

SPECIAL BROOKLYN PARK CITY COUNCIL MEETING

Monday, May 21, 2018
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Lunde

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

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

III. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Metro Blue Line Extension Light Rail Transit Update-Project Status and Station Design

Community Development Director Kim Berggren introduced Metropolitan Council Blue Line Extension project staff. She stated representatives from Hennepin County and Met Council would provide updates and the status on the design and were also looking for feedback during the work session related to the park and ride and fence strategies.

Dan Soler, Project Director, Metropolitan Council, briefed the Council on the LRT project as of May 2018.

He briefed on the major milestones completed: In 2014, the Project office was formed and when they entered in the project development laid out a list of things they had to accomplish to move the LRT project forward. He stated they were successful in a lot of things: were able to complete the environmental; completed the final environmental impact statement; worked weekly with all municipalities including Brooklyn Park and staff to develop design concepts; and final design locations for stations; pedestrian crossings, traffic signals; and bridges. He stated they had completed a lot of work on the project. Completed 90% design on the project and they knew where it was going to go and what it was going to do and move it forward.

He briefed on the 2018 Look Ahead Milestones. As they finished three years of work, they had some big pieces in front of them in order to move on. They like to put up an actual schedule because they had a big task, probably the biggest risk task in front of them that was hard to put a date to.

He talked about two big risks that were in front of them. One was completing and getting into the federal program and getting the 49% federal funds for the project. He stated they had been working on that and had been an up and down affair. He stated in Minnesota the LRT projects had been and continued to be federally funding projects while all the local funding was committed. They had Hennepin County, former CTIB and Hennepin County Regional Rail, City of Brooklyn Park, MnDOT and other funding partners committed. He stated they had committed their share of the funding on the project.

He stated the federal funds remained out there for them to get. The president moved forward with his budget proposal and eliminated the Capital Investment Grant Program and Congress reinstated it. He stated Congress had put funding in the 2018 fiscal budget towards the Capital Investment Grant Program which included the LRT project, Bottineau Blue Line Extension project. He stated Congress was also working on establishing the 2019 fiscal budget and intended to put funding toward the project, and the Blue Line Extension was in the program and ranked medium high. He stated it was sitting as one of three or four projects in the country that had a medium or higher ranking and ready to move forward for funding.

He stated that while there was still a debate back and forth between the Administration and Congress about the program, the program was funded, projects could continue to move and would see it. He stated there was a project in Seattle and Orange County that were ahead of them and very close to a full funding grant agreement and Southwest Line was also in that program along with the Blue Line. He stated that was the good news on the potential to move forward.

He stated that in order to do the last task, which was to apply for full funding grant agreement, they had to have the things above it down including the first thing on the list which was to complete the critical 3rd party agreements, of which there was one huge critical 3rd party agreement with Burlington Northern Railroad, in order to utilize their right of way, 50% of that Monticello subdivision for 8 of the 13 miles on that railroad corridor. He stated they had discussions with them back and forth over the years and were moving along, negotiating with them, and then Southwest Line came to be. He stated they were then asked to allow them to focus solely on the Southwest Line project. He stated that was their request to the Governor and was agreed upon. The Southwest Line piece got done and said they were ready to talk again and let's start negotiating.

He stated early in the year, BSNF sent them a letter and said they were not sure they wanted to work on the shared corridor for the Blue Line Extension. He stated the project office asked them to take a look at their plans because the railroad had a set of passenger principles they had documented that said what things needed to happen in order for BSNF to work on a shared freight passenger rail corridor.

He stated they had known about those principles:

- If you're going to share some of our right of way, we have to be able to continue the operations we have today and potential to expand in the future;
- If you want to use our right of way, it can't cost us any money in order for us to do any work that had to be done to our tracks;
- If you want to use our right of way, we have to be able to increase capacity in the future if we need to;
- If you want to use our right of way, it has to be safe, You have to build some kind of corridor protection between freight and passenger service.

