be finished off with lowering the speed and that had not happened. She stated there were no sidewalks for safety and parts of the road had no shoulders at all, yet pedestrian and bicyclists were expected to be able to use that road safely and it was a 50 mph road.

She stated that over the weekend in Farmington, there was a 45 mph road that didn't have a sidewalk and the person was now dead; a teenage child had no parent to go home to. She stated that community had asked the State to lower the speed from 45 mph and to think of the damage at 50 mph. She asked to have additional signage like the city of Crystal who put additional signage at a stop sign saying whether it was a 2-way stop or 4-way stop and asked that it be done one Regent and 93rd Avenue to say "4 way stop" so that people consider stopping. She asked that politicians not say, "I even stop some times for 4 way stops" and people not say it is not worth putting in \$2.5million to finishing that road as promised 20 years ago because those who lived along it still heard the speeding even in the snow and someone would get hurt. She stated there was no safe way for someone from Hy-Vee or someone walking from the bus stop on Zane Avenue to walk home safely in that area. Not with 50 mph, no shoulder and an embankment that went down into a ditch. She asked the Council consider those who lost friends and relatives in controlled intersections because someone didn't stop and didn't think it was their responsibility. They felt the pain.

3A. MOTION WEST-HAFNER, SECOND JACOBSON TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Introduction of New Employees

Communications Manager Camille Hepola introduced new employees to the Administration Department. Recreation and Parks Director Jody Yungers introduced new employees to the Recreation and Parks Department.

3B2 Presentation of Plaque to Outgoing Commissioner

Mayor Lunde thanked outgoing Human Rights Commissioner Linda Freemon for her contributions to the City of Brooklyn Park and presented her with a plaque.

3B3 Interview Applicants for Metro Blue Line Extension Community Advisory Committee and Business Advisory Committee.

Mayor Lunde and Council interviewed applicants to fill current openings on the Metro Blue Line Extension Community Advisory Committee and Business Advisory Committee.

3B4 Recreation and Parks Advisory Commission 2018 Year-in-Review and 2019 Work Plan

Recreation and Parks Advisory Commission Chair Monica Dillenburg gave the Recreation and Parks Advisory Commission 2018 year in review and 2019 work plan.

3B5 Community Long-range Improvement Commission Annual Report

Community Long-range Improvement Commission Chair Kathy Fraser gave the CLIC Annual Report.

3B6. Mayor Proclamation for Cities United Black History Month

Mayor Lunde read a proclamation proclaiming February 2019 as Cities United Black History Month in the city of Brooklyn Park.

4.0 MOTION MATA, SECOND JACOBSON TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO APPROVE AN ON-SALE 3.2 PERCENT MALT LIQUOR LICENSE FOR LINH HUYNH FOOD INC, DOING BUSINESS AS KIM ANH RESTAURANT LOCATED AT 8586 EDINBURGH CENTER DRIVE NORTH.

4.2 TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 114 OF THE BROOKLYN PARK CITY CODE RELATING TO THE LICENSING AND REGULATION OF FOOD ESTABLISHMENTS.

MOTION PASSED UNANIMOUSLY.

5.1 Rental and Business Licensing Manager Keith Jullie briefed on the On-Sale Wine License for Linh Huynh Food Inc. doing business as Kim Anh Restaurant located at 8586 Edinburgh Center Dr. N.

5.1 Mayor Lunde opened the public hearing to consider the On-Sale Wine License for Linh Huynh Food Inc. doing business as Kim Anh Restaurant located at 8586 Edinburgh Center Dr. N.

5.1 The following individuals addressed the Council: None.

5.1 Mayor Lunde closed the public hearing and return the item back to the table for consideration.

5.1 MOTION JACOBSON, SECOND MATA TO APPROVE AN ON-SALE WINE LICENSE FOR LINH HUYNH FOOD INC. DOING BUSINESS AS KIM ANH RESTAURANT LOCATED AT 8586 EDINBURGH CENTER DR N. MOTION PASSED UNANIMOUSLY.

5.2 Economic Development and Housing Director Breanne Rothstein briefed the Council on the Preliminary Allocation of Fiscal Year (FY) 2019 Community Development Block Grant (CDBG) Program Funds and Appointment of Representative to CDBG Public /Human Services Selection Committee.

5.2 Mayor Lunde opened the public hearing to consider the Preliminary Allocation of Fiscal Year (FY) 2019 Community Development Block Grant (CDBG) Program Funds and Appointment of Representative to CDBG Public /Human Services Selection Committee.

5.2 The following individuals addressed the Council: None.

5.2 Mayor Lunde closed the public hearing and return the item back to the table for consideration.

5.2 MOTION WEST-HAFNER, SECOND MATA APPROVING PRELIMINARY ALLOCATION OF FISCAL YEAR 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS AND APPOINTING BREANNE ROTHSTEIN TO REPRESENT BROOKLYN PARK ON THE HENNEPIN COUNTY CDBG PUBLIC/HUMAN SERVICES SELECTION COMMITTEE. MOTION PASSED UNANIMOUSLY.

5.3 Business Development Coordinator Daniela Lorenz briefed the Council on the One-year Extension of a Minnesota Department of Employment and Economic Development Loan under the Minnesota Investment Fund (MIF) Program for Biomerics, Inc.

5.3 Mayor Lunde opened the public hearing to consider the One-year Extension of a Minnesota Department of Employment and Economic Development Loan under the Minnesota Investment Fund (MIF) Program for Biomerics, Inc.

5.3 The following individuals addressed the Council – None.

5.3 Mayor Lunde closed the public hearing and return the item back to the table for consideration.

5.3 MOTION LUNDE, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2019-26 EXTENDING THE TERM OF THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT GRANT UNDER THE MINNESOTA INVESTMENT FUND (MIF) PROGRAM FOR BIOMERICS, INC. MOTION PASSED UNANIMOUSLY.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS – None.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel thanked Mayor Lunde and Council Members Russell and West-Hafner for attending and representing the city at the Legislative Breakfast in Crystal on Saturday. He stated among the key topics discussed were the light rail projects and had in-depth discussion on Tobacco 21 and the related policies.

He stated that on Thursday, February 14, was the Realtor Forum, from 8:00 a.m. to 12:30 p.m. at Edinburgh USA.

He stated next Monday City Hall would be closed for Presidents' Day and the EDA would be meeting on Tuesday.

He stated they would be hosting three townhall meetings. On Thursday, February 21, in the West District at Zanewood Community Center, from 6 p.m. to 8 p.m.; on Tuesday, February 26, East District at the Palmer Lake VFW, from 6 p.m. to 8 p.m.; and on March 6, Central District, at the Community Activity Center, from 6 p.m. to 8 p.m.

He stated to expect the Age Friendly Report within the next week and then they would be discussing that in two weeks.

Mayor Lunde stated on Saturday started the legalization of cannabis and the chief author was there in Crystal. He stated he shared with him that it would be nice if they didn't make it so they couldn't have some control. He stated he did share with legislators there that he expected his first voice mail to be from the family that had a reunion at a park who were sitting right next to the people taking advantage of the new cannabis laws and their displeasure. He asked staff to do some research on it and would like to know options. He stated that Representative Frierberg did promise that they were going to retain local control to enforce local laws especially with local variances. He stated he would like to hear something from the Police Department and Recreation and Parks and how they were going to watch that. He stated other states had done it successfully and wanted to make sure the state legislators didn't write something into that took away the ability to have impact.

10. CLOSED SESSION

10.1 Mayor Lunde briefed on the Closed Session to Discuss Matters Protected by the Attorney Client Privilege Relating to Property Located at 8401 West Broadway.

10.1 MOTION LUNDE, SECOND PHA TO CLOSE THE MEETING PURSUANT TO MINNESOTA STATUTES, SECTION 13D.05 SUBDIVISION 3(B) TO DISCUSS MATTERS PROTECTED BY THE ATTORNEY CLIENT PRIVILEGE RELATING TO PROPERTY

LOCATED AT 8401 WEST BROADWAY. MOTION PASSED UNANIMOUSLY.

At 8:40 p.m., the Council recessed to the Administration Conference Room.

At 8:46 p.m., the Closed session was held.

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Susan Pha, Mark Mata, and Lisa Jacobson; City Manager Jay Stroebe; City Attorney Jim Thomson; Community Development Director Kim Berggren; Planning Director Cindy Sherman and City Clerk Devin Montero.

ABSENT: Council Member Wynfred Russell (excused) and Council Member Terry Parks (excused).

At 9:12 p.m., Mayor Lunde adjourned the Closed Session and returned to the Chambers.

At 9:13 p.m., Mayor Lunde reconvened the regular meeting.

Mayor Lunde stated the Council met in a Closed Session to discuss matters protected by the attorney client privilege relating to property located at 8401 West Broadway. He stated no action was taken.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 9:14 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

BOARD OF APPEAL AND EQUALIZATION MEETING

Monday, April 8, 2019
7:05 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – President Jeffrey Lunde

PRESENT: President Jeffrey Lunde; Board Members Tonja West-Hafner, Susan Pha, Mark Mata, Wynfred Russell, Lisa Jacobson, Terry Parks; City Manager Jay Stroebel; City Assessor Tracy Bauer-Anderson; Police Inspector Bill Barritt; and City Clerk Devin Montero.

ABSENT: None.

B. City Assessor Tracy Bauer-Anderson briefed on the purpose of the Board of Appeal and Equalization and gave the Assessor's report. She stated there were individuals signed up to address the Board and contest the value of their properties.

She stated the Board had been provided with applications from those appealing and appointments were made with all those properties throughout the week.

C. PROPERTY OWNERS TESTIMONY WITH DOCUMENTATION

City Assessor Bauer-Anderson read into record property owners contesting values via letters and emails:

1. PID 09-119-21-11-0090: Lee Walter, 10029 Northwood Lane North.
2. PID 11-119-21-23-0072: Ravi Limkar, 9749 Thomas Avenue North.
3. PID 10-119-21-42-0009: Ravi Limkar, 3927 Globeflower Circle North.
4. PID 17-119-21-41-0081: Ravi Limkar, 6409 88th Avenue North.
5. PID 17-119-21-24-0006: Ravi Limkar, 7200 90th Avenue North.
6. PID 30-119-21-32-0006: Jerry Clark, PELLIC I, 9401 73rd Avenue North.
7. PID 08-119-21-14-0064: Evan Lantz, Doran 610, 6711 Oak Grove Parkway North.
8. PID 08-119-21-14-0063: Evan Lantz, Doran 610, 6705 Oak Grove Parkway North.
9. PID 28-119-21-22-0074: Stacy Ondov, 7600 Colorado Avenue North.

The following individuals signed up to address the Board to contest their valuations but were not present: (Appointments have been scheduled)

1. PID 05-119-21-14-003: Andrew and Christina Williams, 6629 105th Trail North.
2. PID 24-119-21-12-0068: Peggy Krych, 8330 Fairfield Road North.
3. Kevin Kostka,, 7126 72nd Lane North, Apt #262.
4. Kevin Kostka, 6536 84th Court North.
5. PID 29-119-21-31-0125: Ellen Shermoen, 7354 72nd Lane North, Apt #322
6. PID 22-119-21-32-0031: Ellen Shermoen, 7925 Kyle Ave North.
7. PID 15-119-21-31-0010: Ellen Shermoen, 8809 Inverness Terrace.
8. PID 08-119-21-11-0006: Julius Thomas, 10039 Hampshire Terrace.
9. PID 05-119-21-32-0002: Aaron Balzer, 7730 Oxbow Creek Circle.
10. PID 32-119-21-42-0015: Ronal Ludwig, 67116 64th Avenue North.
11. PID 23-119-21-31-0066: Karen Johnson, 2516 80th Avenue North.

City Assessor Bauer-Anderson stated individuals signed up to address the Board and they would be called up to the podium to address the Board.

The following individuals addressed the Board to contest their property values:

1. PID 22-119-21-31-0108: Robert Briggs, 3922 Brookdale Circle North.
2. PID 29-119-21-31-0203: Yelena Kurdyumova, 7212 72nd Lane N.
Council Member Mata wanted to know the percentage of rental properties three years going back on the sales of Strawberry Commons; how many of those sales turned over in a couple of years to make sure it was not an isolated pocket of over inflating the property in that particular unit.
3. PID 05-119-21-42-0040: Brian Wong, 7043 103rd Avenue North.
4. PID 22-119-21-23-0058: Carol Schneider, 4425 81st Lane North.
5. PID 33-119-21-22-0053: Spencer Ung, 6019 68th Avenue North.
6. PID 23-119-21-34-0045: Trelawny Grant, 7873 Penn Avenue North.

Council Member Jacobson asked about Appeal #7 (7126 72nd Lane North) in the Strawberry Commons and if that was an issue within that development too.

City Assessor Bauer-Anderson stated the Board would reconvene within 20 days and the decisions on all the appeals would be made based on staff reports and the information submitted by the property owner. She stated they would mail out the recommendations to the property owners.

D. APPROVAL OF VALUATION AGREEMENTS

D. City Assessor Bauer-Anderson stated they also had parcels they looked at in the last 10 days and under state law, if they had been looked at in the last 10 days, and recommended value adjustments after the inspections, the Board had to approve those changes.

1. PID 04-119-21-32-0048: Charles and Rachel Stark, 6232 104th Circle North, 2019 Market Value \$448,100/2019 Adjusted Market Value \$407,900.
2. PID 05-119-21-13-0005: Kevin and Penny McFadden, 10703 Jersey Court, 2019 Market Value \$482,800/2019 Adjusted Market Value \$442,700.
3. PID 10-119-21-14-0042: Julian Jayasuriya, 9736 Almond Avenue North, 2019 Market Value \$419,500/2019 Adjusted Market Value \$350,900.
4. PID 17-119-21-31-0067: Jacob Mabera, 8830 Nevada Ave North. 2019 Market Value \$374,300/2019 Adjusted Market Value \$331,800.
5. PID 22-119-21-41-0077: Bernard Gorres, 3109 80th Ave N. 2019 Market Value \$265,600/2019 Adjusted Market Value \$238,900.
6. PID 22-119-21-44-0117: Bills Market Corp., 3100 Brookdale Drive North, 2019 Market Value \$1,208,600/2019 Adjusted Market Value \$1,100,000.
7. PID 15-119-21-33-0040: Creekside Plaza LLC, 4600 85th Avenue North, 2019 Market Value \$2,930,100/2019 Adjusted Market Value \$2,632,500.
8. PID 30-119-21-43-0004: Black Marlin Investments Inc., 7101 Northland Circle North, 2019 Market Value \$2,960,700/2019 Adjusted Market Value \$2,249,600.
9. PID 05-119-21-13-0041: Michael and Amy Criswell, 6935 105th Trail North, 2019 Market Value \$506,000/2019 Adjusted Market Value \$474,900.
10. PID 10-119-21-41-0068: Lachandra Eppinger, 3303 Daylily Avenue North, 2019 Market Value \$356,300/2019 Adjusted Market Value \$327,900.
11. PID 11-119-21-24-0014: Shaalow Arap and Faduma Said, 2509 98th Avenue North, 2019 Market Value \$404,900/2019 Adjusted Market Value \$252,600.
12. PID 15-119-21-11-0056: Eric Aduda, 9145 Barrington Court North, 2019 Market Value \$355,300/2019 Adjusted Market Value \$301,900.

BOARD OF APPEAL AND EQUALIZATION MEETING; APRIL 8, 2019...Page 3

13. PID 24-119-21-12-0057: Denise Netka, 600 83rd Avenue North, 2019 Market Value \$261,300/2019 Adjusted Market Value \$229,900.
14. PID 24-119-21-31-0016: Anthony Raj, 809 81st Avenue North, 2019 Market Value \$213,500/2019 Adjusted Market Value \$189,500.
15. PID 15-119-21-22-0053: Mustafa Kubaisa, 9240 Nantwick Ridge North, 2019 Market Value \$291,00/2019 Adjusted Market Value \$287,500.
16. PID 31-119-21-13-0058: Ronald Meyer, 8425 Cherokee Drive North, 2019 Market Value \$253,500/2019 Adjusted Market Value \$241,700.
17. PID 20-119-21-34-0039: Michael Haasser, 7727 Kentucky Circle North, 2019 Market Value \$208,900/2019 Adjusted Market Value \$196,900.
18. PID 28-119-21-32-0056: Amal Salti, 7261 Brunswick Avenue North, 2019 Market Value \$108,600/2019 Adjusted Market Value \$104,300.
19. PID 15-119-21-41-0052: Michael Spahn, 3267 Berwick Knoll, 2019 Market Value \$394,600/2019 Adjusted Market Value \$348,200.
20. PID 21-119-21-22-0161: Ebenezer Abedayo, 8124 Adair Court North, 2019 Market Value \$137,300/2019 Adjusted Market Value \$113,700

D.1 MOTION LUNDE, SECOND PHA TO ACCEPT THE CITY ASSESSOR'S VALUATION AGREEMENTS BETWEEN MARCH 30, 2019 AND APRIL 8, 2019. MOTION PASSED UNANIMOUSLY.

President Lundé stated the next motion would reconvene the Board of Appeal and Equalization meeting on April 22, 2019 at 8 p.m.

E. SET DATE FOR RECONVENED BOARD OF APPEAL AND EQUALIZATION

E.1 MOTION LUNDE, SECOND JACOBSON TO RECONVENE THE BOARD OF APPEAL AND EQUALIZATION MEETING ON APRIL 22, 2019 AT 8 P.M. MOTION PASSED UNANIMOUSLY.

At 7:57 p.m., the Mayor and Council recessed the Board of Appeal and Equalization.

JEFFREY JONEAL LUNDE, CHAIR

DEVIN MONTERO, CITY CLERK

SPECIAL BROOKLYN PARK CITY COUNCIL MEETING

Monday, April 15, 2019
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members, Susan Pha (arrived at 7:02 p.m.), Terry Parks, Mark Mata, Wynfred Russell, Lisa Jacobson and Tonja West-Hafner; City Manager Jay Stroebel; City Attorney Jim Thomson; Police Inspector Marcus Erickson and City Clerk Devin Montero.

ABSENT: None.

7.1 Partnership (Joint Powers) Agreement Between ISD 279 and the City in the Joint Development of Synthetic Turf, Lights and Dome/Support Building.

Recreation and Parks Director Jody Yungers briefed the Council on the Partnership Joint Powers Agreement between ISD 279 and the City in the joint development of synthetic turf, lights and dome/support building.

The following individuals addressed the Council:

1. Chris Frazier, Park Center student. In support of the dome.
2. Brody Ping, Park Center student. In support of the dome
3. Jackie Wanstad, 10381 Yates Drive. In support of the dome.
4. Chloe Cink, Park Center student. In support of the dome.
5. Domonic Fees, Park Center student. In support of the dome.
6. Omari Slaughter, Park Center student. In support of the dome.
7. David Epding, 9228 Woodhall Bay. In support of the dome.
8. Cathy Epding, 9228 Woodhall Bay. In support of the dome.
9. Christopher Crompton, Park Center Soccer Coach. In support of the dome.
10. Tonya Simons, Osseo Area School District 279 Board Member. Thanked the Council for evaluating the options for the great partnerships. Appreciated the Council taking the time listening to the students and staff. Stated that at the public open house there were many community members that were very excited about it too. Excited about the opportunity it presents for the youth across the entire city and the opportunity beyond the school district boundaries. She looked forward to the Council action tonight as well as the School Board's action tomorrow night.
11. Bob Jackson. In support of the dome.

7.1 MOTION LUNDE, SECOND JACOBSON TO DIRECT STAFF TO ADVANCE IN A PARTNERSHIP (JOINT POWERS AGREEMENT) WITH INDEPENDENT SCHOOL DISTRICT 279 FOR \$3,461,275 TO BE FUNDED OUT OF THE PARK BOND PROJECT FUND. MOTION PASSED UNANIMOUSLY.

7.1 MOTION LUNDE, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT RESOLUTION #2019-60 TO APPROPRIATE PARK BOND PROJECT FUNDS FOR APPROXIMATELY \$35,000 (50% OF \$70,000) FOR ARCHITECT FEES TO ADVANCE DESIGN DEVELOPMENT FOR A DOME SUPPORT BUILDING. MOTION PASSED

UNANIMOUSLY.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 8:11 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING

Monday, April 22, 2019
8:26 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Chair Jeffrey Lunde

PRESENT: Chair Jeffrey Lunde; Board Members Tonja West-Hafner, Susan Pha, Terry Parks, Wynfred Russell, Mark Mata, and Lisa Jacobson; City Manager Jay Stroebel; City Assessor Tracy Bauer-Anderson; City Attorney Jim Thomson; Police Chief Craig Enevoldsen and City Clerk Devin Montero.

ABSENT: None.

B. ASSESSORS REPORT

Chair Lunde stated that he looked at how other Councils of other cities did their process to see if that was something the Council might do differently. He asked the Council if the Council was not going to make a motion to lower or raise that other Councils of other cities tended to not talk. He stated if the Council wanted to lower or raise the valuation asked the Council member to talk on that specific issue and make the motion and then they could speak to the motion. He stated he would see how that worked because they had the potential for 20 plus people that could address the Board.

City Assessor Bauer-Anderson stated they were reconvening the local Board of Appeals and Equalization which was held on April 8, 2019. She stated the staff has re-inspected and re-appraised all the properties that appealed their value and or classification at the local Board.

She stated all pertinent information provided to their office by the property owners had been reviewed, analyzed and their job was to investigate and use valid sales as set by the Department of Revenue in the valuation process. She stated that if additional information was determined during the interior inspection that indicated a value adjustment was needed, a recommendation had been made in the packet provided to the Board.

She stated the packet included all the properties that appealed their values and/or classifications and their recommendations to either lower the value, increase the value or recommend no change. She stated that before the reconvened Board meeting, property owners were notified of the Assessor's recommendation and they may re-address the board.

She stated the Board received the information by the Assessor and the information presented by the property owners. She stated the Board could choose to reduce, increase, abstain, add improvement to the assessment to the assessment roll, change the classification of the property and add properties to the assessment roll.

She stated all property owners would be notified in writing of the final Board decision and the option to continue the appeal process. She stated it would also include the next steps for the appeals if the property owner was not satisfied with the local Board's decision and they could appeal to the County Board and or could appeal to the Tax Court. She stated the property owners must appeal to the local Board to be able to appeal to the County Board and must contact or notify the County by May 22 to appeal at the County level. She stated the County Board of Appeal and Equalization meeting was June 17, 2019.

She stated they had five additional properties that were inspected and were included in the Board's packet and read them into the record.

1. PID 10-119-21-31-0010, 4013 Hollyhock Circle North. After inspection the property owner agreed to no change.
2. PID 21-119-21-22-0114, 8300 Brunswick Avenue North. After the inspection the property owner has agreed to no change.
3. PID 28-119-21-32-0141, 7277 Zane Court North. After the inspection the property owner has agreed to no change.
4. PID 05-119-21-31-0019, 10420 Maryland Avenue North. The recommendation was a value reduction from \$593,400 to \$546,100.
5. PID 03-119-21-23-0047, 10546 Noble Avenue North. The recommendation was a value reduction from \$522,000 to \$504,100.

C. PUBLIC PRESENTATIONS

City Assessor Bauer-Anderson invited property owners who wanted to address the Board.

1. Brian and Rebecca Wong, 7043 103rd Avenue North. Contested the valuation recommendation.
2. Julius Thomas, 10039 Hampshire Terrace. Contested the valuation recommendation.
3. Yelena Kurdyumova, 7212 72nd Avenue North, #217. Contested the valuation recommendation.

Mayor Lunde asked if there were other property owners who wanted to address the Board.

D. BOARD ACTION

Chair Lunde stated he would put the motion on the table as presented and if a Board Member wanted to make a motion to amend to allow the Board to keep track of the amendments.

D. MOTION LUNDE, SECOND JACOBSON TO ACCEPT THE CITY ASSESSOR'S VALUATION RECOMMENDATIONS.

Board Member Jacobson asked if there was a consensus of why the owners had withdrawn. She asked if they felt after talking to staff that they were incorrect in their initial thoughts around their values.

City Assessor Bauer-Anderson stated that often when the owner asked questions and staff showed them what the market was indicating for their value that a lot of times it was just the knowledge they were looking for to understand the process better. She stated it was also possible that during the inspection that it was going to show an increase in their value and they were given the opportunity to withdraw at that time.

Chair Lunde stated there was a motion to accept the Assessor's recommendation.

Tamara Doolittle, County Assessor's Office, stated that as a matter of procedure, it was recommended the Board make individual motions on each property and that was the process

recommended by the Department of Revenue. To walk through each appeal and present their findings and approve them individually. She stated that was the process to be recommended and encouraged the Council to consider that.

City Attorney Thomson stated that it had come up before and the last time the Board did it by one motion. He asked if the County was concerned and just wanted it recited on record with respect to each decision.

Ms. Doolittle stated that statement came from the Department of Revenue and was just wanting to make sure every property owner felt they had been heard and their property had been individually considered. She stated it was not her position and was just trying to bring forward the recommendations from the Department of Revenue.

City Attorney Thomson stated the easiest way to accommodate that, and didn't think they needed to make separate motions, that the City Assessor just list results of each one and one motion would be sufficient once they stated on the record each conclusion.

Board Member Mata asked what the punishment was for the recommendations. He stated that if he had 2,000 people come forward and wanted to talk about taxes, asked if they were going to sit there and read 2,000 into the record. He stated that was his time but also staff's time and asked what grants the Department of Revenue had to pay to help to facilitate all of it because it was just one city, the 6th largest in the State, and wondered what the State process was because it was a lot of time and effort.

Ms. Doolittle stated her role was to transfer the information to the Department of Revenue and if they didn't feel they were not in agreement with process, they could bring the recommendations back to the County Board or State Board for review. She stated that outside of that, she was not aware of any other repercussions they could take. She stated she was not sure they would go as far as the recommendations not being valid, but that would be something in their purview.

Chair Lunde asked the Board Members if there were any motions to amend any of the Assessor's recommendations.

Board Member Mata stated he didn't agree with the methodology of the process. He stated people who were living in their houses and chose to stay got penalized where people were selling their houses for a higher value around them. He stated the housing stock was low and it became a bidding war or someone would present a bid for \$10,000 to \$20,000 more. He stated that was one part of the two headed monster of taxation, one was their value and the other one was if everyone paid attention between October and December, the City Council had to vote on a tax increase.

He stated if their property went up but, yet the Council reduced the budget, their taxes would go down. He stated that no matter how they looked at their property and what the Board did, he had not voted to raise taxes but what he had was 31 owners who came forward and 7 owners withdrew. He stated that over half had their values reduced and again he said if they did not come forward and say something they had zero opportunity to reduce their value of their house.

He stated that the five individuals who spoke, four had their values reduced, and again if they did not come forward to ask, they got nothing, which told him they were asking all the residents

to come forward to say something. He stated there was a broken methodology in the system and he didn't create it, it was created by a different entity and they even said the Board could reduce it but couldn't go beyond 10 percent.

He stated the Board could start saying to take every house that came to appeal and reduced all by 5% until they got to the 10%. He stated it was a difficult thing to deal with, and tonight he would be voting no because he believed the methodology was incorrect and what they were using for examples were incorrect. He stated that until four Board Members voted no and pushed it back and said something had to change and that was another entity which said how they must deal with property values. He stated with the explanation of his no vote, he would be voting no.

City Attorney Thomson suggested an alternative, so the Board didn't have to do that process, was to change the motion to add the phrase, "including the 31 parcels for which the Board received appeals as reflected on the summary sheet provided by the city assessor, a copy of which should be transmitted to the county assessor and Department of Revenue if necessary."

Chair Lunde accepted it as a friendly amendment to the motion and accepted by seconder Board Member Jacobson.

Chair Lunde called for a roll call vote on the following amended motion.

D. TO ACCEPT THE CITY ASSESSOR'S VALUATION RECOMMENDATIONS INCLUDING THE 31 PARCELS FOR WHICH THE BOARD RECEIVED APPEALS AS REFLECTED ON THE SUMMARY SHEET PROVIDED BY THE CITY ASSESSOR, A COPY OF WHICH SHOULD BE TRANSMITTED TO THE COUNTY ASSESSOR AND DEPARTMENT OF REVENUE IF NECESSARY.

D. THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PHA, WEST-HAFNER, RUSSELL, JACOBSON, LUNDE; NO – MATA.

Chair Lunde stated the motion passed and that was the final action of the Board of Appeal and Equalization.

E. ADJOURNMENT

At 9:02 p.m., Chair Lunde adjourned the Reconvened Board of Appeal and Equalization meeting and reconvened the regular Council meeting.

JEFFREY JONEAL LUNDE, CHAIR

DEVIN MONTERO, CITY CLERK

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	May 13, 2019
Agenda Section:	General Action Items	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Wold Architects LaTonia Green, Finance Director Greg Hoag, Park-Building Maintenance Manager Dan Ruiz, O&M Director
Ordinance:	N/A		
Attachments:	2	Presented By:	Dan Ruiz
Item:	Award Bid to BCI Construction, Inc. for City Hall Rehabilitation		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO AWARD THE BID FOR CITY HALL REHABILITATION TO BCI CONSTRUCTION, INC.

Overview:

This request is to award the bid for the rehabilitation of City Hall to BCI Construction, Inc. On February 5, 2018, the City Council authorized staff to prepare plans and specifications and go out for bids on this project. The project was advertised in the Sun Post on March 28, 2019 and April 4, 2019. On April 25, 2019, eight bids were received ranging from \$3,996,000 to \$5,045,000 with the apparent low bidder, BCI Construction, Inc., bidding \$3,996,000. Bid alternates for a heated sidewalk in front of the main entrance (add \$120,000) and an alternative schedule (deduct \$1,500) were also received.

The City Hall rehabilitation is part of the approved 2019-2023 Capital Improvement Plan (CIP) and is funded by the heritage fund. The project was originally planned to have several phases including general rehabilitation, window replacement and a mill/overlay for the parking lot, totaling approximately \$5,100,000 over the five-year CIP. Per City Council direction, window replacement and perimeter radiation heat was included in this phase of the project. The mill/overlay of the parking lot is currently scheduled for 2022.

Project expenses will be spread out over at least two years. The 2019 CIP has \$4,100,000 allocated for the project. Project cost including architectural fees, testing, furniture, contingency, and heated sidewalk is estimated at \$5,264,500. The additional funding to complete the project will be proposed as part of the 2020 CIP.

Audio/visual (AV) reinvestment is still in progress. Staff is in the process of hiring a designer to assist with AV for new public conferencing spaces. A preliminary cost estimate for this is \$325,000-\$400,000. These expenses would also be proposed as part of the 2020 CIP.

The current City Hall building was constructed in 1991 to be a minimum 50-year structure. Nearing mid-life, it has undergone several minor modifications to its floorplan and several remodeling projects including Council Chambers AV equipment, the roof, and conference rooms.

A 2012 City Hall study looked at the space needs for the next 10-15 years including physical changes to the floor plan to enable staff to continue providing high level service to customers/residents. This study recommended several phases of rehabilitation. Phase I was completed in 2012 with the remodeling of the customer service counter and Lampi conference room.