He stated sometimes it's a deal like NorthStar where a train ran on a BNSF track and sometimes it was adjacent like they were proposing today. He stated they said they had done their plans and designed it in accordance with their principles and they agreed to take a look at their plans and sent it to them. He stated they believed they fully met the principles laid out and got a corridor protection built in and their ability for them to continue all their operations. He

stated they were building the LRT tracks on the east side of the BNSF tracks all the way from Highway 55 up to where they left by 73rd Avenue and there were no customers on the east side and no possibilities for customers all the way through Brooklyn Park, Crystal, Highway 81, and along Theodore Regional Park, there were private residences along there.

He stated BNSF sent them correspondence that said they still didn't think they were ready to negotiate a shared corridor. He stated they didn't present them with any fatal flaws of the plans and didn't work. He stated they were going back to their strategy now and would put their heads together and find out what they needed to do in order to take on the big picture of working with BNSF.

He stated that's where they were and didn't want to take the plans to 100% and get them ready for bids and not be done with the railroad agreements. He stated they wanted to wrap up the details, get those documented and get them in place and then put policy makers together and figure out the next steps to get BNSF to the table.

Council Member M. Mata stated Mr. Soler said they still had a big hurdle and asked at what point do they say to just stop spending taxpayers' money on at all levels of the state and wait for legislators to bring another party to the table. He stated it seemed they were spending time, dollars, efforts of staff on designs and plans that by the time the LRT might come through the Council might look different and what were they going to talk about at that time. He stated it seemed like they were just going on and on and didn't have a let's just stop and wait. He stated that when a decision came, which might not be this year or next year, and the light rail might get pushed out to 2030 and then they could start making some planning decisions at that point. He stated it seemed like the city was taking all those steps and a lot of time and effort to go through this process and was not hearing, let's stop and wait until they got the full commitment from another party.

Mr. Soler stated that was not their decision at the project office. He stated they would continue to advance the project and at some point, advise the policy makers, like tonight with the Brooklyn Park Council. He stated the primary funding partners were Hennepin County, Met Council, other city Councils, legislature and the Governor and they had to advise them on what was going on, where they were, and then let the policy makers give the back that level of direction. He stated they needed to be responsible as staff and had a consulting contract, and couldn't just continue to plow down the road, sending construction contracts out to bid. He stated every decision they made, made it with the idea if it was sustainable because the Council was different than when he was there in 2014, and when they were on was out in 2022. He stated that was going to be a tough decision for policy makers to make and guide them at the project office about how far to go.

Mayor Lunde introduced Hennepin County Commission Mike Opat.

Commissioner Opat stated it was hard to wait with a project that had a long timeline but there were several things that were going very well with the project. The design was going well in every city and thanked everyone, and the staff was fantastic. He stated each city had gone through extensive design purposes that even if the rail wouldn't come through they had to take a look at parts of their city they wouldn't normally look at. Example, the City of Crystal, Becker Park was being redone. They didn't want to vote on light rail yet they took the opportunity to dress up Bass Lake Road and redo Becker Park. He stated Target and other businesses were

engaged and Target joined the on a trip to Wash DC to lobby the FTA. He stated they with Target, Dan Soler and the team were great partners and enjoyed the great relationship with them at the County. He stated there was a lot going in the right direction and Council Member Mata had a valid question, when were they going to be done and how long would those things take. He stated there were milestones like with a highway project and there were statutes to govern, like eminent domain. He stated he and Dan Soler talked about what a slowdown would look like in the office and the cities were engaging in city planning efforts. He stated no city was paying the consultants to do engineering and survey work or any of those designs that were coming from the County and hopefully half of it would be reimbursed by the Federal Government.

He stated they needed three things and the rest would take care of itself. He stated they needed pass liability limits for freight railroads before they could get them to the table. They needed an agreement with Burlington Northern and had been a task and the senators are well aware of it and members of Congress and thought they would have to go the political route to try to get them to the table. He stated there weren't just any good reasons for them not to negotiate with them. He stated they all knew what that line carried and what it didn't carry. He stated what it didn't carry was anything big and were small trains that went out and back and could certainly coexist at slow speeds and with freight rail next to it. He stated there was plenty of room on the corridor and Dan Soler's designs showed it. He stated they would need some political elbow grease to make that happen and then needed an apportionment from the federal government. He stated there was money sitting in FTA for rail projects, \$1.2 billion to be allocated to those five or so projects that had been in the design period and waiting for that money to be apportioned and could have it tomorrow or in a few weeks, and again, there was next year's budget in the works and money in there for that. He stated what was clear, it didn't work like the State where the Governor proposes it and legislature amends it and sent it back to the Governor who might then veto it. He stated that part didn't happen at the Federal Government. The President proposed it and the Congress decided what they wanted to do with that budget and then that was the final call. He stated Congress clearly sent a message to the President that they were not going to accept a zeroed-out FTA and they put more money in the FTA than what was previously put in the previous sessions and in fiscal 19 it was the same way. He stated all hands were on deck to try to make sure the projects in the region got an apportionment soon.

Council Member Jacobson stated they were going to get to a point where all the planning was done and if they were not ready to start building something, at what point did the city say, they had been waiting on projects related to that corridor that they had not fixed because they had been waiting for it to happen or projects that might lead to the train or be related to it that maybe they didn't start doing it until they knew for sure. She stated they continued to hear that pushback and they had to be cognizant of it that it wasn't the unending thing it might happen but 49% of the money was not there. She thought there was confusion in the community, even amongst some of the leaders in the community there were other holdups. She stated for her it rested mainly on that 49% and believed they could get through with BNSF and make that happen, but was the other money, a huge portion that they were waiting on.

Commissioner Opat stated all they could do was keep advocating. He stated he couldn't see the Federal Government zeroing out the program. He stated that was a worry about three months ago when the President proposed it but Congress clearly said that was not going to happen. He stated they just had to keep contacting the Legislators in Washington, DC and letting them know, and Brooklyn Park had been done a great job at it, that it mattered and was waiting for

decisions. He stated the waiting period allowed them time to get property management matters in order and things like that and the land was a safe bet, as they would spend the County money to acquire the land for it. He stated that even if it were all to fall apart, we would still have land and would still have an asset that could be turned around into a different development project or for some other use. This doesn't scare him as much as entering into another huge consulting contract.

Mayor Lunde thanked Commissioner Opat for all the help and continuing to prod. One of the things that the City has done, as well as other cities along the blue line connect, is to help make the case that the Blue Line matters and we are going to keep advocating for it.

Commissioner Opat stated that during the last session he was hoping that we would get language inserted in the bill and the governor would support to help it but, on the upside, there looks to be a positive development on the bonding bill that was passed where there was another round of corridors of commerce that was that was the competitive program that MnDOT had to try to fund Highway 252. In that scoring, we ended up third. This was a shot and we are currently working on a plan B. We are looking for the Governor's signature on that bonding bill and all indications from MnDOT is that we would then have that project funded. This would be a fantastic development from this legislation and we could then begin to go with full steam ahead on that one.

Mayor Lunde stated that on Friday with the stake in the bonding bill, there isn't only 252 there is also Second Harvest money in the bonding bill and \$4 million for the 101st interchange. All weekend, staff especially Dan Ruiz Operations and Maintenance Director, would get a lot of the credit for calling in the middle of the night while they were working at the legislature to make sure that they understood what this project was and what we could do with it. We got \$4 million because our staff was engaged. He wanted to point this out because it was impressive that we can talk about money and our staff comes through big time for this project which will lead to development.

Alicia Vapp, Met Council, design manager for the Blue Line Project introduced Dan Green, Project Architect.

Mr. Dan Green presented plans to Council of materials for the stations.

Council Member B. Mata asked if one of the shiny silver pieces that was presented would be an issue on a bright sunny day due to its reflective quality.

Mr. Green, Bottineau Project Office, stated the height of the canopy played a role and it would be placed high up the height of most drivers. The canopy clearance was about 9 to 10 feet in height and would be above that.

Council Member Parks asked if there were any buildings or a place where that shiny silver piece was on that they could look at because he was concerned about the sun coming down on the item and into windshields.

Mr. Green stated they would have to identify a location and get back to Council.

At 7:38 p.m., the Mayor recessed the meeting to the Lampi Room for the Work Session. He

stated the meeting would be adjourned from the Lampi Room.