Phase II and III, which were recommended for 2014-2016, have not been completed. They recommended a major remodeling of the first and second floor, replacing windows, cubicles, furniture, improvements to counters and the computer room.

Since 2012, there have been several changes to department structure and city leadership. Improvements have been delayed in order to reassess rehabilitation needs at City Hall. The updated plan for City Hall rehabilitation is based on current and future needs of customers and staff.

The project includes:

- Facility reinvestment – remodel 1st and 2nd floor (i.e. cubes, furniture, carpet, windows, etc.)
- Adding perimeter radiation heat to outside facing walls to address heating issues
- Reducing the number of service counters to improve the customer experience
- Adding small meeting rooms to provide secure and private meeting with customers
- Reorganizing departments to gain efficiency
- Adding flexible and collaborative space to accommodate full-build out of City
- Modernizing restrooms and improve handicap accessibility
- Enhancing building security
- Two-story addition for public conferencing space and to improve lobby and waiting space for the DMV
- Overall design of the remodel using universal design principles

The City Council discussed the City Hall rehabilitation project on August 28, November 6, 2017, February 5, 2018 and February 4, 2019.

Primary Issues/Alternatives to Consider:

The consultant, Wold Architects & Engineers, and Operations and Maintenance staff recommend the City Hall rehabilitation project be awarded to BCI Construction, Inc. as the lowest responsible bidder meeting all specifications.

The Council has the following alternatives to consider:

1. Authorize the bid award as recommended
2. Authorize the bid award without the heated sidewalk alternate (\$120,000)
3. Not authorize the bid award and redirect staff

Budgetary/Fiscal Issues:

The 2019 CIP has \$4,100,000 allocated for the project. Project cost including architectural fees, testing, furniture, contingency, and heated sidewalk is estimated at \$5,264,500. Preliminary cost estimates for AV investment is \$325,000-\$400,000, bringing the total potential project cost to approximately \$5,664,500. The additional funding to complete the project will be proposed as part of the 2020 CIP. Project costs could be reduced by \$125,000 if the heated sidewalk in front of City Hall is eliminated or by phasing in the AV project over a longer period.

Attachments:

7.1A RESOLUTION

7.1B WOLD ARCHITECTS & ENGINEERS LETTER OF RECOMMENDATION/BID TAB

RESOLUTION #2019-

RESOLUTION TO AWARD THE BID FOR CITY HALL REHABILITATION
TO BCI CONSTRUCTION, INC.

WHEREAS, City Hall was originally constructed in 1991 and needs rehabilitation; and

WHEREAS, this project was included in the 2019-2023 CIP as item #1001 for an estimated cost of \$4,100,000; and

WHEREAS, total project costs including bid alternates, architectural fees, testing, contingency, and AV equipment is estimated at \$5,664,500 and additional funding to complete the project will be proposed as part of the 2020 Capital Improvement Plan; and

WHEREAS, the project was advertised in the Sun Post on March 28 and April 4, 2019 and twelve (8) bids were received ranging from \$3,996,000 to \$5,045,000; and

WHEREAS, the lowest responsible base bid of \$3,996,000 is from BCI Construction, Inc.; and

WHEREAS, the lowest responsible bid including both bid alternates of \$4,114,500 is from BCI Construction, Inc. is within the preliminary estimated construction cost, and is recommended for approval by Wold Architects & Engineers and Operations and Maintenance staff; and

WHEREAS, the preliminary estimated construction cost was \$4,200,000 and the apparent low bid is less than the construction estimate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to award the bid for City Hall rehabilitation to BCI Construction, Inc. in the amount of \$4,114,500.



May 6, 2019

Dan Ruiz, Director of Operations and Maintenance
City of Brooklyn Park
5200 85th Avenue North
Brooklyn Park, Minnesota 55443

Re: City Hall Renovation and Addition
Commission No. 182061

Dear Dan:

On Thursday, April 25, 2019 at 2:00 p.m. bids were received for the renovation and addition at City Hall. A total of eight (8) bids were received and the low bid is below the estimate for the project and the bids received represent an acceptable range of cost. A bid tabulation is attached for your review. BCI Construction, Inc. from Sauk Rapids, MN submitted the low base bid in the amount of \$3,996,000. Two alternates bid costs were received and selections of the alternates does not affect who will be the low bidder. The following is our recommendation:

Alternate No. 1 Main Entry Snow Melt System **Add \$120,000**

This alternate includes the installation of a under sidewalk snow melt system at the City Hall entry sidewalk and stairs. This will enhance snow removals at the entry and provide a safer pedestrian walk to the main entrance.

Recommendation: Accept this Alternate

Alternate No. 2 Alternate Construction Schedule **Deduct \$1,500**

This alternate modifies the construction schedule to start the work in the fall (September 1, 2019).

Recommendation: Accept this Alternate

We recommend awarding the contract to BCI Construction, Inc. as follows:

Base bid		\$ 3,996,000
Alternate No. 1 (Snow Melt)	Add	\$ 120,000
Alternate No. 2 (Schedule)	Deduct	\$ 1,500
TOTAL CONTRACT		\$ 4,114,500

We have contacted BCI Construction, Inc. and they are comfortable with their bid and are qualified for this project.

Sincerely,

Wold Architects and Engineers

John McNamara | AIA, LEED AP
Partner

Enclosure

cc: Melissa Stein (letter only)
Amanda Marcott (letter only) Contract File (letter only)

Wold Architects and Engineers
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101
woldae.com | 651 227 7773

**PLANNERS
ARCHITECTS
ENGINEERS**



Project Name: Brooklyn Park City Hall

BID TABULATION

Commission No.: 182061
Date: 4/25/2019
Time: 2:00pm

Wold Architects and Engineers
332 Minnesota Street, Suite W2000
Saint Paul, Minnesota 55101
651.227.7773 Fax: 651.223.5646

Bidders Name	Addendum Numbers	Bid Security	MN Responsible Contractor	Base Bid	Alternate #1 [Main Entry Snow Melt System]	Alternate #2 [Alternate Construction Schedule]	Remarks
BCI Construction, Inc 7135 5th Ave NE Sauk Rapids, Minnesota 56379 P: 320-393-3185 F:	1-3	x	x	\$3,996,000	\$120,000	(\$1,500)	
Brennan Construction 124 East Walnut Street Ste 20 Mankato, Minnesota 56001 P: 507-625-5417 F: 507-625-4805	1, 2, 3	x	x	\$4,730,000	\$120,000	\$70,000	
Jorgenson Construction Inc 9255 East River Road NW Coon Rapids, Minnesota 55433 P: 763-784-3877 F:	1, 2, 3	x	x	\$5,045,000	\$110,000	\$65,000	
RAM General Contracting, Inc 592 Industrial Drive Winsted, Minnesota 55395 P: 320-485-2844 F:	1, 2, 3	x	x	\$4,368,000	\$116,941	\$74,790	
Rochon 3650 Annapolis Lane North Plymouth, Minnesota 55447 P: 763-235-3816 F: 763-559-8101	1, 2, 3	x	x	\$4,136,000	\$97,000	\$71,000	
Shaw Lundquist 2757 West Service Road St Paul, Minnesota 55121 P: 651-454-0670 F: 651-454-7982	1, 2, 3	x	x	\$4,952,000	\$120,000	\$130,400	
Terra Construction 21025 Commerce Blvd Ste 1000 Rogers, Minnesota 55374 P: 763-463-0220 F: 763-463-0290	1, 2, 3	x	x	\$4,298,000	\$124,000	\$86,000	
Versacon, Inc 9443 Science Center Dr Minneapolis, Minnesota 55428 P: 763-391-5610 F:	1, 2, 3	x	x	\$4,796,000	\$111,000	\$59,000	

City of Brooklyn Park Request for Council Action

Agenda Item:	7.2	Meeting Date:	May 13, 2019
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	X	Prepared By:	Erika Byrd, Development Project Coordinator
Ordinance:	N/A		
Attachments:	2	Presented By:	Erika Byrd
Item:	Resolution to Approve the Brooklyn Park Fair Housing Policy		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO APPROVE THE BROOKLYN PARK FAIR HOUSING POLICY AND DIRECT STAFF TO IMPLEMENT THE POLICY.

Overview:

Cities have several legal obligations under both federal and state laws regarding fair housing. The proposed Brooklyn Park Fair Housing Policy affirms the City of Brooklyn Park's commitment to fair housing and outlines internal and external actions the City will undertake to advance that commitment.

Primary Issues/Alternatives to Consider:

• Why should the City Council consider adopting a Fair Housing Policy?

The Brooklyn Park Fair Housing Policy aims to establish a set of practices that will help the City address fair housing questions, promote awareness and competency regarding fair housing issues, and advance the City's goals around equity and inclusion. The proposed policy is based upon a model policy and best practices guide developed by the Housing Justice Center for the Metropolitan Council. According to the Housing Justice Center, there are many reasons why a fair housing policy would benefit a city, including:

- Cities open themselves up to liability if they do not fully understand their obligations under federal and state fair housing laws.
- Cities need to be prepared if situations arise that call for a fair housing analysis or response.
- A fair housing policy allows cities to better serve their constituents who may have fair housing complaints.
- As our communities become more ethnically and racially diverse, the likelihood that fair housing issues will surface increases.

In addition, there are financial reasons for the City to adopt a Fair Housing Policy this year. The Metropolitan Council is now requiring that cities adopt a fair housing policy prior to the disbursement of any Livable Communities Act grant funds. The proposed Village Creek Apartments project was awarded a Met Council Livable Communities Demonstration Account (LCDA) grant and the City must have a fair housing policy in place for those LCDA funds to be spent. Furthermore, the Minnesota Department of Employment and Economic Development will be requiring cities to have a local fair housing policy in place in order to participate in some of their future grant programs.

- **Actions Taken and Next Steps**

The Brooklyn Park Economic Development Authority (EDA) discussed the creation of a Fair Housing Policy at the November 19, 2018 EDA work session. Staff indicated that they would work to bring a policy to the City in the first half of 2019. Staff reviewed the fair housing policies adopted by other comparable cities in the metro area as well as the example provided by Housing Justice Center and Metropolitan Council in creating the attached policy.

Staff brought the draft fair housing policy to the City's Human Right's Commission (HRC) on March 21, 2019. HRC decided to recommend the policy but had questions about implementation. Staff returned to the HRC on April 18 and addressed questions about the policy that came up at the prior meeting.

Staff is currently working on creating content for the City website about fair housing and complaint referral. Staff anticipates making this information available online in June or July. In addition, staff will be working to bring the appropriate training to staff, elected officials, and commissioners as it is available.

Budgetary/Fiscal Issues:

There is not a notable budget impact to the City. Costs associated with the adoption of the Fair Housing Policy would likely be minimal and include items such as training or printing of informational handouts.

Attachments:

7.2A RESOLUTION
7.2B FAIR HOUSING POLICY

RESOLUTION #2019-

RESOLUTION TO APPROVE THE BROOKLYN PARK FAIR HOUSING POLICY
AND DIRECT STAFF TO IMPLEMENT THE POLICY

WHEREAS, the City of Brooklyn Park (the “City”) is committed to ensuring fair and equal housing opportunities and believes that a Fair Housing Policy will enable the City to best serve its residents; and

WHEREAS, City staff drafted the Brooklyn Park Fair Housing Policy (the “Policy”) based on best practices from the Housing Justice Center and the Metropolitan Council; and

WHEREAS, the Policy outlines external policies to provide meaningful access to fair housing information and referral services for all constituents and internal practices and procedures that promote fair housing throughout the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the Council adopt the Brooklyn Park Fair Housing Policy.

BE IT FURTHER RESOLVED that the City Council hereby directs staff to implement the Brooklyn Park Fair Housing Policy.

City of Brooklyn Park Fair Housing Policy

1. Purpose

Title VIII of the Civil Rights Act establishes federal policy for providing fair housing throughout the United States. The intent of Title VIII is to ensure equal housing opportunities for all citizens. As a recipient of federal community development funds under Title I of the Housing and Community Development Act of 1974, the City of Brooklyn Park is obligated to certify that it will affirmatively further fair housing. The City of Brooklyn Park is committed to meeting this obligation and has developed this Fair Housing Policy to further that goal.

2. Policy Statement

It is the policy and commitment of the City of Brooklyn Park to ensure that fair and equal housing opportunities are available to all persons in all housing opportunities and development activities funded by the City regardless of race, color, religion, sex, sexual orientation, marital status, status with regard to public assistance, creed, familial status, national origin, or disability. This is done through external policies to provide meaningful access to fair housing information and referral services for all constituents and through internal practices and procedures that promote fair housing throughout the community.

3. External Practices

a. Intake and Referral

The City of Brooklyn Park designates the Director of Community Development as the responsible authority for the intake and referral of all fair housing complaints. At a minimum, the Director of Community Development will be trained, or will designate Community Development staff to be trained, in state and federal fair housing laws, the complaint process for filing discrimination complaints, and the state and federal agencies that handle complaints. The date, time, and nature of the fair housing complaint and the referrals and information given will be fully documented. The Director of Community Development will advise the City Council on programs and policies affecting fair housing and raise issues and concerns where appropriate.

b. Meaningful Access

- i. **Online Information:** The City will display information about fair housing prominently on its website. The website will include links to various fair housing resources, including the Department of Housing and Urban Development, Minnesota Department of Human Rights, Mid-Minnesota Legal Aid, and others. In addition, the City will link to state and federal fair housing complaint forms and the State of Minnesota's Olmstead Plan.

- ii. **In-Person Information.** Upon request, the City of Brooklyn Park will provide in-person fair housing information including:
 - o A list of fair housing enforcement agencies;
 - o Fair housing complaint forms for enforcement agencies; and
 - o Frequently asked questions regarding fair housing law
- iii. **Languages.** The City of Brooklyn Park is committed to providing information in the native language of its residents. Upon request, the City will make reasonable efforts to provide translation services.

4. Internal Practices

The City of Brooklyn Park commits to the following steps to promote awareness and competency regarding fair housing issues in all of its government functions.

- a. **Training:** The City will train its staff and elected officials on fair housing considerations.
- b. **Housing Analysis:** The City will review its housing inventory periodically to examine the affordability of both rental and owner-occupied housing to inform future City action.
- c. **Code Analysis:** The City will review its municipal code periodically, with specific focus on ordinances related to zoning, building and occupancy standards, to identify any potential for disparate impact or treatment.
- d. **Project Planning and Analysis:** The City planning functions and development review will consider housing issues, including whether potential projects may perpetuate segregation or lead to the displacement of protected classes.
- e. **Community Engagement:** The City will seek community input, particularly from underrepresented populations in the community. Conversations regarding fair housing, development, zoning, and land use changes may be facilitated by the City.
- f. **Affirmatively Furthering Fair Housing:** As a subrecipient of federal funds, the City will, as requested by Hennepin County as the entitlement jurisdiction, participate in the Regional Analysis of Impediments, as organized by the regional Fair Housing Implementation Council (FHIC), an ad hoc coalition of Community Development Block Grant (CDBG) entitlement jurisdictions and others working together to affirmatively further fair housing. The City will review the recommendations from the analysis for potential integration into City planning documents, including the Comprehensive Plan and other applicable documents.

City of Brooklyn Park Request for Council Action

Agenda Item:	7.3	Meeting Date:	May 13, 2019
Agenda Section:	General Action Items	Originating Department:	Finance
Resolution:	X	Prepared By:	LaTonia Green, Finance Director
Ordinance:	N/A		
Attachments:	1	Presented By:	LaTonia Green
Item:	Resolution Declaring Official Intent of the City of Brooklyn Park, Minnesota to Reimburse Certain Expenditures from the Proceeds of Tax-Exempt Bonds or Other Obligations to be Issued by the City		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ DECLARING THE OFFICIAL INTENT OF THE CITY OF BROOKLYN PARK, MINNESOTA TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT BONDS OR OTHER OBLIGATIONS TO BE ISSUED BY THE CITY.

Overview:

The City expects to incur certain expenditures with respect to the projects generally described as installation of lights at synthetic turf fields at Park Center High School in the City, construction of a dome facility over one turf field and a support building, and other project costs, as set forth in the City's Bond Reinvestment Plan, including but not limited to Interpretive Plan for Historic Eidem Farm and planning for Park Reinvestments prior to the sale of tax-exempt bonds.

The Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met.

In accordance with Reimbursement Regulations, the attached resolution makes the declaration of official intent to reimburse certain costs from proceeds of tax-exempt bonds and other obligation.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

If the resolution is not approved, any expenditures incurred prior to the tax-exempt bonds being sold would not be deemed reimbursable.

Attachments:

7.3A RESOLUTION

RESOLUTION #2019-

RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF BROOKLYN PARK,
MINNESOTA TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF TAX-
EXEMPT BONDS OR OTHER OBLIGATIONS TO BE ISSUED BY THE CITY

WHEREAS, the City of Brooklyn Park, Minnesota (the "City") is a home rule charter city duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota; and

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City expects to incur certain expenditures with respect to the projects generally described in EXHIBIT A to this resolution (the "Projects") and such expenditures may be financed temporarily from sources other than tax-exempt bonds and other obligations; and

WHEREAS, the City expects to reimburse expenditures with respect to the Projects from the proceeds of tax-exempt bonds or other obligations expected to be issued to finance the Projects in the principal amounts set forth in EXHIBIT A to this resolution; and

WHEREAS, the City has determined to make this declaration of official intent (the "Declaration") to reimburse certain costs from proceeds of tax-exempt bonds or other obligations in accordance with the Reimbursement Regulations.

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

1. The City reasonably expects to make expenditures for the Projects. A portion of such expenditures may be temporarily financed with cash assets of the City or from other sources. The City reasonably intends to reimburse itself for such expenditures from the proceeds of tax-exempt bonds or other obligations that are proposed to be issued by the City.

2. All reimbursed expenditures will be capital expenditures, costs of issuance of the tax-exempt bonds or other obligations, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. The City Manager of the City (the "City Official") is hereby authorized to designate appropriate additions to EXHIBIT A by a written statement supplementing this resolution in the form attached in EXHIBIT B to this resolution (an "Additional Declaration"), dated as of the date of such action, and any such Additional Declaration shall be reported to the Council at the earliest practicable date and shall be filed with the official records of the City Council. Each Additional Declaration shall comply with the following requirements: (i) each Additional Declaration shall be made not later than sixty (60) days after payment of the expenditure to be reimbursed; (ii) each Additional Declaration shall contain a reasonably accurate general description of the project with respect to which the expenditures to be reimbursed were made and shall state the maximum principal amount of obligations expected to be issued for such project; (iii) such Additional Declaration may be made only if the City reasonably expects that reimbursement bonds will be issued to reimburse such expenditures; and (iv) the City Official is authorized to consult with bond counsel with respect to the requirements of the Reimbursement Regulations and their application to the specific circumstances relating to the Additional Declaration.

4. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of tax-exempt bonds or other obligations, except for the following expenditures: (a) costs of issuance of bonds or other obligations; (b) costs in an amount

not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of an issue of bonds or other obligations; or (c) "preliminary expenditures" up to an amount not in excess of twenty percent (20%) of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the Project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

3. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

EXHIBIT A
THE PROJECTS

<u>General Description of the Project</u>	<u>Maximum Principal Amount of Obligations Expected to be Issued to Finance Project</u>
1. Installation of lights at synthetic turf fields at Park Center High School in the City, construction of a dome facility over one turf field and a support building; and other project costs, as set forth in the City's Bond Reinvestment Plan, including but not limited to Interpretive Plan for Historic Eidem Farm and planning for Park Reinvestments	\$4,500,000
2.	
3.	

EXHIBIT B

ADDITIONAL DECLARATION OF OFFICIAL INTENT

The undersigned, being the duly appointed and acting City Manager (the "City Official") of the City of Brooklyn Park, Minnesota (the "City") hereby states and certifies on behalf of the City, for the purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Reimbursement Regulations"), as follows:

1. The City Official has been and is on the date hereof duly authorized by the City Council of the City to make and execute this Additional Declaration of Official Intent (the "Additional Declaration") for and on behalf of the City.

2. This Additional Declaration relates to the following project, property, or program (the "Project") and the costs thereof to be financed:

General Description of the Project	Maximum Principal Amount of Obligations Expected to be Issued to Finance Project
1.	\$
2.	\$
3.	\$

3. The City reasonably expects to reimburse itself for the payment of costs of the Project out of the proceeds of the tax-exempt bonds or other obligations (the "Bonds") to be issued after the date of payment of such costs. As of the date hereof, the City reasonably expects that the maximum principal amount of the Bonds which will be issued to finance the Project is \$_____.

4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

5. As of the date hereof, the statements and expectations contained in this Additional Declaration are believed to be reasonable and accurate.

Dated: _____

City Manager
City of Brooklyn Park, Minnesota

City of Brooklyn Park

Request for Council Action

Agenda Item:	7.4	Meeting Date:	May 13, 2019
Agenda Section:	General Action Items	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Brad Tullberg, Parks and Facilities Manager
Ordinance:	N/A		
Attachments:	3	Presented By:	Jody Yungers, Director, Recreation and Parks Brad Tullberg, Parks and Facilities Manager
Item:	Authorize Recreation and Parks Director to Enter into a Professional Services Agreement with Simplar Sourcing Solutions		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO AUTHORIZE THE RECREATION AND PARKS DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SIMPLAR SOURCING SOLUTIONS.

Overview:

With the voter approval of the \$26 Million Park Bond Referendum in November 2018, staff has been looking at the most efficient options to deliver the various projects. Other cities have been successful using the Expertise-driven Project Delivery (XPD) method to make improvements to their parks and recreation system amenities.

Simplar Sourcing Solutions is a collaborative team of faculty and researchers from universities across the United States who specialize in best value procurement and project delivery, facility organizational assessment, performance measurement and analytics, and process improvement.

XPD is a best value procurement method that considers both price and other criteria (see MN Statute 16C.28). Research has shown that effective and appropriate use of this innovative procurement tool reduces change orders, minimizes schedule delays, and increases overall end-user satisfaction. In Minnesota, the Simplar research team has assisted with more than 400 projects over the past 10 years with a total value of over \$560 million and with an overall change order rate of less than 1.5 percent.

In addition to the redevelopment of River Park, Recreation and Parks staff have identified a list of Phase 1 Park Bond Projects for implementation over the next three to five years that would utilize Simplar Sourcing Solutions to coordinate procurement activities, develop effective request for proposals, and identify the highest performing design architects and contractors. The specific projects identified to utilize Simplar Sourcing Solutions are attached to this request.

Primary Issues/Alternatives to Consider:

The Recreation and Parks Department does not have dedicated project management staff. This requires staff to provide project management, in addition to their daily duties and responsibilities, when improving or renovating amenities in the park system. Using the proven best value (XPD) method helps identify high-performing design architects and contractors, which reduces the overall staff time needed to provide project oversight.

As part of this contract, Simplar Sourcing Solutions will provide:

- Program administration support
- Implementation of best value (XPD) procurement
- Risk-based planning and team alignment
- Contract performance measurement

Budgetary/Fiscal Issues:

The use of the XPD method of project delivery could eliminate the need to hire a construction manager for Park Bond Referendum projects and allow staff to do the bulk of the contract and project management for the first phase of projects.

The fee for Simplar Sourcing Solutions to provide program administration support, implementation of best value (XPD) procurement, risk-based planning and team alignment, and contract performance measurement is \$242,000. The estimated cost of the identified Phase 1 projects is \$12.1 million. The Simplar Sourcing Solutions fee is 2% of the estimated total project cost for Phase 1.

Attachments:

- 7.4A RESOLUTION
- 7.4B SIMPLAR SOURCING SOLUTIONS SCOPE OF WORK
- 7.4C SIMPLAR SOURCING SOLUTIONS PROJECT LIST

RESOLUTION #2019-

RESOLUTION AUTHORIZING THE RECREATION AND PARKS DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SIMPLAR SOURCING SOLUTIONS

WHEREAS, voters approved the \$26 Million Park Bond Referendum in November 2018, and staff has been looking at the most efficient options to deliver the various projects; and

WHEREAS, Simplar Sourcing Solutions is a collaborative team of faculty and researchers from universities across the United States who specialize in best value procurement and project delivery, facility organizational assessment, performance measurement and analytics, and process improvement; and

WHEREAS, Expertise-driven Project Delivery (XPD) is a best value procurement method that considers both price and other criteria under MN Statute 16C.28; and

WHEREAS, research has shown that effective and appropriate use of this innovative procurement tool reduces change orders, minimizes schedule delays, and increases overall end-user satisfaction; and

WHEREAS, Recreation and Parks staff have identified Phase 1 Park Bond Projects for implementation over the next three to five years, in addition to the redevelopment of River Park, to utilize Simplar Sourcing Solutions to coordinate procurement activities, develop effective Request for Proposals, and use an expertise-based process to identify the highest performing design architects and contractors; and

WHEREAS, the use of the XPD method could eliminate the need to hire a construction manager for Park Bond Referendum projects and allow staff to do the bulk of the contract and project management for the first phase of projects; and

WHEREAS, the estimated cost of the identified Phase 1 Park Bond Projects is \$12.1 million. The Simplar Sourcing Solutions fee is 2% of the estimated total project cost for Phase 1; and

WHEREAS, the cost for Simplar Sourcing Solutions to provide program administration support, implementation of best value (XPD) procurement, risk-based planning and team alignment, and contract performance measurement is \$242,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Recreation and Parks Director to enter into a Professional Services Agreement with Simplar Sourcing Solutions.

May 1, 2019

Jody Yungers
Director, Recreation & Parks Department
City of Brooklyn Park, Minnesota

RE: Park Bond Project Delivery Assistance

Dear Ms. Yungers:

We appreciate the opportunity to assist the City of Brooklyn Park with the Park Bond Program Administration. We understand that the City will benefit from optimized management, procurement, and contract planning processes.

We propose to assist your team in facilitating the overall program, coordinating procurement activities, developing effective Requests for Proposals, using an expertise-based process to identify the highest performing designers and contractors for your projects, pre-planning the project across stakeholders, and documenting each project's performance. We have also partnered with the Center for Procurement Excellence to train and provide the opportunity for up to six of your parks staff members to attain professional procurement certifications as part of this effort.

We will provide our complete set of tools, checklists, on-site training workshops, and hands-on support necessary to implement the best value Expertise-driven Project Delivery (XPD) approach for the entire Park Bond Program. This approach has been refined and developed for over 20 years and has been used on more than 2,000 projects (\$11B total value). This includes more than 400 projects completed in Minnesota over the past 10 years with a total value of over \$560M and with an overall change order rate of less than 1.5%.

Attached, for your consideration, is a detailed outline of our proposed services for the subject program. Thank you again for the opportunity to assist you with this exciting new chapter at Brooklyn Park and we are confident that we will exceed your expectations.

Respectfully submitted,
SIMPLAR SOURCING SOLUTIONS, LLC

Optimization of Brooklyn Park Bond Program

Program Administration Assistance and Project Delivery

Our proposal is to assist the City of Brooklyn Park (CBP) with administration of the Park Bond Program. This includes programmatic strategic planning, procurement scheduling and coordination, selection process facilitation, risk-based planning and team alignment prior to contract award, and contract performance measurement. We will assist CBP in implementing the best value Expertise-driven Project Delivery (XPD) process with park bond projects.

This proposal is based on understanding of the following needs:

- Administration of 7 solicitations. Of the construction solicitations, each will consist of approximately 3-5 individual projects / scopes of work.
- Regular on-site attendance at program meetings and planning sessions (approximately 1-2 meetings per month for the first four to six months of program start-up plus approximately once per month thereafter).
- Regular phone / video conferencing with our team (status update calls are anticipated weekly).

SCOPE OF WORK

Our proposed scope of work is presented in four major sections (1) program administration support, (2) implementing best value XPD procurement, (3) risk-based planning and team alignment, and (4) contract performance measurement.

1. Program Administration Support

Our proposal will enhance City of Brooklyn Park staff's management of the program by:

- Assisting in the creation of, and documenting changes to, the overall strategic plan
- Maintaining a 24 month high level strategic calendar, a 6 month operational calendar, and a 3 week tactical calendar.
- One page Progress Summary Reports capturing overall program status, upcoming projects, key outcomes, and other relevant details; to be provided approximately every 8 weeks.

It is anticipated that 3-5 on-site meetings will be held with CBP staff as the overall strategic direction of the program is developed. These meetings will include discussion points such as:

- Advanced procurement and project delivery methods.
- Project-specific application of XPD tools and associated best practices.
- Detailed review of XPD tools, templates, and language.
- Hands-on workshop to review XPD process documentation and templates

2. Implementing Best-Value Procurement

Our proposal includes support for up to 4 solicitations for procurement of **Professional Services** and up to 3 solicitations for procurement of **Construction Services** (see Table 1 below). Where

appropriate, the solicitations will consist of similar projects types and scopes (similar types of improvements at multiple parks may be included within a single solicitation).

Table 1: Anticipated RFP Release Schedule

#	Solicitation Name	Solicitation Type	Estimated RFP Release Date
1/2	Lead Consultant / Final Plans & Specifications <i>[could be 2 separate solicitations]</i>	Design	June 2019
3	Natural Resources	Design	September 2019
4	Wayfinding	Design	October 2019
5/6	Renovations & Redevelopments <i>[could be 2 separate solicitations]</i>	Construction	January 2020
7	Irrigation	Construction	February 2020

Together, these solicitations will provide improvements to the following parks:

- Hartkopf Park Redevelopment
- Lakeland Park Redevelopment
- Norwod Park Redevelopment
- River Park Redevelopment
- Willowstone Building Renovation
- Northwoods Building Renovation
- Monroe Building Renovation
- Central Park Shelter Kitchen
- River Park Shelter Kitchen
- Wayfinding
- Natural Resources
- Hometown Ballfield

For each solicitation, we will provide the following services:

- **Assist with RFP Development**
 - Assist in the development of a procurement schedule of activities.
 - Recommend project-specific evaluation criteria and weighting scheme.
 - Prepare a draft RFP (incorporating all XPD templates, language, and documentation within CBP's RFP.
 - Facilitate review process with CBP of the RFP documentation.
 - Provide final digital version of the RFP
 - Note: We will rely upon the CBP's procurement / finance team to verify and include any specific City, County, or State requirements regarding rules, statutes, etc. This include terms and conditions, contract language, and specific scope requirements. They will also serve as the final approver of the RFP.