C.1 Metro Blue Line Extension Light Rail Transit – Oak Grove Park & Ride Design

LRT Project Senior Manager Jennifer Jordan introduced Metropolitan Council Blue Line Extension project staff. The staff briefed the Council on the Oak Grove Park & Ride design. She introduced Dan Green who continued to talk through the rationale behind the designs.

Council Member B. Mata stated he thought they were going to have parking in front of the buildings.

Mr. Green stated that would be up to the developers and how they laid the sites out.

Council Member B. Mata stated that all the renditions presented were beautiful in the middle of summer, but they had not presented anything for the dead of winter. He asked where were the snow piles and banks going to be and who took care of plowing it.

Ms. Vapp stated Metro Transit would be doing the snow removal for the structure and the walkways to the station.

Mr. Green stated that protection from the snow banks was accommodated for in the design and described how it was accommodated.

Council Member M. Mata stated that design-wise, he was looking for something different and the city never had any structures that were unique in appearances.

Council Member Parks stated that one of the concerns he had was with visibility and he couldn't really see it or knew what it was supposed to look like.

Mr. Green stated it had been on his mind too and they were thinking about that especially because there was no access control or gate arms and it was all open.

Council Member Pha stated she was happy to see those images because one of her biggest concerns from the last meeting was that she couldn't get an idea of what it would look like. She stated with the new presentations, she could really see what they would look like and liked it and would agree to something like it.

Mayor Lunde stated he liked the directional aspect of the lighting.

C.2 Proposed West Broadway Residential Fence Program

Project Manager Jenifer Jordan briefed the Council on the proposed West Broadway residential fence program.

Council Member M. Mata asked how it would be known if someone had their insurance covered. He stated he was asking because they could not force someone to pay their insurance.

Council Member Pha stated that was something she brought up to Director Berggren before that they would only cover costs or the percentage if they were not seeking insurance coverage for

it. She asked if it was something that their home insurance could cover, why would they cover the entirety of the fence. She stated it did not make any sense to her.

Director Berggren stated that if Council wanted, they could certainly make the program say that they must submit evidence of an insurance claim before they could access the city's program.

Council Member Pha Stated that she wanted to make sure that they designated that if they did seek insurance for coverage on it. She stated the city would not be reimbursing the full amount. It would be whatever their deductible on personal actual cost was.

Council Member B. Mata asked Mr. Soler if on the current Blue Line if there were fences and the homeowners were responsible for the fences.

Mr. Soler stated there were fences and that was a unique situation. He stated on Hiawatha there was a trunk highway and were several different reasons why fences could get installed and in some cases, the highway noise caused the need for a noise mitigation measure along there that was put up when the LRT was there. He stated at one point those fences were run by MnDOT and Metro Transit didn't own the property where the tracks were along Hiawatha. He stated they were on MnDOT right of ways and were still MnDOT pieces. He stated on that particular project FEIS had a requirement for a fence in Crystal along Highway 81 and they were putting up a visual mitigation because of the trees that were there along the rail road tracks. He stated those were the reasons why those Blue Line fences were there which made it a different situation.

Council Member B. Mata asked if there were no other places that had fencing that had been turned over to the homeowners, so they were now responsible for it.

Mr. Soler stated they were not turning over fences and they were impacting their fences and were building them a new fence. He stated when he worked at Ramsey County, they built many miles of road and bought property in people's yard that would impact their fences and they would put the fence back. He stated they did something similar in a segment of roadway in Rosedale where the people had a hodgepodge of fences. He stated the residents got paid a salvage value for their fence and the County built the fence along those back yards on their properties. He stated they owned them and the fence stayed today.

Mr. Green stated that in past situations from a letter from the Project Office and County, they stated the current design included insulation and 6-foot residential fence and the fence was proposed in lieu of providing compensation to property owners for impact. He stated it was different from what Mr. Soler mentioned and there would be a page for salvage plus a new fence.

Mr. Soler stated they still had to acquire the easements.

Council Member B. Mata stated that in Roseville, they paid for the easement and salvage for the fence and put up a new fence.

Mr. Green stated that was the choice of Ramsey County and Hennepin County was not offering to pay double for anything.

City Manager Stroebel stated that if something happened to the fence there was potentially the program.

City Attorney Thomson stated he understood was the initial construction of the fence along all

Highway 81 properties was going to be a project cost they would be paying for and everyone was going to get the same whether they had a current fence or didn't have a current fence and they were all getting a fence. He stated that the people that had fences were not getting paid for their old fence because they were going to be taking it down and putting up a new one.

Mr. Soler stated it was correct, but the removal of the old fence and construction of the new fence would all be project costs and acquisition costs.

City Attorney Thomson stated what they were looking at was what happened in the future when the fences needed to be maintained but wanted to make sure they were all on the same page and who was paying for what up front.

Director Berggren stated that each property owner would be working with a right of way consultant and staff to figure out what the scenario for their property would look like. She stated it wouldn't be a one size fits all approach for each property other than having to end up with a uniform fence.

Council Member M. Mata stated that from what he was hearing, in developments, if they wanted something, usually they had to pay for it. He stated when Target came to the city, they paid double and triple just to acquire all the land, so they could do their development, control it and own it. When he heard the County, they were only going to pay once for it, he understood it but they were also dealing with the impact of homeowners about having a fence in the future.

Mr. Soler stated, in the Ramsey County case, the appraisers valued the easement the County was buying included the costs of the temporary or permanent rights and with an understanding the owners got paid for it. He stated, in the fence case, the owner would be paid for the replacement cost for the new fence. If the fence was there today, it might have negligible value, in terms of an easement; the cost removing it by the project might be more than it's worth if it was not in the easement, then it couldn't be paid for anyway.

Council Member M. Mata stated it was included that cost in the project. He stated if its not in the easement, it cannot be paid for anyway, especially fences that crossed the county line, they will not be compensated. It would go back to the property line.

Direct Berggren stated it would have to be done on a case-case analysis. We have to focus on the outcome looking for as a city and then be diligent to work with the neighbors.

City Council Member Pha asked if the city was replacing the owners entire fence or just the portion on Broadway. She was concerned about the other side of the fence and how they would be different colored fencing. She also asked if they were compensating to change the home owner's fencing.

Director Berggren stated it was just what on West Broadway.

Council Member Pha stated it made sense to replace those who had fences, so that the wall on West Broadway would match the other walls of the home owner's fence. She stated it would only include those who already had fences. She stated compensating people for the loss of their fence and then putting in a fence, almost gave them double did not sound fair unless they had a fence that was not matching and lost the aesthetics.

Mr. Soler stated that was why it was an important in needing feedback from the property owners. He stated they sent the letter, the typical way the project would be impacting a person's property, pay for some of that property, and then pay for the damages. He stated the idea of having a uniform fence was to keep it unified around the corridor. He stated they should make provisions for the adjacent set fences that would match the wall along West Broadway. He stated they could not compensate for the fence they were not touching.

Council Member Parks asked if tonight's meeting was going past the scope of what was being discussed tonight. He stated the meeting was to discuss after the fence was up and the replacement and maintenance of that fence.

Director Berggren stated Mr. Soler was bringing up the alternative strategy, which was the cost to cure. She stated Council Members made it clear they wanted to maintain uniformity along West Broadway and they were bringing forward the idea of what kind of relationship they wanted to have with the residents and then the program design would be proposed.

Council Member Jacobson asked if the fence could cover up the owner's fence and leave the owner's fence and city's fence on the other side.

Director Berggren stated it would have gaps and dead space.

Mr. Green stated some of them might need to regrade the slope because it might not be matching to go through and then they could put their fence in the similar location.

Mayor Lunde asked how many properties were rentals. He stated he spoke to someone who owned ten of the properties and south of Brooklyn Blvd had a lot of rentals. He stated the people who he talked to agreed it made it look good and the public wanted the project.

Mr. Soler stated they had both the property owners' and residents' names.

Mayor Lunde stated he wanted to make sure they were talking to the owners and not the renters.

Director Berggren stated most seemed happy back in 2015 with getting a new fence installed. She stated their intention after the Council decided on the program parameters that they would be reaching out to the owners in the summer.