- **Assist in Conducting a Pre-Proposal RFP Information Meeting**
 - Assist with an on-site Pre-Proposal RFP Information Meeting for the potential design and construction professionals. We have found that this meeting enhances the quality of the proposals by providing:
 - Detailed walkthrough of CBP's RFP evaluation process and precontract clarification phase.
 - Training on how to respond successfully.
 - Emphasis on participation of proposer's key project team personnel.
 - Confirmation that boilerplate marketing content will be eliminated.
 - Q&A session.
 - Provide a workshop with the CBP evaluation committee. The workshop will provide guidance on how to utilize
 - The advanced evaluation procedures of the XPD process.
 - Using the customized evaluation score sheets and related documentation
- **Assist with Administration of the RFP, Evaluation, and Selection Modeling**
 - Assist in answering proposer's questions regarding the XPD process from RFP release through submission deadline.
 - Assist with review and compliance check of the proposals.
 - Provide review of the proposals.
 - Ensure compliance with XPD requirements.
 - Assist in validating and distributing anonymous "coded" proposal submittals (for distribution to evaluators).
 - Assist with Selection Modeling
 - Develop selection model structure.
 - Assist in shortlisting, as necessary, prior to interviews.
 - Review data entry and ensure accuracy of evaluator responses.
 - Assist in final selection review and potential protest risk.
 - Assist in populating and maintaining a project-specific evaluation matrix (input and analyze evaluator responses, evaluate scoring of cost proposals).
 - Assist with a Pre-Proposal RFP Information Meeting for service providers. We have found that this meeting enhances the quality of the proposals by providing:
 - Detailed walkthrough of CBP's RFP evaluation process and precontract clarification phase.
 - Provide a 1 page Executive Summary of the selection process.
- **Facilitation of the interview process**
 - The XPD interview process is highly effective at understanding the team's expertise and ability to perform on your specific project. As it is different from the traditional interview process, we will:
 - Train CBP staff in the proper structure of interview procedures that solicit higher quality responses, eliminate marketing presentations, require participation of key team personnel.
 - Provide on-site and/or phone facilitation of each interview

3. Risk-Based Project Planning and Team Alignment

The XPD project preplanning and team alignment phase provides CBP with a greater level of scope certainty through the identification, prioritization, and minimization of contract-specific risks. It assists with the identification of a variety of project specific items including schedule coordination with other park programs, construction project start dates, site laydown, risks with the local labor availability, public access and communication, and more. This process also provides a structured methodology to examine potential contractor-proposed value options and an understanding of how the contractor's latest innovative ideas will be incorporated into the project. All documentation developed during this phase is included in the final contract.

For each solicitation, we will:

- Assist and train CBP's project team with the implementation of optimal techniques / approaches for project preplanning and team alignment.
- Facilitate and provide guidance for the project risk-based planning Kickoff Meeting and subsequent planning sessions.
- Facilitate structured meeting agendas and project preplanning templates to the proposer's project team.
- Review and comment on the selected designer/contractor project risk-based planning document, including the schedule, execution plan, risk management plan, value options, requested client actions and resources, etc.

4. Contract Performance Measurement

Once the contracts have been awarded, it is anticipated that many of the projects will be running concurrently. Measuring each's project performance against the plan is crucial to maintain high levels of performance and transparency of the contracted professionals. The performance measurement provides documentation of all actual and all potential performance impacts to the contract.

For each contract, we will:

- Provide a customized weekly report template.
- Educate and train the designer/contractor on how to complete the reporting form.
- Review and monitor the report on a weekly basis. When necessary provide recommendations and coaching for improving accuracy, clarity to ensure that the report communicates the project status.
- Prepare quarterly performance reports summarizing the project performance (in terms of cost, schedule, and staff satisfaction).
- Upon completion of the project, provide a final summary project performance close-out report.

Summary of Deliverables Included in Cost Proposal

1. Park Bond Program administrative support
2. Assistance in the creation of a Park Bond Program strategic plan
3. Maintenance and coordination of operations and tactical calendar.
4. Preparation of 1 page Progress Summary Reports capturing overall program status, upcoming projects, key outcomes, and other relevant details.
5. 10-15 on-site training events/workshops.
6. Support by phone/email for implementation and execution of the XPD approach for each solicitation
7. RFPs with XPD process integrated (procurement strategy guidance, template, checklists, evaluation criteria, weights, forms, and committee education).
8. Procurement schedule of activities.
9. Contract award schedule of activities.
10. Report summarizing the procurement strategy.
11. Training for CBP staff for evaluation of proposals.
12. Facilitation of the interview process.
13. Report summarizing the selection process (results, staff observations, next steps).
14. Facilitation of the project planning and team alignment phase.
15. Performance measurement of contracts awarded using the XPD method.

Proposed Cost

The total fixed cost for the proposed scope of work is \$242,000 USD. An invoicing and payment schedule will be finalized at a later date based on mutual agreement between CBP and Simplar Sourcing Solutions.

Tables 2 and 3 below provide an overall schedule for the program execution and anticipated procurement schedule.

Table 2: Anticipated Program Schedule

Activity	2019								2020											
	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Program Planning and Kickoff																				
Strategic Plan																				
Progress Summary Reports																				
Professional Services Activities																				
Construction Services Activities																				
Performance Measurement Tracking																				
On-Site Visits (#)	2	2	2	2	1	1	0	1	0	1	0	1	0	0	0	1	0	1	0	0

[illegible]

Phase 1 Park Bond Projects	Phase	Estimated Budget	Project Start Year
Planning for Park Redevelopment	1	\$ 500,000	2019
Hartkopf Park Redevelopment	1	\$ 1,500,000	2020
Lakeland Park Redevelopment	1	\$ 1,200,000	2020
Norwood Park Redevelopment	1	\$ 2,000,000	2020
Willowstone Building Renovation	1	\$ 400,000	2020
Northwoods Building Renovation	1	\$ 400,000	2020
Monroe Building Renovation	1	\$ 400,000	2020
Central Park Shelter Kitchen	1	\$ 150,000	2020
River Park Shelter Kitchen	1	\$ 150,000	2020
Wayfinding	1	\$ 200,000	2020
Natural Resources	1	\$ 500,000	2020
Hometown Ballfield	1	\$ 1,500,000	2020
		\$ 8,900,000	
Other Non-Park Bond Projects			
River Park Redevelopment	1	\$ 3,200,000	2020
		\$ 3,200,000	
Total Estimated Project Costs		\$ 12,100,000	
Simplar Sourcing Solutions Fee		\$ 242,000	2019

City of Brooklyn Park

Request for Council Action

Agenda Item:	7.5	Meeting Date:	May 13, 2018
Agenda Section:	General Action Items	Originating Department:	Recreation and Parks
Resolution:	X		
Ordinance:	N/A		
Attachments:	3		
Item:	Approval to Enter into a Joint Powers Agreement with ISD 279 for Construction, Ownership, Maintenance and Operation of Dome, Support Building and Lights at Park Center High School		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-____ APPROVING AND ENTERING INTO A JOINT POWERS AGREEMENT WITH INDEPENDENT SCHOOL DISTRICT NO. 279 (OSSEO AREA SCHOOLS), HENNEPIN COUNTY, MINNESOTA FOR THE CONSTRUCTION, OWNERSHIP, MAINTENANCE, USE, AND OPERATION OF DOME, SUPPORT BUILDING AND LIGHTS AT PARK CENTER HIGH SCHOOL.

MOTION _____, SECOND _____, TO GRANT THE AUTHORITY TO THE CITY MANAGER TO EXECUTE THE NECESSARY AGREEMENTS FOR THE DEVELOPMENT OF THE TURF FIELD LIGHTING, DOME AND SUPPORT BUILDING AT PARK CENTER HIGH SCHOOL IN AN AMOUNT NOT TO EXCEED \$3,461,275 OUT OF THE PARK BOND FUNDS.

Overview:

As part of the Park System Plan community engagement process, the community indicated a strong interest in building synthetic turf fields, specifically to address two on-going issues within the system: 1) over use of existing natural turf fields within the community, resulting in the need to rotate and/or rest natural turf fields; and 2) turf fields would provide access to fields early in the spring season and later in the fall. Additionally, the community expressed interest in having access to turf sports (football, soccer, lacrosse, cricket) in the winter months and pre-season spring baseball infield and batting cages access.

The park bond referendum community polling indicated investments in fields and gymnasiums within the community was of high interest, and was included as part of the of the November 6, 2018 \$26 Million Park Bond Referendum ballot, which passed.

In 2017, the Osseo Area School District Board appropriated \$2 million of capital investment funding for the development of two synthetic turf fields at Park Center High School. The School District approached the City as to its interest in installing lights at the two synthetic turf fields, with an estimated cost of \$500,000. The School District also inquired as to the City's interest to install a dome facility over one of the two fields and enter into a Joint Powers Agreement (JPA) for ownership, maintenance, use and operations of dome, support facility and turf lights. The total capital cost for turf lights, dome and support facility is anticipated to be \$3,461,275.

Staff and the City Attorney have been working with School District on agreed to elements of the attached Joint Powers Agreement.

Primary Issues/Alternatives to Consider:

The JPA includes development of a Special Revenue Fund that includes a designated Capital Asset Replacement Fund to be used for replacement of lights, dome, support building and synthetic turf.

Budgetary/Fiscal Issues:

Summary of Capital Investments and Ownership:

School District 279 Responsibility:

- Synthetic Turf and Ground Work = \$1,875,000
 - Parking/Landscape/Roads/Signage = \$2,400,000
 - Maintenance and Operational Equipment (turf and maintenance) – TBD
 - School Sports Operational Equipment (nets, stands, batting cages, etc.)
- Total Capital Cost = \$4,275,000

City Responsibility:

- Lights (2 Fields) – Paid by City = \$393,700
 - Dome/Footings/Netting/ Dome Support Building = \$3,042,575
 - Sports Operational Equipment (nets, stands, etc.) = \$25,000
- Total Capital Cost = \$3,461,275

Attachments:

7.5A RESOLUTION

7.5B JOINT POWERS AGREEMENT

7.5C DOME AND TURF FIELD PROPERTY MAP

RESOLUTION #2019-

RESOLUTION APPROVING AND ENTERING INTO JOINT POWERS AGREEMENT WITH
INDEPENDENT SCHOOL DISTRICT NO. 279 (OSSEO AREA SCHOOLS),
HENNEPIN COUNTY, MINNESOTA FOR THE CONSTRUCTION, OWNERSHIP,
MAINTENANCE, USE, AND OPERATION OF DOME, SUPPORT BUILDING
AND LIGHTS AT PARK CENTER HIGH SCHOOL

WHEREAS, the City of Brooklyn Park, Minnesota ("City") and Independent School District No. 279 (Osseo Area Schools), Hennepin County, Minnesota (the "District") propose to enter into a joint powers agreement to provide for the development of two synthetic turf fields at Park Center Senior High School in the City, including the installation of lights at the turf fields, the construction of a dome facility over one of the turf fields, and construction of a support building (the "Facility"), as well as ownership, maintenance, use, and operation of the Facility; and

WHEREAS, the terms of the arrangement between the City and the District are set forth in a Joint Powers Agreement between the City and the District ("Agreement"); and

WHEREAS, the City Council determines that entering into the Agreement to provide for the development, ownership, maintenance, use and operation of the Facility is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves and agrees to enter into the Agreement; and

BE IT FURTHER RESOLVED that the Mayor and City Manager are authorized and directed to execute the Agreement on behalf of the City.

JOINT POWERS AGREEMENT
between
CITY OF BROOKLYN PARK, MINNESOTA
and
INDEPENDENT SCHOOL DISTRICT NO. 279
(OSSEO AREA SCHOOLS), HENNEPIN COUNTY, MINNESOTA

THIS JOINT POWERS AGREEMENT is entered into this day of _____, 2019 (“**Agreement**”), by and between the City of Brooklyn Park, Minnesota, a home rule City, municipal corporation, and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota (the “**City**”) and Independent School District No. 279 (Osseo Area Schools), Hennepin County, Minnesota, an independent school district created and existing under the laws of the State of Minnesota (the “**District**” and together with the City, the “**Parties**”).

RECITALS:

WHEREAS, the District proposes to develop two synthetic turf fields (the “**Turf Fields**”) at Park Center Senior High School and associated roads, parking, and landscaping, install signage (collectively, the “**Associated District Improvements**”), and purchase sports operational equipment for school use, including nets, stands, and batting cages (the “**School Sports Equipment**,” and collectively with the Turf Fields, and Associated District Improvements, the “**District Project**”) on real property legally described on Exhibit A attached hereto (the “**Property**”); and

WHEREAS, the City proposes to install lights at the Turf Fields (the “**Lights**”), construct a dome facility over one of the Turf Fields (the “**Dome**”), and construct a support building on the Property that will include custodial and storage space, office space, restrooms, an outdoor fenced area for storage of the Dome fabric and mechanical system, and miscellaneous other amenities including vending machines (the “**Support Building**”), as well as purchase sports operational equipment, including nets and stands (the “**City Sports Equipment**,” and collectively with the Lights, the Dome, and the Support Building, the “**City Project**”); and

WHEREAS, the District and the City are each providing for the construction and financing of their respective projects (the District Project and the City Project are hereinafter collectively referred to as the “**Facility**”), all as more fully described and set forth on the site plan attached hereto as Exhibit B (the “**Site and Schematic Plans**”); and

WHEREAS, the City and District are authorized pursuant to Minnesota Statutes, Sections 471.15 through 471.1911, as amended (the “**Recreation Act**”), to operate a program of public recreation and playgrounds, acquire, equip, and maintain land, buildings, or other recreational facilities, and expend funds for the operation of such programs; and

WHEREAS, Minnesota Statutes, Section 471.59, as amended, provides that two or more governmental units may by agreement jointly exercise any power common to the governmental units; and

WHEREAS, Section 471.16, subd. 1 of the Recreation Act authorizes any city, town, county, District, or any board thereof to operate a program of public recreation independently, or they may cooperate among themselves or with any nonprofit organization in its conduct and in any manner in which they mutually agree; and

WHEREAS, this Agreement sets forth the rights and obligations of the Parties relating to the construction, ownership, maintenance, use, and operation of the Facility.

NOW, THEREFORE, the City and District agree as follows:

ARTICLE I

Purpose; Term

1.01. Purpose. The District and the City have determined that it is more economical and efficient to jointly construct and operate a public recreation facility than for each to do so separately. The purpose of this Agreement is to set forth the terms governing the Parties with respect to the construction, ownership, maintenance, use, and operation of the Facility. The City and the District shall construct, own, maintain, use and operate the Facility in accordance with the terms and conditions set forth herein. The Parties agree that the Facility will be used to provide educational, recreational, and athletic programs, community-based activities, and related activities, such as those commonly provided at community activity centers and school athletic facilities in the Twin Cities metropolitan area, and for no other purpose.

1.02. Term. This Agreement shall commence upon the execution of this Agreement by all parties and shall terminate twenty-five (25) years from the date of execution, unless earlier terminated as provided in Article VI. Thereafter, this Agreement shall automatically renew for successive one (1) year terms ending on June 30 unless one Party gives written notice to terminate to the other Party on or before February 1 prior to the end of such term.

ARTICLE II

Construction, Ownership, Maintenance, and Operation of Facility

2.01. Development of District Project. The District shall develop the District Project in accordance with the Site and Schematic Plans and shall provide for the payment of the capital costs of developing the District Project, all as set forth in Exhibit B. The District shall also install at least three (3) cameras at the Facility, as part of the District Project, and connect such cameras to the District's existing security system (the "**District Security System**"). The District shall permit the viewing by the City or produce footage from such security cameras to the City if needed to report/address a health or safety concern or to provide potential evidence of a crime occurring on District property.

2.02. Development of City Project. The City shall develop the City Project in accordance with the Site and Schematic Plans and shall provide for the payment of the capital costs of developing the City Project, all as set forth in Exhibit B. The City shall also install a computer and monitor in the Support Building as part of the City Project for connection to the District Security System.

2.03. Ownership. The Facility is proposed to be constructed on the Property, which is owned by the District. The City shall be the owner of that portion of the Facility comprising the City Project, subject to the rights and obligations of the Parties set forth in this Agreement. The District shall be the owner of that portion of the Facility comprising the District Project, subject to the rights and obligations of the Parties set forth in this Agreement, including, but not limited to, the License (as hereinafter defined).

2.04. License. The District hereby grants a license unto the City and its elected officials, employees, agents, contractors and consultants to enter and remain on the Property for the purposes of construction, maintenance, operation and use of the Facility (hereinafter the "**License**"), which License shall remain in full force and effect during the term of this Agreement subject to the terms of this Agreement. The District shall provide access to the Facility through its existing card access and key system as necessary and appropriate to satisfy the requirements of this Agreement, as more fully described in Section 7.01.

2.05. Maintenance and Upkeep. The Parties shall each maintain, repair, and replace, and shall keep the Facility in good repair and condition. Each Party's responsibilities for maintenance and upkeep as to portions of the Facility are set forth below:

- (a) *Turf Fields.* The District grounds crew shall provide all maintenance relating to the Turf Fields.
 - (b) *Turf Field Lights.* The City shall pay any costs associated with the repair or replacement of parts of the Lights performed by outside contractors.
 - (c) *Dome and Support Building.* The District custodial group (the “**District Custodians**”) shall provide day-to-day custodial services and general maintenance of the Dome and related mechanical systems and the Support Building during the Dome Season, and during the Dome Off-Season, when the schools within the District are in session (Monday – Sunday). During the Dome Off-Season when the schools within the District are not in session, the District Custodians shall provide day-to-day custodial services and general maintenance of the Support Building and related mechanical systems Monday through Friday, and the City shall provide such custodial services and general maintenance of the Support Building on Saturday and Sunday. The term “**Dome Season**” means the period from approximately November 1 through April 15 of each year, as mutually agreed upon from time to time by the District and the City. The term “**Dome Off-Season**” means the period from approximately April 16 through October 31 of each year, as mutually agreed upon from time to time by the District and the City. The City shall pay the costs of any repairs performed by outside contractors with respect to the Dome (to the extent provided in Section 2.07(b)) and the Support Building that exceed the routine maintenance to be provided by the District described in this Section 2.05(c).
 - (d) *Use of District Staff.* The District shall provide staff persons on an on-call basis during weekday evenings and weekends for the purpose of responding, handling, and assisting with unexpected operational and mechanical issues at the Facility (not including day-to-day custodial services). The City shall pay the District overtime costs for this staffing expense.
 - (e) *Snow Removal.* The District shall be responsible for all snow removal required at the Facility, including from parking lots and sidewalks to allow reasonable access to the Facility.
 - (f) *Maintenance Determinations.* The District will assemble a maintenance team comprised of District staff to make determinations, in consultation with the City staff member designated by the City’s Recreation and Parks Department, regarding the necessity of engaging outside contractors for maintenance and/or repair of any portion of the Facility.
- Any said maintenance, repairs, replacement and upkeep may interfere with and shall take priority over the District’s exclusive use of the Facility.
- 2.06. Operating Costs and Utilities. The Parties shall pay operating costs and utilities of the Facility as follows:
- (a) The Parties shall each pay fifty percent (50%) of the costs of electricity and natural gas.
 - (b) The District shall pay all costs of the phone and network.
 - (c) The City shall pay all costs of water, sewer, trash removal and other necessary utilities.
 - (d) The Parties shall each pay fifty percent (50%) of the cost of hiring a contractor to install and take down the Dome before and after Dome Season.

(e) Each Party shall be obligated to pay costs incurred by such Party for custodial services and supervision of the Facility required under this Agreement, as well as for other expenses, such as for sports operational equipment, which are incurred as the result of use of the Facility by such Party.

(f) The District's share of the costs for electricity and natural gas in Section 2.06(a) and installation and take-down of the Dome in Section 2.06(d) shall constitute rent payable by the District to the City.

2.07. Replacement of Capital Assets; Equipment.

(a) *District Responsibility.* The District shall provide for the payment of the costs of the repair or replacement of the synthetic turf installed at the Turf Fields, the associated roads, parking, and landscaping, any maintenance equipment used at the Facility, and the School Sports Equipment. The District shall also provide for the payment of the costs of repair or replacement of any portion of the security system and cameras installed in connection with the construction of the District Project, as more fully described and set forth on the Site and Schematic Plans attached hereto as Exhibit B.

(b) *City Responsibility.* The City shall provide for the payment of the costs of the repair or replacement of the Lights. The City shall provide for the payment of the costs of the repair or replacement of the Dome, Support Building, the security monitoring system installed therein in connection with the construction of the Support Building (as more fully described and set forth on the Site and Schematic Plans attached hereto as Exhibit B), and the City Sports Equipment.

(c) *Capital Asset Replacement Fund.* The City shall collect all revenues received from the operation of the Dome and Turf Fields, as set forth in Section 3.04, and deposit such revenues in a special fund to be designated as the Dome Special Revenue Fund to be administered and maintained by the Finance Director of the City as a bookkeeping account separate and apart from all other funds and accounts maintained in the official financial records of the City. The Manager of the City or his designee shall pay all costs of operating the Facility from amounts on deposit in the Dome Special Revenue Fund, to the extent set forth in Section 2.06. Any money remaining in the Dome Special Revenue Fund after payment of all operational costs of the Facility on December 31, 2019, and each anniversary thereafter, shall be deposited in an account within the Dome Special Revenue Fund to be designated as the Capital Asset Replacement Account. The amounts in the Capital Asset Replacement Account shall be expended for payment of the costs of replacing the synthetic turf on the Turf Fields ("**Turf Replacement Costs**") and the fabric and other components with respect to the Dome (the "**Dome Replacement Costs**"). In the event amounts in the Capital Asset Replacement Account are insufficient to pay for all replacement costs payable therefrom, (i) the Manager of the City or his designee shall pay the Turf Replacement Costs and the Dome Replacement Costs from money on deposit in the Capital Asset Replacement Account in amounts representing their proportionate share of the total amount of Turf Replacement Costs together with the Dome Replacement Costs; and (ii) the District shall pay the remaining Turf Replacement Costs, and the City shall pay the remaining Dome Replacement Costs, as applicable.

2.08. Administration and Supervision of Dome. Subject to Sections 2.05 and 3.02, notwithstanding anything herein to the contrary, the City shall have the obligation to administer the operation of the Dome, including but not limited to coordination with the District with respect to on-site, day-to-day supervision and maintenance of the Dome and Turf Fields, and management of the schedule for use of the Dome. The City shall have the obligation to administer and otherwise manage rental of the Dome during the periods assigned to the City and shall assist the District in the rental of unused hours during the periods assigned to the District, as provided in Section 3.01 and Exhibit C.

ARTICLE III Use of Facility

3.01. Scheduling Use of Facility. The Facility shall be used by the Parties as set forth on Exhibit C and shall be subject to this Agreement and the following:

(a) The Parties shall submit requests to schedule time for use of the Dome no later than July 1 prior to each Dome Season.

(b) The Parties acknowledge that one Turf Field may be available for use before the Dome is removed following the end of Dome Season. The dates and times for access to the Turf Fields shall apply as of April 1 or as soon as the Turf Fields(s) are ready for use. No activities shall be scheduled on the Turf Fields during any evening of a home varsity football game.

(c) The Parties agree to maximize rental times of the Dome and Turf Fields by returning any unreserved time to the other Party if such time is not anticipated to be used. The District may schedule time for use of the Facility during the City's exclusive use, if time is available, by requesting use from the City, which request is subject to the review and approval of the City, and the District shall be charged the same rental rate applicable to the public, which shall be paid to the City prior to use.

(d) The Parties agree that the scheduling guidelines set forth in this Agreement and in Exhibit C may be adjusted by mutual agreement at any time prior to finalizing the schedule for use of the Facility.

3.02. Supervision of Facility.

(a) Each Party to this Agreement shall have sole responsibility to supervise the use of the Facility when it has exclusive use of the Facility (as set forth in Exhibit C of this Agreement) and shall hire and pay any building attendant necessary to perform such supervision. Facility supervision shall mean supervision of the activity that is being conducted by, on behalf of, or as the responsibility of the Party to this Agreement that has exclusive use of the Facility (the "**Principal Activity**"), together with supervision of any and all uses or activities associated with, or related to, such Principal Activity, including without limitation supervision of such interior or exterior common areas and parking areas as may be used by employees or invitees of the Party to this Agreement that has use of the Facility.

(b) In addition, during the period in which the Turf Fields are in use by a Party for a scheduled program of public recreation, a representative of such Party, including either a coach or program leader, shall be on-site for the duration of the scheduled program.

(c) The Parties shall also supervise use of the Facility through cameras connected to the District's Security System, which shall include operational security and door alarms. All individuals tasked with supervising the Facility shall be adequately trained on the use of such alarm system. The Parties shall develop an alarm response plan with respect to the Facility and communicate such plan to all supervisory staff.

3.03. Access to the Facility.

(a) The City shall have access to the Facility during the District's exclusive use time for office administration and any necessary repair and maintenance, as well as access for the purpose of viewing video footage captured by security cameras installed within the Facility for security purposes, as set forth in Section 2.01.

(b) The District shall provide key cards for access to the Facility as necessary to meet the purposes of this Agreement, as more specifically set forth in Section 7.01.

(c) The City, and its employees, agents and invitees shall have the right to use the internal roadway system and any parking lot on the Property for access to the Facility, and such parking lot or lots for parking purposes, subject to the District's reasonable rules and regulations.

(d) The City shall unlock and lock the gates for access to the Turf Fields and the bathroom facilities in the Support Building during Dome Off-Season.

3.04. Revenues; Rates and Charges for Use of the Facility and Considerations under Federal Tax Law. The City, in collaboration with the District, shall determine appropriate rates for use of the Facility, and the City may retain revenues received from program fees, ticket sales and other revenues derived from the Facility. To the extent any portion of the Facilities is financed by the proceeds of tax-exempt bonds, use of such portion of the Facilities shall be available to the general public on the basis of rates that are generally applicable and uniformly applied, and shall not convey priority rights or other preferential benefits to any such user, in accordance with the requirements under the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder.

3.05. Quarterly Meetings. The City and the District shall meet quarterly to review the Facility use schedule, operations, budget, and other operational issues.

3.06. Alcohol and Tobacco Policy. The Facility shall be treated as "school grounds" as contemplated by the alcohol control provisions of Minnesota Statutes, Section 624.701, as amended. The alcohol and tobacco policies and regulations of the District, and any additions or amendments thereto, shall apply to the Facility, and such policies and regulations shall be appropriately posted throughout the Property. The City and the District shall withhold access from groups for alcohol or tobacco violations.

3.07. Behavior Policies. The City acknowledges and supports behavior policies of the District (including guns and weapons policy) and such policies shall apply to all uses at all times in the Facility.

ARTICLE IV

Liability

4.01. To the full extent permitted by law, this Agreement is intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purposes of liability, all as set forth in Minnesota Statutes, Section 471.59, subd. 1a(a); provided further that for purposes of that statute, each Party to this Agreement expressly declines responsibility for the acts or omissions of the other party. In addition to the foregoing, nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to either party, whether set forth in Minnesota Statutes, Chapter 466, as amended, or otherwise.

4.02. To the extent that tort damages or other related costs or fees become payable to a third party as the result of this Agreement or the activities carried out hereunder, the Parties to this Agreement shall each pay an amount equal to their respective percentage of liability. Notwithstanding the foregoing, this Agreement is solely for the benefit of the Parties hereto and no other person shall have any right, claim, or interest in it.

4.03. Neither party shall be responsible for injuries or death of the other party's personnel. Each party will maintain worker's compensation coverage to the extent required by law on its personnel who perform work pursuant to this Agreement.

4.04. The City and District shall each maintain their own comprehensive liability insurance policy or program in at least the amounts specified as to the extent of liability under Minnesota Statutes,

Sections 466.04 and 471.59, subd. 1 a(a). The District shall be named as an additional insured on the City's policy and the City shall be named an individual insured on District's policy. Each Party shall furnish the other Party a certificate of insurance documenting the required coverage.

4.05. If any fire or other casualty (whether insured or uninsured) renders all or any portion of the Facility unsuitable for safe and healthy occupancy (the "**Damaged Portion of the Facility**"), then the Party who originally provided for the development of such portion of the Facility shall, with reasonable promptness after the occurrence of such damage, estimate the time that will be required to substantially complete the repair and restoration of the Damaged Portion of the Facility and shall notify the other Party in writing of such estimate promptly upon completion. Such Party may then proceed with reasonable promptness and diligence to complete the repair and restoration of the Damaged Portion of the Facility to its condition as it existed prior to such casualty, subject to applicable building codes then in effect. The Parties acknowledge that the Party required to repair and restore the Damaged Portion of the Facility shall be entitled to the full proceeds of any insurance coverage for such Damaged Portion of the Facility, whether carried by the Party obligated to repair and restore the Damaged Portion of the Facility or the other Party, except for those proceeds of such Party's insurance attributable for its own losses, such as personal property coverage. In no event shall either Party be entitled to any compensation or damages from the other Party for loss of use of the whole or any portion of the Facility or for any inconvenience or annoyance occasioned by any such damage, destruction, rebuilding, or restoration of the Damaged Portion of the Facility or access to the Facility, except to the extent business interruption or similar insurance is provided.

ARTICLE V

Dispute Resolution

5.01. If a dispute develops between the Parties regarding interpretation of the rights and obligations of the Parties under this Agreement, such disputes shall be referred to the next administrative level of the respective bodies who shall attempt to settle the dispute. Such referral shall continue to succeeding levels of the respective bodies until all administrative levels have been exhausted; provided however, all such administrative levels shall be deemed to have been exhausted in the event such dispute remains unresolved in whole or in part for a period of sixty (60) days from and after the date of initial occurrence of the dispute. In the case of any dispute which also involves a material breach authorizing the non-breaching party to exercise its rights under Section 6.01 of this Agreement, the non-breaching party shall be entitled, but not required, to exercise its rights under Section 6.01 concurrent with any exercise of rights under this Section.

5.02. If the dispute cannot be resolved in accordance with this Article V, either Party may (except to the extent theretofore exercised under Section 6.01 as hereinabove permitted) then exercise any and all of the rights and remedies available to such party under applicable law. For the purposes of this Agreement the term "material breach" shall mean failure to timely pay fees as required herein and an act or omission that significantly impairs the use of the Facility.

ARTICLE VI

Termination

6.01. Termination for Cause. In the event of any material breach of any of the terms of this Agreement, the Party alleging the breach may, in addition to, and not in lieu of, any other remedies available to such party under Section 5.01 of this Agreement or otherwise under applicable law, seek to terminate this Agreement by giving the breaching Party written notice specifying the nature of the breach. If the breach is not remedied within thirty (30) days of the date of delivery of such notice, or if additional breaches of a materially similar nature occur within the thirty (30) day period following the date of delivery of said notice, the party alleging the breach may send the breaching Party a second written notice setting forth the time, place and date of a meeting to discuss the breach, the time, date and place for which shall in all respects be reasonable and shall specify a date not later than ten (10) days from the date of such written notice. The Superintendent for District or his or her designee(s) and the City Manager for the City or his

or her designee(s) shall attend such meeting. If the breach continues for more than thirty (30) days after the date of such meeting, the party alleging the breach may send a final written notice of termination to the breaching party terminating this Agreement effective upon the date of delivery of such notice.

6.02. Termination Without Cause. This Agreement may be terminated without cause as follows:

(a) Either Party may terminate this Agreement prior to the award of contract to construct any portion of the Facility by giving written notice of such termination to the other. The City shall give District ten (10) days written notice of its intent to award a contract. If this Agreement is terminated in accordance with this Section 6.02(a), any and all actual out-of-pocket costs incurred by the non-terminating Party shall be paid by the terminating Party.

(b) Commencing as of calendar year 2040, either Party may terminate this Agreement, effective as of June 30 of any calendar year, upon delivery to the other Party, on or before February 1 of such calendar year, of advance written notice of termination.

6.03. Asset Value Reimbursement. In the event that the District terminates this Agreement for cause or without cause prior to the end of the term of this Agreement, the District shall pay to the City an amount representing the current value of the portion of the Facility comprising the City Project, as of the date of termination, and based on continued use of that portion of the Facility as a public recreation facility (the “**Asset Value Reimbursement**”). The Parties shall attempt in good faith to mutually agree on an independent appraiser to make such determination. In no event shall the Asset Value Reimbursement be greater than the City’s initial investment, as provided in Exhibit B.

6.04. Disbursement of Money on Deposit in the Dome Special Revenue Fund and Capital Asset Replacement Account Therein. At the termination of this Agreement, whether for cause, without cause, or at the end of the term of this Agreement, any money remaining in the Dome Special Revenue Fund, less any amounts to be retained therein or set aside to meet all operational costs of the Facility not then due and payable, plus any money on deposit in the Capital Asset Replacement Account, shall be disbursed to the Parties in amounts representing their proportionate share of the total current value of the respective portions of the Facility, as determined by an independent appraiser and in accordance with Section 6.03.

6.05. Removal of Non-Fixtures. Upon termination of this Agreement, the City shall remove all non-fixtures and movable items of the Facility.

ARTICLE VII Miscellaneous

7.01. Building Security. Upon commencement of construction of the Facility, or upon mutual agreement by the Parties, the District shall issue to the City a reasonable number of keys and/or security cards for the exterior doors to the Facility, together with any lockable interior doors thereto, if any, for which the City is entitled to access pursuant of the terms and provisions of this Agreement. On all days in which a Party to this Agreement has exclusive use of the Facility starting at 6:00 am, or if later, at the next earliest time, as set forth in Section 3.01 and Exhibit C, that Party shall be responsible to ensure that the Facility is unlocked and ready for use; provided that the City shall be obligated to unlock and lock the gates for access to the Turf Fields and the bathroom facilities in the Support Building during Dome Off-Season, as set forth in Section 3.02(d). Except as specified in the preceding sentence, the [District/City] shall at all times during the term of this Agreement be responsible for closing and securing the Facility, including without limitation securing all exterior doors to the Facility. The procedures and requirements applicable to the issuance of keys and/or security cards, and to the opening, closing and securing of the Facility, shall be in accordance with such reasonable rules and regulations as the District may issue from time to time.

7.02. Assignment. Neither Party may assign its rights or obligations under this Agreement without the prior written consent of the other Party.

7.03. Binding Effect. All of the covenants, conditions and agreements herein contained shall extend to, be binding upon, and inure to the benefit of the Parties hereto and their respective permitted successors and assigns.

7.04. Severability. If any provisions of this Agreement shall be declared invalid or unenforceable, the remainder of this Agreement shall continue in full force and effect.

7.05. Governing Law. This Agreement shall in all respects be governed by and interpreted under the laws of the State of Minnesota.

IN WITNESS WHEREOF, the Parties have subscribed their names as of the day and year first above written.

CITY OF BROOKLYN PARK, MINNESOTA

By _____
Its Mayor

By _____
Its City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this _____, 2019, before me personally appeared Jeffrey Lunde, the Mayor of the City of Brooklyn Park, Minnesota, a home rule city, municipal corporation, and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota, on behalf of the City.

Given under my hand and official seal this ____ day of _____, 2019.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this _____, 2019, before me personally appeared Jay Stroebel, the City Manager of the City of Brooklyn Park, Minnesota, a home rule city, municipal corporation, and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota, on behalf of the City.

Given under my hand and official seal this ____ day of _____, 2019.

Notary Public

**INDEPENDENT SCHOOL DISTRICT NO. 279
(OSSEO AREA SCHOOLS), HENNEPIN COUNTY,
MINNESOTA**

By _____
Its Chair

By _____
Its [_____]

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this _____, 2019, before me personally appeared _____, the Chair of the School Board of Independent School District No. 279 (Osseo Area Schools), Hennepin County, Minnesota, an independent District created and existing under the laws of the State of Minnesota, on behalf of the District.

Given under my hand and official seal this ____ day of _____, 2019.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this _____, 2019, before me personally appeared _____, the _____ of the School Board of Independent School District No. 279 (Osseo Area Schools), Hennepin County, Minnesota, an independent District created and existing under the laws of the State of Minnesota, on behalf of the District.

Given under my hand and official seal this ____ day of _____, 2019.

EXHIBIT A

Legal Description of the Property

[Insert legal description]

EXHIBIT B

Capital Costs for Development of the Facility and Site and Schematic Plans

District Project Capital Costs:

Synthetic Turf and Ground Work	\$2,400,000
Parking/Landscape/Roads/Signage	\$1,875,000
[School Sports Operational Equipment (nets, stands, batting cages, etc.)	TBD]
 TOTAL CAPITAL COST PAYABLE BY THE DISTRICT	 \$[4,275,000]

City Project Capital Costs:

Lights	\$393,700
Dome/Footings/Netting	\$ _____
Dome Support Building	\$ _____*
Sports Operational Equipment (nets, stands, etc.)	\$25,000
 TOTAL CAPITAL COST PAYABLE BY THE CITY	 \$3,461,275*

-
- *The capital cost of construction of the Support Building is based on the City's expectations as of the date hereof, and therefore is subject to change based on final bids to be received by the City.*

[Insert Site and Schematic Plans (forthcoming) to include District Project and City Project, generally described as follows:

District Project: construction of two synthetic turf fields at Park Center Senior High School; construction or other improvement of associated roads, parking; and landscaping; installation of signage; acquisition of sports operational equipment for school use, including nets, stands, and batting cages; and installation of at least three (3) cameras at the Facility.

City Project: installation of lights at the synthetic turf fields at Park Center Senior High School; construction of a dome facility over one of the turf fields; construction of a support building on the property that will include custodial and storage space, office space, restrooms, an outdoor fenced area for storage of the Dome fabric and mechanical system, and miscellaneous other amenities including vending machines; acquisition of sports operational equipment, including nets and stands; and installation of a computer and monitor in the support building for connection to the District's existing security system.]

EXHIBIT C

Use Schedule for Dome and Turf Fields

DOMES SEASON¹ ACCESS TIMES:

Monday – Friday:

District	6:00 am – 5:30 pm
City	5:30 pm – 11:00 pm

Saturday:

District	Eight (8) Saturdays each Dome Season from 6:00 am – 9:00 am ²
City	6:00 am – 11:00 pm except for eight (8) Saturdays from 6:00-9:00 am, as requested by the District

Out of School Days:

No School / Staff Work Day (District Office Open)

District	6:00 am – 10:00am and 2:00 pm – 5:30 pm
City	10:00 am – 2:00pm and 5:30 pm – 11:00pm

No School/ District Office Closed – No ISD 279 access³

District	No high school activities permitted
City	6:00 am– 11:00 pm

¹ The term “Dome Season” means the period from approximately November 1 through April 15 of each year, as mutually agreed upon from time to time by the District and City.

² These time slots will be booked as part of the initial schedule due each July 1.

³ These dates to be determined each year by the official calendar of the School District. Examples of these dates are:

- Election Day
- Thanksgiving
- Day after Thanksgiving
- Christmas Eve
- Christmas
- New Year’s Eve
- New Year’s Day
- Presidents’ Day / MLK Day
- Caucus dates during Presidential election years (dates TBD)

TURF SEASON ACCESS TIMES:⁴

April 1 (or first day available) – Last day of School

Monday – Friday:	
District	6:00 am – 6:00pm
City	6:00pm – 11:00 pm
Saturday:	
District	No access
City	6:00am – 11:00pm
Sunday:	
District	No access
City	6:00am – 11:00pm

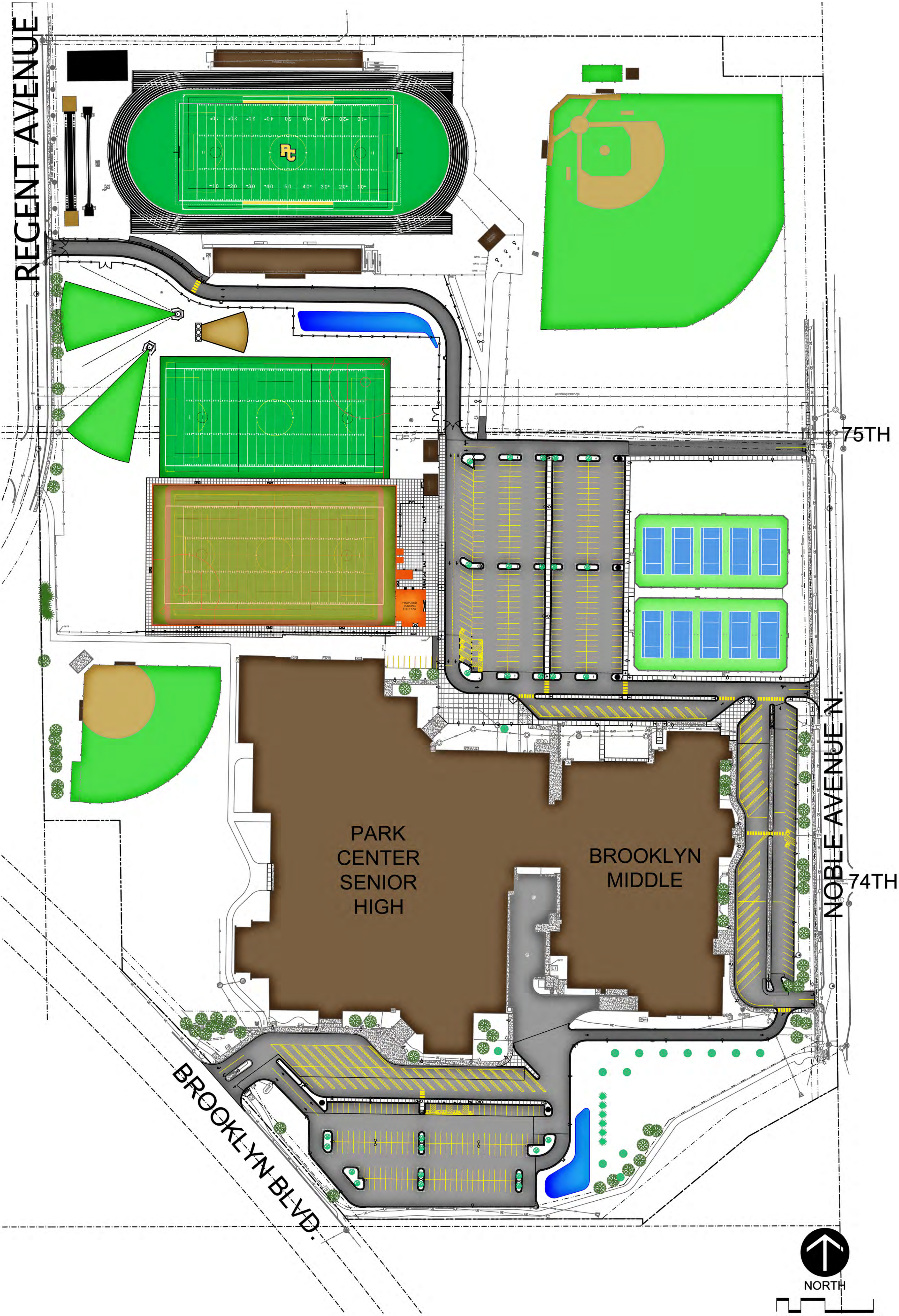
First Day Summer Break – Day Before MSHSL Fall Sports Season

Monday – Friday:	
District	6:00 am – 2:00pm
City	2:00pm – 11:00 pm
Saturday:	
District	No access
City	6:00am – 11:00pm
Sunday:	
District	No access
City	6:00am – 11:00pm

MSHSL Fall Sports Season – October 31 (End of Turf Season)

Monday – Friday:	
District	6:00am – 6:00pm (including at least 5 dates in which District has access until 7:00 pm)
City	6:00pm – 11:00pm
Saturday:	
District	6:00am – 3:00pm (on ACT Date, District access is 6:00 am – 6:00 pm)
City	3:00pm – 11:00pm
Sunday:	
District	No access
City	6:00am – 11:00pm

⁴ Turf activity will not be scheduled on evenings of home varsity football games.



PARK CENTER SPORTS DOME

City of Brooklyn Park Request for Council Action

Agenda Item:	7.6	Meeting Date:	May 13, 2019
Agenda Section:	General Action Items	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Jody Yungers, Director Recreation and Parks
Ordinance:	N/A		
Attachments:	3	Presented By:	Jody Yungers
Item:	Resolution to Approve the River Park Master Plan and to Advance to Design Development Phase for Implementation of the Plan		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ TO APPROVE THE RIVER PARK MASTER PLAN AND TO ADVANCE TO DESIGN DEVELOPMENT PHASE OF THE PLAN.

Overview:

The River Park Master Plan establishes a vision for the park and provides guidelines for its further development to accommodate an increased natural experience while providing more opportunity to view and access the Mississippi River.

River Park was one of six parks and special use facilities of focus identified in the recently completed Parks System Plan. River Park was identified as a priority park within the system to create a more natural experience for the broader neighbors. The Parks System Plan included a general concept with stated goals and outcomes for River Park.

Although comprehensive, the River Park Master Plan should remain dynamic and will evolve over time. It should be viewed as firm enough to guide park improvements, yet flexible enough to change based on increased knowledge, experience, and changing public needs as the design development phase of the plan is implemented. Given the unique location and existing recreational elements within this park, especially its proximity to the Mississippi River, staff has engaged key stakeholder agency representatives from the Minnesota Department of Natural Resources (DNR), National Park Service (NPS), Watershed District, Three Rivers Park District and the Corp of Engineers in the review and development of the Master Plan.

Community and Stakeholder Input to the Master Plan:

Numerous stakeholders and park users were invited to participate in the planning process on a number of occasions. Through formal and informal meetings, the public had direct access to Brooklyn Park staff and the consultant team. The public's input throughout the planning process proved fruitful and strengthened the final River Park Master Plan.

Staff conducted two community/neighborhood engagement meetings where staff presented a Draft Redevelopment Concept Plan for River Park. Public feedback was additionally sought via the City website from mid-December 2018 to January 15, 2019. This feedback provided information for a revised River Park Concept Plan.

On Wednesday, February 13, 2019, City staff met with representatives from the National Park Service, Minnesota DNR, and Corp of Engineers to review the revised park concept plan to ensure future buy-in from stakeholder agencies and to learn of future permits required by governing agencies.

On Monday, March 4, 2019, City Council was provided an overview of the Concept Plan and provided feedback to include a request to keep one of the two ballfields' back stops as part of the Concept Plan.

On Thursday, March 28, 2019, the Final Concept Plan was presented at the Community Engagement Assembly and the Plan received positive community feedback.

On April 17, 2019, the final draft of the River Park Master Plan (Plan) was presented to the Recreation and Parks Advisory Commission (RPAC). The Commission discussed, in great length, the redevelopment priorities and restoration goals for the Park.

Staff is asking City Council to accept the Master Plan as presented, direct staff to move forward with design development of the plan, and additionally to continue to engage the RPAC on the details of the final development plans for River Park. Staff anticipates that bid documents will be ready in December with anticipated construction bids to be released in early 2020. Construction is expected to occur in early spring 2020.

Budgetary/Fiscal Issues:

Staff will be submitting the following grants to help support the redevelopment of the park:

- NPS Technical Assistance Grant – Received
- NPS – Alternative Transportation Plan Capital Improvement Plan – Grant Application of \$362,000 – Pending May 2019
- MN DNR – \$250,000 Outdoor Recreation Grant – Pending July 2019
- NPS Urban Parks Campaign Grant – Storm Water Management – Application due August 2019

Primary Issues/Alternatives to Consider:

The Recreation and Parks Advisory Commission accepted the River Park Master Plan and recommended to forward it to City Council with the understanding that during the design development phase of the Plan that the RPAC review the final recommended shoreline change, riverfront restoration, paddle share and storm water drainage plans; the RPAC vote passed by a 9 to 1 vote.

Attachments:

- 7.6A RESOLUTION
- 7.6B FINAL DRAFT RIVER PARK MASTER PLAN
- 7.6C SUMMARY OF PUBLIC COMMENT

RESOLUTION #2019-

RESOLUTION TO APPROVE THE RIVER PARK MASTER PLAN AND APPROVAL
TO ADVANCE TO DESIGN DEVELOPMENT PHASE OF THE PLAN

WHEREAS, the River Park Master Plan establishes a vision for the park and provides guidelines for its further development to accommodate an increased natural experience while providing more opportunity to view and access the Mississippi River; and

WHEREAS, River Park was identified in the Parks System Plan as a priority to create a more natural experience for the broader community to connect to the natural world; and

WHEREAS, numerous community meetings and agency stakeholder meetings were held to solicit feedback on the River Park Master Plan; and

WHEREAS, the Master Plan will act as guide for park improvements, yet be flexible enough to change based on increased knowledge, experience, and changing public needs as the design development process for the plan is implemented.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the River Park Master Plan and approve advancement to the Design Development Phase of the Plan.



RIVER PARK MASTER PLAN REPORT

2019

CITY OF BROOKLYN PARK
5200 85TH AVE N
BROOKLYN PARK, MN 55443

Acknowledgement

In mid-2018, the Recreation and Parks Department of Brooklyn Park retained WSB to collaborate with city staff and local citizens to prepare a Master Plan for River Park. This document represents the results of the community engagement and planning process, which began as part of the Park System Plan process in 2018, and was completed in April of 2019.

The consultant team would like to thank the City of Brooklyn Park for facilitating an open and constructive public participation process for the project. This approach allowed for various perspectives to be considered on important planning issues that affected the master plan for the park. Through this process, we believe that a responsible balance between the human use of the park and its ecological protection was achieved. The consultant team would also like to thank the Stakeholder Groups, Minnesota Department of Natural Resources, National Parks Service, Izaak Walton League, US Army Corps of Engineers, Three Rivers Park District, and Brooklyn Park Recreation and Parks Advisory Council (RPAC) for participating in this project. Their individual and collective insights were instrumental in drawing reasonable, responsible, and insightful conclusions.

The consultant team also extends a heartfelt thank you to the Brooklyn Park staff, especially Jody Yungers, Director of Recreation and Parks Department, Brad Tullberg, Parks and Facilities Manager and Greg Hoag, Park and Building Maintenance Manager. The openness with which they approached this project paved the way for a constructive public dialogue that considered all opinions to be of equal merit and worthy of due consideration. Their understanding of the pressing park needs and understanding of how River Park fits into the larger picture within the community proved to be valuable as final conclusions were drawn. Finally, the consultant team extends a thank you to the City Council and citizens of Brooklyn Park, as well as staff from various agencies and organizations who took the time to attend meetings, participate in online surveys, and make phone calls so we could understand the issues first hand and find reasonable and workable solutions

Sincerely,

Jeff Feulner, PLA
Senior Landscape Architect
Project Manager

Technical Advisory Committee

Jody Yungers, Director of Recreation and Parks, Brooklyn Park
 Brad Tullberg, Parks and Facilities Manager, Brooklyn Park
 Greg Hoag, Park and Building Maintenance Manager, Brooklyn Park
 Jesse Struve, City Engineer, Brooklyn Park

Communication and Community Engagement

Josie Sharlow, Community Engagement Manager
 Claudia Diggs, Neighborhood Specialist
 XP, Outreach Worker
 Gina Norris, Communications Team Member

Stakeholder Groups

Brooklyn Park City Council
 Brooklyn Park Recreation and Parks Advisory Council (RPAC)
 Minnesota Department of Natural Resources
 National Park Service
 US Army Corps of Engineers
 Izaak Walton League
 Three Rivers Park District
 Shingle Creek and West Mississippi Watershed District

Consultant

WSB

701 Xenia Avenue South, Suite 300
 Minneapolis, MN 55416
 763-287-8527

Project Team:

Jason Amberg, PLA, Principal
 Jeff Feulner, PLA, Senior Landscape Architect
 Bob Slipka, PLA, Senior Landscape Architect
 Kayla Ruzicka, Landscape Architectural Designer
 Bailey Krause, Landscape Architectural Designer
 Bill Alms, PE, Water Resources Engineer



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SECTION 1 - Introduction and Planning Framework

Overview

The River Park Master Plan establishes a vision for the park and provides guidelines for its further development to accommodate an increased natural experience while providing more opportunity to view and access the Mississippi River. River Park was one of six parks and special use facilities of focus identified in the recently completed Parks System Plan. With River Park as a priority to create a more natural experience for the broader neighbors, the Parks System plan included a general concept with stated goals and outcomes for River Park. This Master Plan further investigates those ideas and offered an important opportunity for collaboration with other organizations and stakeholders. The plan will be a tool to be used for public presentations, preparing funding applications and ultimately, a guide for future development.

Although comprehensive, the master plan remains dynamic and will evolve over time. It should be viewed as firm enough to guide park improvements, yet flexible enough to change based on increased knowledge, experience, and changing public needs as the plan is implemented.

Given the unique location and existing recreational elements within this park, especially its proximity to the Mississippi River, River Park has the potential to be a destination park for the citizens of Brooklyn Park and beyond. Numerous stakeholders and park users were invited to participate in the planning process on a number of occasions. Through formal and informal meetings, the public had direct access to Brooklyn Park staff and the consultant team. The public's input throughout the planning process proved fruitful and strengthened the final plan.



RIVER PARK

LOCATION: 101 83rd Avenue North
ACREAGE: 41.85
PARK CLASSIFICATION: Community Park

GOAL

Create a river destination park that highlights natural resources and focuses on picnicking and gathering. Strengthen the community connection to river by providing opportunities to access the river visually and physically.

CONNECTION TO EMERGING THEMES

- Connections to the River
- Connections to the natural world
- Natural Resources conservation and interpretation
- Introduce new or expanded Special Use Facilities- Large Gathering Spaces
- Increase connectivity of trail system
- Improve Safety/Conveniences for Park Users

BIG MOVES

- Walking loop- creates better connections between the north and south portions of the park
- Create trail connections from WVRT to park (81st and 83rd)
- Improve winter access from river to park - canoes, kayaks, etc. Support paddle share program. Create safe harbor for non-motorized boats
- Restore shoreline, low trail, with a combination of hardscape and softscape design applications
- Expand wooded/riparian habitat
- Open views to the river with selective clearing/removal of invasive species
- Create new trail connections/overlooks to river edge
- Create opportunities for shore fishing (fishing pier and/or platform)
- Expand existing building/shelter - add kitchen
- Add new park building/picnic shelter on south side to accommodate day camp use and expanded picnic programming
- Possible relocation of Nature Preschool and incorporate into new facility
- Expand parking to accommodate expanded gathering space on south side of park
- Eliminate or phase out baseball fields
- Gathering space for families/picnic overflow
- Multi-Purpose field space
- Incorporate nature play within riparian area and near new building to the south
- Create treatment train system that is a park amenity and educational opportunity to handle existing untreated stormwater
- Incorporate interpretation and educational opportunities in prairie restoration area
- Add additional overlooks on the north side of park

RIVER PARK | Concept Plan
2024.1 October 2024

Brooklyn Park
Sustainable Parks

SRI
Sustainable River Initiative

Building on Prior Planning and Visioning

The River Park Master Plan reflects the vision, goals, and policies identified in previous engagement efforts. This includes issues related to the preservation of ecological systems, restoration of natural areas and providing recreational amenities that meet the needs of the population. The public engagement done for River Park was an extension of the conversations and exercises started during the Parks System planning process and prior BP 2025 visioning.

The master plan is intended to balance the recreational needs of the community and preserve the natural environment in the Mississippi River corridor. The following themes were identified as priorities for River Park.

Natural History:

- Enhance plant diversity over time
- Provide ongoing stewardship and preservation
- Enhance habitat connectivity

Access to Landforms and Natural Features:

- Preserve and protect river shoreline and lowland areas from continued erosion
- Take advantage of views and vistas
- Provide appropriate locations to interact with the natural environment

Recreational Uses:

- Provide recreational opportunities appropriate for setting
- Take advantage of outdoor educational opportunities
- Preserve quiet contemplative spaces
- Ensure connectivity between uses

Public Agency Involvement

A variety of individuals from public agencies and organizations were involved in the planning process, providing ideas and feedback throughout the preliminary design process. This included representation from the following agencies and organizations at two stakeholder meetings:

- Minnesota Department of Natural Resources
- National Park Service
- US Army Corps of Engineers
- Izaak Walton league
- Three Rivers Park District
- Brooklyn Park Recreation and Parks Advisory Council (RPAC)
- Shingle Creek and West Mississippi Watershed District
- Brooklyn Park City staff

The first stakeholder meeting included a design charrette to gather potential ideas for the park, while the second meeting reviewed findings and proposed layouts.

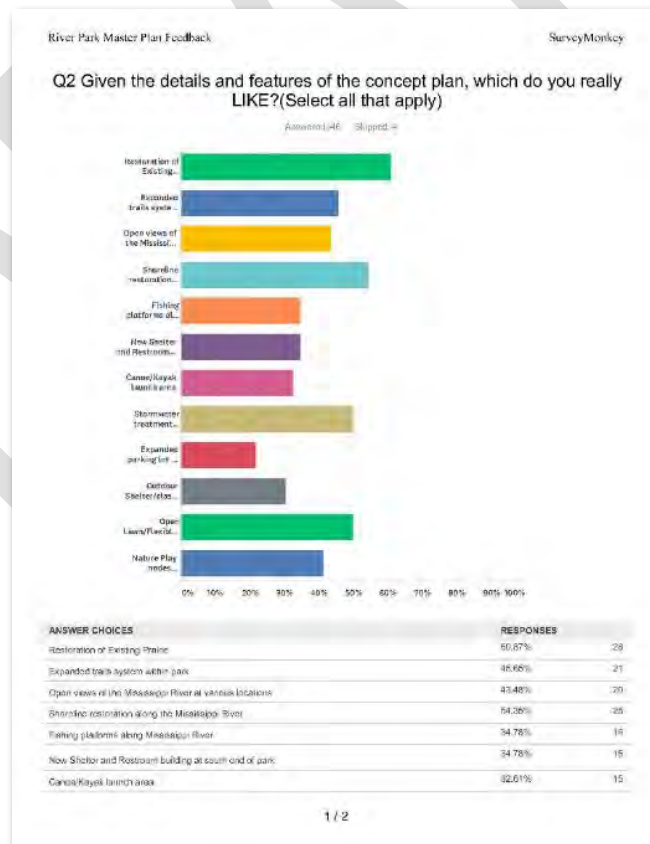
Several public events were held to gather comments from citizens and review the initial concepts. An open house, a pop-up gathering, and an online survey were all well attended with engaged citizens providing constructive comments and thoughtful suggestions. The comments were recorded, discussed and, in many cases, incorporated into the master plan.

Unique elements in the park include the Mississippi River itself, and all of the characteristics present along river banks such as riparian forest, panoramic views, wildlife habitat and migration corridors, seasonal change and flood waters, as well as the built items including the boat landing, river walk and overlook area.

- Keep trail along river in lowland area, as this is the “hidden gem” within River Park.
- Separate canoe and kayak launch traffic from standard boat launch.
- Enhance both visual and physical connections to the Mississippi River.
- Provide dedicated location for the NPS Paddle Share program.
- Create opportunities for experiencing and learning about nature.
- Accommodate and improve fishing opportunities on the shoreline.
- Restore shoreline areas to prevent continued erosion.
- Restore riparian habitat areas.
- Integrate nature play elements
- Address stormwater management for storm sewer outlet discharge at south end of the park.
- Improve / expand building facilities, including adding a kitchen area in the main shelter.
- Create multi-purpose, flexible open greenspace
- Maintain many of existing park features – Boat landing, playground area, courts, parking and greenspace.



In consideration of the findings of the public process, it is clear that River Park is an essential component of the City park system and will be vital to servicing the recreational needs of residents within Brooklyn Park for years to come. A summary of public comments is attached as Appendix B in this report.



SECTION 3- Existing Conditions

Overview

River Park encompasses a land area with impressive natural landscape features that provide the foundation for the park experience and public enjoyment. The park's natural qualities underscore the importance of developing and implementing a stewardship program to protect the natural environment, wildlife habitat, open space, scenery and providing respite from the built form. Through a well-conceived development program, these values can be more assuredly preserved while creating viable locations for active and passive recreation.

Existing Features

Trails and walkways

River Park currently has a network of trails throughout the park, allowing access to park amenities. The park lacks trail connections beyond the boundaries of the park and does not designate safe crossing areas where trails connect with the parking area. The trail on the east side of the park along the Mississippi River requires continual maintenance due to seasonal flooding, and as a result is very rough and cracked. Trail loops and connections throughout the park should be enhanced with integrated lighting.

Shelter Building

The existing large shelter is a beautiful facility that adequately serves the citizens and park users. One element that is missing in the main shelter is a general kitchen for its users. The existing shelter has unique architectural characteristics which are replicated in the smaller shelter and restroom building. The location of the large shelter is in close proximity to parking, restrooms and the playground area, making it a valuable asset that must remain.



Restroom Building

The existing restroom building has unique architectural characteristics which match the shelters in the park and sufficiently serves the citizens and park users. The location of the restroom facility is in close proximity to parking, the main shelter and the playground area, making it a valuable asset to remain in place.



Playground

The playground at River Park is a highly used facility, located in the center of the park near the large shelter, parking and restroom facilities. The playground has play elements appealing to all age groups. The playground area sufficiently serves the public at this time and is an element to remain as the development plans progress.

River Overlook

On the north end of the park, there is an overlook area with three benches. This is a quiet area with an expansive view of the Mississippi River, and views of the restored prairie area. This area could be enhanced with selective tree pruning and removals to further enhance views over the river.



Overall Landscape

River Park has a full range of ecosystem and vegetation types within its 42 acres. On the north is a beautifully restored prairie area. Along the east side of the park is a thick woodland area bordering the Mississippi River. And the central area of the park contains manicured turf areas with sporadic shade trees. All these areas are affected by non-native and invasive plants. Long term restoration and maintenance will make River Park a pristine example of a natural setting within an urban area. Restoration and maintenance goals laid out in the attached Natural Resource Management Plan which was recently completed (Appendix C).



Mississippi River Shoreline

River Park is bordered on the east side by the Mississippi River. The river corridor creates a unique zone of vegetation, elevation and wildlife habitat. Overall, the area is heavily wooded with mature vegetation. In the central area of the park, the area along the river is a flat lowland, which regularly floods. The understory vegetation in this area has been lost through the years, creating an area that easily erodes with receding flood waters. A main goal of the master plan is to restore and reinforce this area to prevent future erosion and maintain animal habitat.



Site Amenities

Picnic tables, benches and garbage cans are available throughout the park. With expanded facilities, the number of these amenities will also need to be increased or relocated to accommodate users in each area of the park.

Interpretive Signage

The restored prairie area within River Park currently has several interpretive signs which educate parks users about the prairie elements. These signs are small, discolored and placed far from the trail. Given the amount of education opportunities within the park, the signage program should be expanded for park users and program groups to learn about the native flora and ecosystem.



Boat Landing / Parking Lot area

The main parking lot in River park is an extension of 83rd Avenue North. This parking lot provides adequate parking for the central park area, as well as trailer parking for 5 vehicles. The boat access / landing is located at the east end of the parking lot. The parking area essentially divides the north part of the park from the rest of the park area. Walking trails currently terminate in the parking lot with no crosswalks or safe connections. The parking lot is in close proximity to many of the park elements such as the main shelter, restrooms and playground, and is the primary built element in River Park.

Picnic Areas

River Park currently has a picnic area east of the main shelter which has 10 picnic tables set in the lawn. This picnic area is near parking and the Mississippi River. River views are limited due to thick vegetation along the rivers edge. This picnic area is partially shaded by existing overstory trees.

Open Lawn / Ballfields

In the center of River Park, there are currently two ballfields with galvanized backstops. The ballfields see light use during the summer months. Currently, the outfields of these fields overlap, creating a large, open lawn space. This open space is highly used for other types of pickup games throughout the year by park users. Baseball / Softball games are no longer the primary use for this area, so a flexible use space was explored during the planning process.

Existing Courts

Currently, River Park has two recently updated tennis courts, a full basketball court on the west side of the park, and a sand volleyball court adjacent to the tennis court. The court area sees moderate use and should remain through its viable lifespan. Further observation and evaluation of use will be considered for potential of removal in the future.

South Picnic Shelter

The existing picnic shelter in the south end of River Park is an attractive facility that adequately serves the citizens and park users. The open-air shelter has unique architectural characteristics which match the other structures in the park. The location of the south shelter is in close proximity to parking and ballfield areas.



South Parking Lot

The parking area on the south end of the park has spaces for 27 vehicles. With expanded programming in the south part of the park, this lot will not adequately accommodate the future demands. This parking lot is newer and in good condition, so additional parking options should consider expansion rather than replacement of this parking lot.

Paddle Share Trailer

The National Park Service Paddle Share program has a temporary facility located in River Park. The program allows users to rent a kayak, paddle downstream and return it to another location. The Paddle Share facility in River Park is one of the highest used in the program. Currently, the Paddle Share trailer sits in the lawn uphill from the boat landing. A permanent, accessible location is preferred for the Paddle Share facility.



Storm Sewer Outlet

On the south end of the park, there are currently two storm sewer outlets that flow into a single concrete swale leading directly to the Mississippi River. Given the direct route to the river, stormwater is not slowed, treated or cleaned, causing pollutants in the stormwater to discharge directly into the impaired section of the Mississippi River. One of the priorities identified by the City and to be incorporated into the Master Plan, is the development of a pre-treatment system to reduce pollutant and Phosphorus levels sent into the river.



Summary

The natural and built characteristics of the park give it its unique sense of place and overall appeal to recreate and immerse oneself in a natural setting. These existing features significantly influenced design themes for the park and factored into the proposed development. The park's landscape provides opportunities for walking on a trail, playing a game with friends, enjoying natural scenery and outdoor experiences, and appreciating the diversity of nature close to home. Preserving the innate qualities of the park and the Mississippi River corridor remains the primary goal of the master plan.

SECTION 4- Master Plan Development

Overview

The River Park Master Plan reflects the consensus reached between the public, Technical Advisory Committee (TAC), and Stakeholder Groups regarding how the park should be developed to meet the goals and needs laid out in the Parks System Plan. The public process played a pivotal role in shaping planning outcomes by giving citizens several opportunities to voice their opinion on the park's future development. Through this process, public interests and sentiments were duly considered as conclusions were drawn. In the end, the master plan represents a balance between meeting the needs of the population, respecting the opinions and concerns of residents living near the park and providing natural restoration areas to preserve the landscape along the Mississippi river.

Notably, it should be recognized that the master plan remains dynamic and will evolve as it moves through implementation. Changes and updates to the plan may be warranted based on additional site information and operational experiences in the years to come. For this reason, the City remains committed to additional public input as the plan is implemented to confirm development is in line with the overall vision for the park, budgetary limitations and public expectations.

Balancing Human uses with Ecological protection

The River Park Master Plan is consistent with the vision, goals, and policies of Brooklyn Park's Parks System Plan. The Master Plan represents a balance between recreational elements and restoring the site's natural and ecological values. While providing a variety of recreational and educational opportunities within the park was a fundamental goal, restoring natural systems and habitat while preventing erosion of the River edge was the primary goal of the Master Plan.

The development master plan provides a cross-section of features and amenities to meet current and anticipated recreational and educational demands. The mix of facilities included in the master plan provides for short to day-long outings in the park where one can enjoy a variety of complementary recreational and educational activities in a natural setting.

Universal Design

Universal design combines the basic principles of barrier-free design with a more comprehensive view of human capabilities. Universal design attempts to consider all degrees of sensory awareness, all types of locomotion, and all levels of physical and intellectual function. By doing so, the needs of individuals with varying desires, abilities, and expectations can be reasonably accommodated. The philosophy of universal design as defined by *Universal Access to Outdoor Recreation* include:

- People purposely choose settings for their recreation activities.
- Choices are made with the expectation of achieving specific recreational experiences.
- Desire is to provide as broad of a spectrum of activities and recreational settings as practical for a given site.

The elements shown in the Master Plan will be developed in a manner that permits and encourages universal access within the context of the public's expectation for a certain type of setting.

Development Areas

Listed below, the park is divided into three development zones. Within each development zone are a number of interest points and special-use areas connected by a park-wide trail system.

- NORTHERN DEVELOPMENT ZONE
- CENTRAL DEVELOPMENT ZONE
- SOUTH / STORMWATER MANAGEMENT DEVELOPMENT ZONE

Northern Development Zone

The area north of the main parking lot / boat landing is primarily restored prairie, with a simple walking loop. For the most part, this area will remain the same, with some enhancements to the quality of the prairie, and additional ways to interact with view and appreciate the native landscape. The program elements and amenities that can be found within this area include:

Trails and walkways

The paved trails will be designed in accordance within the typical standards of the American Disability Act. Where feasible, standard trail curve and gradient guidelines will be applied. Trails will be located and designed to minimize impacts to natural systems and landforms. Maintaining a high degree of accessibility will also be a design objective. Along with hard surfacing, maintaining a trail grade of five percent or less will be adhered to wherever possible.

To enhance connection with the natural area, a trail segment has been added in the northern development zone to complete trail loops. Trails in this area will maintain 10' width of bituminous pavement to promote uses including walkers, joggers, bicyclists, and inline skaters. On the west side of the park, the outside loop trail will be separated from the parking area, to create a safer distinction between pedestrians and autos.

Shelter Building

All proposed structures will share similar architectural elements as the existing River Park buildings to create a unified aesthetic for the park. Natural stone bases will be integrated into the architecture, as well as neutral colors and green metal roofing. Siding materials will be consistent with existing structures.

An open-air picnic shelter will be added to the northern development area, to be used as a picnic shelter as well as an outdoor classroom area to support park programming. This shelter can be used during the summer months for educational and social activities, including activities related to the day camps, school groups and general picnicking.

Nature Play Node

The proposed nature play area will be part of a “circuit” of play areas throughout the park. These play areas are not intended to replace the current playground in the center of River Park, but rather augment the play experience throughout the entire park, with an emphasis on nature, including movable parts which encourage creative, unstructured, imaginative play. This



allows park visitors the opportunity to experience the entire park and be able to stop and play in several designated areas.

Nature play nodes are not traditional play structures, but rather are constructed of materials found in nature, or reasonable replicas. These areas allow children to connect with the natural environment and use their imagination to create a unique experience. Features such as climbing “stumps”, balance logs, stick structures are all examples of nature play that can be explored in River Park. Nature play nodes will be in close proximity to an accessible paved trail for visibility and accessibility for all users.

River Overlook

The existing river overlook in the northeast corner of the park will remain. Views to the river from this quiet area will be enhanced by removal of non-native or invasive vegetation.

Site Amenities

Aside from the nature play nodes, a number of other site amenities are proposed to be added in the northern area of River Park. Benches are proposed along the loop trail for additional views overlooking the Mississippi river. Picnic tables will be added with the new picnic shelter. All site amenities will be accessible per ADA standards.

Interpretive Signage

Currently, there are several interpretive signs throughout the northern section of River Park, telling the story of the native restoration that has taken place in this area. The River Park Master Plan proposes an expansion and enhancement of this signage circuit, including other locations throughout each section of the park. A more robust educational program can show park users significant information about park history, prairie restoration, riverbank restoration, stormwater management, animal and pollinator habitat, fish species, and many other opportunities throughout River Park. Signage will be bold, easy-to-read and easily accessible from the trails in the park.

Landscape and Restoration

The northern area of the park has been restored to a natural prairie condition. Ongoing maintenance and enhancements to this area are addressed in the Natural Resources Management Plan, attached as Appendix C to this document.

Along the River’s edge, removal of non-natives and invasive plant material is suggested. These removals will create view corridors, allowing observation of the river environment. Tree and shrub replacements shall be native species to enhance the wildlife habitat corridor along the river.



Central Development Zone

Boat Landing / Parking Lot area

Currently, the main parking area for the park is directly east of 83rd Avenue North. This parking area is in close proximity to many of the main park amenities - the existing park shelter, restrooms, playground area and boat launch. The master plan maintains this parking lot area, and proposes three additional trailer parking spots and a boat washing station for removal of aquatic invasive species from boats, trailers and equipment.



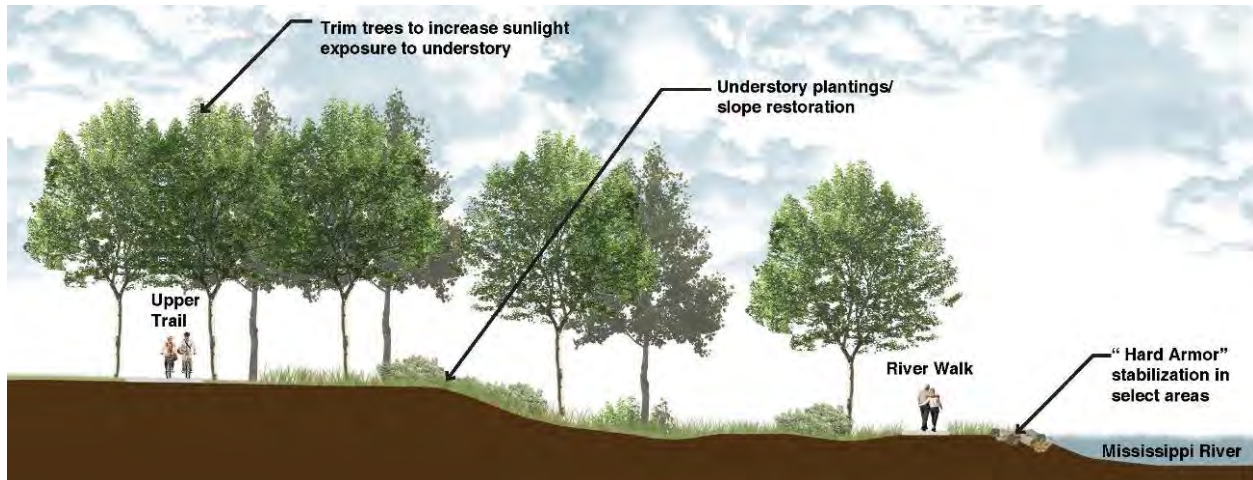
Trails and Walkways

All paved trails will be designed in accordance within the typical standards of the American Disability Act. Where feasible, standard trail curve and gradient guidelines will be applied. Trails will be located and designed to enhance the existing trail network and minimize impacts to natural systems and landforms. Maintaining a high degree of accessibility will also be a design objective. Along with hard surfacing, maintaining a trail grade of five percent or less will be adhered to wherever possible.

The main trail loops will connect the park elements in the upland parts of the park and will be 10' in width to allow for a variety of activities. Trail segments will be added to the existing network to provide continuous loop routes and create efficient connections between the existing and proposed park elements. In the lowlands along the Mississippi River, a smaller, 6' width concrete walking path will be constructed to replace the existing failing bituminous trail. This walkway will provide access to the proposed fishing platforms, as well as maintain the continuous river edge walk that park users have loved for years. The concrete surface will be more durable to withstand seasonal flooding and the associated maintenance. In public engagement meetings, citizens referred to this trail as the most important element within River Park, and every effort will be made to design a trail system that will allow consistent access to the area, preserve native plant communities along the riverbanks, and stand the test of time against flooding activities.



Trails throughout the central area of River Park will require additional lighting for extended use in the winter months, as well as for general security within the park.



Shelter Addition

The existing large shelter in River Park is a beautiful facility that adequately serves the citizens and park users. One element missing in the main shelter is a general kitchen for its users. As part of the enhancements for the park, a simple kitchen area is proposed with a sink, refrigerator and power center for plug-in appliances. Additional utilities will need to be run to the shelter for this addition, including water, sewer and power.

Restroom / Storage Building

Towards the south part of the park, the master plan includes a proposed restroom building with a storage area. There are currently no restroom facilities in this area of the park, and with the addition of proposed park elements, additional facilities will be required. Like the other buildings proposed in this plan, new structures will share similar architectural elements as the existing River Park buildings to create a unified aesthetic for the park. Natural stone bases will be integrated into the architecture, as well as neutral colors and green metal roofing. Siding materials will be consistent with existing structures. In addition to the restroom facility, the building will provide storage area for programming equipment and other park related items.

Picnic Shelter

The current small picnic shelter in the south end of the park will need to be removed or relocated to allow for the parking lot improvements. The new or relocated shelter will shift to a location closer to the river, near the main loop trail. The shelter will provide an accessible location for picnicking but also provide shade from the warm summer sun and provide a resting place for park users who may be on their way to or from the canoe / kayak launch or fishing platform areas.

River Overlook

To complement the trail system, a series of observation points and destination features will be provided at select locations. The master plan highlights a selected location for an overlook structure in a location that holds promise for compelling views. This overlook will give park users a clear view of the Mississippi River and will be placed in a central location within River Park, easy for all visitors to see and access. This overlook will be a built structure, set within the trees, looking over the hillside towards the river. It will be a gathering place that will provide shade, respite and clear views to all the activity on the river – boaters, wildlife, and other citizens enjoying all the river has to offer. Similar to all other trail areas within the park, the overlook will be designed in accordance within the typical standards of the American Disability Act.

Picnic Areas

Existing picnic tables will remain along the trail near the river overlook area for casual use and family picnics. Individual picnic table locations will be located where there are nice views of the natural areas and Mississippi river. The individual picnic tables along the trails will include a table and concrete pad for universal accessibility.

Fishing Platforms

Multiple fishing platform areas have been designated along the lowland river trail. These stone platforms will be set to give park users four specific areas for fishing along the bank of the river. These platforms will also help stabilize the shoreline edge, by creating a solid surface feature that will hold the river bank soil and protect from continued erosion in the park. These platforms will be placed in areas that are currently popular for fishing activities, and consist of open dirt areas, which are susceptible to considerable erosion.



Open Lawn / Flexible Greenspace

The open lawn area serves as the link between the program elements in the central and southern park areas. The open lawn will provide space for unstructured play, space for sitting and relaxing, picnicking, or pickup games that may require a large field area. Given the flexible nature of the space, activities such as soccer, lacrosse, baseball, softball, frisbee, cricket, Sepak takraw (Kick Volleyball) and other activities can easily take place. One existing ballfield backstop will remain in the open lawn area, to continue to allow for baseball and softball games as needed.

Existing Courts

Existing tennis courts (2), basketball court and sand volleyball area will remain in place and be evaluated as the facilities reach the end of their functional lifespan. When refurbishment or replacement becomes necessary, Brooklyn Park officials will evaluate the current demand and overall use of these facilities.

Shoreline Restoration

The lowland areas along the shoreline of the Mississippi River currently have exposed soil and subject to significant erosion. The removal of non-natives and invasive plant material is suggested, as well as selected tree pruning to allow for increased sun exposure in this area. A mix of native grasses and forbs will be established in this area to stabilize the soil and prevent continued erosion. In addition, tree and shrub replacements shall be native species to enhance the wildlife habitat corridor along the river. In selected areas along the shoreline edge, stone rip-rap will be placed to provide a "hard armor" method to holding soils in place throughout flood seasons. While stabilizing the area through natural plantings is the preferred method, there are instances where built structure will provide additional protection for distressed areas. This rip-rap will be natural stone and coordinate with the stone fishing platforms also

set along the river's edge. Ongoing maintenance and enhancements to this area are addressed in the Natural Resources Management Plan, attached as an appendix to this document.

Interpretive Signage

The River Park Master Plan proposes an expansion and enhancement of the interpretive signage program, which is currently found in the northern portion of the park. A more robust educational program can show park users significant information about park history, prairie restoration, riverbank restoration, stormwater management, animal and pollinator habitat, fish species, and many other opportunities throughout River Park. Signage will be bold, easy-to-read and easily accessible from the trails in the park. Other forms of interpretive signage may be achieved by the use of specialty pavement or engravings, site furnishings and amenities, or a combination of elements.



Site Amenities

Several site amenities are proposed to be added within the Central Development area of River Park. Benches are proposed along the loop trail and within the overlook area for additional views of the Mississippi River. Picnic tables will remain on the east side of the park with additional trail connections and concrete pads for accessibility. Grills will remain near the existing shelter. The relocated shelter towards the south of the park will provide a shaded area for picnic tables. Trash receptacles will be placed near all shelters, overlooks, playgrounds, courts and picnic areas. All site amenities will be accessible per ADA standards.

Nature Play Node

The proposed nature play areas will be part of a “circuit” of play areas throughout the park. These play areas are not intended to replace the current play area in the center of River Park, but rather augment the play experience throughout the entire park with an emphasis on nature, including movable parts which encourage creative, unstructured and imaginative play experience. This allows park visitors the opportunity to experience the entire park while being able to stop and play in several designated areas. There are three nature play nodes proposed in the central part of the park, to go along with the fourth node in the northern area. Nature play nodes are not traditional play structures, but rather are constructed of materials found in nature, or reasonable replicas. These areas allow children to connect with the natural environment and use their imagination to create a unique experience. Features such as climbing “stumps”, balance logs or stick structures are all examples of nature play that can be explored in River Park.



Nature play nodes will be in close proximity to an accessible paved trail for visibility and accessibility for all users.

Landscape and Restoration

Throughout the park, there are many highlighted areas for native restoration, removal of non-natives and additional landscape buffers. Tree and shrub materials throughout the park shall be native species to reinforce the natural environment, enhance the wildlife habitat opportunities and provide an experience unique to River Park.

Ongoing vegetation maintenance and enhancements to the park are addressed in the Natural Resources Management Plan, attached as Appendix C to this document.



Southern Development Zone

Parking Lot area

The existing parking lot for the southern area will remain, with additional parking stalls added closer to the River. The additional parking area is sized to accommodate approximately 28 car parking spaces and a drop off area for those with canoes or kayaks. The new parking area is a one-way loop, with a greenspace in the center to break up the overall paving area and provide an area for stormwater capture and filtration, native vegetation and shade trees. The eastern portion of the parking area contains a 100' drop-off area for vehicles with canoes, kayaks or other small watercraft to be launched at the river edge. This drop-off is sized for 4-5 vehicles to be stopped while loading/unloading. The parking lot will be constructed of asphalt pavement and curbing to minimize vehicles from parking on or driving through natural landscapes. Existing and proposed parking areas will be connected via paved walkways.

Paddle Share Pad

Currently, the NPS Paddle share program has a viable location in River Park. This program provides kayak storage and rental for users to travel downstream and return boats to another location. With the addition of a dedication canoe / kayak launch area, the Paddle Share facility will be relocated to the south end of the park for access to the proposed canoe / kayak launch.

Canoe / Kayak Launch

One of the program elements of the park improvement is a dedicated launch / landing location for canoes and kayaks. The current boat landing area can be challenging for beginner paddlers to navigate because of strong river current and other boat traffic. The Canoe / Kayak Launch will be located on the south end of the park, in an area that will be impacted by the grading for the stormwater management system. The reshaping of the landscape for the stormwater system creates an incredible opportunity to create a bay or cove in the river, protected from the main current flow. This area will provide calmer waters for beginning paddlers to ease into the river and become more comfortable in the watercraft. During the Design Development process, the surface of the canoe launch area will be explored to find an appropriate surface that is easily accessible and limits amount of potential damage to canoe and kayak hulls.



Island

The final design of the stormwater treatment wetlands and overflow channels will provide an opportunity to create an island area on the south end of the park. This island will have a natural feel and be physically separated from the rest of the park. This area will offer a unique opportunity for natural restoration, pollinator habitat and provide a fun, exploratory environment for kids. A smaller, concrete walk will circle the island and be connected with the rest of the river trail by a pedestrian bridge. An overlook area will be created on the island with an arbor feature to provide shade for park users. This area will contain benches and provide a unique perspective of the river and the stormwater treatment features in the park.



Stormwater Treatment Area

A stormwater best management practice (BMP) will be incorporated into the southern end of the park to provide water quality treatment for approximately 300 acres of the City that discharges into the Mississippi River. The BMP will replace the existing concrete spillway and will contribute to the natural feel of the park. The BMP will provide an improved habitat for animals and insects and an educational space for the residents of the community to learn about water quality benefits. Clean Water funding and other possible grant sources will be pursued for the park's stormwater management.



Stormwater Management concepts will be more thoroughly addressed in the Stormwater Management Plan, attached to this document as Appendix D.

Interpretive Signage

The River Park Master Plan proposes an expansion and enhancement of the interpretive signage program, which is currently found in the northern portion of the park. A more robust educational program can show park users significant information about park history, prairie restoration, riverbank restoration, stormwater management, animal and pollinator habitat, fish species, and many other opportunities throughout River Park – including the southern area. Signage will be bold, easy-to-read and easily accessible from the trails in the park. Other forms of interpretive signage may be achieved using specialty pavement or engravings, site furnishings and amenities, or a combination of elements.

Landscape and Restoration

At the south end of the park and throughout the stormwater treatment area, there is a great opportunity to create a natural environment to serve as a thick buffer from adjacent residents, provide stormwater filtration and infiltration for the City, and create habitat for animals and pollinators. Tree, shrub and grass materials throughout the park shall be native species to reinforce the natural environment, enhance the wildlife habitat opportunities and provide an experience unique to River Park. Ongoing vegetation maintenance and enhancements to the park are addressed in the Natural Resources Management Plan, attached to this document as Appendix C.

SECTION 5- Master Plan Implementation

Overview

Implementing the master plan for River Park will require substantial initial and long-term capital investments for development, ecological stewardship, operations, and maintenance. Realistically, implementation will occur over a couple of years as funding and other resources are made available. This section considers an overall strategy for implementing the plan that takes these factors into consideration.

Implementation Cost Projections

The cost analysis defines the potential costs associated with each development component of the master plan. It is based on a combination of site-specific development requirements and projects of similar size and complexity. The costs are also based on having the work completed by private contractors and specialists. It does not take into consideration work that could be performed by City staff, volunteer groups, or by other means.

The cost figures are based on master plan level evaluation, which brings inherent limitations. The cost figures are meant for general budgeting purposes, project phasing, and comparing the relative cost of one item to that of another. The costs are in 2019 dollars. Although intended to be conservative, actual costs will vary depending on the year that each aspect of the master plan is implemented, implementation parameters, economic conditions affecting bidding, and the actual site conditions found in the field during construction. Inflation rates should be applied at the time of designing for implementation to adjust for the most current economic conditions.

The following provides an overview of the potential costs to implement each aspect of the master plan.

SECTION A: Northern Park Area						
ANTICIPATED COMPLETION	MASTER PLAN COMPONENT	DESCRIPTION	UNIT	ESTIMATED TOTAL QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED TOTAL COST
Fall 2020	Trails & Walkways					
	Bituminous Trails (12' Wide)	Additional Leg, enhanced trail near existing parking	SY	1,000	\$ 35.00	\$ 35,000.00
						\$ 35,000.00
Fall 2020	Building					
	Shelter Building	Proposed open air shelter to be used as picnic shelter and outdoor classroom	LS	1	\$ 75,000.00	\$ 75,000.00
	Concrete Flatwork	Concrete plaza paving at new shelter	SF	2,250	\$ 10.00	\$ 22,500.00
Sub Total						\$ 97,500.00
Fall 2020	Utilities					
	Site / Building Utilities	Utilities to new shelter	LS	1	\$ 10,000.00	\$ 10,000.00
	Trail Lighting	Pathway lights	EA	20	\$ 5,000.00	\$ 100,000.00
Sub Total						\$ 110,000.00
Fall 2020	Site Amenities					
	Bench	6' Bench at existing overlook and along trail	EA	5	\$ 1,600.00	\$ 8,000.00
	Trash Receptacles	Additional trash receptacles at new shelter and overlook	EA	3	\$ 1,200.00	\$ 3,600.00
	Nature Play Node	Play area comprised of natural or man-made natural looking features	EA	1	\$ 10,000.00	\$ 10,000.00
	Picnic Table	Tables at shelter	EA	4	\$ 3,500.00	\$ 14,000.00
Sub Total						\$ 35,600.00
Fall 2020	Signage					
	Wayfinding / Interpretive Signage	Educational signage highlighting natural features - vegetation, habitat, animals, etc.	EA	5	\$ 2,500.00	\$ 12,500.00
Sub Total						\$ 12,500.00
Fall 2020	Landscaping					
	Specimen Trees	Additional tree plantings	EA	15	\$ 550.00	\$ 8,250.00
	General Landscaping	Landscape elements in conjunction with proposed features (shrub and perennial plantings, etc.)	LS	1	\$ 10,000.00	\$ 10,000.00
	Buffer Plantings	Infill wooded area on North and West edge of park to provide separation from neighboring properties.	AC	1	\$ 7,500.00	\$ 7,500.00
Sub Total						\$ 25,750.00
SECTION A TOTAL:						\$ 316,350.00

SECTION B: Central Park Area						
ANTICIPATED COMPLETION	MASTER PLAN COMPONENT		UNIT	ESTIMATED TOTAL QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED TOTAL COST
Fall 2020	Boat Landing Area / Parking Lot:					
	Heavy Duty Asphalt Paving	Expanded boat trailer parking, AIS location	SY	600	\$ 35.00	\$ 21,000.00
	Concrete Curb & Gutter	Concrete Curb in new parking area	LF	250	\$ 15.00	\$ 3,750.00
	AIS Unit (CD3)	Boat / Trailer Washing Station	EA	1	\$ 25,000.00	\$ 25,000.00
	Parking Lot Striping		LS	1	\$ 2,500.00	\$ 2,500.00
Sub Total						\$ 52,250.00
Fall 2020	Trails & Walkways					
	Bituminous Trails (12' Wide)	New and relocated trail segments	SY	5,333	\$ 35.00	\$ 186,655.00
	River Walk 6' width concrete	Concrete walkway along river edge	SF	8,500	\$ 12.00	\$ 102,000.00
	Concrete Flatwork	Concrete plaza areas at new restroom building and shelter	SF	4,730	\$ 10.00	\$ 47,300.00
Sub Total						\$ 335,955.00
Fall 2020	Building					
	Kitchen Addition	Sink and refrigeration units in existing shelter	LS	1	\$ 35,000.00	\$ 35,000.00
	Restroom / Storage Building	New restroom building to match existing buildings	SF	2,500	\$ 150.00	\$ 375,000.00
	Picnic Shelter	Relocated or Replaced Picnic shelter	EA	1	\$ 75,000.00	\$ 75,000.00
Sub Total						\$ 485,000.00
Fall 2020	Utilities					
	Sanitary	Upgraded Sanitary to existing shelter for kitchen and new restroom building on south end of park	LS	1	\$ 57,000.00	\$ 57,000.00
	Site Electrical / Lighting	Electric service to AIS, new building and relocated shelter	LS	1	\$ 20,000.00	\$ 20,000.00
	Trail Lighting	Service and Lighting for trail loops	EA	35	\$ 5,000.00	\$ 175,000.00
	Water	Water service to new building, kitchen, AIS station	LS	1	\$ 100,000.00	\$ 100,000.00
Sub Total						\$ 352,000.00
Fall 2020	Overlook Area					
	Earthwork/Excavation	Grading to accommodate lookout area	CY	150	\$ 100.00	\$ 15,000.00
	Overlook Retaining Wall	Retaining wall structure to create overlook area	SF	600	\$ 100.00	\$ 60,000.00
	Concrete Flatwork	Concrete paving in overlook area	SF	600	\$ 15.00	\$ 9,000.00
	Overlook railing	Ornamental railing at overlook	LF	60	\$ 100.00	\$ 6,000.00
Sub Total						\$ 90,000.00
Fall 2020	Signage					
	Wayfinding / Interpretive Signage	Educational signage highlighting natural features - vegetation, habitat, animals, etc.	EA	4	\$ 2,500.00	\$ 10,000.00
Sub Total						\$ 10,000.00
Fall 2020	Site Amenities					
	Bench	6' Bench at overlook and along trail	EA	6	\$ 1,600.00	\$ 9,600.00
	Trash Receptacles	Additional trash receptacles throughout park	EA	6	\$ 1,200.00	\$ 7,200.00
	Bike Rack	Bike rack at new restroom building and existing shelter	EA	2	\$ 2,000.00	\$ 4,000.00
	Nature Play Node	Play area comprised of natural or man-made natural looking features	EA	3	\$ 10,000.00	\$ 30,000.00
	Picnic Table	Tables at shelter, along trail	EA	10	\$ 3,500.00	\$ 35,000.00
Sub Total						\$ 85,800.00
Fall 2020	Shoreline Restoration					
	Fishing Platforms	Accessible stone platforms integrated into the shoreline for fishing opportunities	EA	4	\$ 10,000.00	\$ 40,000.00
	Rip-Rap Stabilization	Stone boulders strategically placed to reinforce edge of river and prevent erosion	LF	700	\$ 150.00	\$ 105,000.00
	Reforestation	Native tree and shrub plantings to restore river edge area.	AC	1	\$ 7,500.00	\$ 7,500.00
	Native Seeding	Ground level vegetation established to prevent erosion.	AC	2	\$ 7,500.00	\$ 15,000.00
Sub Total						\$ 167,500.00

Fall 2020	Landscaping					
	Specimen Trees	Additional tree plantings throughout park area	EA	25	\$ 550.00	\$ 13,750.00
	Ballfield Removal	Remove existing ballfields (2)	LS	1	\$ 6,000.00	\$ 6,000.00
	General Landscaping	Landscape elements in conjunction with proposed features (shrub and perennial plantings, etc.)	LS	1	\$ 15,000.00	\$ 15,000.00
	Landscape Buffer	Infill wooded area on West edge of park to provide separation from neighboring properties.	AC	2	\$ 7,500.00	\$ 15,000.00
	Raingarden / Infiltration Areas	Stormwater management areas to offset drainage from the proposed hardcover elements.	LS	1	\$ 30,000.00	\$ 30,000.00
	Turf Seeding	Turf establishment in flexible greenspace area	AC	3	\$ 7,000.00	\$ 17,500.00
	Native Seeding	Native prairie and understory seeding at edges of park	AC	1	\$ 10,000.00	\$ 10,000.00
Sub Total						\$ 107,250.00
SECTION B TOTAL:						\$ 1,533,255.00

SECTION C: Southern Park Area / Stormwater Management						
ANTICIPATED COMPLETION	MASTER PLAN COMPONENT		UNIT	ESTIMATED TOTAL QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED TOTAL COST
Summer 2020	Parking lot					
	Heavy Duty Asphalt Paving	Parking lot expansion in southern end of park	SY	1,400	\$ 35.00	\$ 49,000.00
	Concrete Curb & Gutter	Concrete curbing in new parking area	LF	1,100	\$ 15.00	\$ 16,500.00
	Parking Lot Striping		LS	1	\$ 2,500.00	\$ 2,500.00
Sub Total						\$ 68,000.00
Summer 2020	Trails / Paving					
	Island Walk 6' width concrete	Concrete loop walk on proposed island	SF	5,500	\$ 12.00	\$ 66,000.00
	Paddle Share Pad	Concrete pad for placement of paddle share facility	SF	400	\$ 10.00	\$ 4,000.00
	Ped Bridge to Island	Pedestrian bridge over stormwater feature to island	EA	1	\$ 40,000.00	\$ 40,000.00
	Kayak Launch	Soft surface launch area for canoes and kayaks	EA	1	\$ 15,000.00	\$ 15,000.00
	Island Overlook Concrete Pad	Concrete pad on island for viewing river	SF	400	\$ 10.00	\$ 4,000.00
Sub Total						\$ 129,000.00
Summer 2020	Stormwater Treatment Area					
	Storm Sewer / Pond Improvements	Construction of stormwater ponding system and storm sewer improvements	LS	1	\$ 500,000.00	\$ 500,000.00
	Restoration	Native plantings throughout stormwater feature	AC	2	\$ 15,000.00	\$ 30,000.00
Sub Total						\$ 530,000.00
Summer 2020	Site Amenities					
	Bench	6' Bench at island and along trail	EA	3	\$ 1,600.00	\$ 4,800.00
	Island Overlook Arbor	Wooden shade structure at river viewing location on island	EA	1	\$ 25,000.00	\$ 25,000.00
	Picnic Table		EA	2	\$ 3,500.00	\$ 7,000.00
Sub Total						\$ 36,800.00
Summer 2020	Restoration					
	Reforestation/Screening	Infill wooded area on South edge of park to provide separation from neighboring properties.	AC	1	\$ 7,500.00	\$ 7,500.00
	Turf Seeding	Turf restoration in connection with stormwater development	AC	1	\$ 7,000.00	\$ 3,500.00
	Native Seeding	Native prairie and understory seeding at edges of park	AC	1	\$ 7,500.00	\$ 7,500.00
Sub Total						\$ 18,500.00
SECTION C TOTAL:						\$ 782,300.00

Overall Park Total: 2,631,905.00

30% Contingency: 789,571.50

TOTAL ESTIMATE: 3,421,476.50

Strategy for Implementing the Development Program

There is not a defined list of priority items as it relates to implementation. Adoption of the Park Master Plan is the first essential task in taking the proper steps toward implementation. Currently, the City has been applying for grants and securing funds for implementation in the next two years.

As parts of the Master Plan are identified for implementation, a design development phase will take place for each project. Through design development, additional project details will be determined – element sizes, material types, exact locations, etc. are explored to ensure each improvement continues to fit and maintain the original vision as laid out in the Master Plan, as well as more thoroughly reflect the on-site conditions at that time. After the design development phase, construction documents and specifications are developed for use by contractors to bid and build the proposed improvements.

The Brooklyn Park Recreation and Parks Division is charged with the management and operation of the City's park and trail system. This includes the River Park as defined under this master plan. The Brooklyn Park City Council establishes policies and goals for the park and trail system and through an annual budgeting process provides capital and operating funds for parks. The City Recreation and Parks Commission (RPAC) advocates for an improved and enhanced park and trail system in the City.

Master Plan Revisions and Updates

As previously noted, the master plan is a dynamic planning tool that will evolve and be fine-tuned as it moves through implementation steps. Over time, there may be justification for revisions and updates to the master plan in response to new information, trends, and general demands. Among the issues that could prompt review of the master plan are the following:

- Recreation trend information uncovers a need not adequately addressed by the master plan
- Changed circumstances pertaining to existing uses warrants review of the master plan
- Existing built facilities have proven inadequate to meet demand or require design changes to improve their capacity to meet recreational needs or address maintenance and safety concerns
- Requests from citizens and special interest groups to review a particular aspect of the plan, which would only be accepted if the Recreation and Parks Commission (RPAC) or City Council has determined an issue has enough justification to warrant review prior to scheduled master plan updates

If a review is found to be warranted, Brooklyn Park will undertake an appropriate public process that includes input from City Commissioners and groups that are directly impacted by a given concern, as well as other groups who have a general interest in the park. This approach to reviewing a given situation ensures conclusions drawn are ones that can be supported by the broader community. It also ensures a balance between recreational uses and ecological preservation is maintained.

Appendix A

Master Plan Drawings



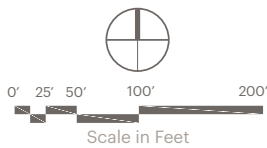
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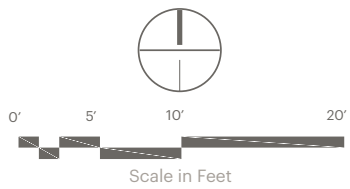
- ✱ Nature Play Nodes throughout park (4)
 - 🐟 Stone Fishing Platform Location (4)
 - Educational Signage Location (8)
 - - - Property Boundary
- Total Park Acreage: 42.65

Recreation Site Plan | River Park

Brooklyn Park, Minnesota

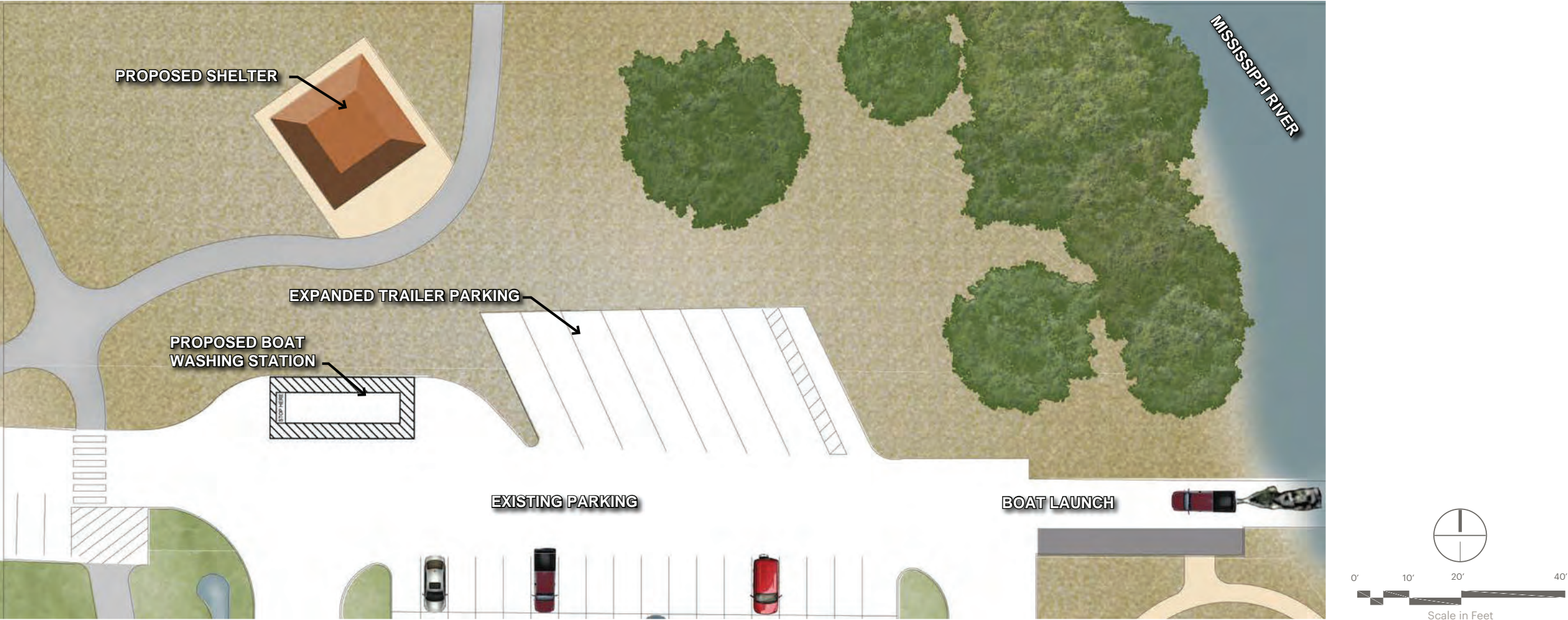
March 27, 2019 | WSB Project number: 011887-000





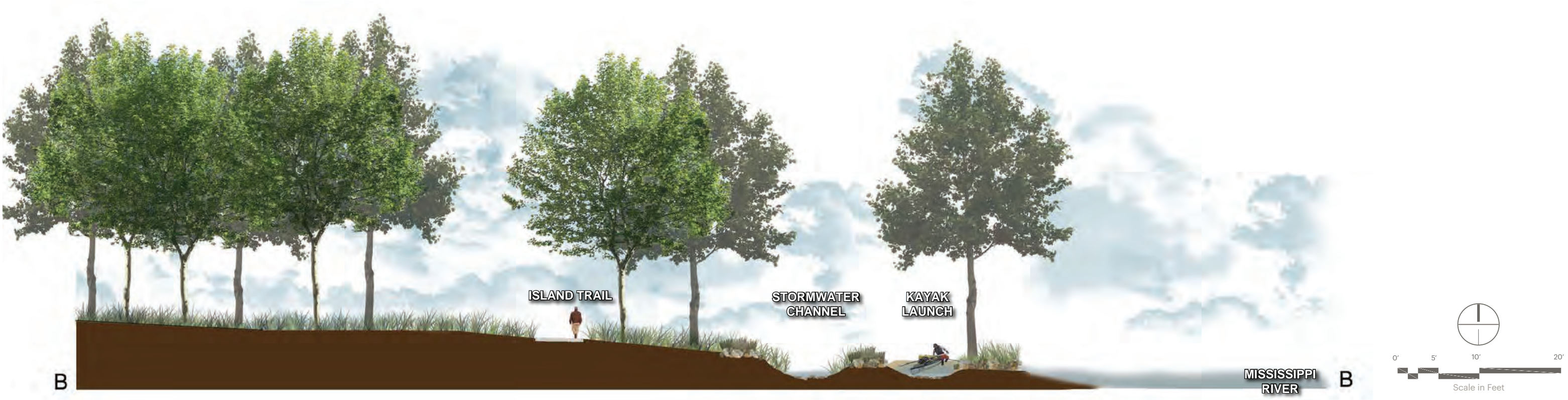
Representative Images





Representative Images





Representative Images



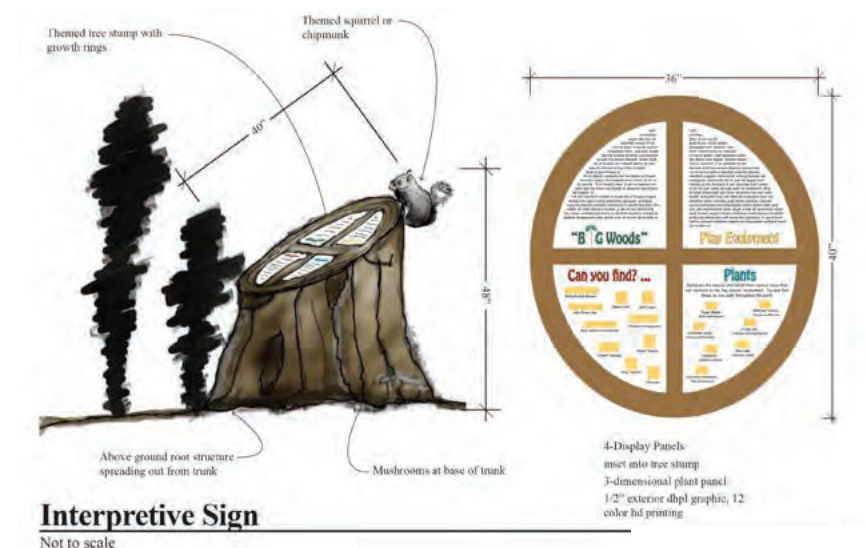
Fishing Platforms



Nature Play



Interpretive Signage



River Park | Representative Images

Brooklyn Park, Minnesota

March 28, 2019 | WSB Project number: 011887-000

Appendix B

Public Engagement Diagrams and Notes

Community Feedback

November 15, 2018

*12/18/18- Riverview Apartments comments in purple

Summary: The Neighborhood Open House meeting, held at the Brooklyn Park Community Activity Center on November 15, 2018, was attended by approximately 50 community members who provided invaluable feedback. The comments, suggestions, and ideas are summarized in the following Appendix. The discussion covered the following topics including: stormwater management, trail connections, the boat ramp / kayak launch, kayaking and canoeing, courts/fields, nature trails, the river trail, river access, erosion control, funding, schedule, noise levels, new buildings, prairie management/invasive species, winter interest, and creating a natural buffer from the neighborhood.

Storm water/Island

- Island is situated near storm water pipe which could cause bacterial infection
- People should be diverted away from this area
- Is this a storm drain or underwater creek? (x3)
- How big are the treatment ponds?
- Storm water needs to be away from people. Skip island.
- Design for a 10year storm event infiltration site 100%
- In 10 years will ponds be filled in? Is there money to keep these dredged?
- Please have Jesse look at the parking lot runoff on the North side. Correct idea but the output pipe is lower than the input and it just runs into the river. Park staff concreted more last year-south side of the ramp- and it just made the water run faster. Need a deeper pond so it settles
- Meandering design is better for storm water management
- Will need \$ to maintain storm water ponds in future
- Yes to the island cool feature!

Trail connections

- How will we connect to trails outside the park?
- Will it be affected by 252 constructions?
- Trail on west side of park will connect with Mississippi River trail?
- The park is a natural “halfway” point between W Mississippi/Coon rapids Dam Park and N Mississippi regional park off 49th. I’m glad to see thought has been put into possible synergy with them (paddle share and connecting trails to W Miss). Perhaps there are more such option in the future. This is a nice rest stop for those biking between the two for example.

Boat Ramp

- Put permanent dock at boat landing with sun deck and tables and umbrellas
- Big sky thinking, move boat ramp to South, removed existing north parking to create one continuous park. Park along west edge, trees buffering to house, rain garden to east to control run off
- Must have an extended pier out in the river approx.. 100ft

Kayaks

- Is it popular enough to have a second launch?
- Why add separate canoe launch separate from boat launch?
- Canoe/kayak launch benefits a private company
- Has ipaddleport.com been contacted to determine existing kayak traffic?
- Move Kayak bay to boat ramp (x2)
- Worried about water quality at kayak launch (x2)
- Make canoe/kayak ramp a natural surface-gravel or concrete scratches the boats. Some boats cost \$2000-3000!
- I like the kayak launch (x2)
- I like the kayak launch and the pavillion

Courts/Fields

- Are we getting rid of tennis and basketball courts? Not in first phase and depends on usage
- Can we have 2 basketball courts and no tennis court? (Audible no from some attendees)
- Volleyball?
- Open space is for pick-up games instead of formal courts
- Why eliminate both baseball diamonds? -Keep one
- Hmong community could use more courts. Ask them?
- Pickleball courts or tennis court
- Sand volleyball court
- Please keep the basketball court, used every day by many, many groups
- Tennis is coming back-I've seen more people on them this year than other years
- Keep and maintain basketball and tennis courts (x3)
- Please move or make skatepark by the courts (I think it would be used a lot more)
- Make sure there is baseball field
- Bigger/ better more basket all courts
- Keep tennis, basketball, and one baseball
- When the tennis courts are decommitted, I recommend turning that greenspace into native prairie rather than generic turf. There are already native grasses planed to the N of the courts, just extend them down to the 81st ave entrance. This helps native birds and pollinators.

Nature Play

- Love nature play area
- Will kids use it when there is already a playground?
- I like the increased opportunities for shore fishing and nature play.

River Trail

- Please don't take away the river trail (applause)
- Can we stabilize it?
- Boardwalks (x2)?

- Engineer to withstand flooding and ice
- Why is the river side path being deleted if we are trying to “connect to the river”?
- I would rather see money put into restoring the shoreline and keeping the river path than putting in a separate launch for kayaks. If the Riverwalk is gone I will be using the park way less. That’s my reason for going there.
- Expand the river walk north (x2)
- Raised platform walkways on the river
- Keep the loop trail
- If some of the path can be saved to access fishing, why can’t all of it be saved?
- Keep river path and keep it secluded (x10)
- Keep the path by the river and ensure that not too many trees are cut down
- Keep continuous trail next to river park (3)

River Access/ Erosion Control

- West side is shallow & rocky- how can access be improved?
- What is allowed along river’s edge? Is cart being put before the horse?
- How much of shoreline erosion control is dictated by the DNR, etc.
- 30’ of path to compete the North end trail (path to boat trailer parking)
- Love the overlook idea
- Damage to shoreline from personal water crafts

Funding

- DNR grant? -This is why we are creating a masterplan
- Where is money coming from? Open Space Land Acquisition fund, park fund, grants, bond referendum?
- \$26 million-be good stewards of citizen’s money
- Why spend so much money on the South end?
- Reduce cost of large Pavilion
- Save money, it is fine the way it is

Schedule

- Will timing coincide with sewer and road re-construction?

Sound

- NO AMPLIFIED SOUND
- Address noise levels from pavilion

New Buildings

- Expanded building with have small kitchen with sink and fridge. Space can be rented out with deposit and renter is responsible for cleaning
- Educational classroom would be small open-air shelter like southern shelter
- The classroom should be enclosed for year-round use

- Located proposed shelter/bathroom to this area (asterisk closer to river on south end, north of the proposed parking lot)
- Yes to kitchen shelter
- I think the number of shelters we have is sufficient
- Add a small /free pavilion north of 81st to left of parking lot

Prairie Management/Invasive Species

- Stantec developing resource management plan for 33 parks
- Volunteer groups could be used to save city money
- Will Buckthorn be eradicated?
- Design and plan a management plan targets for and maintains a species count that is so high as to match pre-settlement conditions. Design for species richness
- Prairie trail-fabulous! Could you connect the south side-east walk-to the ramp? We all walk there and just makes sense for the walk around the prairie
- Plant trees to replace the trees lost to EAB
- Opening up views on the river and restoring wooded/riparian habitat might help birders, especially if oak trees are favored (as they probably would be native there). Both W and N Miss are good birding areas, especially during migration.

Winter Interest

- Cross country skiing?
- Rentals and trails will be at Three Rivers Park
- Provide skating
- Ice rink

Buffer

- Need thicker buffer (x2)
- Buffer area south of 81st between houses and park
- Please create fence/ barrier so park people don't go to private land
- The natural buffer is very important to us (since our house is to the west of this proposed wetland development) The buffer needs to be well constructed & developed
- Add a fence between private property & park
- Would it be possible to remove this existing parking lot so that activities in the newly developed area will be at least a little more removed from our home and backyard?

Miscellaneous

- Doggie bags for North end trail
- Rentals and trails will be at Three Rivers Park
- Don't ask 'can we', ask 'should we'. Add value, don't just spend money
- New south end will flood the same as existing path
- Barrier to neighbors.... have you talked to the neighbors?

- Due diligence with permits, DNR, etc.
- Food truck pad
- Accessibility for people w/ disabilities
- Install elevated look out points along the river, back from the flood areas
- Security parking lot and gazebo at night
- Flat level gravel pad for food truck parking near north parking area
- No traffic in the park
- Keep the trees (x2)
- Too many amenities
- Love: nature play area (x2), separate kayak launch, overlook area (x2), additional water features (safety concerns addressed), natural division between park and neighbors, opening views to river, fishing platform areas
- Rock-climbing wall
- North rest area-good spot for platform river views
- Is there a conversation about public artwork? ie sculpture, shelter design, mural, etc.? (*forecast public art in Mpls.)
- Love the food truck idea
- Don't like a road going North-South in the park
- No road thru the park or parking
- Would like details on how the streams would be constructed
- No roads on westside. This is a park we want people to get out of vehicles.
- Respect the need for family and for cultural gatherings.
- I like the open view area
- There are issues with existing interpretive signage being illegible due to weather wear or exposure. ie. Foggy plexiglass
- Address safety issues and illegal activity on the N end people using drugs & wandering up river into people's yards. This is a problem.
- There is a lot to like about this plan. I think it opens up the South end and will make is more accessible via 81st.

Existing Site Elements



Stakeholder Engagement



River Park | Existing Elements
Brooklyn Park, Minnesota

November 15, 2018 | WSB Project number: 011887-000



✳ Nature Play Nodes



✳ Interpretive Nodes

River Park | Schematic Concepts

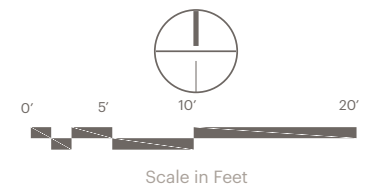
Brooklyn Park, Minnesota

November 15, 2018 | WSB Project number: 011887-000



River Park | Overlook Area Enlargement A Brooklyn Park, Minnesota

November 15, 2018 | WSB Project number: 011887-000





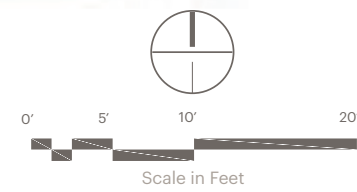
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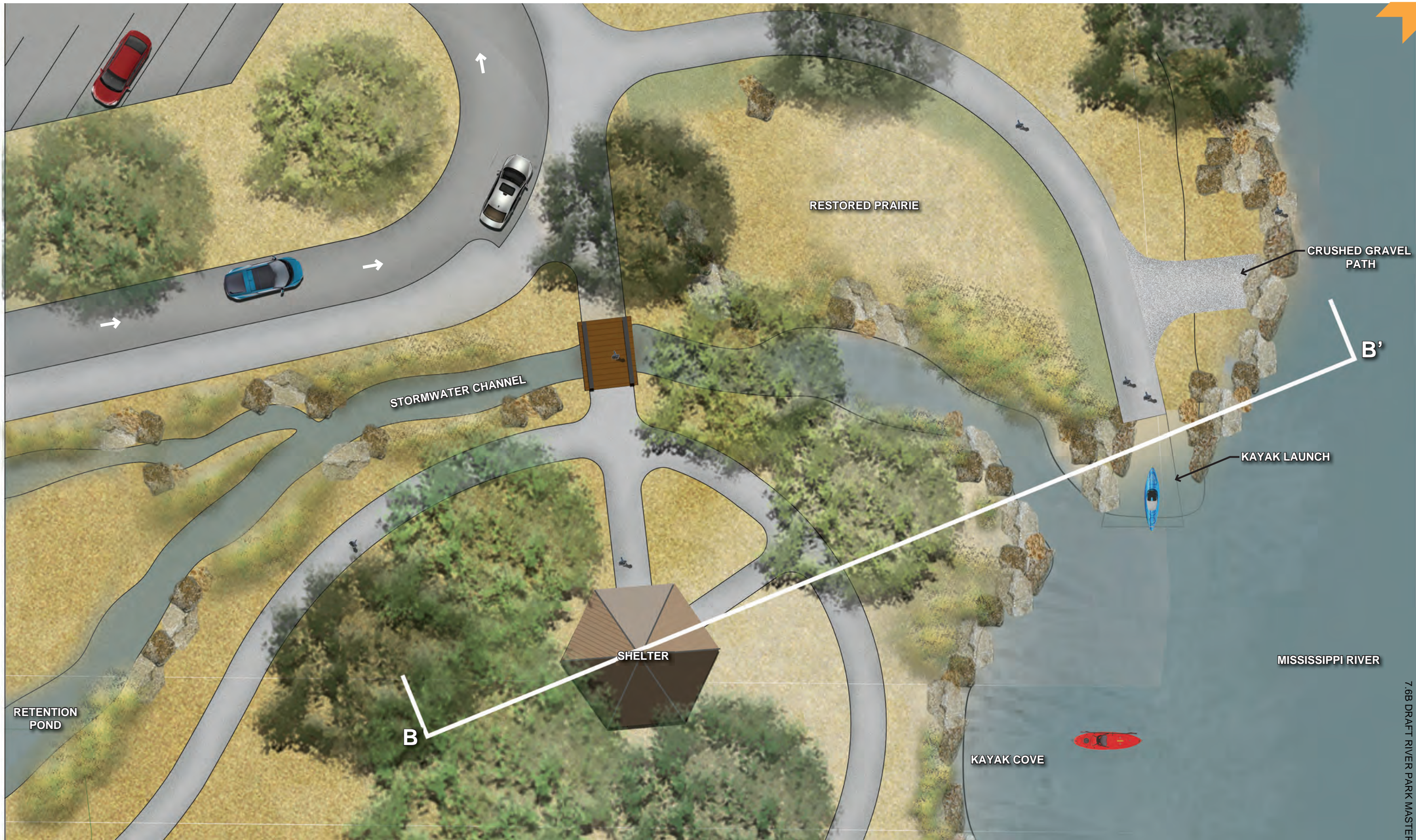
STONE OVERLOOK
WITH IRON RAILING

MISSISSIPPI RIVER



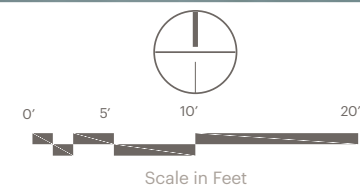
Overlook Sketch





River Park | River Access Enlargement B

Brooklyn Park, Minnesota
November 15, 2018 | WSB Project number: 011887-000





Fishing Pier Section



Representative Images



River Park | River Access Section B

Brooklyn Park, Minnesota

November 15, 2018 | WSB Project number: 011887-000



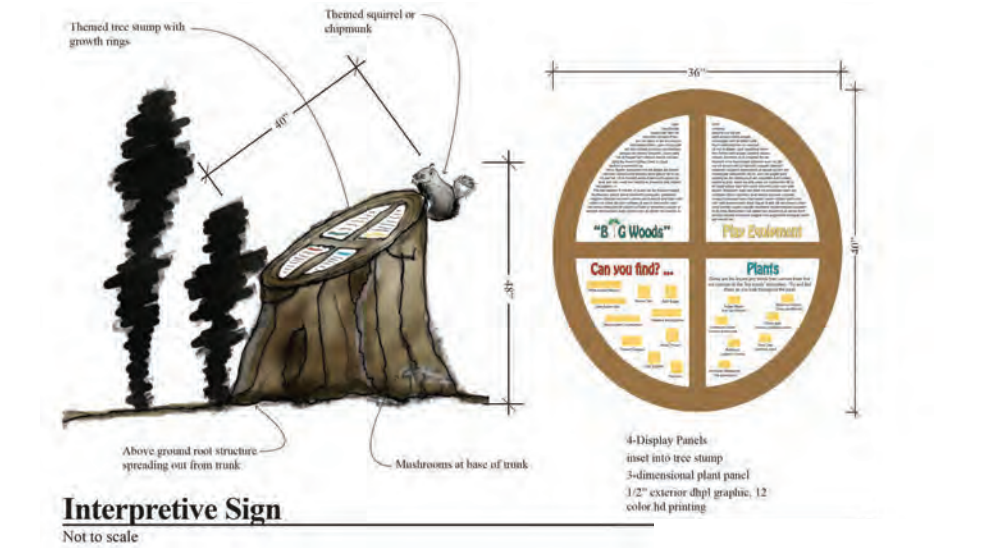
Canoe/Kayak Launch



Nature Play



Interpretive Signage



River Park | Representative Images

Brooklyn Park, Minnesota

November 15, 2018 | WSB Project number: 011887-000

Appendix C

Natural Resource Management Plan

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities

February 19, 2019

3.4 River Park

River Park is located on the east border of Brooklyn Park and lies on the banks of the Mississippi River and the Mississippi River Regional Water Trail. Park amenities include a restroom building, two picnic shelters, playground, two tennis courts, a full basketball court, sand volleyball court, a boat launch and 1.68 miles of trails (Figure 3.4). River Park is a host site for Rec-On-The-Go! programs from June through August and special events throughout the year. A self-directed natural interpretation area is available within the northern section of the park.



Figure 3.4 – River Park Amenities (Park System Plan)

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities

February 19, 2019

The City of Brooklyn Park is in the process of finalizing a Master Plan for River Park with WSB and Associates. Storm water management and shoreline restoration are key issues that were identified during development of the master plan. The River Park concept plan (Figure 3.4b) includes construction of storm water treatment wetlands and native vegetation buffers between the terminus of 81st Ave N. and the Mississippi River. Shoreline restoration and vegetation management, along with some armoring, are recommended to protect the shoreline while facilitating public access to the river and proposed fishing platforms.

DRAFT

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities
February 19, 2019



Figure 3.4b – River Park Concept Map (River Park Master Plan 2019)

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities

February 19, 2019

3.4.1 River Park Land Cover and Inventory Results

The north end of River Park, north of 83rd Avenue, was the focal area for natural resource inventory for this NRMP. The park section south of 83rd Avenue is currently composed of mowed turf with scattered trees, recreational features, shelters, a loop trail, and floodplain forest along the river. As mentioned above, this section of the park is scheduled for re-development as part of the River Park Master Plan. The 2007 MLCCS land cover for the south section included about 3.4 acres of moderate quality native floodplain forest.

The approximately 13 acres in the north section of the park are composed of about 6.7 acres of restored mesic prairie, about 1.5 acres of terrace floodplain forest along the Mississippi River, about 3.6 acres of altered lowland hardwoods, a 0.4-acre wetland restoration, and a small rain garden that receives drainage from parking areas and 83rd Avenue. The MLCCS land cover mapped in 2007 is shown in Figure 3.4.1. Over the past eleven years, the wetland restoration and rain garden were installed and canopy cover by quaking aspen and silver maple has increased along the west boundary of the park, north of 83rd Avenue.

The floodplain forest is a moderate quality natural community with invasive shrubs and areas of compaction and erosion related to foot traffic along the riverbank. The mesic prairie acres are of moderate quality as well. The prairie is dominated by warm season native prairie grasses with occasional native prairie forbs throughout. Canada thistle and crown vetch patches occur in the south end of the prairie near the wetland, while woody encroachment by both native and invasive species is occurring in the north end of the prairie near the trail. A few green ash and bur oak occur in the south end of the prairie. Nonnative cool-season grasses, such as Kentucky bluegrass, smooth brome, and reed canary grass occur occasionally throughout.

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities
February 19, 2019



Figure 3.4.1 – River Park MLCCS Land Cover - 2007

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities

February 19, 2019

3.4.2 Management and Restoration Activity Recommendations

Priority management and restoration activities for River Park are identified here for maintaining or transitioning the land cover observed in 2018 to the desired future vegetation cover types and map units shown in Figure 3.4.2. Also included are restoration activities and BMPs related to proposed developments in the River Park Master Plan: trail development, an outdoor classroom/shelter, storm water management and shoreline restoration. Activity types, acres, within park and park system-wide priorities, and cost estimates are provided in Table 3.4.2.

Table 3.4.2 - Nature Resource Management Activities and Priorities

Park Map Unit	Management Activity Type	Estimated Size (AC, SF, LF)	Within Park Priority	Park System Priority	Cost Estimate (\$)
MP	Mesic prairie enhancement	6.7 AC	high	TBD	15,900
FF1, FF2	Floodplain forest enhancement	3.4 AC	med	TBD	36,350
W	Wetland enhancement	0.4 AC	med	TBD	4,200
LH	Lowland hardwoods enhancement	2.1 AC	low	TBD	16,600
	Storm water retention basin vegetation maintenance	2.0 AC	high		
	Shoreline restoration		high		
	Other activities related to the River Park Master Park Plan?				

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities
February 19, 2019



Figure 3.4.2 – River Park Desired Future Land Cover Types
(cover types for the south section of the park are shown in Figure 3.4b)

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities

February 19, 2019

Mesic Prairie (MP). The north mesic prairie (“North Prairie Area”) is in good condition, with continuous cover by big bluestem, and occasionally switchgrass, little bluestem, sideoats grama, New England aster, stiff goldenrod, monarda, showy goldenrod, gray-headed coneflower, butterfly milkweed, and golden Alexanders. The primary management needs include: (1) spot treatments for Canada thistle, crown vetch, and reed canary grass, (2) mechanical removal of woody species that are too large to be impacted by prescribed fire, and (3) prescribed burns every three to five years.

The River Park Master Plan includes adding a small outdoor classroom/shelter and an additional trail segment through the mesic prairie. The proposed shelter location is currently of low quality and dominated by smooth brome. The proposed trail would cross a slight depression in the prairie and also cross a drainageway that flows into the constructed wetland. The drainageway trail crossing will require a design that accommodates water flow beneath. During construction of the proposed shelter and any additional trail development, it will be important to minimize construction disturbance footprints through physical barriers and erosion control measures such as silt fencing. A mesic prairie seed mix and establishment maintenance (mowing and weed control) should be incorporated into construction specifications to aid in re-establishment of native vegetation along the proposed new trail segment and around the proposed shelter.

Wetland. Management needs for the 0.4-acre wetland map unit (**W**) primarily involve spot treatments of invasives (reed canary grass, Canada thistle, crown vetch) that occur around the wetland basin and within the drainage flowing into it from the east through the mesic prairie. Seeding and plug planting are recommended for aiding re-establishment of native cover following weed spot treatments.

Floodplain Forest (FF1, FF2). The 1.9-acre **FF1** map unit has canopy cover by native floodplain forest species (green ash and silver maple, with black walnut in the understory at the north end) along with a few planted conifers (spruce, red pine). Common buckthorn and Siberian elms occur occasionally, with buckthorn most prevalent beneath the red pines along the west trail. Due to the mesic canopy cover, management should focus on removal of woody invasives and transitioning the ground cover to native forest herbaceous species through seeding and some plug planting. A lowland hardwood (**LH**) neighborhood buffer is proposed to the west and north.

The 1.5 acres of floodplain forest mapped along the Mississippi River (**FF2**) are dominated by cottonwood, hackberry, and green ash, with occasional black walnut, hackberry, silver maple, and pin oak in the understory. Nonnative Siberian elms occur occasionally along the river bank as well. Native shrubs include prickly ash, highbush cranberry, red-osier dogwood, gooseberry and the native vines bristly greenbrier and riverbank grape. Native herbaceous cover is patchy with calico aster and American germander observed most frequently along with giant goldenrod and nonnative reed canary grass. Nonnative honeysuckle and common buckthorn are common along the

BROOKLYN PARK NATURAL RESOURCES MANAGEMENT PLAN

Park Natural Resource Descriptions and Management Priorities

February 19, 2019

river bank; control of these species, along with removal of Siberian elms, spot treatments of reed canary grass, establishment of native herbaceous vegetation (seeding and/or plug planting), and installation of erosion control materials should be priorities for management in the north section of the park for **FF2**.

Floodplain forest extends along the river through the south section of the park as well (Figure 3.4.1). The River Park Master Plan recommends opening the forest canopy in a few locations to create open views to the river from an existing park trail that parallels the river. The existing paved trail along the river bank is recommended in the Master Plan to be reduced to a shorter segment that provides access to four proposed fishing piers.

BMPs for trail alignment and construction activities should include preserving native forest floodplain trees and avoiding or minimizing compaction and disturbance within the tree driplines. The trees along the shoreline should be considered quality natural community features and key storm water management assets to preserve as construction specifications are developed for any trail developments and the proposed stone fishing piers.

Stormwater management features, including storm water treatment wetlands and native vegetation buffers, are proposed for the south end of the park in natural floodplain forest. The design for storm water management is currently being developed by WSB and Associates. Preliminary natural resource recommendations here include preserving native forest canopy cover and incorporating native forest groundlayer restoration to aid with storm water retention and soil erosion control. Where tree removal and canopy openings are necessary for storm water retention basins or conveyance, seed mixes for wetland basins and fluctuating water levels will be more appropriate. Board of Soil and Water Resources Standard State Seed Mixes can be selected and specified based upon final storm water management plans. If prescribed fire is anticipated to be used for periodic maintenance of the native vegetation buffers, shrubs and trees should not be included in the buffer plantings.

Lowland Hardwoods (LH). The 2.1-acre lowland hardwoods map unit correlates with the forested vegetative buffer proposed in the River Park Master Plan. The unit is delineated based upon dense canopy cover by silver maple and quaking aspen. A stand of Siberian elms occurs at the south end next to the trail and 83rd Avenue. Management needs include removal of the Siberian elms, control of invasive shrubs, and interseeding native woodland herbaceous species.

Appendix D

Stormwater Improvements Feasibility



Memorandum

To: Jesse Struve, PE, City of Brooklyn Park

From: Bill Alms, PE, WSB
Kendra Fallon, EIT, WSB

Date: May 8, 2019

Re: River Park Stormwater Improvements
WSB Project No. R-013799-000

Project Background

The River Park Master Plan establishes a vision for the park and provides guidelines for its further development to accommodate an increased natural experience while providing more opportunity to view and access the Mississippi River. Stormwater improvements are included in the proposed updates to River Park as part of the Master Plan. The proposed stormwater improvements are intended to provide an additional recreational amenity, improved habitat for animals and insects, and an educational space for the residents of the community to learn about water quality.

Stormwater Existing Conditions

Roughly 300 acres within the City drains to the existing stormwater outlet to the Mississippi River at the southern end of the park (see **Exhibit C** in **Appendix A**). The current outlet is a 60" concrete pipe connected to a concrete spillway which slopes down to the river's edge. **Table 1** provides the existing hydrologic conditions at the discharge point into the river.

Table 1: Existing Hydrologic Conditions

Storm Event	Discharge Rate	Discharge Volume
	[cfs]	[ac-ft]
1-Inch	63.7	6.8
2-year	220.9	26.7
10-year	376.7	47.0
100-year	619.5	101.8

River Park sits low next to the Mississippi River and is commonly flooded during the springtime due to high river elevations. A stream gage about two river miles upstream of River Park on the Mississippi River at Highway 610 in Brooklyn Park shows fluctuations of up to 10 feet in the river elevation. **Figure 1** shows the fluctuation in stage of the Mississippi River over the past five years taken at the stream gage. It should be noted that the river elevation is about 3.5 feet higher at the stream gage than at River Park. All elevations noted in **Figure 1** and mentioned in this memo are in reference to the NAVD88 datum.

The ordinary high-water level for the Mississippi River at River Park is 810.96 per the Minnesota Department of Natural Resources (DNR). From the Federal Emergency Management Agency (FEMA) flood maps, the 100-year floodplain sits at 821.4 feet at River Park. Most of River Park is at an elevation lower than 821.4 and is within the 100-year floodplain.

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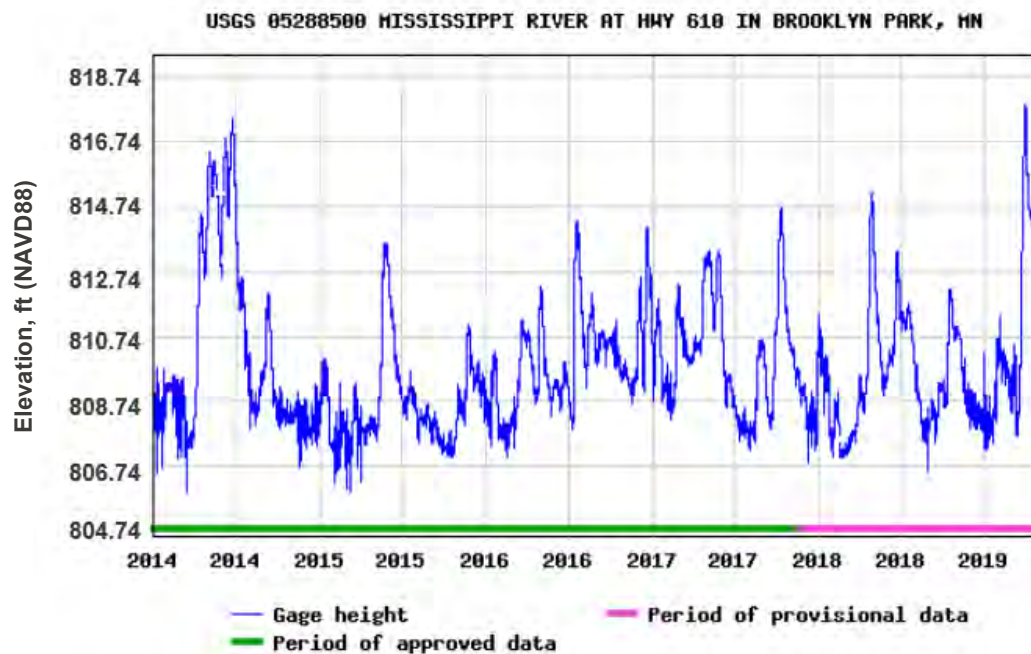


Figure 1: Mississippi River Elevation at Hwy 610

There is currently no water quality treatment provided prior to the discharge into the Mississippi River for much of the 300 acres that drains through the park outlet (see **Exhibit C** in **Appendix A**). This section of the Mississippi River is listed as an impaired waterbody for nutrients, fecal coliform, and PCB in fish by the Minnesota Pollution Control Agency (MPCA). There are two stormwater ponds upstream which treat roadway drainage from Trunk Highway 252, however, about 250 acres is untreated prior to discharge. **Table 2** provides the existing annual total suspended solids (TSS) and total phosphorus (TP) loads discharging through River Park.

Table 2: Existing Water Quality Conditions

TSS	TP
[lbs/yr]	[lbs/yr]
65,494	222.9

Proposed Stormwater Improvement Alternatives

The City wishes to incorporate water quality treatment into the design of River Park, both to reduce the loads on the impaired Mississippi River and to provide an educational space for residents to learn about water quality treatment. The stormwater best management practice (BMP) will contribute to the overall natural feel of the park while adding additional benefit for the residents, animals, and insects. The following options were considered for providing the desired water quality within the park. The options could be implemented as stand alone improvements or in combination with one another.

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Option 1: Integrated Stormwater Pond

An integrated stormwater pond could be constructed near the exiting 60" pipe outlet to the river to provide water quality treatment prior to discharge to the river. The pond would be designed to have a natural feel, with slight drops in elevation from one cell of the pond to the next and slowly sloping to the river (see **Exhibit B** in **Appendix A**). A diversion structure would be placed upstream of the ponds with the primary outlet routed to the pond and the secondary outlet routed directly to the river. During low flow storm events, the majority of the water would be routed through the pond and would be treated prior to discharge into the river. During larger storm events, high flows would bypass the stormwater pond and discharge directly to the river, similar to existing conditions. This would provide water quality treatment during small events while reducing the risk of washing out of the stormwater pond during larger events. The diversion structure was sized so all runoff from a 0.5-inch storm or smaller would be routed through the pond. Approximately 80% of the annual runoff volume routed to the diversion structure would pass through the proposed integrated pond and would be treated before discharging to the river. **Table 3** shows the proposed hydrologic conditions with the stormwater pond and diversion structure.

Table 3: Flow Through Integrated Stormwater Pond Hydrologic Conditions

Storm Event	Inflow Discharge Rate	Discharge Volume
	[cfs]	[ac-ft]
1-Inch	24.8	5.8
2-year	37.5	16.6
10-year	46.6	24.9
100-year	50.4	40.1

A pretreatment device, such as a SAFL baffle, could be placed downstream of the diversion device and upstream of the pond to provide additional treatment and to reduce the maintenance requirements for the stormwater pond. **Table 4** shows the proposed water quality treatment provided by the integrated stormwater pond.

Table 4: Integrated Stormwater Pond Water Quality Conditions

Load to Mississippi River		Removed by BMP		Removal Efficiency	
TSS	TP	TSS	TP	TSS	TP
[lbs/yr]	[lbs/yr]	[lbs/yr]	[lbs/yr]	[%]	[%]
32,008	169.4	31,260	50.1	60%	29%

The existing concrete spillway would be removed to accommodate the proposed stormwater pond. The 60" concrete pipe would be extended towards the river, under the proposed island feature in the park to conceal the outlet to visitors of the park and to enhance the natural feel of park.

Within the stormwater treatment area, there is a great opportunity to create a natural environment to serve as a buffer from adjacent residents and create habitat for animals and pollinators. Tree, shrub, and grass materials throughout the park shall be native species to reinforce the natural environment, enhance the wildlife habitat opportunities, and provide an experience unique to River Park. Ongoing vegetation maintenance and enhancements to the park are addressed in the Natural Resources Management Plan. Proposed vegetation types in this area would include mesic native grasses and forbs including Blazing Star, Milkweed, Aster, and Golden Alexander, as well as Little Bluestem and Side-oats Grama. Shrubs such as Willow, Dogwood, Serviceberry, and False Indigo would be included to provide additional screening. Overstory trees would also be included, as appropriate, with species including Maple, Birch, Aspen, and Basswood. Care would be taken to preserve existing trees near the proposed stormwater treatment area (see **Exhibit A** in **Appendix A**).

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Option 2: NPDES Stormwater Pond

A larger stormwater pond could be constructed and sized based on NPDES permit requirements. The NPDES permit requires 1,800 cubic feet of dead storage per acre that drains to the pond. There are 252 acres that drain directly to the outlet, requiring 10.4 ac-ft of dead storage. The surface area of the NPDES pond at the normal water level would be 2.38 acres. **Tables 6 and 7** show the hydrologic and water quality modeling results for the NPDES pond.

Table 6: Flow Through NPDES Sized Pond Hydrologic Conditions

Storm Event	Inflow Discharge Rate	Discharge Volume
	[cfs]	[ac-ft]
1-Inch	63.9	6.8
2-year	221.0	26.7
10-year	277.7	44.5
100-year	298.7	80.9

Table 7: NPDES Sized Pond Water Quality Conditions

Load to Mississippi River		Removed by BMP		Removal Efficiency	
TSS	TP	TSS	TP	TSS	TP
[lbs/yr]	[lbs/yr]	[lbs/yr]	[lbs/yr]	[%]	[%]
12,340	114.6	51,209	103.0	82%	50%

Revegetation would be similar to what was previously mentioned in the integrated stormwater pond option analysis. The NPDES sized stormwater pond provides a significant amount of water quality benefit. However, the size of the pond would considerably cut down on the available recreational space within the park and would not integrate with the natural feel of the park that is desired. Additional existing trees would need to be removed to clear space for the pond as well.

Option 3: Rain Gardens for Park Impervious

The proposed parking lots in the south end of the park could be treated by a raingarden placed in between the two cells of the parking lot. According to the NRCS Web Soil Survey, there are permeable soils present within the park conducive to infiltration. The rain garden would be sized to treat one inch off of the impervious created by the parking lots and any other new impervious in the park and would be discharged to the river through the swale around the island. **Table 8** shows the water quality treatment provided by the proposed rain garden. The rain gardens would cost approximately \$15,000 each including contingency and indirect costs.

Table 8: Raingarden Water Quality Removals

TSS	TP
[lbs/yr]	[lbs/yr]
208	1.2

Option 4: Underground Storage for Irrigation Reuse

Irrigation for the open lawn/flexible green space could be supplied by an underground storage tank under the parking lots on the south side of the park. The proposed underground storage tank was sized to irrigate the roughly 7 acres of open lawn which encompasses the majority of the east side of the park. The proposed tank sizes below correspond to 1 inch of irrigation per week for a two or four-week time span. The costs in **Table 9** includes the cost of the irrigation system and pump. Additional information on the overall storage and irrigation system's cost estimate can be found in the opinion of probable cost tables included as an attachment.

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Table 9: Reuse Tank Sizing and Cost Estimate

	Tank Storage Volume	Storage Tank Cost Estimate	TSS Removal Provided	TP Removal Provided
	[cf]		[lbs/yr]	[lbs/yr]
1" per wk, 2 wks	51,000	\$642,940	1587	8.7
1" per wk, 4 wks	102,000	\$1,065,220	1983	10.9

Putting the storm system below ground allows for the surface area to be used for other things such as a parking lot or additional green space in the park. However, the underground storage would require more extensive maintenance on a more frequent basis compared to a surface stormwater management feature. There would also be maintenance required for the pump and irrigation system connected to the underground storage system. The existing green space is not currently being irrigated.

Cost Estimates

Detailed opinions of probable cost for the two stormwater pond options as well as the underground storage tank for irrigation reuse can be found in **Appendix B** and are summarized in **Table 10**. The opinions of cost include 20% contingency and 15% for related indirect costs (legal, administrative, engineering, and financing) based on the construction costs.

Table 10: Cost Estimate Summary

	Estimated Total Cost
Option 1: Integrated Stormwater Pond	\$484,835.00
Option 2: NPDES Stormwater Pond	\$760,845.00
Option 3: Rain Gardens for Park Impervious	\$15,000.00
Option 4: Underground Storage for Irrigation Reuse	\$642,940.00

Final Recommendation

A combination of the integrated stormwater pond and the rain gardens for park impervious is recommended for River Park. The NPDES sized pond provides more treatment than the integrated stormwater pond however the overall cost and the loss of available recreational space make it a less desirable choice for River Park. The underground storage tank for irrigation reuse keeps the space above ground available for green space or other recreational uses, but the high cost and intensive maintenance required make it less desirable.

The integrated stormwater pond and rain gardens would provide a significant water quality benefit to the Mississippi River while maintaining recreational space in the park. The rain gardens would be sized to treat 1-inch off of the parking lots and other impervious within the park and would meet the West Mississippi Watershed Management Commissions' water quality requirements. The integrated stormwater pond would provide water quality treatment to the currently untreated 250 acres of the City that discharges through River Park, annually reducing phosphorus loads to the impaired Mississippi River by 50 pounds.

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Permitting Requirements

Due to the project abutting the Mississippi River, there are a few different permits that will need to be obtained prior to construction. The City will also be expected to follow the requirements laid out in the City's stormwater management ordinances and surface water management plan. The following is a short synopsis of the required permits.

West Mississippi Watershed Management Commission Permitting

The renovations to River Park will require review and permitting by the West Mississippi Watershed Management Commission (WMWMC) due to the size of the project. All applicable WMWMC rules shall be adhered to including the following: stormwater management, erosion and sediment control, floodplain alteration, and wetland alteration.

Floodplain Permitting

Work is proposed in the floodplain and the flood fringe of the Mississippi River as defined by the City. As mentioned previously, the majority of River Park is within the 100-year floodplain of the Mississippi. Consideration to the cut and fill proposed within the floodplain will need to be taken throughout the park. The project will need to be able to show that the proposed work will not cause an increase in the stage of the 1% chance or regional flood or cause an increase in flood damages.

Wetland Permitting

A wetland assessment and delineation will need to be completed prior to the finalization of plans to determine the wetland boundary along the riverway. For work proposed within the wetland boundary, wetland mitigation will be required.

MRCCA/DNR Public Waters

The section of the Mississippi River adjacent to River Park is part of the Mississippi River Corridor Critical Area (MRCCA). MRCCA regulations are put in place by the DNR but are implemented through local plans and zoning ordinances. The MRCCA regulations mainly focus on structure setbacks and revegetation but will need to be considered as the design continues.

The Mississippi River is a DNR public water and all work proposed within the riverway will need to be reviewed by the DNR to obtain a Public Water Work Permit.

Possible Grant Funding Sources

There are multiple grant funding opportunities which will be pursued as the project moves forward. Below is a short description of some of the grant funds to be pursued.

BWSR Projects and Practices Grant

The Projects and Practices Grant is funded by the Clean Water Fund (CWF) and is administered by the Board of Water and Soil Resources (BWSR). The grant seeks to invest in on-the-ground projects that will protect and restore water quality in lakes, and rivers or streams. The proximity of the proposed stormwater management system to the impaired Mississippi River makes it a good candidate for this grant. The request for proposals for the Projects and Practices Grant should be out in early July.

West Mississippi Watershed Management Commission Cost Sharing

The West Mississippi Watershed Management Commission provides cost sharing on watershed capital improvement projects through the Commissions' Capital Improvements Program. This cost sharing is provided to activities that go above and beyond general City management

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activities to provide a significant improvement to the water resources in the watershed. The stormwater management improvements are well above the required treatment for the park updates making this project a good candidate for this cost share program. The Commissions' Cost Sharing Policy provides for up to 25% of the cost of qualifying projects with a maximum share of \$250,000. The City can apply for this funding source at any time as the project moves forward

DNR Conservation Partners Legacy Grant

The Conservation Partners Legacy Grant is funded by the Outdoor Heritage Fund and is administered by the Minnesota DNR. The grant seeks to invest in conservation projects that restore, enhance or protect wetlands, prairies and habitats for fish, game and wildlife in Minnesota. The proposed enhancements to River Park include improving habitat for wildlife and insects so this funding source may be an option. The request for proposals for the Conservation Partners Legacy Grant is expected in August.

DNR Outdoor Recreation Grant

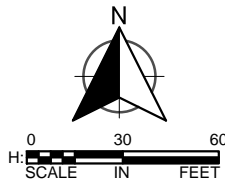
The Outdoor Recreation Grant is federally funded by the Land and Water Conservation Fund and is administered by the Minnesota DNR. The grant invests in projects which increase and enhance outdoor recreation facilities in local and community parks throughout the state. The proposed updates to the park including additional picnic shelters, canoe/kayak launch, and paddle share pad may be eligible for partial funding through this grant. The City has already applied for the DNR Outdoor Recreation Grant and is waiting to hear approval status.



APPENDIX A EXHIBITS



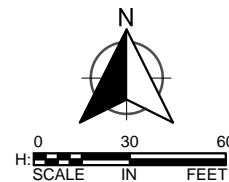
100 - YEAR FLOOD PLAIN = 821.4 FT
ANNUAL RIVER FLUCTUATION AT RIVER PARK= 802.5 FT - 811.5 FT
ORDINARY HIGH WATER LEVEL (OHWL) = 810.96 FT
DATUM NAVD 88



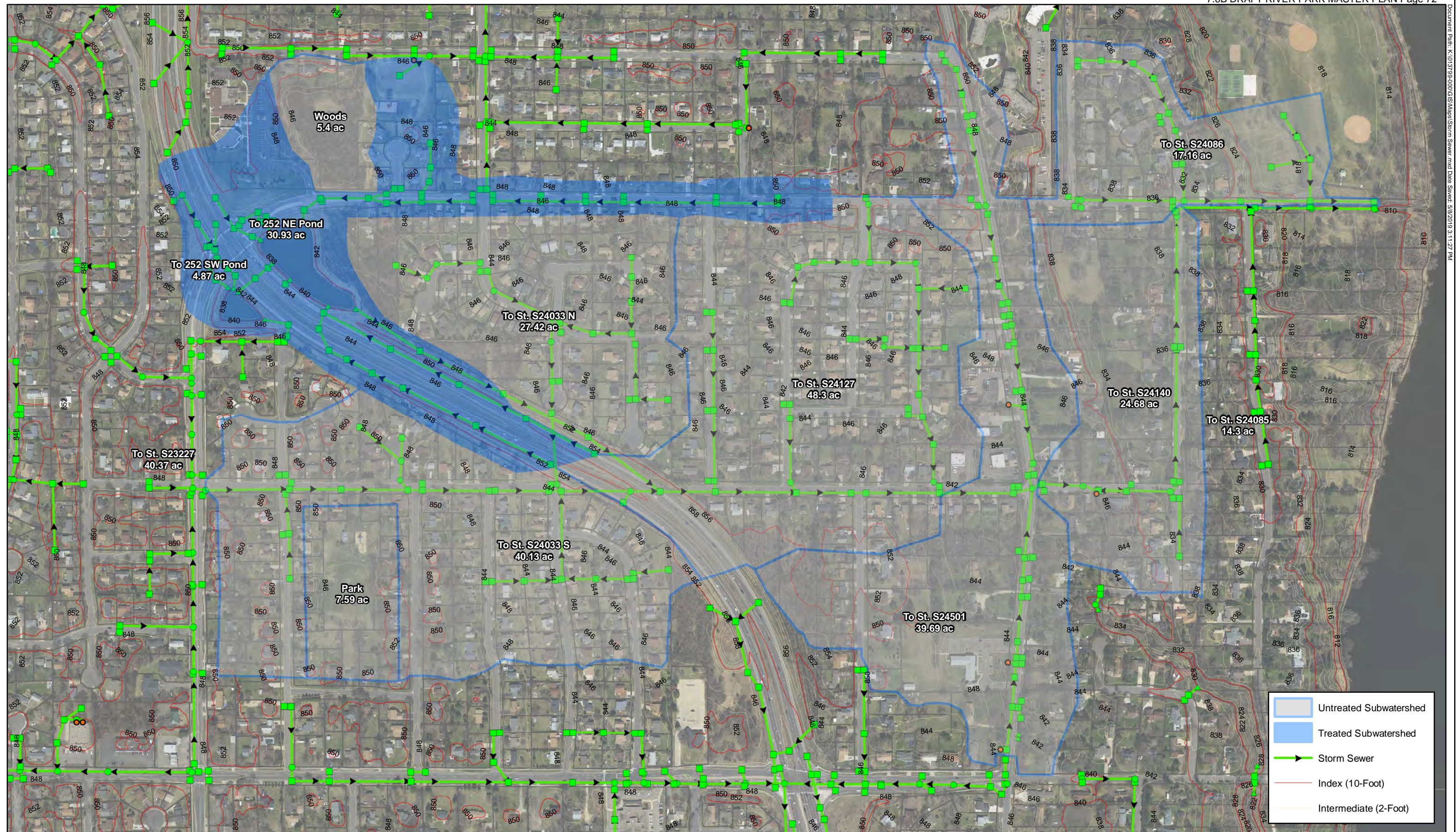
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100 - YEAR FLOOD PLAIN = 821.4 FT
ANNUAL RIVER FLUCTUATION AT RIVER PARK= 802.5 FT - 811.5 FT
ORDINARY HIGH WATER LEVEL (OHWL) = 810.96 FT
DATUM NAVD 88



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APPENDIX B OPINION OF PROBABLE COSTS

Option 1: Integrated Stormwater Pond - Opinion of Probable Cost

WSB Project: River Park Stormwater Improvements
 Project Location: City of Brooklyn Park
 WSB Project No: 013799-000

Design By: KJF
 Checked By: WCA
 Date: 5/8/2019

Item No.	Description	Unit	Estimated Total Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LUMP SUM	1	\$20,000.00	\$20,000.00
2	CLEARING & GRUBBING	LUMP SUM	1	\$10,000.00	\$10,000.00
3	COMMON EXCAVATION	CU YD	10150	\$15.00	\$152,250.00
4	REMOVE DRAINAGE STRUCTURE	EACH	2	\$500.00	\$1,000.00
5	REMOVE STORM SEWER	LIN FT	320	\$20.00	\$6,400.00
8	21" RC PIPE SEWER	LIN FT	85	\$60.00	\$5,100.00
9	21" RC PIPE APRON	EACH	2	\$700.00	\$1,400.00
10	30" RC PIPE SEWER	LIN FT	60	\$75.00	\$4,500.00
11	30" RC PIPE APRON	EACH	1	\$1,200.00	\$1,200.00
12	36" RC PIPE SEWER	LIN FT	33	\$125.00	\$4,125.00
13	60" RC PIPE SEWER	LIN FT	220	\$300.00	\$66,000.00
14	60" RC PIPE APRON	EACH	1	\$3,500.00	\$3,500.00
15	CONNECT TO EXISTING STORM SEWER	EACH	1	\$800.00	\$800.00
17	DESIGN SPECIAL OUTLET CONTROL STRUCTURE	EACH	1	\$4,000.00	\$4,000.00
18	DIVERSION STRUCTURE	EACH	1	\$25,000.00	\$25,000.00
19	SAFL BAFFLE STRUCTURE	EACH	1	\$6,500.00	\$6,500.00
20	RANDOM RIPRAP, CL III	CU YD	35	\$170.00	\$5,950.00
21	GEOTEXTILE FILTER TYPE 4	SQ YD	80	\$5.00	\$400.00
22	EROSION CONTROL	LUMP SUM	1	\$7,500.00	\$7,500.00
23	EROSION CONTROL BLANKETS CATEGORY 3	SQ YD	5000	\$3.00	\$15,000.00
24	HYDROSEEDING	SQ YD	5000	\$2.00	\$10,000.00
25	SEED MIX 33-261	POUND	35	\$20.00	\$700.00
Subtotal Schedule A Improvements					\$351,325.00
+ 20% Contingencies					\$70,270.00
Subtotal					\$421,595.00
+ 15% Indirect Cost					\$63,240.00
Option 1 Total					\$484,835.00

Option 2: NPDES Stormwater Pond - Opinion of Probable Cost

WSB Project: River Park Stormwater Improvements
 Project Location: City of Brooklyn Park
 WSB Project No: 013799-000

Design By: KJF
 Checked By: WCA
 Date: 5/8/2019

Item No.	Description	Unit	Estimated Total Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LUMP SUM	1	\$20,000.00	\$20,000.00
2	CLEARING & GRUBBING	LUMP SUM	1	\$10,000.00	\$10,000.00
3	POND EXCAVATION	CU YD	22900	\$15.00	\$343,500.00
4	REMOVE DRAINAGE STRUCTURE	EACH	2	\$500.00	\$1,000.00
5	REMOVE STORM SEWER	LIN FT	320	\$20.00	\$6,400.00
8	21" RC PIPE SEWER	LIN FT	85	\$60.00	\$5,100.00
9	21" RC PIPE APRON	EACH	2	\$700.00	\$1,400.00
10	30" RC PIPE SEWER	LIN FT	60	\$75.00	\$4,500.00
11	30" RC PIPE APRON	EACH	1	\$1,200.00	\$1,200.00
12	36" RC PIPE SEWER	LIN FT	33	\$125.00	\$4,125.00
13	60" RC PIPE SEWER	LIN FT	220	\$300.00	\$66,000.00
14	60" RC PIPE APRON	EACH	1	\$3,500.00	\$3,500.00
15	CONNECT TO EXISTING STORM SEWER	EACH	1	\$800.00	\$800.00
17	DESIGN SPECIAL OUTLET CONTROL STRUCTURE	EACH	1	\$4,000.00	\$4,000.00
18	DIVERSION STRUCTURE	EACH	1	\$25,000.00	\$25,000.00
19	SAFL BAFFLE	EACH	1	\$6,500.00	\$6,500.00
20	RANDOM RIPRAP, CL III	CU YD	35	\$170.00	\$5,950.00
21	GEOTEXTILE FILTER TYPE 4	SQ YD	80	\$5.00	\$400.00
22	EROSION CONTROL	LUMP SUM	1	\$7,500.00	\$7,500.00
23	EROSION CONTROL BLANKETS CATEGORY 3	SQ YD	6700	\$3.00	\$20,100.00
24	HYDROSEEDING	SQ YD	6700	\$2.00	\$13,400.00
25	SEED MIX 33-261	POUND	48	\$20.00	\$960.00
Subtotal Schedule A Improvements					\$551,335.00
+ 20% Contingencies					\$110,270.00
Subtotal					\$661,605.00
+ 15% Indirect Cost					\$99,240.00
Option 2 Total					\$760,845.00

Option 4: Underground Storage for Irrigation Reuse - Opinion of Probable Cost

WSB Project: River Park Stormwater Improvements
 Project Location: City of Brooklyn Park
 WSB Project No: 013799-000

Design By: KJF
 Checked By: WCA
 Date: 5/8/2019

Item No.	Description	Unit	Estimated Total Quantity	Estimated Unit Price	Estimated Total Cost
1	MOBILIZATION	LUMP SUM	1	\$20,000.00	\$20,000.00
2	CLEARING & GRUBBING	LUMP SUM	1	\$10,000.00	\$10,000.00
1	EROSION CONTROL	LUMP SUM	1	\$7,500.00	\$7,500.00
2	REMOVE DRAINAGE STRUCTURE	EACH	2	\$500.00	\$1,000.00
4	REMOVE STORM SEWER	LIN FT	320	\$20.00	\$6,400.00
5	UNDERGROUND STORAGE	CF	51000	\$6.00	\$306,000.00
4	LIFT STATION	LUMP SUM	1	\$45,000.00	\$45,000.00
6	IRRIGATION SYSTEM	AC	7	\$10,000.00	\$70,000.00
Subtotal Schedule A Improvements					\$465,900.00
+ 20% Contingencies					\$93,180.00
Subtotal					\$559,080.00
+ 15% Indirect Cost					\$83,860.00
Option 4 Total					\$642,940.00

Community Feedback

Storm water/Island

- Island is situated near storm water pipe which could cause bacterial infection
- People should be diverted away from this area
- Is this a storm drain or underwater creek? (x3)
- How big are the treatment ponds?
- Storm water needs to be away from people. Skip island.
- Design for a 10year storm event infiltration site 100%
- In 10 years will ponds be filled in? Is there money to keep these dredged?
- Please have Jesse look at the parking lot runoff on the North side. Correct idea but the output pipe is lower than the input and it just runs into the river. Park staff concreted more last year-south side of the ramp- and it just made the water run faster. Need a deeper pond so it settles
- Meandering design is better for storm water management
- Will need \$ to maintain storm water ponds in future
- Yes to the island cool feature!

Trail connections

- How will we connect to trails outside the park?
- Will it be affected by 252 constructions?
- Trail on west side of park will connect with Mississippi River trail?
- The park is a natural “halfway” point between W Mississippi/Coon rapids Dam Park and N Mississippi regional park off 49th. I’m glad to see thought has been put into possible synergy with them (paddle share and connecting trails to W Miss). Perhaps there are more such option in the future. This is a nice rest stop for those biking between the two for example.

Boat Ramp

- Put permanent dock at boat landing with sun deck and tables and umbrellas
- Big sky thinking, move boat ramp to South, removed existing north parking to create one continuous park. Park along west edge, trees buffering to house, rain garden to east to control run off
- Must have an extended pier out in the river approx.. 100ft

Kayaks

- Is it popular enough to have a second launch?
- Why add separate canoe launch separate from boat launch?
- Canoe/kayak launch benefits a private company
- Has ipaddleport.com been contacted to determine existing kayak traffic?
- Move Kayak bay to boat ramp (x2)
- Worried about water quality at kayak launch (x2)
- Make canoe/kayak ramp a natural surface-gravel or concrete scratches the boats. Some boats cost \$2000-3000!

River Park Meeting Notes

November 15, 2018

- I like the kayak launch (x2)
- I like the kayak launch and the pavillion

Schedule

- Will timing coincide with sewer and road re-construction?

Courts/Fields

- Are we getting rid of tennis and basketball courts? Not in first phase and depends on usage
- Can we have 2 basketball courts and no tennis court? (Audible no from some attendees)
- Volleyball?
- Open space is for pick-up games instead of formal courts
- Why eliminate both baseball diamonds? -Keep one
- Hmong community could use more courts. Ask them?
- Pickleball courts or tennis court
- Sand volleyball court
- Please keep the basketball court, used every day by many, many groups
- Tennis is coming back-I've seen more people on them this year than other years
- Keep and maintain basketball and tennis courts (x3)
- Please move or make skatepark by the courts (I think it would be used a lot more)
- Make sure there is baseball field
- Bigger/ better more basket all courts
- Keep tennis, basketball, and one baseball
- When the tennis courts are decommitted, I recommend turning that greenspace into native prairie rather than generic turf. There are already native grasses planed to the N of the courts, just extend them down to the 81st ave entrance. This helps native birds and pollinators.

Nature Play

- Love nature play area
- Will kids use it when there is already a playground?
- I like the increased opportunities for shore fishing and nature play.

River Trail

- Please don't take away the river trail (applause)
- Can we stabilize it?
- Boardwalks (x2)?
- Engineer to withstand flooding and ice
- Why is the river side path being deleted if we are trying to "connect to the river"?
- I would rather see money put into restoring the shoreline and keeping the river path than putting in a separate launch for kayaks. If the Riverwalk is gone I will be using the park way less. That's my reason for going there.
- Expand the river walk north (x2)
- Raised platform walkways on the river
- Keep the loop trail

River Park Meeting Notes

November 15, 2018

- If some of the path can be saved to access fishing, why can't all of it be saved?
- Keep river path and keep it secluded (x10)
- Keep the path by the river and ensure that not too many trees are cut down
- Keep continuous trail next to river park (3)

River Access/ Erosion Control

- West side is shallow & rocky- how can access be improved?
- What is allowed along river's edge? Is cart being put before the horse?
- How much of shoreline erosion control is dictated by the DNR, etc.
- 30' of path to compete the North end trail (path to boat trailer parking)
- Love the overlook idea
- Damage to shoreline from personal water crafts

Funding

- DNR grant? -This is why we are creating a masterplan
- Where is money coming from? Open Space Land Acquisition fund, park fund, grants, bond referendum?
- \$26 million-be good stewards of citizen's money
- Why spend so much money on the South end?
- Reduce cost of large Pavilion
- Save money, it is fine the way it is

Sound

- NO AMPLIFIED SOUND
- Address noise levels from pavilion

New Buildings

- Expanded building with have small kitchen with sink and fridge. Space can be rented out with deposit and renter is responsible for cleaning
- Educational classroom would be small open-air shelter like southern shelter
- The classroom should be enclosed for year-round use
- Located proposed shelter/bathroom to this area (asterisk closer to river on south end, north of the proposed parking lot)
- Yes to kitchen shelter
- I think the number of shelters we have is sufficient
- Add a small /free pavilion north of 81st to left of parking lot

Prairie Management/Invasive Species

- Stantec developing resource management plan for 33 parks
- Volunteer groups could be used to save city money
- Will Buckthorn be eradicated?
- Design and plan a management plan targets for and maintains a species count that is so high as to match pre-settlement conditions. Design for species richness

River Park Meeting Notes

November 15, 2018

- Prairie trail-fabulous! Could you connect the south side-east walk-to the ramp? We all walk there and just makes sense for the walk around the prairie
- Plant trees to replace the trees lost to EAB
- Opening up views on the river and restoring wooded/riparian habitat might help birders, especially if oak trees are favored (as they probably would be native there). Both W and N Miss are good birding areas, especially during migration.

Winter Interest

- Cross country skiing?
- Rentals and trails will be at Three Rivers Park
- Provide skating
- Ice rink

Buffer

- Need thicker buffer (x2)
- Buffer area south of 81st between houses and park
- Please create fence/ barrier so park people don't go to private land
- The natural buffer is very important to us (since our house is to the west of this proposed wetland development) The buffer needs to be well constructed & developed
- Add a fence between private property & park
- Would it be possible to remove this existing parking lot so that activities in the newly developed area will be at least a little more removed from our home and backyard?

Miscellaneous

- Doggie bags for North end trail
- Rentals and trails will be at Three Rivers Park
- Don't ask 'can we', ask 'should we'. Add value, don't just spend money
- New south end will flood the same as existing path
- Barrier to neighbors.... have you talked to the neighbors?
- Due diligence with permits, DNR, etc.
- Food truck pad
- Accessibility for people w/ disabilities
- Install elevated look out points along the river, back from the flood areas
- Security parking lot and gazebo at night
- Flat level gravel pad for food truck parking near north parking area
- No traffic in the park
- Keep the trees (x2)
- Too many amenities
- Love: nature play area (x2), separate kayak launch, overlook area (x2), additional water features (safety concerns addressed), natural division between park and neighbors, opening views to river, fishing platform areas
- Rock-climbing wall

River Park Meeting Notes

November 15, 2018

- North rest area-good spot for platform river views
- Is there a conversation about public artwork? ie sculpture, shelter design, mural, etc.? (*forecast public art in Mpls.)
- Love the food truck idea
- Don't like a road going North-South in the park
- No road thru the park or parking
- Would like details on how the streams would be constructed
- No roads on westside. This is a park we want people to get out of vehicles.
- Respect the need for family and for cultural gatherings.
- I like the open view area
- There are issues with existing interpretive signage being illegible due to weather wear or exposure. Ie. Foggy plexiglass
- Address safety issues and illegal activity on the N end people using drugs & wandering up river into people's yards. This is a problem.
- There is a lot to like about this plan. I think it opens up the South end and will make is more accessible via 81st.

*12/18/18- Riverview Apartments comments in purple

City of Brooklyn Park Request for Council Action

Agenda Item:	7.7	Meeting Date:	May 13, 2019
Agenda Section:	General Action Items	Originating Department:	Finance
Resolution:	X	Prepared By:	LaTonia Green, Finance Director
Ordinance:	N/A		
Attachments:	2	Presented By:	LaTonia Green
Item:	Resolution Providing for the Issuance and Sale of General Obligation Bonds		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-_____ PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2019A, TO BE ISSUED IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$4,470,000.

Overview:

On February 5, 2018, City Council approved the Park System Plan. In preparation for adding language to the ballot, Trust for Public Land presented Community Survey results to City Council on July 30, 2018. The Park Bond Referendum language was approved by City Council on August 20, 2018. As a final step, approval of Park Bond Referendum by Brooklyn Park voters (63% voted in favor of ballot measure) provided money for the acquisition and betterment of public land, buildings, and facilities, including for the purpose of carrying out the powers granted by the Recreation Act, in the amount of \$26,000,000 on November 6, 2018.

In order to provide sound financial management, the City needs to issue general obligation bonds in the proposed aggregate principal amount of \$4,470,000 for the installation of lights at synthetic turf fields at Park Center High School in the City, construction of a dome facility over one turf field, and construction of a support building, as well as for projects set forth in the City's Bond Reinvestment Plan, including but not limited to an Interpretive Plan for Historic Eidem Farm and planning for Park Reinvestments.

If this sale is approved, below is the proposed debt issuance schedule for 2019A Park Bonds.

Pre-Sale Review by City Council	May 13, 2019
Due Diligence Call to Review Official Statement	Week of May 27, 2019
Distribute Official Statement	Week of June 3, 2019
Conference with Rating Agency	Week of June 10, 2019
City Council Meeting to Award Sale of the Bonds	June 24, 2019
Estimated Closing Date	July 18, 2019

The 2019A Park Bonds will be issued, sold, and delivered in accordance with the terms of the pre-sale report prepared by Ehlers & Associates, Inc., and distributed on or before July 18, 2019.

Jason Aarsvold of Ehlers & Associates, Inc. will be available to answer questions.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Not issuing the bonds could create a gap in financing the Park System Plan.

Attachments:

7.7A RESOLUTION
7.7B PRE-SALE REPORT

RESOLUTION #2019-

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL
OBLIGATION BONDS, SERIES 2019A, TO BE ISSUED IN THE PROPOSED
AGGREGATE PRINCIPAL AMOUNT OF \$4,470,000

BE IT RESOLVED by the City Council of the City of Brooklyn Park, Minnesota (the "City") as follows:

Section 1. Findings; Determinations. It is hereby found and determined that:

a. Pursuant to an affirmative vote of the City electors on November 6, 2018 (the "Referendum"), and in accordance with Minnesota Statutes, Sections 471.15 through 471.1911, as amended (the "Recreation Act"), and Minnesota Statutes, Chapter 475, as amended ("Chapter 475" and collectively with the Recreation Act, the "Act"), the City is authorized to issue general obligation bonds for the acquisition and betterment of public land, buildings, and facilities, including for the purpose of carrying out the powers granted by the Recreation Act.

b. The City has made, duly ordered or let construction contracts for the acquisition and betterment of public land, buildings, and facilities, pursuant to the Referendum and the Act, including for the installation of lights at synthetic turf fields at Park Center High School in the City, construction of a dome facility over one turf field, and construction of a support building, as well as for projects set forth in the City's Bond Reinvestment Plan, including but not limited to an Interpretive Plan for Historic Eidem Farm and planning for Park Reinvestments (collectively, the "Project").

c. The City finds it necessary and expedient to the sound financial management of the affairs of the City to issue general obligation bonds in the proposed aggregate principal amount of \$4,470,000 (the "Bonds"), pursuant to the Referendum and the Act to provide financing for the Project.

Section 2. Bonds Authorized.

a. To provide money to finance the Project, the City will issue and sell the Bonds, to be designated as the General Obligation Bonds, Series 2019A (the "Series 2019A Bonds"), in the proposed aggregate principal amount of \$4,470,000 (subject to adjustment on or before the date of sale of the Series 2019A Bonds), pursuant to Chapter 475. The Series 2019A Bonds will be issued, sold, and delivered in accordance with the terms of a pre-sale report prepared by Ehlers & Associates, Inc., and distributed on or before the date hereof (the "Pre-Sale Report"). Ehlers & Associates, Inc., as municipal advisor to the City, is authorized to assist the City in the offer and sale of the Series 2019A Bonds. The officers, employees, and agents of the City are hereby authorized to assist Ehlers & Associates, Inc. with respect to its activities in connection with the issuance and sale of the Series 2019A Bonds.

b. The City is authorized by Section 475.60, subdivision 2(9) of the Act to negotiate the sale of the Series 2019A Bonds, it being determined that the City has retained an independent municipal advisor in connection with such sale.

Section 3. Authorization to Offer Bonds. The Manager and the Finance Director of the City, together with Ehlers & Associates, Inc., are authorized and directed to prepare and distribute an Official Statement with respect to the Series 2019A Bonds, apply for a rating from one or more rating agencies with respect to the Series 2019A Bonds, negotiate the sale of the Series 2019A Bonds, and take such other actions as are necessary or appropriate in anticipation of the award and sale of the Series 2019A Bonds in accordance with the Pre-Sale Report. The City Council will meet at or after 7:00 P.M. on Monday, June 24, 2019, to consider proposals on the Series 2019A Bonds, award the sale of the Series 2019A Bonds, and take any other appropriate actions with respect to the Series 2019A Bonds.

Section 4. Authorization of Bond Counsel. The law firm of Kennedy & Graven, Chartered, as bond counsel for the City, is authorized to act as bond counsel and to assist in the preparation and review of necessary documents, certificates, and instruments relating to the Series 2019A Bonds. The officers, employees, and agents of the City are hereby authorized to assist Kennedy & Graven, Chartered, with respect to the preparation of such documents, certificates, and instruments and its other activities in connection with the issuance and sale of the Series 2019A Bonds.

Section 5. Covenants and Undertakings. In the resolution awarding the sale of the Bonds the City Council will set forth the covenants and undertakings required by the Act.

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May 13, 2019

Pre-Sale Report for

City of Brooklyn Park, Minnesota

\$4,470,000 General Obligation Bonds, Series 2019A



Prepared by:

Jason Aarsvold, CIPMA
Senior Municipal Advisor

Stacie Kvilvang, CIPMA
Senior Municipal Advisor

Bruce Kimmel, CIPMA
Senior Municipal Advisor

Executive Summary of Proposed Debt

Proposed Issue:	\$4,470,000 General Obligation Bonds, Series 2019A
Purposes:	<p>The proposed issue includes financing for the following purposes:</p> <p>To provide financing, as authorized by referendum, for acquisition and installation of lights at synthetic turf fields at Park Center High School in the City, construction of a dome facility over one turf field, and construction of a support building, as well as for projects set forth in the City's Bond Reinvestment Plan, including but not limited to an Interpretive Plan for Historic Eidem Farm and planning for Park Reinvestment. Debt service will be paid from ad valorem property taxes.</p>
Authority:	<p>The Bonds are being issued pursuant to a city-wide referendum and Minnesota Statutes, Chapters 471.15 through 471.1911, and 475.</p> <p>The Bonds will be general obligations of the City for which its full faith, credit and taxing powers are pledged. The Bonds count against the Net Debt Limit of 3% of the estimated market value of taxable property in the City. The City's EMV for pay 2019 is \$7,317,423,100. Therefore, the total amount of outstanding debt cannot exceed \$219,522,693. As of May 13, 2019, the city has \$20,345,000 of outstanding debt subject to the legal debt limit. The principal amount of the Bonds, with the exception of the underwriter's discount, also counts against the \$26,000,000 authorized in the referendum.</p>
Term/Call Feature:	<p>The Bonds are being issued for a term of 21 years. Principal on the Bonds will be due on February 1 in the years 2021 through 2040. Interest is payable every six months beginning February 1, 2020.</p> <p>The Bonds will be subject to prepayment at the discretion of the City on February 1, 2028 or any date thereafter.</p>
Bank Qualification:	<p>Because the City is expecting to issue no more than \$10,000,000 in tax exempt debt during the calendar year, the City will be able to designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.</p>
Rating:	<p>The City's most recent bond issues were rated by Standard & Poor's. The current rating on those bonds is "AA+". The City will request a new rating for the Bonds.</p> <p>If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the City's bond rating in the event that the bond rating of the insurer is higher than that of the City.</p>
Basis for Recommendation:	<p>Based on our knowledge of your situation, your objectives communicated to us, our advisory relationship as well as characteristics of various municipal financing options, we believe the proposed financing is the most efficient way to achieve these objectives, while maintaining future flexibility for prepayment and/or refinancing.</p>

<p>Method of Sale/Placement:</p>	<p>We will solicit competitive bids for the purchase of the Bonds from underwriters and banks.</p> <p>We will include an allowance for discount bidding equal to 1.2% of the principal amount of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.</p>
<p>Premium Pricing:</p>	<p>In some cases, investors in municipal bonds prefer “premium” pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered “reoffering premium.” The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or “discount”) but will pay the remainder of the premium to the City. The amount of the premium varies, but it is not uncommon to see premiums for new issues in the range of 2.00% to 10.00% of the face amount of the issue. This means that an issuer with a \$2,000,000 offering may receive bids that result in proceeds of \$2,040,000 to \$2,200,000.</p> <p>For this issue of Bonds, we have been directed to determine the use of any premium on the day of sale. The resulting adjustments may slightly change the true interest cost of the issue, either up or down.</p> <p>The amount of premium can be restricted in the bid specifications. Restrictions on premium may result in fewer bids, but may also eliminate large adjustments on the day of sale and unintended impacts with respect to debt service payment. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the City’s objectives for this financing.</p>
<p>Review of Existing Debt:</p>	<p>We have reviewed all outstanding indebtedness for the City and find that there are no refunding opportunities at this time.</p> <p>We will continue to monitor the market and the call dates for the City’s outstanding debt and will alert you to any future refunding opportunities.</p>
<p>Continuing Disclosure:</p>	<p>Because the City has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the City will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the “MSRB”), as required by rules of the Securities and Exchange Commission (SEC). The City is already obligated to provide such reports for its existing bonds, and has contracted with Ehlers to prepare and file the reports.</p>
<p>Arbitrage Monitoring:</p>	<p>Because the Bonds are tax-exempt obligations, the City must ensure compliance with certain Internal Revenue Service (IRS) rules throughout the life of the issue. These rules apply to all gross proceeds of the issue, including initial bond proceeds and investment earnings in construction, escrow, debt service, and any reserve funds. How issuers spend bond proceeds and how they track interest earnings on funds (arbitrage/yield restriction compliance) are common subjects of IRS inquiries. Your</p>

	specific responsibilities will be detailed in the Tax Certificate prepared by your Bond Attorney and provided at closing. You have retained Ehlers to assist you with compliance with these rules.
Investment of and Accounting for Proceeds:	In order to more efficiently segregate funds for this project and maximize interest earnings, we recommend using an investment advisor, to assist with the investment of bond proceeds until they are needed to pay project costs.
Other Service Providers:	<p>This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.</p> <p>Bond Counsel: Kennedy & Graven, Chartered</p> <p>Paying Agent: U.S. Bank National Association</p> <p>Rating Agency: Standard & Poor's Global Ratings (S&P)</p>
Summary:	<p>The decisions to be made by the City Council are as follows:</p> <ul style="list-style-type: none"> • Accept or modify the finance assumptions described in this report • Adopt the resolution attached to this report.

This presale report summarizes our understanding of the City's objectives for the structure and terms of this financing as of this date. As additional facts become known or capital markets conditions change, we may need to modify the structure and/or terms of this financing to achieve results consistent with the City's objectives.

Proposed Debt Issuance Schedule

Pre-Sale Review by City Council:	May 13, 2019
Due Diligence Call to review Official Statement:	Week of May 27, 2019
Distribute Official Statement:	Week of June 3, 2019
Conference with Rating Agency:	Week of June 10, 2019
City Council Meeting to Award Sale of the Bonds:	June 24, 2019
Estimated Closing Date:	July 18, 2019

Attachments

Estimated Sources and Uses of Funds

Estimated Proposed Debt Service Schedule

Resolution Authorizing Ehlers to Proceed with Bonds Sale (sent separately by Kennedy and Graven)

Ehlers Contacts

Municipal Advisors:	Jason Aarsvold	(651) 697-8512
	Stacie Kvilvang	(651) 697-8506
	Bruce Kimmel	(651) 697-8572
Disclosure Coordinator:	Silvia Johnson	(651) 697-8580
Financial Analyst:	Alicia Gage	(651) 697-8551

The Preliminary Official Statement for this financing will be sent to the City Council at their home or email address for review prior to the sale date.

Brooklyn Park, Minnesota

\$4,470,000 General Obligation Bonds, Series 2019A
Assumes Current Market BQ "AA+" Rates plus 25bps
20 Years

Sources & Uses

Dated 07/18/2019 | Delivered 07/18/2019

Sources Of Funds

Par Amount of Bonds	\$4,470,000.00
Total Sources	\$4,470,000.00

Uses Of Funds

Total Underwriter's Discount (1.200%)	53,640.00
Costs of Issuance	56,000.00
Deposit to Capitalized Interest (CIF) Fund	65,561.03
Deposit to Project Construction Fund	4,292,000.00
Rounding Amount	2,798.97
Total Uses	\$4,470,000.00

Brooklyn Park, Minnesota

\$4,470,000 General Obligation Bonds, Series 2019A

Assumes Current Market BQ "AA+" Rates plus 25bps

20 Years

Net Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	Fiscal Total
07/18/2019	-	-	-	-	-	-	-
02/01/2020	-	-	65,561.03	65,561.03	(65,561.03)	-	-
08/01/2020	-	-	61,145.00	61,145.00	-	61,145.00	-
02/01/2021	175,000.00	1.950%	61,145.00	236,145.00	-	236,145.00	297,290.00
08/01/2021	-	-	59,438.75	59,438.75	-	59,438.75	-
02/01/2022	180,000.00	2.000%	59,438.75	239,438.75	-	239,438.75	298,877.50
08/01/2022	-	-	57,638.75	57,638.75	-	57,638.75	-
02/01/2023	185,000.00	2.050%	57,638.75	242,638.75	-	242,638.75	300,277.50
08/01/2023	-	-	55,742.50	55,742.50	-	55,742.50	-
02/01/2024	190,000.00	2.150%	55,742.50	245,742.50	-	245,742.50	301,485.00
08/01/2024	-	-	53,700.00	53,700.00	-	53,700.00	-
02/01/2025	190,000.00	2.200%	53,700.00	243,700.00	-	243,700.00	297,400.00
08/01/2025	-	-	51,610.00	51,610.00	-	51,610.00	-
02/01/2026	195,000.00	2.300%	51,610.00	246,610.00	-	246,610.00	298,220.00
08/01/2026	-	-	49,367.50	49,367.50	-	49,367.50	-
02/01/2027	200,000.00	2.350%	49,367.50	249,367.50	-	249,367.50	298,735.00
08/01/2027	-	-	47,017.50	47,017.50	-	47,017.50	-
02/01/2028	205,000.00	2.450%	47,017.50	252,017.50	-	252,017.50	299,035.00
08/01/2028	-	-	44,506.25	44,506.25	-	44,506.25	-
02/01/2029	210,000.00	2.550%	44,506.25	254,506.25	-	254,506.25	299,012.50
08/01/2029	-	-	41,828.75	41,828.75	-	41,828.75	-
02/01/2030	215,000.00	2.650%	41,828.75	256,828.75	-	256,828.75	298,657.50
08/01/2030	-	-	38,980.00	38,980.00	-	38,980.00	-
02/01/2031	220,000.00	2.750%	38,980.00	258,980.00	-	258,980.00	297,960.00
08/01/2031	-	-	35,955.00	35,955.00	-	35,955.00	-
02/01/2032	225,000.00	2.800%	35,955.00	260,955.00	-	260,955.00	296,910.00
08/01/2032	-	-	32,805.00	32,805.00	-	32,805.00	-
02/01/2033	235,000.00	2.900%	32,805.00	267,805.00	-	267,805.00	300,610.00
08/01/2033	-	-	29,397.50	29,397.50	-	29,397.50	-
02/01/2034	240,000.00	2.950%	29,397.50	269,397.50	-	269,397.50	298,795.00
08/01/2034	-	-	25,857.50	25,857.50	-	25,857.50	-
02/01/2035	245,000.00	3.050%	25,857.50	270,857.50	-	270,857.50	296,715.00
08/01/2035	-	-	22,121.25	22,121.25	-	22,121.25	-
02/01/2036	255,000.00	3.150%	22,121.25	277,121.25	-	277,121.25	299,242.50
08/01/2036	-	-	18,105.00	18,105.00	-	18,105.00	-
02/01/2037	265,000.00	3.200%	18,105.00	283,105.00	-	283,105.00	301,210.00
08/01/2037	-	-	13,865.00	13,865.00	-	13,865.00	-
02/01/2038	270,000.00	3.250%	13,865.00	283,865.00	-	283,865.00	297,730.00
08/01/2038	-	-	9,477.50	9,477.50	-	9,477.50	-
02/01/2039	280,000.00	3.300%	9,477.50	289,477.50	-	289,477.50	298,955.00
08/01/2039	-	-	4,857.50	4,857.50	-	4,857.50	-
02/01/2040	290,000.00	3.350%	4,857.50	294,857.50	-	294,857.50	299,715.00
Total	\$4,470,000.00	-	\$1,572,393.53	\$6,042,393.53	(65,561.03)	\$5,976,832.50	-

Brooklyn Park, Minnesota

\$4,470,000 General Obligation Bonds, Series 2019A

Assumes Current Market BQ "AA+" Rates plus 25bps

20 Years

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	105% of Total
02/01/2020	-	-	65,561.03	65,561.03	(65,561.03)	-	-
02/01/2021	175,000.00	1.950%	122,290.00	297,290.00	-	297,290.00	312,154.50
02/01/2022	180,000.00	2.000%	118,877.50	298,877.50	-	298,877.50	313,821.38
02/01/2023	185,000.00	2.050%	115,277.50	300,277.50	-	300,277.50	315,291.38
02/01/2024	190,000.00	2.150%	111,485.00	301,485.00	-	301,485.00	316,559.25
02/01/2025	190,000.00	2.200%	107,400.00	297,400.00	-	297,400.00	312,270.00
02/01/2026	195,000.00	2.300%	103,220.00	298,220.00	-	298,220.00	313,131.00
02/01/2027	200,000.00	2.350%	98,735.00	298,735.00	-	298,735.00	313,671.75
02/01/2028	205,000.00	2.450%	94,035.00	299,035.00	-	299,035.00	313,986.75
02/01/2029	210,000.00	2.550%	89,012.50	299,012.50	-	299,012.50	313,963.13
02/01/2030	215,000.00	2.650%	83,657.50	298,657.50	-	298,657.50	313,590.38
02/01/2031	220,000.00	2.750%	77,960.00	297,960.00	-	297,960.00	312,858.00
02/01/2032	225,000.00	2.800%	71,910.00	296,910.00	-	296,910.00	311,755.50
02/01/2033	235,000.00	2.900%	65,610.00	300,610.00	-	300,610.00	315,640.50
02/01/2034	240,000.00	2.950%	58,795.00	298,795.00	-	298,795.00	313,734.75
02/01/2035	245,000.00	3.050%	51,715.00	296,715.00	-	296,715.00	311,550.75
02/01/2036	255,000.00	3.150%	44,242.50	299,242.50	-	299,242.50	314,204.63
02/01/2037	265,000.00	3.200%	36,210.00	301,210.00	-	301,210.00	316,270.50
02/01/2038	270,000.00	3.250%	27,730.00	297,730.00	-	297,730.00	312,616.50
02/01/2039	280,000.00	3.300%	18,955.00	298,955.00	-	298,955.00	313,902.75
02/01/2040	290,000.00	3.350%	9,715.00	299,715.00	-	299,715.00	314,700.75
Total	\$4,470,000.00	-	\$1,572,393.53	\$6,042,393.53	(65,561.03)	\$5,976,832.50	\$6,275,674.13

Significant Dates

Dated	7/18/2019
First Coupon Date	2/01/2020

Yield Statistics

Bond Year Dollars	\$53,221.42
Average Life	11.906 Years
Average Coupon	2.9544376%
Net Interest Cost (NIC)	3.0552241%
True Interest Cost (TIC)	3.0546313%
Bond Yield for Arbitrage Purposes	2.9301637%
All Inclusive Cost (AIC)	3.1868555%

Brooklyn Park, Minnesota

\$4,470,000 General Obligation Bonds, Series 2019A
Assumes Current Market BQ "AA+" Rates plus 25bps
20 Years

Detail Costs Of Issuance

Dated 07/18/2019 | Delivered 07/18/2019

COSTS OF ISSUANCE DETAIL

Municipal Advisor	\$29,000.00
Bond Counsel	\$13,000.00
Rating Agency Fee	\$13,000.00
Miscellaneous	\$1,000.00
TOTAL	\$56,000.00