Council Member Jacobson asked if the owners would know that it was going to be just one side of the fence. She stated an example about hail damage on one side of the house but not the other, so it was only exchanging out one side of the house and didn't match. She stated while they were happy to get new siding, they were not really getting the full project.

Director Berggren stated that was a good point and they wanted to make sure they

communicated that out clearly.

Mayor Lunde stated the property owner who owned the 10 properties stated they were going to redo the fence for a code enforcement opportunity and wouldn't match but looked similar. He stated again, he wanted to make sure that they were reaching out to the owners.

Project Manager Jordan stated back in 2016/2017 a letter was sent out and set up a meeting with the owners and their preference of the fence. She stated the majority wanted composite fence, six feet, and were fine with optional gate. She stated they tested it, gathered input in 2016 and refined it in 2017 and people affirmed it and at that point, it became a maintenance concern.

Council Member M. Mata stated the fence should be the city's responsibility for the unified fence. He stated he was not going to make them pay for it if anything happened to it. He stated he did not want to go for another program that would burden the homeowners in that area and was no different than when they put in a pond and the city took care of it.

Director Berggren asked if they were on the right track with it and if there were some questions about the funding source and maintenance over time.

Council Member Pha asked about the source of the funds. She stated the funds should be from the Operations and Maintenance tax levy fund. She stated it didn't make sense to come from the EDA general fund and wanted more detail about the two funds and recommendations regarding the funding.

Director Berggren stated she thought it was the Council's discretion to use either funding source. She stated typically the EDA was used to run the programs. She stated they could talk about EDA administered funds as a strategy to beautify the corridor they wanted to continue to fund over time. She stated it was true the city did a lot of maintenance over time using the Operations and Maintenance fund.

Council Member Pha stated her preference was from the O&M tax levy fund because it was maintenance of the fence and ongoing. She stated the EDA funds should be used for something else.

Council Member B. Mata asked what the life expectancy of the composite material was.

Project Manager Jordan stated that based on their research it was 25 to 30 years.

Council Member Pha stated she was concerned about the percent the City was paying and hoped it would be 50/50 with the home owners. She stated that the 30% cost the City covered seemed low to her and it was not the owners asking for the new fences. She stated that those who did not have a fence, suddenly had a 70% cost and having a 50/50 coverage would be fair.

Council Member Mata stated the City was already giving a \$500 deductible plus 30% of what was not covered by the home owner's insurance.

Council Member Pha stated that going 50/50 cost rather than the \$500 would be less confusing, when they went with the insurance claim, their claim would be covered 50/50. If they needed to

change out a panel, they would go 50/50. She stated the actual cost would be 50/50 in all things, but to seek the insurance coverage.

Director Berggren asked if City Council Member Pha was speaking about a 50% loan or a 50% grant.

City Council Member Pha stated it would be 50% grant.

Council Member Gates stated the Council was only talking about the home owners. If a car crashed through a panel, they were not covering individuals who crashed through the panel and did not own the property. He stated they would have to pay for it all. He stated if a lawnmower ran through the panel, the homeowner had to pay for that repair. He stated the number of claims were going to be very small and what Council Member Pha brought up would be a benefit to everyone. He stated the Council needed to think about what happened in 25 years and when it needed to be redone all at the same time.

Mayor Lunde stated they hoped they could entrust the future Council Members to look back and analyze the conversation. He stated they could look back and say, "what were they thinking," "we need to do it," "not a good idea," or "this did not pan out."

Council Member Pha stated with coverage of 50/50 then they could pay it over time with assessments or they could pay it right away. She stated if the City was controlling who the installer was and what the fence had to look like, then the City needed to take more of the cost because they were controlling what that looked like.

Mayor Lunde stated he wanted to see what those numbers looked like when the staff came back to the Council on the 30% and 50% scenarios. He stated it would be nice to see the analysis of the cost.

Director Berggren stated she heard the Council wanted to cover 100% split between the grant and loan. And wanted to see the cost scenarios.

Mayor Lunde and Council Member Pha agreed with the statement.

Council Member B. Mata stated that the owner would apply to the insurance first.

Council Member Pha stated that if they put it in an ordinance that stated they had to put a fence in, a certain height, needed to look a certain way, then they should be willing to pay more of that costs than the 30% coverage.

Director Berggren stated they talked about not forcing anyone to take a fence. If someone didn't think they needed a fence or wanted a fence and Council would allow that gap to occur. She stated there were 23 properties that didn't have a fence and usually would have some type of screening, landscaping or other means and in some cases they were deep lots.

Council Member Gates stated that if there were two or three properties in a row that didn't have a fence and the middle one did want a fence, then they were going to have a single panel in the middle of those two properties.

Director Berggren stated that it was happening now in the City.

Council Member Pha asked if they want to get a fence now, did they need to keep the fence or change the fence. She asked if they could opt to not replace it later on or if they opt for a fence now, they would have to get the fence.

Director Berggren stated the way they wanted the ordinance to read was that if a homeowner was going to have a fence, it must be consistent with the design standards.

She stated they could come back with program guidelines based on tonight's conversation and have another work session, and if the Council was comfortable with those guidelines, they would share them with the neighborhood.

Council Member Parks asked if the homeowners got their own installer, did the City have an input in the specifications of the fence.

Director Berggren stated the specifications would be controlled by the ordinance and design standards.

Council Member Parks asked if the City did the 50/50, would the City add it into the City's insurance budget.

Director Berggren stated the responsibility was with the homeowner's insurance.

Council Member Bob Mata asked the Council if they were okay with the gaps in the fences. He stated he was not okay with the gap in the fences. He stated if they were going to run a fence line, then they had to run a fence line.

Council Member Pha suggested having designated installers. She stated the City should not have a storage of the panels, instead, making a contract with an installer and make an agreement that they would trade it out consistently over the years. She didn't think the City should have responsibility of having those panels and the homeowners could buy from the City. She asked where the City would store, maintain them and manage them.

Council Member Jacobson stated her concern was about those who did not want a fence, after the project and the light rail came through and now they wanted a fence. She asked if something was going to be built into that type of situation.

Director Berggren stated that in order to maintain some type of consistency, they needed to identify a product that was available for purchase and that the program staff would have to administer.

Council Member Pha stated that if a homeowner didn't want a fence today, but next year wanted it, asked if the City would still pay for the fence or the homeowner would pay for the fence.

Director Berggren recommend they do a pulse on whatever policy they put in place for the cost. She stated those homeowners making that decision would know when they were making that decision. She stated that was part of making sure they shared the program ahead of time and

help inform what the owner's decision were.

D.1 COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Lunde stated Operations and Maintenance Director Dan Ruiz made a phone call to the Administrator to the Bonding Committee and got the City \$4 million and wanted to recognize him for making those calls.

D.2 CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel reported on the following:

- Community Assembly, Thursday, 6 – 8 p.m. in the Council Chambers.
- Gave an update on the bonding project, \$18 million for the Second Harvest Heartland Project, which leverages a total \$50 million of investment in that building because they had over \$30 million in private commitment if they were to get the \$18 million.
- Highway 252 Project, Council commitment around the environmental study; half a million for that project. A couple weeks ago lost out on those potential dollars but now it was in the Bonding Bill if the Governor passed it.
- \$4 million for 101st Avenue interchange project. For three sessions, it was going to legislature; making presentations to the house/senate; and visiting Transportation Commissioner. Stated at the last session, Mayor Lunde, O&M Director Ruiz, and he were going to the Capitol today with key legislators. He stated they were getting \$18.5 million worth of successful grants to pool together for the \$30 million project. He stated they were reaching out to metro mayors and metro cities trying to get the details down for the project. He stated a lot of work went into those things and sometimes they panned out and sometimes they didn't. He stated if the Governor signed the bill, the City would end up with three significant projects looking to move forward.

The City rejoined Metro Mayors Association and was a value in lobbying for funding. He stated Troy Olsen was the primary contact and he was there all three days. Mayor Lunde stated Mr. Olsen helped set up meetings with Legislators and the Chairs of the Bonding Committees.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 9:18 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK