

## REGULAR COUNCIL MEETING – AGENDA #6

If you need these materials in an alternative format or need reasonable accommodations for a City Council meeting, please provide the City with 72-hours' notice by calling 763-424-8000 or emailing Josie Shardlow at [josie.shardlow@brooklynpark.org](mailto:josie.shardlow@brooklynpark.org).  
Para asistencia, 763-424-8000; Yog xav tau kev pab, 763-424-8000.

***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** Accept a Donation from the Brooklyn Park Rotary Club for Rec On The Go and BrookLynk

**A.** RESOLUTION

**3B.3** Recreation and Parks Advisory Commission 2019 Year-in-Review and 2020 Work Plan

**A.** 2020 RECREATION AND PARKS ADVISORY COMMISSION WORK PLAN

**3B.4** Presentation on Mayor Lunde's Trip to Attend the State of the Union Address

## **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 the City of Brooklyn Park's Pay Equity Report for 2019 in Compliance with the 1984 Local Government Pay Equity Act

**A.** RESOLUTION

**B.** PAY EQUITY REPORT FOR 2020

**C.** COMPLIANCE REPORT

**4.2** Authorize Trade In of Vacuum Truck as Part of Procurement of New Vacuum Truck for Public Utilities

**A.** RESOLUTION

**B.** QUOTE MACQUEEN EQUIPMENT

- C.** COST BREAKOUT FOR NEW CAB CHASSIS TRUCK
- D.** PHOTO OF OLD VACUUM TRUCK (#6601)
- 4.3** Approve Change Order No. 1 for Municipal Well Pump Repair and Replacement to Keys Well Drilling
  - A.** RESOLUTION
  - B.** CHANGE ORDER NO. 1
- 4.4** Approve Change Orders for the City Hall Rehabilitation Project for BCI Construction Inc.
  - A.** RESOLUTION
  - B.** CHANGE ORDERS

**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**

- 5.1** Public Hearing for Preliminary Allocation of Fiscal Year (FY) 2020 Community Development Block Grant (CDBG) Program Funds and Appointment of Representative to CDBG Public /Human Services Selection Committee
  - A.** MARKETING FLYER FOR CDBG 2020
  - B.** PRESS RELEASE
  - C.** PUBLIC HEARING NOTICE
  - D.** PUBLIC SERVICES CDBG AWARD LIST FOR FISCAL YEAR 2019-2020
- 5.2** Public Hearing for the Vacation of Drainage and Utility Easements
  - A.** RESOLUTION
  - B.** FINAL PLAT
- 5.3** Public Hearing to Consider the Recommendation of the Brooklyn Park Charter Commission to Amend Charter Chapter 9, Section 9.04 and Chapter 11, Sections 11.01 and 11.02 of the Home Rule City Charter
  - A.** ORDINANCE

## **6. LAND USE ACTIONS**

None

## **7. GENERAL ACTION ITEMS**

- 7.1** Second Reading of an Ordinance Pertaining to Census 2020
  - A.** ORDINANCE
- 7.2** Approve Stipulation of Settlement Agreement for Acquisition of Property from Parcel 10 of the TH 169/101<sup>st</sup> Avenue Interchange Project, CIP 4042-19
  - A.** RESOLUTION
  - B.** STIPULATION OF SETTLEMENT AGREEMENT
  - C.** LOCATION MAP
  - D.** PARCEL TAKINGS MAP
  - E.** ALTERNATIVE ACCESS FIGURE
- 7.3** Approve Preferred Layout for 93<sup>rd</sup> Avenue Reconstruction, CIP 4054-20
  - A.** RESOLUTION
  - B.** OPTION #1 – PREFERRED LAYOUT
  - C.** OPTION #2
  - D.** GRAPHIC OF TRAIL EXTENSION FROM REGENT AVE TO NOBLE PKWY

**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

<b>Agenda Item:</b>	3B.1	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Marlene Kryder Program Assistant
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A	<b>Presented By:</b>	Department Directors/Managers
<b>Item:</b>	Introduction of New Employees		

### City Manager's Proposed Action:

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

### Overview:

Employee

Start Date

Title

### *Recreation and Parks*

Jake Patton	Dec. 30, 2019	Recreation Specialist – Special Events and Programs
Laura Phongsavath	Jan. 2, 2020	Program Assistant II
Mike Ramirez	Jan. 6, 2020	Recreation Supervisor – Sports and Fields
Seth Shanley	Feb. 3, 2020	Recreation Specialist – Aquatics and Programs (PT)

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

**Attachments:** N/A

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.2	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jay Stroebe, City Manager
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Rotary Club
<b>Item:</b>	Accept a Donation from the Brooklyn Park Rotary Club for Rec On The Go and BrookLynk		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_ TO ACCEPT A \$3,600 DONATION FROM THE BROOKLYN PARK ROTARY CLUB FOR REC ON THE GO AND BROOKLYNK.

### Overview:

Brooklyn Park youth have the opportunity to take advantage of Rec On The Go and BrookLynk programs. Rec On The Go has arts and crafts, group games, literacy projects and books, science, sports, water days, etc. BrookLynk is a youth employment program that provides workforce development and college to career pathways through employer and volunteer opportunities.

The Brooklyn Park Rotary Club has made a donation to Rec On The Go and BrookLynk.

### Primary Issues/Alternatives to Consider:

The generous contribution of \$3,600 will provide opportunities for the youth in our community through programs offered by Rec On The Go and BrookLynk.

### Budgetary/Fiscal Issues:

The donation is to be identified as revenue for Rec On The Go and BrookLynk.

### Attachments:

3B.2A RESOLUTION

## RESOLUTION #2020-

RESOLUTION TO ACCEPT A \$3,600 DONATION FROM THE BROOKLYN PARK ROTARY CLUB  
FOR REC ON THE GO AND BROOKLYNK

WHEREAS, Rec On The Go and BrookLynk provide activities and workforce opportunities for youth in our community; and

WHEREAS, youth and residents in our community benefit from donations that are made to support these programs; and

WHEREAS, the Brooklyn Park Rotary Club has been a supporter of many programs and services within Brooklyn Park and is dedicated to providing our young people with opportunities that will have a lasting impact on their lives.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Park to accept a \$3,600 donation from the Brooklyn Park Rotary Club to be evenly split between Rec On The Go and BrookLynk.

NAME	CONTRIBUTION	DESIGNATION
Rotary Club of Brooklyn Park	\$3,600	Rec On The Go BrookLynk

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.3	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Recreation and Parks
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Monica Dillenburg, RPAC Chair Jody Yungers, Director of Recreation and Parks
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Monica Dillenburg, RPAC Chair
<b>Item:</b>	Recreation and Parks Advisory Commission 2019 Year-in-Review and 2020 Work Plan		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO ACCEPT THE RECREATION AND PARKS ADVISORY COMMISSION 2020 WORK PLAN.

### Overview:

The Recreation and Parks Advisory Commission (RPAC) Chair, Monica Dillenburg, will provide highlights of the RPAC 2019 accomplishments and present to City Council the 2020 RPAC priorities to help advance the *BP-2025* Community Goals.

### Primary Issues/Alternatives to Consider:

- Do the RPAC priorities for 2020 align with the goals and priorities of the City Council?
- Further community engagement is planned to help clarify specific priority amenities to be incorporated into Hartkopf, Lakeland and Norwood parks redevelopment plans.
- The timeline for implementation of a few of the bond referendum project priorities are impacted by other potential development/partnerships within the city (LRT/YMCA Feasibility Study).

### Budgetary/Fiscal Issues:

- A portion of the \$26 million-dollar Natural Resource and Park Reinvestment Bond Referendum provides the necessary resources to advance the redevelopment plan for Hartkopf, Lakeland and Norwood Parks, and advancement of the planning and phased redevelopment of the Eidem Farm Master Plan, Noble Sports Park improvements and priorities within the Natural Resource Management Plan.
- The Open Space Land Acquisition and Development Fund (OSLAD) will be the source of funding for the Mississippi Gateway Regional Park/Environmental Nature Area, River Park redevelopment and trail extension on 63<sup>rd</sup> Avenue.
- The levy appropriation for the Heritage Fund is used to replace and/or repair existing infrastructure within the system. These funds are limited; therefore, a few scheduled replacement priorities have been deferred in order to stay within the limitations of the fund.


### Attachments:

3B.3A 2020 RECREATION AND PARKS COMMISSION WORK PLAN


2020 Recreation and Park Advisory Commission (RPAC) Work Plan

On an annual basis, commissions are asked to develop an annual Work Plan that supports the work of the Department and helps advance the vision and priority goals of the City.


#1 A united and welcoming community strengthened by our diversity.




#2 Beautiful Spaces and quality infrastructure make Brooklyn Park a unique destination.




#3 A balanced economic environment that empowers businesses and people to thrive.




#4 People of all ages have what they need to feel healthy and safe.



#5 Partnerships that increase racial and economic equity, empower residents and neighborhoods to prosper.



#6 Effective and engaging government recognized as a leader.



<div>What it looks like</div> <div><ul style="list-style-type: none"><li>• We have connected neighbors who understand and celebrate our unique cultures.</li><li>• Brooklyn Park is unified with a strong positive identity and image</li><li>• Our community’s activities, and services are inclusive, multi-cultural, and accessible.</li><li>• We have places and spaces for diverse communities to gather.</li><li>• Residents of every age contribute to our community.</li></ul></div>	<div>What it looks like</div> <div><ul style="list-style-type: none"><li>• Modern transportation option (drive, ride, walk, bike) connect people to education, jobs, and recreation.</li><li>• Quality recreation and park amenities inspire activity for all ages and interests.</li><li>• Our rich diversity is showcased through our vibrant music, art, food, entertainment, and cultural scene.</li><li>• Attractive key corridors, corners, and city centers create destinations that meet community needs.</li><li>• Neighborhoods are well-maintained with quality housing for all ages and incomes integrated throughout the community.</li></ul></div>	<div>What it looks like</div> <div><ul style="list-style-type: none"><li>• People of all ages and backgrounds enjoy financial stability.</li><li>• Residents and visitors support an abundance of retail stores, restaurants, and entertainment venues.</li><li>• Our business environment inspires private investment and job growth.</li><li>• Business and organizations of all types, sizes and specialties start, stay and grow here.</li><li>• We are a leader in environmental sustainability, benefiting our economy and community.</li></ul></div>	<div>What it looks like</div> <div><ul style="list-style-type: none"><li>• Neighborhoods are empowered and supported by strengthened positive relationships with police.</li><li>• Youth are engaged in positive and quality experiences.</li><li>• Aging adults have services and amenities to thrive and age in place.</li><li>• Everyone has access to quality healthy food options.</li><li>• People have access to quality medical and emergency care.</li></ul></div>	<div>What it looks like</div> <div><ul style="list-style-type: none"><li>• Each resident has access to the training and support needed to get and keep a living wage job.</li><li>• Each student graduates high school with a pathway to college or career.</li><li>• Aging neighborhoods and commercial centers are revitalized through continuous investment.</li><li>• The community provides necessary supports and services for community members to overcome life challenges such as hunger, mental illness, and homelessness.</li></ul></div>	<div>What it looks like</div> <div><ul style="list-style-type: none"><li>• The City provides quality services at a reasonable cost.</li><li>• Elected officials, commissions, and City staff reflect the diversity of the community and are culturally competent.</li><li>• City information is clear, accessible, and delivered in ways that meet the community’s needs.</li><li>• City laws are understandable, equitably enforced, and relevant to the community.</li><li>• The City is well-managed and recognized as a great place to work.</li></ul></div>
--	--	---	---	--	--

**The following are the priority strategies the RPAC will provide guidance in 2020:**

**#1 A united and welcoming community strengthened by our diversity.**

- Continue to use social and electronic media to improve marketing and promotion of the Recreation and Park System that increases awareness and participation of facilities, program and services
- Continue to be inclusive and engage the community in advancement of the priorities and vision of the Park System Plan
- Review and advance Department Inclusion Plan to ensure all members of the community have access and can participate in programs and services for the community
- Revisit Amplified Sound Policy within the Park System
- Conduct an assessment of facilities to ensure they meet ADA standard and are welcoming and accessible for all members of the community
- Assess community events (Tater Daze) to ensure relevant and welcoming for all members of community; increase engagement of multicultural communities in the planning and participation of the events

**#2 Beautiful Spaces and quality infrastructure make Brooklyn Park a unique destination.**

- Approve Partnership Agreement with TRPD to advance the Joint Master Plan for development and maintenance of Mississippi Gateway Regional Park/ENA
- Continue to advance the priorities of the Park Bond 10-year Reinvestment Plan (\$26M)
- Advance the vision as set within the Historical Eidem Farm Master Plan to include implementation of Phase I of Interpretive Plan, leveraging grant funds
- Identify priority trail system gaps to include development of wayfinding and lighting plans within the system
- Finalize River Park Design Development and award bids for redevelopment in the spring of 2020
- Support advancement of vision and fund development plan for Center for Innovation and the Arts (CITA), and implementation of Temporary Plaza Park (85<sup>th</sup> and W. Broadway) and Regional Art Program
- Conduct assessment of park property encroachment within the park system; work with City Council to develop Park Encroachment Policy and Protocol
- Work in partnership with EDA/City Council on the Feasibility of building a YMCA within the City of Brooklyn Park
- Work in partnership with Osseo Area School to market and operate the Park Center Dome to ensure long-term financial sustainability of the Enterprise

**#3 A balanced economic environment that empowers businesses and people to thrive.**

- Advance priorities of the Natural Resource Management Plan to preserve and enhance the priority natural areas within the Park System
- Work with EDA on continued investment in the Edinburgh USA Clubhouse to improve parking access and on-going clubhouse reinvestment
- Review data and recommend and implementation of the Annual Deer Hunt

**#4 People of all ages have what they need to feel healthy and safe.**

- Provide quality recreation programs and services for all ages that encourage social connectivity, skill development and mastery, physical activity that contributes to the overall health of the community
- Continue to support Rec On The Go programs, breaking down barriers to participation, and develop positive connections with our underserved populations
- Provide leadership and support recommendation within the “Becoming an Age Friendly Brooklyn Park” Report; identify specific strategies for Recreation and Parks Department
- Partner with Police Department to increase staff knowledge and ability to identify and connect people with mental illness to community resources
- Work in partnership with the Brooklyn Bridge Alliance for Youth (BBAY) in identifying youth barriers to participation in sports
- Advance the Youth Outreach Team Collaborative between Police and Zanewood and support the Apartment Action Plan
- Partner with Police Department to advance the goals and strategies within the Cities United Comprehensive Safety Plan
- Continue to support Zanewood partnership with Police and YMCA on intervention/diversion programs

**#5 Partnerships that increase racial and economic equity, empower residents and neighborhoods to prosper.**

- Partner with community agencies to address hunger gaps for youth in summer and out-of-school time hours; continue to partner with Food and Nutrition Program
- Continue to support BrookLynk youth internship program and youth workforce development efforts
- Continue to work with educational partners to support literacy and educational advancement for youth in the community – incorporated into the Rec On The Go!

**#6 Effective and engaging government recognized as a leader.**

- Identify new partnership models for programs and/or services (e.g. Nature Preschool, inclusion services) to increase revenue and ensure a sustainable delivery model
- Work in partnership with D’Amico to enhance the fiscal position and quality of service to ensure long-term sustainability of the Edinburgh USA Golf Enterprise
- Continue to invest in staff development and training to ensure we have the tools and resources needed to effectively and graciously serve and provide programs and services that engages the needs and interest of all members of the community

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.4	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Marlene Kryder, Program Assistant
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A	<b>Presented By:</b>	Mayor Jeffrey Lunde
<b>Item:</b>	Presentation on Mayor Lunde's Trip to Attend the State of the Union Address		

### City Manager's Proposed Action:

Mayor Lunde will present on his trip to Washington D.C. for President Donald Trump's State of the Union address.

### Overview:

Mayor Jeffrey Lunde was invited to attend the State of the Union Address in Washington D.C. on February 4, 2020. Tonight, he will share information and highlights.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

**Attachments:** N/A

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.1	<b>Meeting Date:</b>	February 10, 2020		
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Administration		
<b>Resolution:</b>	X				
<b>Ordinance:</b>	N/A			<b>Prepared By:</b>	Beth Toal, HR Manager
<b>Attachments:</b>	3			<b>Presented By:</b>	Jay Stroebel, City Manager
<b>Item:</b>	Approve the City of Brooklyn Park’s Pay Equity Report for 2019 in Compliance with the 1984 Local Government Pay Equity Act				

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_\_ TO APPROVE THE CITY OF BROOKLYN PARK'S PAY EQUITY REPORT FOR 2019 IN COMPLIANCE WITH THE 1984 LOCAL GOVERNMENT PAY EQUITY ACT.

## Overview:

In 1984, the Minnesota Legislature passed the Local Government Pay Equity Act. All local governments are required to file reports with the Minnesota Management and Budget (MMB) and are placed on a three-year reporting cycle with a third of them reporting each year.

The City of Brooklyn Park last completed a Pay Equity Report in January of 2017, using information as of December 31, 2016.

MMB developed software that calculates the results of a statistical analysis test to compare salary data to determine if female classes are paid consistently below male classes of comparable work value. The software also performs two other tests: the salary range test, which compares the average number of years it takes to move through salary ranges established for female classes compared to male classes, and the exceptional service pay test, which compares how often male classes receive longevity or performance pay above the normal salary range as compared to female classes.

The City of Brooklyn Park is in compliance on all tests. Official verification on the pay equity report requires that the report has been approved by the governing body and has been signed by the chief elected official of the jurisdiction.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

## Attachments:

- 4.1A RESOLUTION
- 4.1B PAY EQUITY REPORT FOR 2020
- 4.1C COMPLIANCE REPORT

RESOLUTION #2020-

RESOLUTION APPROVING THE CITY OF BROOKLYN PARK'S PAY EQUITY REPORT FOR 2019 IN  
COMPLIANCE WITH THE 1984 LOCAL GOVERNMENT PAY EQUITY ACT

WHEREAS, Minnesota State law requires that the City of Brooklyn Park prepares and submits a Pay Equity report for 2019 on or before January 31, 2020; and

WHEREAS, since 1984, the City has implemented the provisions of the Pay Equity Act and all changes required by the amendments to the Act and thus has made a good faith effort to comply with the Pay Equity Act since its enactment; and

WHEREAS, according to the rules provided by Minnesota Management and Budget (MMB), the City meets the current testing provisions of the Pay Equity Act, and thus presumes the City is in compliance of the Act; and

WHEREAS, rules and regulations, as established by MMB, require the Pay Equity Report to be approved by the governing board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the Pay Equity Report submitted to the MMB in compliance with the 1984 Local Government Pay Equity Act.

## Job Class Data Entry Verification List

Case: 2020 DATA

Brooklyn Park

LGID: 491

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
1	Facility Worker	1	0	M	100	1771.00	2688.00	8.00	0.00	
2	Custodian	0	2	F	324	3551.00	4563.00	8.00	0.00	
32	Firefighter	19	0	M	325	4671.00	6423.00	4.00	0.00	
4	Community Outreach Liaison	1	1	B	351	3896.00	5006.00	8.00	0.00	
3	Program Assistant II - Police	2	18	F	361	3825.00	4915.00	7.00	0.00	
6	Finance Assistant I	1	2	B	361	3896.00	5006.00	8.00	0.00	
9	Program Assistant II	1	21	F	361	3896.00	5006.00	8.00	0.00	
10	Lead Pre-School Teacher	0	2	F	372	3896.00	5006.00	8.00	0.00	
5	Building Maintenance Worker	3	0	M	386	3896.00	5006.00	8.00	0.00	
14	Digital Media Specialist	1	0	M	400	4240.00	5447.00	8.00	0.00	
15	Therapeutic Rec & Inclusion Sp	0	1	F	403	4240.00	5447.00	8.00	0.00	
12	Program Assistant III - Police	0	2	F	403	4158.00	5344.00	7.00	0.00	
13	Program Assistant III	3	14	F	403	4240.00	5447.00	8.00	0.00	
7	Police Cadet	5	2	B	406	3896.00	5006.00	8.00	0.00	
8	Firefighter - Part-time	10	1	M	406	3896.00	5006.00	8.00	0.00	
16	Public Service Worker	40	0	M	410	4293.00	5517.00	5.00	0.00	
11	Crime Analyst I	0	1	F	412	4158.00	5344.00	7.00	0.00	
34	Arts & Engagement Specialist	0	1	F	450	4881.00	6604.00	8.00	0.00	
28	Public Service Worker II - Bld	4	0	M	458	4638.00	5961.00	5.00	0.00	
31	Water Plant Operator	3	0	M	458	4638.00	5961.00	5.00	0.00	
19	Detention Officer	3	2	B	458	4493.00	5773.00	7.00	0.00	
24	Property & Evidence Technician	1	2	B	462	4493.00	5773.00	7.00	0.00	
29	Public Service Worker II - Str	1	0	M	471	4638.00	5961.00	5.00	0.00	
30	Public Service Worker II - Uti	2	0	M	471	4638.00	5961.00	5.00	0.00	
27	Fleet Mechanic	4	0	M	478	4638.00	5961.00	5.00	0.00	
25	Program Assistant - Lead	0	4	F	482	4586.00	5893.00	8.00	0.00	
20	Program Assistant - Lead Polic	0	1	F	482	4493.00	5773.00	7.00	0.00	
17	Crime Analyst II	0	1	F	486	4493.00	5773.00	7.00	0.00	
18	Crime Prevention Specialist	1	0	M	486	4493.00	5773.00	7.00	0.00	
43	Appraiser I	1	2	B	491	5273.00	6775.00	8.00	0.00	
21	Technology Svcs. Specialist -	1	0	M	500	4493.00	5773.00	8.00	0.00	
26	Technology Svcs. Specialist	2	1	B	500	4586.00	5893.00	8.00	0.00	

## Job Class Data Entry Verification List

Case: 2020 DATA

Brooklyn Park

LGID: 491

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
33	Fire Inspector II	1	0	M	500	4880.00	6270.00	8.00	0.00	
39	Lead Public Service Worker	4	0	M	502	4985.00	6405.00	5.00	0.00	
22	Domestic Violence Prev. Coordi	0	1	F	506	4493.00	5773.00	7.00	0.00	
40	Patrol Officer	73	11	M	513	5146.00	7829.00	4.00	0.00	Longevity
37	Lead Greenskeeper II	2	0	M	518	4928.00	6332.00	8.00	0.00	
23	Neighborhood Relations Special	0	1	F	528	4493.00	5773.00	8.00	0.00	
35	Accountant I	0	1	F	531	4928.00	6332.00	8.00	0.00	
38	Maintenance Shop Coordinator	1	0	M	539	4928.00	6332.00	8.00	0.00	
36	Management Systems Coordinator	0	1	F	545	4928.00	6332.00	8.00	0.00	
41	Project Coordinator - BBA	0	1	F	550	5273.00	6775.00	8.00	0.00	
42	Engineering Technician II	5	0	M	550	5273.00	6775.00	8.00	0.00	
46	Prog Specialist - Events & Com	1	0	M	550	5273.00	6775.00	8.00	0.00	
44	Data & Quality Coordinator	1	0	M	561	5273.00	6775.00	8.00	0.00	
48	Housing & Development Speciali	1	0	M	566	5614.00	7596.00	0.00	0.00	
55	Field Supervisor	7	0	M	568	5962.00	7660.00	8.00	0.00	
56	Appraiser II	2	0	M	571	5962.00	7660.00	8.00	0.00	
45	Development Specialist	0	1	F	583	5273.00	6775.00	8.00	0.00	
59	Senior Accountant	1	1	B	600	5981.00	8091.00	0.00	0.00	
63	Neighborhood Hlth Supervisor	0	1	F	600	5981.00	8091.00	0.00	0.00	
61	Plans Examiner	2	0	M	603	5981.00	8091.00	0.00	0.00	
71	Network Engineer	0	1	F	608	6714.00	9083.00	0.00	0.00	
50	Environmental Hlth Specialist	0	2	F	608	5618.00	7219.00	8.00	0.00	
51	Neighborhood Hlth Specialist	3	1	B	608	5618.00	7219.00	8.00	0.00	
52	Property Maintenance Inspector	5	0	M	608	5618.00	7219.00	8.00	0.00	
53	Building Inspector	4	0	M	608	5618.00	7219.00	8.00	0.00	
49	Project Facilitator	0	1	F	610	5614.00	7596.00	0.00	0.00	
58	Support Services Office Superv	0	1	F	612	5981.00	8091.00	0.00	0.00	
96	Police Sergeant	13	0	M	613	8020.00	9698.00	8.00	0.00	
60	Golf Course Supv/Bldg Maintena	1	0	M	618	5981.00	8091.00	0.00	0.00	
47	Fire Battalion Chief	3	0	M	629	5564.00	7148.00	8.00	0.00	
62	Recreation Program Supervisor	2	2	B	646	5981.00	8091.00	0.00	0.00	
65	Program Coordinator - BrookLyn	1	0	M	650	6347.00	8587.00	0.00	0.00	

## Job Class Data Entry Verification List

Case: 2020 DATA

Brooklyn Park

LGID: 491

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
57	GIS Coordinator	1	0	M	650	5962.00	7660.00	8.00	0.00	
54	ERP Systems Analyst	0	1	F	650	5962.00	7660.00	8.00	0.00	
64	Facility Coordinator	2	0	M	670	6347.00	8587.00	0.00	0.00	
66	Senior Planner/Planner II	1	0	M	684	6349.00	8587.00	0.00	0.00	
67	Civil Engineer I	1	0	M	700	6714.00	9083.00	0.00	0.00	
69	Customer Service Manager	0	1	F	702	6714.00	9083.00	0.00	0.00	
73	Business Development Coordinat	0	1	F	703	6714.00	9083.00	0.00	0.00	
74	Development Project Coordinato	0	1	F	703	6714.00	9083.00	0.00	0.00	
75	Senior Project Manager	1	0	M	707	6714.00	9083.00	0.00	0.00	
70	Golf Course Superintendent	1	0	M	718	6714.00	9083.00	0.00	0.00	
72	Human Resources Specialist	0	3	F	729	6714.00	9083.00	0.00	0.00	
68	City Clerk	1	0	M	735	6714.00	9083.00	0.00	0.00	
76	Communications Manager	0	1	F	750	7080.00	9579.00	0.00	0.00	
79	Executive Director, BBA	0	1	F	750	7080.00	9579.00	0.00	0.00	
80	IT Supervisor	1	0	M	750	7080.00	9579.00	0.00	0.00	
81	Program Manager - BrookLynk	0	1	F	750	7080.00	9579.00	0.00	0.00	
77	Golf Manager	1	0	M	752	7080.00	9579.00	0.00	0.00	
78	Admin/Environmental Svcs Manag	1	0	M	759	7080.00	9579.00	0.00	0.00	
95	Police Lieutenant	1	1	B	767	7923.00	10719.00	0.00	0.00	
83	Rental & Bus Licensing Manager	1	0	M	800	7447.00	10075.00	0.00	0.00	
84	Fire Marshall	1	0	M	800	7447.00	10075.00	0.00	0.00	
85	Community Engagement Manager	0	1	F	800	7557.00	10075.00	0.00	0.00	
86	Senior Project Manager	0	1	F	802	7557.00	10075.00	0.00	0.00	
87	Building Official	1	0	M	824	7557.00	10075.00	0.00	0.00	
82	Support Services Manager	0	1	F	824	7447.00	10075.00	0.00	0.00	
88	Youth Services Coordinator	0	1	F	850	7813.00	10571.00	0.00	0.00	
90	City Assessor	0	1	F	856	7813.00	10571.00	0.00	0.00	
91	Manager, Recreation Services	0	1	F	856	7813.00	10571.00	0.00	0.00	
98	Police Inspector	3	0	M	873	8180.00	11067.00	0.00	0.00	
89	Project/Transportation Enginee	2	0	M	875	7813.00	10571.00	0.00	0.00	
92	Manager, Streets & Fleet	1	0	M	892	7813.00	10571.00	0.00	0.00	
93	Manager, Parks & Bldgs	1	0	M	892	7813.00	10571.00	0.00	0.00	

## Job Class Data Entry Verification List

Case: 2020 DATA

Brooklyn Park

LGID: 491

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
94	Superintendent, Utilities	1	0	M	892	7813.00	10571.00	0.00	0.00	
97	Manager, Parks & Facilities Rec	1	0	M	900	8180.00	11067.00	0.00	0.00	
100	Deputy Fire Chief	2	0	M	900	8180.00	11067.00	0.00	0.00	
101	Information & Technology Manag	1	0	M	908	8180.00	11067.00	0.00	0.00	
99	Assistant Finance Director	0	1	F	908	8180.00	11067.00	0.00	0.00	
104	Human Resources Manager	0	1	F	950	8546.00	11563.00	0.00	0.00	
105	Inspections & Env Hlth Manager	1	0	M	950	8546.00	11563.00	0.00	0.00	
102	Director, Planning & Developme	0	1	F	956	8546.00	11563.00	0.00	0.00	
103	Director, Econ Development & H	0	1	F	978	8546.00	11563.00	0.00	0.00	
106	Eng Division Mgr/City Engineer	1	0	M	1000	8913.00	12059.00	0.00	0.00	
107	Police Deputy Chief	2	0	M	1020	8913.00	12059.00	0.00	0.00	
109	Employment Attorney	1	0	M	1050	9280.00	12555.00	0.00	0.00	
108	Assistant City Manager	0	1	F	1054	9280.00	12555.00	0.00	0.00	
110	Director, Parks & Recreation	0	1	F	1118	9646.00	13051.00	0.00	0.00	
111	Fire Chief	1	0	M	1121	9646.00	13051.00	0.00	0.00	
113	Director, Finance	0	1	F	1153	9721.00	13153.00	0.00	0.00	
114	Director, Operations & Mainten	1	0	M	1157	9721.00	13153.00	0.00	0.00	
115	Police Chief	1	0	M	1157	9721.00	13153.00	0.00	0.00	
112	Director, Community Developmen	0	1	F	1166	9721.00	13153.00	0.00	0.00	
116	City Manager	1	0	M	1355	14899.00	14899.00	0.00	0.00	

0

**Job Number Count: 116**

## Compliance Report

Jurisdiction: Brooklyn Park  
5200 - 85th Avenue North

Report Year: 2020  
Case: 1 - 2020 DATA (Private (Jur  
Only))

Brooklyn Park, MN 55443

Contact: Elizabeth Toal

Phone: (763) 493-8012

E-Mail: beth.toal@brooklynpar  
k.org

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

### I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	60	45	11	116
# Employees	264	110	38	412
Avg. Max Monthly Pay per employee	7452.11	6535.73		7110.21

### II. STATISTICAL ANALYSIS TEST

#### A. Underpayment Ratio = 111.2069 \*

	Male Classes	Female Classes
a. # At or above Predicted Pay	17	16
b. # Below Predicted Pay	43	29
c. TOTAL	60	45
d. % Below Predicted Pay (b divided by c = d)	71.67	64.44

\*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

#### B. T-test Results

Degrees of Freedom (DF) = 372	Value of T = 7.253
-------------------------------	--------------------

a. Avg. diff. in pay from predicted pay for male jobs = 46

b. Avg. diff. in pay from predicted pay for female jobs = -519

### III. SALARY RANGE TEST = 89.98 (Result is A divided by B)

A. Avg. # of years to max salary for male jobs = 6.93

B. Avg. # of years to max salary for female jobs = 7.70

### IV. EXCEPTIONAL SERVICE PAY TEST = 0.00 (Result is B divided by A)

A. % of male classes receiving ESP = 1.67 \*

B. % of female classes receiving ESP = 0.00

\*(If 20% or less, test result will be 0.00)

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	4.2	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jon Watson, Public Utilities Superintendent
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	4	<b>Presented By:</b>	Dan Ruiz, Director
<b>Item:</b>	Authorize Trade In of Vacuum Truck as Part of Procurement of New Vacuum Truck for Public Utilities		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_\_ TO AUTHORIZE TRADE IN OF VACUUM TRUCK AS PART OF PROCUREMENT OF NEW VACUUM TRUCK FOR PUBLIC UTILITIES.

### Overview:

This request is for authorization to trade in the old vacuum truck (unit 6601) and use the amount toward replacement of the truck mounted large vacuum machine. This replacement is in the approved 2020-2024 Capital Equipment Plan (CEP) and an important tool for the Operations and Maintenance Department for there is only one in the fleet. It is used for sewer cleaning, dewatering during water break repairs, excavating in utility wire ridden ground, cleaning out water valves, and other miscellaneous tasks. It is more than 14 years old and in need of replacement.

The new vacuum unit is manufactured by Vactor Manufacturing, which is the same brand and size as the current truck. The procurement of this new vacuum unit is through the State Cooperative Purchasing Contract, and the Vendor is MacQueen Equipment of St. Paul, MN. The trade in amount offered by MacQueen is \$36,800.00, which is 19% of the original purchase price of the unit. The new truck (cab and chassis) is being procured separately from Boyer Trucks through the State Cooperative Contract and will be sent directly to MacQueen Equipment for upfitting of the new vacuum equipment device.

### Primary issues/alternatives to consider:

Should this trade in amount for the old vacuum truck be accepted?  
Staff recommends accepting the trade in and procurement of the equipment.

The Council has the following alternatives to consider:

1. Approve the trade in and procurement as recommended.
2. Procure the purchase without the trade in and send the truck to a public or private auction.

### Budgetary/Fiscal Issues:

The cost of a new vacuum truck in aggregate is \$379,917.00, and the stated trade in is accounted for with in this price. This cost can be accommodated in the 2020 Sanitary Sewer Utility Fund budget.

### Attachments:

- 4.2A RESOLUTION
- 4.2B QUOTE MACQUEEN EQUIPMENT
- 4.2C COST BREAKOUT FOR NEW CAB CHASSIS TRUCK
- 4.2D PHOTO OF OLD VACUUM TRUCK (#6601)

RESOLUTION #2020-

RESOLUTION TO AUTHORIZE TRADE IN OF VACUUM TRUCK AS PART OF  
PROCUREMENT OF NEW VACUUM TRUCK FOR PUBLIC UTILITIES

WHEREAS, the vacuum truck is at the end of its useful life; and

WHEREAS, a quote for a new vacuum unit was provided by MacQueen Equipment; and

WHEREAS, the pricing in the quote is part of the State Cooperative Purchasing Contract; and

WHEREAS, an amount was factored into the pricing for the trade in of the old vacuum truck; and

WHEREAS, the breakout of costs is as follows:

Vendor	Item	State Contract #	Amount
MacQueen Equipment	New vacuum unit	139819	\$308,066.00
MacQueen Equipment	Trade in old truck	139819	<\$36,800.00>
Boyer Trucks	New cab chassis truck	124640	\$100,603.00
State of MN	Approximate tax & license	N/A	\$8,033.36

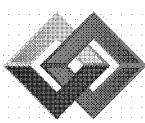
WHEREAS, it is recommended to accept the trade in and acquire the vacuum unit from MacQueen Equipment; and

WHEREAS, this acquisition can be accommodated in the 2020 Public Utilities Sanitary Sewer Capital Expenditure Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brooklyn park to authorize the trade in of \$36,800.00 for the old vacuum truck.

BE IT FURTHER RESOLVED to authorize the procurement of the new vacuum unit from MacQueen Equipment.

BE IT FURTHER RESOLVED to authorize the procurement of the new cab chassis from Boyer Trucks.



**MACQUEEN**  
EQUIPMENT



**MACQUEEN**  
EMERGENCY

MacQueen Equipment  
1125 7th Street E  
St Paul, MN 55106  
651-645-5726 • 800-832-6417

**PLEASE REMIT TO:**  
MacQueen Equipment  
1125 7th Street E  
St Paul, MN 55106  
651-645-5726 • 800-832-6417

**Ship To:** Brooklyn Park CB 12.16.19

**Invoice To:** CITY OF BROOKLYN PARK  
ACCOUNTS PAYABLE  
5200 85TH AVE N  
BROOKLYN PARK MN 55443

Branch 01 - MACQUEEN EQUIP		
Date 01/10/2020	Time 15:42:51 (O)	Page 1
Account No BROOK003	Phone No 7634938000	Inv No 03 E00910
Ship Via		Purchase Order PURCHASE ORDER
Tax ID No		
AARON WINDSETH		Salesperson 171

## EQUIPMENT INVOICE

Description	Amount
-------------	--------

Stock #: C008954	Serial #:	308066.00
------------------	-----------	-----------

New VA 2100 PD 10YD

NEW 2020 VACTOR 2100I CATCH BASIN TRUCK

\*

VACTOR CATCH BASIN AS PER MN STATE JETTER/SEWER VACUUM &  
HYDROEXCAVATION CONTRACT # 139819 RELEASE #W-196(5).

\*

TO INCLUDE THE FOLLOWING LISTED ITEMS:

1.0 Base

Unit	\$201,157.00
2.5 10 Cubic Yard Debris PD Blower, 824 15"	\$7,667.00
2.11 6" Rear Door Knife Valve 3:00	\$1,254.00
2.15 Trash Pump/Screen/Floating Arm External	\$11,914.00
2.20 Folding Pipe Rack \$1,060.00 Each @ Qty 2	\$2,120.00
2.22 Lube Manifold	\$2,312.00
2.24 Rear Door Splash Shield	\$1,557.00
2.25 Debris Load Limit Alarm	\$2,107.00
2.32 2-Camera System (Front and Rear)	\$605.00
2.37 Anti Splash Valve	\$391.00
3.2 Vertical Cyclonic Separator (4 Cyclones) 304 Stainless Steel	\$6,903.00
3.5 Blower High Temp Safety Shutdown	\$540.00
3.7 Roots 824 RCS/16" PD Blower	\$2,839.00
4.4 10'x15' Extendable/Telescopic Boom 180 Degree Rotation	\$18,779.00
4.8 Belly Pack Wireless Controls w/Hose Reel Functions	\$3,152.00
5.1 20 GPM/2500 PSI Water System	\$21,846.00
6.2 Debris Body Washout	\$1,535.00
6.4 Hand Gun Hose Reel w/Spring Retract	\$1,330.00
7.2 Curb Side Chassis Frame Toolbox 30W x 18H x 24D	\$1,773.00
7.5 Behind Cab 16W X 30H X 96D Toolbox	\$3,304.00
8.1 8" x 3' Aluminum Pipe Bandlok	\$168.00

X

Received By

Date

VisitUsOnline  
www.macqueengroup.com



**MACQUEEN**  
EQUIPMENT



**MACQUEEN**  
EMERGENCY

MacQueen Equipment  
1125 7th Street E  
St Paul, MN 55106  
651-645-5726 • 800-832-6417

**PLEASE REMIT TO:**  
MacQueen Equipment  
1125 7th Street E  
St Paul, MN 55106  
651-645-5726 • 800-832-6417

**Ship To:** Brooklyn Park CB 12.16.19

**Invoice To:** CITY OF BROOKLYN PARK  
ACCOUNTS PAYABLE  
5200 85TH AVE N  
BROOKLYN PARK MN 55443

Branch 01 - MACQUEEN EQUIP		
Date 01/10/2020	Time 15:42:51 (O)	Page 2
Account No BROOK003	Phone No 7634938000	Inv No 03 E00910
Ship Via		Purchase Order PURCHASE ORDER
Tax ID No		
AARON WINDSETH		Salesperson 171

## EQUIPMENT INVOICE

Description	Amount
8.3 8" x 7.5' Aluminum Pipe Bandlok \$306.00 Each @ Qty 3	\$918.00
8.5 Pick Up Tube Clamps \$28.00 Each @ Qty 8	\$224.00
8.7 LED Strobe Light With Guard on Cab \$1,081.00 Each @ Qty 2	\$2,162.00
8.12 Federal Signal 14 Light Package LED	\$3,668.00
8.18 Work Lights LED Boom	\$803.00
8.19 Work Light Rear Door	\$675.00
8.20 Work Lights \$506.00 Each @ Qty 2 (Curbside and Streetside)	\$1,012.00
8.25 Rear Directional Arrow Board LED 10 Lights	\$1,390.00
8.40 Safety Cone Storage Post	\$161.00

\*  
TRAINING AND DELIVERY INCLUDED  
\*

Trade Ins  
=====

Stock #: C008953      Serial #: 68203      36800.00-  
2005 Vactor 2105 Catch Basin

Subtotal: 271266.00  
IN HOUSE CHARGE: 271266.00

X

Received By

Date

Visit Us Online  
[www.macqueengroup.com](http://www.macqueengroup.com)

## 2020 Freightliner 114SD TA (6X4)

### Boyer Trucks; Contract # 124640

	1 Base truck	\$71,792
xx	2020 model year	\$750
xx	Transport jackshaft	\$850
	2.1 Front Frame Extension	\$269
	2.3 Deduct front bumper	-\$288
	2.45 Frame extension	\$1,974
	3.1 Modified front axle	\$1,315
	3.5 20,000 lb front axle	\$2,289
	3.13 Steering option	\$608
	3.38 Power sterering reservoir	\$31
	3.39 Power steering oil cooler	\$157
	3.53 Conmet iron front hubs	\$61
	4.1 46,000 lb rear axle & suspension	\$3,749
	4.8 Differential lock fron & rear	\$664
	4.81 54 inch axle spacing	\$151
	4.116 Spicer for wheelbase	\$341
	4.14 Conmet iron rear hubs	\$137
	6.1 Nylon wheel guards	\$58
	6.97 Michelin tire upgrade	\$517
	6.193 Acuride steel front wheel	\$484
	6.199 Acuride steel rear wheel	\$516
	7.32 Steel air brake reservoirs	\$186
	7.52 Sp air manifolds	\$100
	8.7 Engine upgrade to 370 h p	\$4,936
	8.39 Exhaust pipe modification	\$430
	8.55 Aluminum fuel tank	\$131
	9.2 Engine block heater	\$46
	9.35 Starter appurtenance	\$38
	9.37 2 speed fan drive	\$205
	9.75 exhaust brake	\$6
	9.88 Integrated stack	\$67
	9.9 Pipe shield	\$32
	9.91 Auto fan control	\$10
	9.95 DEF tank cover	\$85
	9.102 Oli preheater	\$59
	9.111 Lower radiator guard	\$62

9.113 Carb emission certification	\$59
10.35 Transmission upgrade	\$4,586
10.47 Interface wiring coonector	\$39
10.58 Transmission access	\$20
11.7 Backup alarm	\$43
11.8 daytime running lights	\$11
11.58 Integral LED lights	\$95
11.67 LED marker lights	\$20
11.164 smart switch	\$126
11.179 Engine interface connector	\$153
11.222 Onvalve parking brake system	\$21
11.236 Beacon wiring	\$342
11.245 Pre trip system check	\$6
12.4 Fender mirrors	\$104
12.7 Remote control	\$127
12.21 Fender extensions	\$45
12.25 Keys	\$23
12.26 Door window	\$129
12.36 Washer reservoir	\$17
12.49 Roof reinforcements	\$29
12.5 Grab handles	\$40
12.51 Radiator cover	\$121
12.52 Grille (black)	\$37
12.53 hood air intake	\$8
12.57 Hood liner	\$145
12.58 Horn piping	\$17
12.59 Air horn	\$34
12.62 Down view mirror	\$12
12.74 Std HVAC Ducting	\$13
12.75 Std heater plumbing	\$27
13.9 Air cleaner gauge	\$19
13.11 Transmission temp gauge	\$16
13.16 Tilt & telescope wheel	\$257
13.25 Seat upgrade	\$100
13.31 Seat upgrade	\$132
13.45 Seat belts (orange)	\$71
13.52 Armrests	\$74
13.59 seat covers ( black)	\$26
13.8 Power locks & windows	\$171
13.85 Kick plates	\$26
13.92 Radio w/ USB & bluetooth	\$214
13.93 Door pocket	\$54
13.96 Wing dash	\$176
<b>Total w/o tax &amp; license</b>	<b>\$100,603</b>



# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	4.3	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jon Watson, Public Utilities Superintendent
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Dan Ruiz, Director
<b>Item:</b>	Approve Change Order No. for 1 for Municipal Well Pump Repair and Replacement to Keys Well Drilling		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_\_ TO APPROVE CHANGE ORDER NO. 1 FOR MUNICIPAL WELL PUMP REPAIR AND REPLACEMENT TO KEYS WELL DRILLING.

### Overview:

A project was approved by the City Council last year for the repair and replacement of five municipal well pumps. Upon conducting the repairs, sediment was found in the bottom of wells 18 and 19 located in the well field at Trinity Gardens Park. Keys brought in a bailing machine and removed the sediment from the bottom of the wells. The labor for this amounted to \$4,950, and there were also some minor parts needed, which were not in the proposal and amounted to \$260.

In addition, a major problem was found on the upper discharge pipe of well #14 located along Edinbrook Terrace near the Community Activity Center. The piping was severely corroded and in need of replacement. The part is a special order and very costly at a price of \$18,400. The Contractor will install this part along with the reinstall of the pump for well #14; therefore, no additional labor will be incurred other than stated above.

### Primary Issues/Alternatives to Consider:

Should the change order be approved as recommended?

This change order is necessary to finish the project and is recommended for approval by Operations and Maintenance staff.

The Council has the following alternatives:

- Approve the change order as recommended
- Deny the change order and direct staff to find another option

### Budgetary/Fiscal Issues:

The revised contract cost with the change order will be \$121,115 (\$97,505+\$23,610) and can be accommodated within the 2020 Water Supply and Treatment Operating Budget.

### Attachments:

- 4.3A RESOLUTION
- 4.3B CHANGE ORDER NO. 1

RESOLUTION #2020-

RESOLUTION TO APPROVE CHANGE ORDER NO. 1 FOR MUNICIPAL WELL PUMP REPAIR AND  
REPLACEMENT TO KEYS WELL DRILLING

WHEREAS, the wells were in need of major maintenance after 10 years of service; and

WHEREAS, a contract was approved on August 27, 2019, for said repairs and replacement; and

WHEREAS, problems were found, which were outside the limits of the bid items; and

WHEREAS, the Contractor has submitted a not to exceed cost to finish the project; and

WHEREAS, this change order can be accommodated in the 2020 Public Utilities Expenditure Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve Change Order No. 1 to Keys Well Drilling in the amount of \$23,610.00 for municipal well pump repair and replacement.

## Change Order

No. 1

**Date of Issuance:** January 30, 2020

**Effective Date:** February 10, 2020

<b>CIP/CEP#:</b> None	<b>Dept./Divison:</b> O & M, Public Utilities	<b>Fund Account:</b> 602-55-70-7002-6328
<b>Project Description:</b> Municipal Well Pump Repair & Replacement		<b>Date of Contract:</b> August 27, 2019
<b>Contractor:</b> Keys Well Drilling		<b>Engineer's Project No.:</b> N/A

<b>Item</b>	Additional Parts & labor
<b>Description</b>	Upper spool, riser, & fittings; bail sediment from wells
<b>Cost</b>	\$ 23,610.00

<b>Change in Contract Times</b>	
Original Contract Times	Working Days <input type="checkbox"/> Calendar Days <input checked="" type="checkbox"/>
Final Completion Date	April 24, 2020
Contract Times prior to this change order	April 24, 2020

<b>Change in Contract Price</b>	
Original Contract Price	\$ 97,505.00
Contract price prior to this Change Order	\$ 97,505.00
Increase of this Change Order	\$ 23,610.00
Contract Price Incorporating this Change Order	\$ 121,115.00

Submitted By:   
Jeffrey Keys, Keys Well Drilling

Recommended By:   
Jonathan Watson  
Utilities Superintendent

Accepted By: \_\_\_\_\_

Jeffrey J. Lunde

Mayor

Accepted By: \_\_\_\_\_

Jay Stroebel

City Manager

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.4	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Dan Ruiz, O&M Director; Greg Hoag, Park and Building Maintenance Manager
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Dan Ruiz, O&M Director; Jay Stroebel, City Manager
<b>Item:</b>	Approve Change Orders for the City Hall Rehabilitation Project for BCI Construction Inc.		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_\_ TO APPROVE CHANGE ORDERS FOR THE CITY HALL REHABILITATION PROJECT FOR BCI CONSTRUCTION INC.

## Overview:

This request is for approval of change orders associated with the rehabilitation of City Hall. The project is approximately 40% complete, and the change order cost increases are related to three extra work items.

A summary of the items is shown as follows:

<u>Description</u>	<u>Amount</u>
Additions/Changes:	
Electric changes	\$ 3,162.00
Architectural Changes	\$ 27,342.00
Additional snow melt system on handicap ramp	<u>\$ 93,357.00</u>
<b>Total</b>	<b>\$123,861.00</b>

The required additions, modifications and adjustments were not included in the original bid and, therefore, the addition of the work required an additional cost over the original bid. The amount represents less than three percent (3%) of the original construction cost.

One additional item arose from further exploration in our age-friendly work. Originally a snow melt system was designed and approved for the front stairs and part of the walkway at City Hall but did not include the handicap ramp. The handicap ramp is now recommended to be part of the snowmelt system with an independent boiler.

## Primary Issues/Alternatives to Consider:

Should the Council authorize change order as recommended?

The Architect, Wold Architects and Engineers, and Operations and Maintenance staff have reviewed the items and negotiated with the Contractor and are satisfied with the negotiated amounts. Staff is recommending Council approval.

The Council has the following alternatives:

1. Approve the change orders and cost as recommended
2. Deny the change orders and redirect staff

**Budgetary/Fiscal Issues:**

The contract cost with the change orders bring the total contract amount to \$4,288,009.00. This project is in the 2019-2023 Capital Improvement Plan as project #1001. Funding is from the Heritage Infrastructure Fund. Funds are available in the project construction contingency to finish the project within budget.

**Attachments:**

4.4A RESOLUTION

4.4B CHANGE ORDERS

RESOLUTION #2020-

RESOLUTION TO APPROVE CHANGE ORDERS  
FOR THE CITY HALL REHABILITATION PROJECT  
FOR BCI CONSTRUCTION INC.

WHEREAS, the City Hall rehabilitation project is needed to provide adequate workspace for city staff and customers; and

WHEREAS, the construction bid for New World project #1001 was awarded by the City Council on May 13, 2019, to BCI Construction Inc.; and

WHEREAS, with the approval of the change orders, there is a contract increase of \$123,861; and

WHEREAS, the total approved contract cost of the project will therefore be \$4,288,009.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve change orders for the City Hall Rehabilitation project for BCI Construction Inc. for \$123,861.



# AIA Document G701™ – 2017

## Change Order

**PROJECT:** *(Name and address)*  
Brooklyn Park City Hall Renovation and  
Addition (Commission No. 182061)  
5200 85th Avenue North  
Brooklyn Park, Minnesota  
55443

**CONTRACT INFORMATION:**  
Contract For: General Construction  
  
Date: May 13, 2019

**CHANGE ORDER INFORMATION:**  
Change Order Number: Two (2)  
  
Date: January 21, 2020

**OWNER:** *(Name and address)*  
City of Brooklyn Park  
5200 85th Avenue North  
Brooklyn Park, Minnesota  
55443

**ARCHITECT:** *(Name and address)*  
Wold Architects and Engineers  
332 Minnesota Street, Suite W2000  
St. Paul, Minnesota 55101

**CONTRACTOR:** *(Name and address)*  
BCI Construction, Inc.  
7135 Fifth Avenue Northeast  
Sauk Rapids, Minnesota 56379

### THE CONTRACT IS CHANGED AS FOLLOWS:

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

PR #1 - Add \$17,136.00

PR #2 - Add \$3,162.00

PR #3 - Add \$3,834.00

PR #4 - Add \$504.00

PR #7 - VOID

PR #8 - Add \$1,788.00

PR #9 - Add \$4,080.00

**TOTAL CHANGE ORDER NO. 2 ADD \$30,504.00**

The original Contract Sum was	\$ 4,114,500.00
The net change by previously authorized Change Orders	\$ 49,648.25
The Contract Sum prior to this Change Order was	\$ 4,164,148.25
The Contract Sum will be increased by this Change Order in the amount of	\$ 30,504.00
The new Contract Sum including this Change Order will be	\$ 4,194,652.25

The Contract Time will be unchanged by Zero (0) days.

The new date of Substantial Completion will be March 31, 2021

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Wold Architects and Engineers  
ARCHITECT *(Firm name)*

BCI Construction, Inc.  
CONTRACTOR *(Firm name)*

City of Brooklyn Park  
OWNER *(Firm name)*



SIGNATURE

Melissa Stan

PRINTED NAME AND TITLE

01/27/2020

DATE

SIGNATURE

PRINTED NAME AND TITLE

DATE

SIGNATURE

PRINTED NAME AND TITLE

DATE



# AIA Document G701™ – 2017

## Change Order

**PROJECT:** *(Name and address)*  
Brooklyn Park City Hall Renovation and  
Addition (Commission No. 182061)  
5200 85th Avenue North  
Brooklyn Park, Minnesota  
55443

**CONTRACT INFORMATION:**  
Contract For: General Construction  
  
Date: May 13, 2019

**CHANGE ORDER INFORMATION:**  
Change Order Number: Three (3)  
  
Date: January 23, 2020

**OWNER:** *(Name and address)*  
City of Brooklyn Park  
5200 85th Avenue North  
Brooklyn Park, Minnesota  
55443

**ARCHITECT:** *(Name and address)*  
Wold Architects and Engineers  
332 Minnesota Street, Suite W2000  
St. Paul, Minnesota 55101

**CONTRACTOR:** *(Name and address)*  
BCI Construction, Inc.  
7135 Fifth Avenue Northeast  
Sauk Rapids, Minnesota 56379

### THE CONTRACT IS CHANGED AS FOLLOWS:

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

PR #11 – Add \$93,357.00

### TOTAL CHANGE ORDER NO. 003 ADD \$93,357.00

The original Contract Sum was	\$ 4,114,500.00
The net change by previously authorized Change Orders	\$ 80,152.25
The Contract Sum prior to this Change Order was	\$ 4,194,652.25
The Contract Sum will be increased by this Change Order in the amount of	\$ 93,357.00
The new Contract Sum including this Change Order will be	\$ 4,288,009.25

The Contract Time will be unchanged by Zero (0) days.

The new date of Substantial Completion will be March 31, 2021

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

### NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Wold Architects and Engineers

ARCHITECT *(Firm name)*

SIGNATURE

MEUSSA STEIN

PRINTED NAME AND TITLE

02/04/2020

DATE

BCI Construction, Inc.

CONTRACTOR *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE

City of Brooklyn Park

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	5.1	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Hearings	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	John Kinara, Housing and Economic Development Specialist
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	4	<b>Presented By:</b>	Breanne Rothstein, Economic Development and Housing Director
<b>Item:</b>	Public Hearing for Preliminary Allocation of Fiscal Year (FY) 2020 Community Development Block Grant (CDBG) Program Funds and Appointment of Representative to CDBG Public /Human Services Selection Committee		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE PRELIMINARY ALLOCATION OF FISCAL YEAR 2020 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.

### Overview:

The City of Brooklyn Park is part of the Urban Hennepin County Community Development Block Grant (CDBG) Program. CDBG is a population and needs based federal grant program from the US Department of Housing and Urban Development (HUD). The City's relationship with Hennepin County allows the County to administer the grants and ensure federal compliance through a Joint Cooperation Agreement (JCA) adopted between the County and the City, which is renewed every three (3) years.

The City Council sets the use of CDBG funds in two steps, a public hearing and preliminary approval and final approval in late February for the upcoming program year. HUD requires a public hearing for the purpose of soliciting comments from the community on the proposed use of these funds. The proposed total FY2020 CDBG allocation for Brooklyn Park is **\$448,000**. In addition, between July 1, 2018 and June 30, 2019, additional funds in the amount of **\$59,200** were generated from program income for previously funded CDBG activities in the City bringing the total to an estimated **\$507,200**. FY 2020 runs from July 1, 2020 to June 30, 2021.

In accordance with HUD requirements, up to 15 percent of the funds or an estimated \$67,200 can be directed to public/human service activities. The Hennepin County CDBG selection committee will allocate the public/human service activity for all communities within the Urban Hennepin County JCA. The City appoints a representative to this selection committee, which has previously been the Economic Development and Housing Director.

**Table 1: FY2020 CDBG Funds Available**

Program Funds	Estimated FY2020 CDBG Allocation
FY2020 CDBG Allocation for locally directed programming	\$380,800
15 percent set aside for public/human services (Maximum)	\$67,200
Program Income	\$59,200
<b>Total amount available for City directed programming</b>	<b>\$507,200</b>

## **Primary Issues/Alternatives to Consider:**

- **How is the CDBG amount determined?**

HUD allocates CDBG funds to communities based on a distribution formula. HUD considers a community's population, individuals with incomes at or below the poverty level, and the number of overcrowded housing units to determine grant amounts. Poverty data is a double-weighted factor.

The City's proposed allocation of \$448,000 is an estimate provided by Hennepin County and may change, up or down, per HUD's final announcement around July 1, 2020. A provision in the final resolution will address any major change in funding.

- **How does the City allocate CDBG funds?**

The City has participated in the CDBG program for the past 39 years and historically the City Council has allocated the major portion of the funds for EDA and Council approved housing and redevelopment projects. In addition, the City Council has also supported community public/human service programs through utilization of 15 percent of CDBG funds, the maximum allowed by HUD for that purpose.

Eligible CDBG projects are those that meet at least one of three national program objectives. The objectives are activities benefiting low- and moderate-income households; activities preventing or eliminating slums or blight; and/or, projects meeting community development needs with a specific urgency.

- **How are public/ human services funds awarded?**

Funding for public/human service activities is capped at 15 percent of the grant amount. Per the JCA between the City and the County, the County will retain the full 15 percent of the grant for allocation to public/human service activities in the City. A County-based selection committee will award funds retained for public service activities on a competitive request for proposal basis. The County will invite one representative from each Direct Allocation City under the JCA to participate on the Selection Committee. Staff requests an action by the City Council to appoint this representative. Staff recommends Economic Development and Housing Director, Breanne Rothstein, to serve on this committee.

In the FY2019, \$440,00 in public service funds were available under the JCA consortium. Twenty-six public service agencies requested a total of \$786,185. The average award was \$24,444, with awards ranging from \$5,000 to \$82,000. Among these 26 organizations that applied, 14 were new organizations of which 8 were selected for funding, 5 applicants did not get funded because they were deemed ineligible, 2 others were not funded because they are funded through other Hennepin County sources. A total of 18 organizations were funded. Ten of these organizations serve the residents of Brooklyn Park in different programming activities. On January 7, 2020, Hennepin County issued a Request for Proposals (RFP) for the 15 percent of CDBG directed to public/human service activities. All registered non-profit organizations operating in Brooklyn Park may submit applications for CDBG funds. The submission of applications to the County are due on February 27, 2020. The Selection Committee will meet in March to review and score all the submitted applications before making funding recommendations to the County Board for the Annual Action Plan approval expected in June 2020.

- **What locally directed programs are proposed to be funded?**

The Economic Development Authority had a discussion on CDBG priorities at its November 18, 2019 Work Session meeting. Based on that discussion and recently identified priorities, staff recommends using the non-public service funds totaling \$440,000 for the programs described in Table 2. The proposed allocations for FY2020 aim to meet HUD expectations to serve multiple income groups and areas in the community.

**Table 2: FY2020 CDBG Proposed Program Activities**

<b>Program Activity</b>	<b>FY2019 Funds Awarded</b>	<b>FY2020 Proposed Funding</b>
Home Rehabilitation Deferred Loans	\$259,400	\$322,500
Code Enforcement	\$35,000	\$17,500
Lakeland Park Facility Project	\$100,000	\$0
Zane Court Park Facility Improvement	\$0	\$100,000
<b>TOTAL</b>	<b>\$394,400</b>	<b>\$440,000</b>

**Home Rehabilitation Deferred Loan Program****\$322,500**

Staff recommends allocating \$322,500 to the Home Rehabilitation Deferred Loan Program. Administered in partnership with Hennepin County, this program provides financial resources to single-family homeowners for capital improvements and emergency repairs. The program allows homeowners who earn 80-percent of the Area Median Income or less to borrow money to make interior and exterior improvements such as new furnaces, windows, siding as well as some kitchen renovations. The Home Rehabilitation Deferred Loan Program provides zero interest loans without any monthly payments and is entirely forgiven if the borrower maintains ownership and occupancy for 10 years.

Under the current program guidelines, qualifying Brooklyn Park homeowners receive between \$1,000 and \$20,000 in a deferred loan. In the fiscal year 2019, \$287,189 was awarded to 19 homeowners, with 114 more homeowners currently on the waiting list. Homeowners on the waiting list are made aware of the other loan programs available to them through the Brooklyn Park Economic Development Authority's partnership with the Center for Energy and Environment.

**Code Enforcement****\$17,500**

The Environmental Health Division continues to handle high levels of code violations in the neighborhoods. From FY2011 – FY2019, the City has allocated CDBG funds for increased code correction activities within designated census tracts of the City. The need for additional staff continues in 2020 to manage the high number of code violations and to track and monitor any vacant and under-maintained properties. Staff proposes to continue using existing environmental health staff in this effort and to allocate CDBG funds for this purpose in order to allow for extra enforcement in the neighborhoods. The approved 2020 budget included the anticipated use of CDBG funds in this manner. Because the fiscal year for this CDBG allocation is July 2020 through June 2021, this proposed reduced allocation will not reserve CDBG funding for the first half of 2021 for this activity. The City's 2021 budget will need to be increased accordingly to maintain the current level of code enforcement.

**Zane Court Park****\$100,000**

Staff from Community Development, Administration, and the Recreation and Parks Departments identified a possible project to remove the existing playground and shelter located at 7227 Zane Avenue North, add community garden spaces, and create parking spaces off Zane Court. In line with the CDBG regulations, site improvements that are made to a property that is in public ownership are considered to be a public facility improvement eligible for assistance under this category. Should the Council move forward with this project as a concept, staff would engage the community on this idea. The community engagement piece is aimed at sharing and gathering ideas from the residents in the area regarding the proposed community gardens.

During the EDA Work Session meeting on January 21, Commissioners directed staff to order appraisals for the potential redevelopment of the Villas. If the EDA chooses to acquire and demolish the property for future redevelopment, an opportunity exists to address the issue of blight removal in the neighborhood while developing new, owner-occupied housing, which is an eligible CDBG activity. It was noticed as an option in case the EDA wanted to allocate dollars toward the project. However, it is important to take note that the deployment of the CDBG funds in this project could create additional barriers associated with federal guidelines related to Davis Bacon rules and other reporting requirements.

**Staff Analysis**

The proposed CDBG allocations are designed to be a part of a comprehensive community development strategy, which includes both "bricks and mortar" projects as well as programs and projects designed to support some of the social service needs of City residents. Each of the programs offer specific benefits to low- and moderate-income households, youth, or assists in the clearance of slum and blight, as required by the national CDBG program objectives.

The City Council has discretion on suggested funding allocations. Staff will evaluate any proposed changes to the allocations presented in this report for consistency with CDBG guidelines and report any findings at the February 24 Council meeting.

**Budgetary/Fiscal Issues:**

The CDBG program is a federally funded program and has no impact to the City's budget, except for the budgeted City staff time needed to receive and allocate funds and administer CDBG-funded programs.

As noted above, the proposed reduced allocation for code enforcement will not reserve CDBG funding for the first half of 2021 for this activity. The City's 2021 budget will need to be increased accordingly to maintain the current level of code enforcement services.

**Attachments:**

- 5.1A MARKETING FLYER FOR CDBG 2020
- 5.1B PRESS RELEASE
- 5.1C PUBLIC HEARING NOTICE
- 5.1D PUBLIC SERVICES CDBG AWARD LIST FOR FISCAL YEAR 2019-2020

# Community Development Block Grant for social service organizations



## Granting help to serve others

Social service providers who serve Brooklyn Park residents can now apply for 2020. Community Development Block Grant funds from Hennepin County.

### Amount of grant

Minimum request of \$5,500

### Requirements to apply

- Interested organizations must have 501(c) (3) status to apply
- Activities must benefit low- to moderate-income households in Brooklyn Park

### Application Timeline

Applications accepted January 7 through February 27, 2020 at 3:00 p.m.

### How to apply

- Visit Brooklyn Park website [www.brooklynpark.org/cdbg](http://www.brooklynpark.org/cdbg)
- Complete and submit a signed application to Hennepin County
- Submit a copy of your agency/organization's 501(c)(3) letter

### More information

Contact John Kinara or visit [www.brooklynpark.org/community-development-block-grant](http://www.brooklynpark.org/community-development-block-grant)

**John Kinara**  
Housing and Redevelopment  
Specialist  
**763-493-8054**  
[john.kinara@brooklynpark.org](mailto:john.kinara@brooklynpark.org)

**City of Brooklyn Park**  
City Hall  
**5200 85th Ave. N.**  
**Brooklyn Park, MN 55443**

[www.brooklynpark.org/  
community-development-  
block-grant](http://www.brooklynpark.org/community-development-block-grant)

**Tyler Moroles**  
Senior Planning Analyst  
Hennepin County  
**612-348-2670**  
[tyler.moroles@hennepin.us](mailto:tyler.moroles@hennepin.us)

**Brooklyn Park**   
Unique. United. Undiscovered.



## **PRESS RELEASE**

### **FOR IMMEDIATE RELEASE**

**Contact:** John Kinara  
Housing and Economic Development Specialist  
City of Brooklyn Park  
Phone: 763-493-8054  
Email: [john.kinara@brooklynpark.org](mailto:john.kinara@brooklynpark.org)

**Apply for a Community Development Block Grant**  
**Find out more at [www.brooklynpark.org/city-government](http://www.brooklynpark.org/city-government)**

**Brooklyn Park, MN (January 10, 2020)** - Social services providers who serve Brooklyn Park residents can now apply for 2020 Community Development Block Grant funds from Hennepin County. The funding is part of a federal HUD program and can be used for a variety of activities benefiting low- to moderate-income households. Interested organizations must have 501(c) (3) status to apply. Hennepin County granted more than \$70,000 in grants to area groups last year.

**If your group is interested in applying for a grant, you must log on to the City of Brooklyn Park Website beginning January 10, 2020 for details on how to apply and submit your application.** For more details, information, or questions contact John Kinara at 763-493-8054 or [john.kinara@brooklynpark.org](mailto:john.kinara@brooklynpark.org).

**Ad Proof**

Enlarged

## -Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at [publicnotice@ecm-inc.com](mailto:publicnotice@ecm-inc.com)

**Date:** 01/22/20**Account #:** 412480**Customer:** CITY OF BROOKLYN PARK**Address:** 5200 85TH AVE N  
BROOKLYN PARK**Telephone:** (763) 493-8180  
**Fax:****Publications:**

SP Brooklyn Ctr/Brooklyn Park

**Ad ID:** 1017003**Copy Line:** 2020 CDBG Public Hearing**PO Number:****Start:** 01/30/20**Stop:** 01/30/2020**Total Cost:** \$121.00**# of Lines:** 41**Total Depth:** 5.5**# of Inserts:** 1**Ad Class:** 150**Phone #** (763) 691-6000**Email:** [publicnotice@ecm-inc.com](mailto:publicnotice@ecm-inc.com)**Rep No:** SE700

Ad: 1

\$121.00

**CITY OF BROOKLYN PARK  
NOTICE OF PUBLIC HEARING  
2020 URBAN HENNEPIN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Notice is hereby given that the City of Brooklyn Park in cooperation with Hennepin County, pursuant to Title I of the Housing and Community Development Act of 1974, as amended, is holding a public hearing on **February 10, 2020 at 7.00 p.m.** in the Council Chambers located at 5200 85th Avenue North, Brooklyn Park, MN 55443.

The public hearing is on the housing and community development needs and the City's proposed use of the 2020 Urban Hennepin County Community Development Block Grant Program funding allocation of **\$448,000**.

In addition, between July 1, 2018 and June 30, 2019, additional funds in the amount of **\$59,200** were generated from program income for previously funded CDBG activities in the City.

The City of Brooklyn Park is proposing to undertake the following activities with 2020 Urban Hennepin County CDBG funds starting on or about July 1, 2020.

<b>Proposed Program Activity</b>	<b>Proposed Budget</b>
Home Rehabilitation Deferred Loan Program	\$263,300
Code Enforcement Program	\$17,500
Zane Court Park Facility Improvement	\$100,000
The Villas Redevelopment	\$59,200
Public/ Human Services	\$67,200
<b>Total</b>	<b>\$507,200</b>

For additional information on the priorities, proposed activities, level of funding, and program performance contact the City of Brooklyn Park at 763-493-8054 or the Hennepin County Housing Department at 612-348-2205.

The public hearing is being held pursuant to MS 471.59.

This material can be provided to you in different forms on request, such as large print, if you call 763-493-8054 or 763 -493-8141 (TTD/TTY).

DEVIN MONTERO  
CITY CLERK

Published in the  
Sun Post  
January 30, 2020  
1017003

Applicant	Activity Type	Organization	Requested	2018 CDBG Award	2019 CDBG Award	Notes	Service Area
Aeon	Family services and financial counseling	CEAP Meals on Wheels	\$ 25,000	\$ 22,200	\$23,000	Hot meals delivery to seniors and people with disability	Brooklyn Park/ Brooklyn Center
African Minnesota Women Awareness Group (AMWAG)	Domestic abuse counseling	Home Line	\$ 93,085	\$ 62,100	\$65,000	Tenant counseling	All Hennepin
Avenues for Homeless Youth	Homelessness prevention and support services	WeCan	\$ 15,000	\$ 14,400	\$14,000	Emergency rent/ mortgage assistance	Western Suburbs
CAP-HC	Financial counseling	CAPI	\$ 30,000	\$ 21,100	\$21,000	Workforce training/immigrant services	North Suburbs
CAPI	Workforce Training / Immigrant Food Services	Avenues for Homeless Youth	\$ 42,000	\$ 41,100	\$40,000	Homelessness prevention and supportive services	Northwest suburbs
Common Bond	Housing Counselling and Senior Services	Sojourner Project	\$ 9,000	\$ 10,000	\$9,000	Counseling services for domestic abuse victims	Southwest Suburbs
Community Emergency Assistance Programs (CEAP)	Senior Services- Meals on Wheels	Resource West	\$ 10,000	\$ 11,105	\$10,000	Emergency assistance/ financial counseling	All Hennepin
HIRED	Job Training	STEP	\$ 25,000	\$ 15,500	\$25,000	Emergency assistance	SLP
HOME Line	Tenant counseling	SCS - Home	\$ 187,100	\$ 82,100	\$82,000	Provides technical services to seniors like home repairs, snow removal	All Hennepin
ICA	Emergency rent/mortgage assistance	YMCA of Twin Cities	\$ 30,000	\$ 12,200	\$16,000	Youth programming	brooklyn Park/ Brooklyn Center/ Crystal
IOCP	Emergency rent/mortgage/utilities assistance	Tree House	\$ 35,000	\$ 34,400	\$19,000	Counseling and services for at risk youth	All Hennepin
PRISM	Emergency rent/mortgage assistance	CEAP- Community Connectors	\$ 55,000	\$ 22,200	\$28,000	Emergency assistance / Homelessness prevention	Brooklyn Park/ Brooklyn Center
ResourceWest	Emergency assistance, financial counseling	PRISM	\$ 40,000	\$ 25,500	\$30,000	Emergency assistance/ financial counseling	Crystal, Golden Valley, New Hope
SCS	Senior services (home maintenance and repairs)	Bridge for Youth	\$ 50,000			Youth services/ Homeless shelter	Brooklyn Park and SLP
SCS	Senior center programming (Gillespie Center)	CAP - HC	\$ 40,000	\$ 26,600	\$21,000	First homebuyer training and financial counseling	All Hennepin
Sojourner Project	Counseling and services for domestic abuse victims	AMWAG	\$ 20,000	\$ 5,500	\$5,000	Domestic violence counseling	Brooklyn Park/ Brooklyn Center
STEP	Emergency Rent	ICA	\$ 25,000	\$ 20,000	\$15,000	Emergency rent and mortgage assistance	Western suburbs
TreeHouse	Counseling and services for at-risk youth	Hired	\$ 40,000	\$ 20,000	\$10,000	Job training	Northwest suburbs
West African Family & Community Services	Job Training	Brooklyn United Methodist Church	\$ 15,000	\$ 8,000	\$7,000	Provides essential job training services to the immigrant community	Brooklyn Park/ Brooklyn Center
			Total Requested:	\$454,005	\$786,185		
			Funding Available:	\$400,000	\$440,000		
			Ratio of Request to Available:	1.14	1.78		

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	5.2	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Hearings	<b>Originating Department:</b>	Operations and Maintenance – Engineering Services Division
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jesse Struve, P.E. City Engineer
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Jesse Struve
<b>Item:</b>	Public Hearing for the Vacation of Drainage and Utility Easements		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_ VACATING DRAINAGE AND UTILITY EASEMENTS ON LOTS 1 AND 2, BLOCK 1, AND LOTS 1 AND 2, BLOCK 2, BROOKWOOD ESTATES.

### Overview:

Jenna Gardner is requesting the vacation of drainage and utility easements on Lots 1 and 2, Block 1, and Lots 1 and 2, Block 2, Brookwood Estates, according to the recorded plat thereof, Hennepin County, Minnesota. The properties are located at 5810 84 ½ Ave. N., 5802 84 ½ Ave. N., 5718 84 ½ Ave. N. and 5710 84 ½ Ave. N., respectively. These lots are being replatted and the easements will be reassigned to the new properties with the new plat.

On January 13, 2020, the City Council adopted Resolution #2020-12 ordering a public hearing to be held on February 10, 2020, for Council's review of the proposed vacation of drainage and utility easements on Lots 1 and 2, Block 1, and Lots 1 and 2, Block 2, Brookwood Estates. Staff notified all private utility companies of the petitioner's request and did not receive any opposition to the proposed vacation. Staff recommends the City Council vacate the drainage and utility easements.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

5.2A RESOLUTION  
5.2B FINAL PLAT

RESOLUTION #2020-

RESOLUTION VACATING DRAINAGE AND UTILITY EASEMENTS  
ON LOTS 1 AND 2, BLOCK 1, AND LOTS 1 AND 2, BLOCK 2,  
BROOKWOOD ESTATES

WHEREAS, Section 14.07 of the City Charter provides that the City Council may by resolution vacate any street, alley, public grounds, or public way, or any part thereof, when it appears in the interest of the public to do so; and

WHEREAS, the City of Brooklyn Park has drainage and utility easements over the following described land:

Parcel Description

Lots 1 and 2, Block 1, Brookwood Estates, Hennepin County, Minnesota  
Lots 1 and 2, Block 2, Brookwood Estates, Hennepin County, Minnesota

Easement Vacation Description

To vacate all drainage and utility easements for Lots 1 and 2, Block 1, and Lots 1 and 2, Block 2, as dedicated and donated in the record plat of Brookwood Estates, Hennepin County, Minnesota.

WHEREAS, a public hearing was held on February 10, 2020, as required by law; and

WHEREAS, it has been determined that good area planning requires that these easements be vacated and that it would be in the public interest to do so.

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

1. That the drainage and utility easements over the above described properties be vacated. The drainage and utility easements will be reassigned with the final plat.
2. A certified copy of this resolution shall be prepared by the City Clerk and shall be a notice of completion of the proceedings and shall be recorded in accordance with the provisions of Section 14.07 of Brooklyn Park City Charter.

# GARDNER BROOKWOOD ESTATES

C. R. DOC. No. \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS: That the Robert Gardner and Janice M. Gardner, husband and wife, owners of the following described property situate in the County of Hennepin, State of Minnesota, to wit:

Lots 1 and 2, Block 1, BROOKWOOD ESTATES.

And that Robert Gardner, Jr. owner of the following described property situate in the County of Hennepin, State of Minnesota, to wit:

Lots 1 and 2, Block 2, BROOKWOOD ESTATES.

Has caused the same to be surveyed and platted as GARDNER BROOKWOOD ESTATES and does hereby dedicate to the public for public use forever the easements for utility and drainage purposes and the public ways as shown on the plat.

In witness whereof said Robert Gardner and Janice M. Gardner, husband and wife, have set their hands this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Robert Gardner  
\_\_\_\_\_  
Janice M. Gardner  
STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by , Robert Gardner and Janice M. Gardner, husband and wife, owners.

\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(printed name)  
Notary Public, \_\_\_\_\_ County, Minnesota, My Commission Expires \_\_\_\_\_  
In witness whereof said Robert Gardner, Jr. has set his hand this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Robert Gardner, Jr.  
STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by , Robert Gardner, Jr., owner.

\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(printed name)  
Notary Public, \_\_\_\_\_ County, Minnesota, My Commission Expires \_\_\_\_\_

I Gregory R. Prasch do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat, that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.  
Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Gregory R. Prasch, Land Surveyor  
Minnesota License No. 24992  
STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by Gregory R. Prasch.  
Signature of Notary \_\_\_\_\_ (Notary's Printed Name) \_\_\_\_\_  
Notary Public \_\_\_\_\_, County, Minnesota. My commission expires \_\_\_\_\_

City Council, City of Brooklyn Park, Minnesota  
This plat of GARDNER BROOKWOOD ESTATES was approved and accepted by the City Council of the City of Crystal, Minnesota, at a regular meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subdivision 2.

City Council, City of Brooklyn Park, Minnesota

By \_\_\_\_\_ Mayor By \_\_\_\_\_ Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota  
I hereby certify that the taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

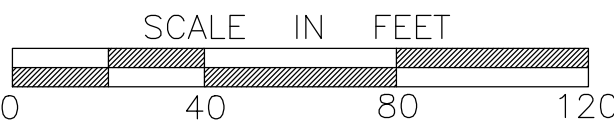
Mark V. Chapin, County Auditor By \_\_\_\_\_ Deputy

SURVEY DIVISION, Hennepin County, Minnesota  
Pursuant to Minnesota Statutes, Sec. 383B.565 (1969) this plat has been approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Chris F. Mavis, County Surveyor By \_\_\_\_\_

COUNTY RECORDER, Hennepin County, Minnesota  
I hereby certify that the within plat of GARDNER BROOKWOOD ESTATES was recorded in this office this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ M.

Martin McCormick, County Recorder By \_\_\_\_\_ Deputy

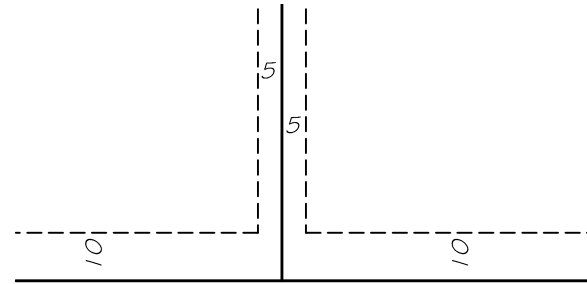


○ DENOTES 1/2 INCH BY 1 1/4 INCH IRON PIPE MONUMENT  
SET AND MARKED BY LICENSE NUMBER 24992.

● DENOTES FOUND 1/2 INCH IRON PIPE MONUMENT  
UNLESS OTHERWISE NOTED.

FOR THE PURPOSES OF THIS PLAT THE NORTH  
LINE OF Block 2, BROOKWOOD ESTATES IS  
ASSUMED TO BEAR NORTH 89°40'09" WEST

DRAINAGE AND UTILITY EASEMENTS  
ARE SHOWN THUS:



BEING 10 FEET IN WIDTH AND ADJOINING  
RIGHT OF WAY LINES AND 5 FEET IN WIDTH  
AND ADJOINING INTERIOR LOT LINES,  
UNLESS OTHERWISE SHOWN HEREON.

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	5.3	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	Public Hearings	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Devin Montero, City Clerk
<b>Ordinance:</b>	FIRST READING		
<b>Attachments:</b>	1	<b>Presented By:</b>	Scott Simmons, Chair, Charter Commission and Kathy Fraser, Chair, Community Long-range Improvement Commission
<b>Item:</b>	Public Hearing to Consider the Recommendation of the Brooklyn Park Charter Commission to Amend Charter Chapter 9, Section 9.04 and Chapter 11, Sections 11.01 and 11.02 of the Home Rule City Charter		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHARTER CHAPTER 9, SECTION 9.04 AND CHAPTER 11, SECTIONS 11.01 AND 11.02 OF THE HOME RULE CITY CHARTER.

### Overview:

At the Community Long-range Improvement Commission (CLIC) meeting in January 2019, the Commissioners had discussions on City Charter Section 9.04 regarding their duties and reports and forwarded the proposed changes to the Charter Commission.

At the Charter Commission meeting in May 2019, the Commissioners began their discussions on Section 9.04 related to the proposed changes provided by the CLIC. The Charter Commission tabled their discussions on Section 9.04 until their meeting in September to allow the CLIC to discuss at their May 2019 meeting and formally propose a recommendation of their changes to the Charter Commission.

At the CLIC meeting in May, the Commissioners discussed and approved the amendments to Section 9.04 and forwarded the amendments to the Charter Commission.

At the Charter Commission meeting on September 11, 2019, the Commissioners held discussions on the changes recommended by the CLIC from its May 2019 meeting. After lengthy discussions and proposing some additional changes, the Charter Commissioners had additional questions regarding the recommended changes by the CLIC. The questions and the Charter Commission's proposed changes were forwarded to the CLIC Chair to be discussed at their next meeting. The Charter Commissioners also invited the CLIC Chair to the October Charter Commission meeting to discuss the questions and changes to Section 9.04.

- The Charter Commission also continued their discussions on Chapter 11, Eminent Domain, Sections 11 and 11.02. Previous discussions were held in March and May regarding the city taking property for a public purpose and a proposed amendment. The Commissioners asked the City Attorney to provide his opinion on the proposed amendment. The Commissioners reviewed and discussed the City Attorney's opinion and unanimously voted to not make any changes to those sections. There were a couple of grammatical corrections that were banked to be brought forward with other Charter amendments.

At the Charter Commission meeting on October 2019, the CLIC Chair was present to discuss the questions and proposed changes to Section 9.04 of the City Charter. After lengthy discussions, the Charter Commissioners unanimously adopted the proposed changes from CLIC and Charter Commission and referred those changes back to the CLIC for their review and formal approval. The CLIC Chair presented the proposed changes to the CLIC members at their meeting in October and formally voted and approved the changes to Section 9.04.

At the Charter Commission meeting on December 11, 2019, the Commissioners discussed and reviewed the amendments to Section 9.04, 11.01 and 11.02 of the City Charter and unanimously voted on the amendments to be forwarded to the Council for consideration and approval.

The following is a routine timetable:

January 6, 2020	Council Set the Public Hearing
January 23, 2020	Public Hearing Notice and Text of Proposed Ordinance is Published
February 10, 2020	Public Hearing and First Reading of Ordinance Held
February 24, 2020	Second Reading of Ordinance Held
March 5, 2020	Ordinance Published in Newspaper
June 2, 2020	Ordinance Becomes Effective (90 days after passage and publication)

Publication must be the exact language the Council will vote on.

**Attachments:**

5.3A ORDINANCE

ORDINANCE #2020-

ORDINANCE AMENDING CHARTER CHAPTER 9, SECTION 9.04,  
AND CHAPTER 11, SECTIONS 11.02 AND 11.02 OF THE HOME RULE CITY CHARTER

~~Text with strikeouts is proposed for deletion.~~

Text with underline is proposed for insertion.

The City of Brooklyn Park does ordain:

**Section 1. Chapter 9, Section 9.04 of the City Charter is amended to read as follows:**

SECTION 9.04 COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION.

C. DUTIES. The Commission shall study all improvements consistent with the present and future needs and requirements of the City where improvements are defined as items that involve future development or redevelopment or that constitute significant budgetary changes proposed for future fiscal years. Commission study shall not be limited to proposed improvements, but shall exercise investigative functions, soliciting and taking inventory of community needs as necessary to perform and the duties whereby community-initiated requests for improvements are heard and considered. The Commission shall serve in an advisory capacity to the Council, and may also advise other committees, commissions, and task forces where their studies or projects involve long-range improvements. The Commission shall establish priority ratings of improvements, taking into consideration the following factors:

1. Public ~~reaction~~ response as determined from informal public meetings or surveys.
2. Desired development direction for the City.
3. Proper usage of public monies and/or collected fees.
4. Any other factors necessary or helpful in determining improvements for the City.

D. REPORTS. The Commission shall submit reports on projects it has studied to the City Council as well as other committees deemed appropriate. In addition to such reports, the Commission shall prepare and submit an Annual ~~Long-range Improvement Work~~ Plan to the City Council by ~~July 1~~ March 31 each year for consideration for the following year's budget. The recommendations of this Commission to the City Council shall be advisory. The Commission shall receive the full cooperation and support of all City officials (elected and non-elected) in the performance of their duties and preparation of their reports.

~~D E.~~ E. CONTENTS OF REPORTS. The Community Long-range Improvement Commission report(s) shall include the following, if applicable:

1. A concise summary of the report.
2. A list of all improvements which were considered by the Commission with appropriate supporting information concerning the need for such improvements.
3. A priority rating for each listed improvement.
4. An advisory opinion on any significant changes to the Capital Improvement Plan and Capital Equipment Plan (CIP/CEP).
5. General impact of the improvements in terms of community development.
6. Any matter about which the City Council has requested information.

~~E F.~~ F. RESPONSE BY COUNCIL. ~~A written review by the The City Council shall review of the Long-range Improvement Report(s) and shall be returned~~ respond to the Commission within sixty (60) days after the submission of the report(s).

**Section 2. Chapter 11, Sections 11.01 and 11.02 of the City Charter is amended to read as follows:**

**SECTION 11.01 EMINENT DOMAIN**

The city may acquire, by purchase, gift, devise, or condemnation in the manner provided by State law any property, corporeal or incorporeal, either within or without its corporate boundaries, ~~which~~ that may be needed by the city for any public use of purpose. Easements for slopes, fills, sewers, building lines, poles, wires, pipes, and conduits, for water, gas, heat, and power may be acquired by gift, devise, purchase, or condemnation in the manner provided by State law.

**SECTION 11.02 PROCEEDINGS IN ACQUIRING PROPERTY**

The necessity for the acquisition of any real property by the city shall be determined by the Council and shall be declared by a resolution ~~which~~ that shall describe such property as nearly as possible and state its intended use. Before adopting any resolution determining the necessity of the purchase of any real property, the Council shall receive a report as to the estimated market value of such real property, from one (1) or more persons other than officers or employees of the city, qualified in the appraisal of real property, appointed by the Council. The city shall attempt to negotiate the purchase with the owners of the property under consideration. If negotiations fail and the city exercises the power of eminent domain, the city shall proceed according to the laws of the State.

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	7.1	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	General Action Items	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Josie Shardlow, Community Engagement Manager
<b>Ordinance:</b>	SECOND READING		
<b>Attachments:</b>	1	<b>Presented By:</b>	Josie Shardlow
<b>Item:</b>	Second Reading of an Ordinance Pertaining to Census 2020		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2020-\_\_\_\_\_ AMENDING CHAPTER 134 OF THE BROOKLYN PARK CITY CODE PERTAINING TO ACCESS TO MULTI-UNIT HOUSING STRUCTURES BY UNITED STATES CENSUS BUREAU EMPLOYEES.

### Overview:

The proposed ordinance reinforces 13 U.S. Code § 223, which prevents property owners from denying Census Bureau employees access to multi-unit housing structures during the decennial census for the purpose of reaching households that have not yet participated. While the U.S. code exists, the Census Bureau does not prosecute non-compliance. The language of the proposed ordinance is modeled after Minnesota Statute 211b.20, which grants political candidates access to apartments.

The benefits of passing this ordinance could include:

- Get a more complete count as enumerators will more easily be able to access apartment communities
- Opportunity to educate and raise awareness of the Census among apartment property owners
- Give apartment dwellers a more equitable opportunity to be counted

Census takers are required to pass a background check and be fingerprinted. They complete training and carry photo identification.

Ideally residents will complete the Census after a reminder or two. However, we know that renters (along with people of color, immigrants and other populations, many of whom live in apartment communities) are less likely to self-respond. Census Bureau employees will need to follow up in person with residents who do not self-respond after five mailed reminders.

### Key points about the ordinance:

- U.S. Census Bureau employees would need to display current, valid Census Bureau credentials and be engaged in official counting operations during the census.
  - o Census takers only work during standard operational hours of 9 a.m. - 9 p.m.
- Census employees granted access must be permitted to leave census materials in an orderly manner for residents at their doors.
- Rental property managers would not have to give access to a particular apartment unit.
- Rental property managers could limit visits to a reasonable number of census employees.
- Rental property managers could require a prior appointment or notification to gain access.
- Rental property managers could deny admittance or expulsion of an individual employee from the building for good cause.

**Budgetary/Fiscal Issues:** N/A

**Attachments:**

7.1A ORDINANCE

## ORDINANCE #2020-

ORDINANCE AMENDING CHAPTER 134 OF THE BROOKLYN PARK CITY CODE  
PERTAINING TO ACCESS TO MULTI-UNIT HOUSING STRUCTURES BY UNITED STATES  
CENSUS BUREAU EMPLOYEES

~~Test with strikeout is proposed for deletion~~

Underlined text is proposed for insertion

The City of Brooklyn Park does ordain

**Section 1. Chapter 134 is amended by adding Section 134:05 as follows:**

**134:05. Access To Multi-Unit Housing Structures By United States Census Bureau Employees**

1. Declaration; Purpose.

(a) The United States Constitution directs a decennial census count of all persons living in the United States.

(b) Complete, accurate census data is of critical importance to all residents of Brooklyn Park for equal political representation, fair distribution of federal and state funding, and sound planning and investment in infrastructure, real estate, business development, and public policy and programming.

(c) During the decennial census, the United States Census Bureau conducts Non-Response Follow-up Operations (NRFU), when employees of the United States Census Bureau visit households that have not yet submitted a census form.

(d) Renters and others who live in multi-unit housing structures have historically been at higher risk of being undercounted in the decennial census, with the number of renter households in an area being the most influential variable affecting an area's census self-response rate; in other words, the more renters in an area, the lower the self-response rate of that area.

(e) The risk of an undercount is compounded in areas with high concentrations of communities that have been consistently undercounted in the past and who are more likely to be renters, including low income households, communities of color, Native American/American Indian communities, immigrants and refugees, and young people.

(f) Multi-unit housing structures can be difficult for Census Bureau employees to enter due to security barriers.

(g) It is critical that Census Bureau employees have access to multi-unit housing structures during the decennial census, so they can reach households that have not yet participated.

(h) 13 U.S. Code § 223 authorizes Census Bureau employees to access "any hotel, apartment house, boarding or lodging house, tenement, or other building."

2. It is unlawful for a person, either directly or indirectly, to deny access to an apartment building, dormitory, nursing home, manufactured home park, other multi-unit structure used as a residence, or an area in which one or more single-family dwellings are located on private roadways to employees of the United States Census Bureau who display current, valid Census Bureau credentials and who are engaged in official census

counting operations during the Census Bureau's standard operational hours of 9:00 a.m. to 9:00 p.m. (local time) during the decennial census.

3. Census Bureau employees granted access must be permitted to leave census materials in an orderly manner for residents at their doors, except that the manager of a nursing home may direct that the materials be left at a central location within the facility.
4. This ordinance does not prohibit (1) denial of admittance into a particular apartment, room, manufactured home, or personal residential unit; (2) denial of permission to visit certain persons for valid health reasons, in the case of a nursing home or a Registered Housing with Services Establishment providing assisted-living services meeting the requirements of Minnesota Statutes, section 144G.03, subdivision 2; (3) limiting visits to a reasonable number of census employees; (4) requiring a prior appointment or notification to gain access to the structure; or (5) denial of admittance to or expulsion of an individual employee from a multi-unit housing structure for good cause.

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	7.2	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	General Action Items	<b>Originating Department:</b>	Operations and Maintenance - Engineering Services Division
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jeff Holstein, P.E., P.T.O.E. City Transportation Engineer
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	5	<b>Presented By:</b>	Jesse Struve, City Engineer
<b>Item:</b>	Approve Stipulation of Settlement Agreement for Acquisition of Property from Parcel 10 of the TH 169/101 <sup>st</sup> Avenue Interchange Project, CIP 4042-19		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_ APPROVING STIPULATION OF SETTLEMENT AGREEMENT FOR ACQUISITION OF PROPERTY FROM PARCEL 10 OF THE TH 169/101<sup>ST</sup> AVENUE INTERCHANGE PROJECT, CIP 4042-19.

## Overview:

The City Council took several actions over the past five years confirming Brooklyn Park's participation in the design, construction and right of way (ROW) acquisition for an interchange on Trunk Highway 169 at 101<sup>st</sup> Avenue North. In April 2019, the City Council authorized approval of appraised values, offers for compensation, and acquisition by eminent domain for the interchange project.

The City received the final appraisals for the required right of way needs of the project in May/June and initial offers were made to the affected properties. The offers were based on independent appraisals for the fair market value of the property including severance damages (where required). The initial offers were followed by one month of negotiations, as required by the state, prior to filing for eminent domain on July 15, 2019. The City obtained title and possession by the condemnation action via "quick-take" process of the required properties on October 15, 2019.

Staff continued to work with the city's land acquisition consultant (WSB Associates) and the City Attorney to reach negotiated settlements with all property owners. The April 2019 Council action approved allowing staff and consultants to negotiate reasonable settlements with the property owners with subsequent Council approval. The City Attorney and WSB indicate it is reasonable for the City's last written offer (LWO) prior to filing for eminent domain to be higher than the City appraised values. The goal of this higher offer is to minimize "risk" by avoiding condemnation, additional city attorneys' fees, and paying the court cost and attorneys' fees of the landowner.

Parcel 10 is a 17.83 acre (776,606 s.f.) parcel located in the southeast corner of the proposed interchange. The parcel contains a 101,394 s.f. church (Grace Fellowship) with two full movement access drives to/from 101<sup>st</sup> Avenue North. There is currently no other access provided to the church. The project requires a strip along the northern portion of the parcel to provide the bridge embankment for the interchange. This strip of right of way is 60,056 s.f. and results in the elimination of the existing access drives. A temporary easement (15,896 s.f.) is also needed. The project plans include reproviding access to the church further to the east through property the city recently obtained from the Target Corporation. The future access to the church would be from 101<sup>st</sup> Avenue to Xylon Avenue, then south to a new east/west public roadway connection and west to the church's north parking area. The City Council approved a commitment to reprovide access to Parcel 10 at the October 14, 2019 meeting (Resolution #2019-163).

The City's appraiser determined value of the taking, including a severance damage to account for the proposed change of access at \$766,000. The City Attorney and WSB subsequently advised a LWO of \$1,100,000 to avoid litigation costs associated with the condemnation process. This offer was later increased by \$60,000 to allow for the church to construct a second access onto Xylon Avenue through Target Corporation property if they are successful negotiating this separate agreement with the Target Corporation.

The City Attorney prepared a Stipulation of Settlement Agreement to convey ownership of the portion of Parcel 10 needed for the project from the landowner to the city. A copy of this document is attached. Staff and WSB reviewed this document and recommend the City Council approve the Stipulation of Settlement Agreement for acquisition of property from Parcel 10 of the TH 169 / 101<sup>st</sup> Avenue Interchange Project.

**Primary Issues/Alternatives to Consider:**

The City deposited the city appraised value of the taking (\$766,000) with the district court on October 15 as part of the taking process. The court has retained this amount. Approval of the stipulation will result in the city processing a new payment to the owner for the full amount (\$1,160,000) and then receiving reimbursement of the \$766,000 from the court.

**Budgetary/Fiscal Issues:**

Project No. 4042-19 is included in the City's 2020-2024 Capital Improvement Plan. Funding is planned to come from the City's EDA, special assessments and grants.

**Attachments:**

- 7.2A RESOLUTION
- 7.2B STIPULATION OF SETTLEMENT AGREEMENT
- 7.2C LOCATION MAP
- 7.2D PARCEL TAKINGS MAP
- 7.2E ALTERNATIVE ACCESS FIGURE

RESOLUTION #2020-

RESOLUTION APPROVING STIPULATION OF SETTLEMENT AGREEMENT  
FOR ACQUISITION OF PROPERTY FROM PARCEL 10 OF THE TH 169/101<sup>ST</sup> AVENUE  
INTERCHANGE PROJECT, CIP 4042-19

WHEREAS, the City of Brooklyn Park is a municipal corporation organized and operating under Minnesota law, and is authorized by Section 11.01 of its City Charter, and by Minnesota Statutes Section 465.01, to acquire private property for an authorized public purpose, using the procedure prescribed by Minnesota Statutes, Chapter 117; and

WHEREAS, in cooperation with the Minnesota Department of Transportation ("MnDOT"), the City has undertaken a project known as the Trunk Highway 169/101<sup>st</sup> Avenue Interchange Project, City Project CIP 4042-19 (the "Project") and by Resolution #2019-49, the City Council approved proceeding with the Project; and

WHEREAS, the Project involves the construction of an interchange at Trunk Highway ("TH") 169 and 101<sup>st</sup> Avenue; and

WHEREAS, the City is responsible for obtaining the necessary right of way for the Project, and the City Council authorized approval of appraised values, offers for compensation and acquisition by eminent domain at the April 22, 2019 meeting; and

WHEREAS, the City has deemed it necessary to acquire a portion of the parcel located in the southeast corner of the Project (PID # 0711921120004); and

WHEREAS, the City Engineer, City Attorney and the City's consultant have agreed upon a purchase price of \$1,160,000 with the landowner for the portion of the parcel to be taken; and

WHEREAS, the City Attorney has prepared a Stipulation of Settlement Agreement to convey the taking from the landowner to the City for the agreed upon price; and

WHEREAS, the Project is scheduled to commence construction during the 2020 construction season.

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

1. The City Council approves the Stipulation of Settlement Agreement for acquisition of property from Parcel 10 of the TH 169 / 101<sup>st</sup> Avenue Interchange Project for a cost of \$1,160,000.
2. The Mayor and City Manager are authorized to execute the agreement on behalf of the City.

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Case Type: Condemnation

Court File No.: 27-CV-19-11928

City of Brooklyn Park, a municipal  
corporation under Minnesota law,

Petitioner,

vs.

**STIPULATION OF SETTLEMENT  
AGREEMENT  
(Parcel 10)**

David William Strootman; Bridget Morrow  
Strootman; Dale Properties, LLC; Alan J.  
Dale; Crossroads Alliance Church; STC Five  
LLC; Five Sons and Two Daughters, LLC;  
Northern States Power Company; Beverly A.  
Goerisch; Donald G. Goerisch; U.S. Bank  
National Association; County of Hennepin;  
Kevin Thurs; Costney Egan; Egan Exteriors  
LLC; Raymond A. Simons; Bernadine H.  
Simons; Angela Friberg; Grace Fellowship;  
and Baptist General Conference Cornerstone  
Fund,

Respondents.

**THIS STIPULATION OF SETTLEMENT AGREEMENT ("Agreement")** is entered into between City of Brooklyn Park, a municipal corporation under the laws of the State of Minnesota ("City"), Grace Fellowship ("Church" or "Owner"), and Baptist General Conference Cornerstone Fund, now known as Converge Cornerstone Fund ("Mortgagee"). The City, the Owner, and Mortgagee, are each individually referred to herein as a "Party" and are collectively referred to herein as "Parties."

## **I. RECITALS**

**WHEREAS**, the City, having the power of eminent domain as provided in Minnesota Statutes, Chapter 117, filed a petition in eminent domain proceedings and motion for early transfer of title and possession to acquire various interests in land in the City of Brooklyn Park in the above-captioned matter for the reconstruction of the 101<sup>st</sup> Avenue and U.S. Highway 169 Interchange ("Project"); and

**WHEREAS**, Owner is the owner in fee simple of the real estate which is legally described in Exhibit A, attached hereto ("Church Property" or "Parcel 10" in the above-captioned matter), subject to the encumbrances listed in Exhibit A, including a mortgage in favor of Mortgagee; and

**WHEREAS**, on September 19, 2019, the Court filed its Findings of Fact, Conclusions of Law and Order Approving Petition and Transfer of Title and Possession in the above matter, approving the City's acquisition of the interests in Parcel 10 which are described therein, and which are described in Exhibit A attached hereto and shown as "Right of Way (FEE ACQUIRED)" in the blue cross-hatched area and the "Temporary Grading Easement" in the green cross-hatched area on Exhibit B attached hereto ("Parcel 10 Interests"), and authorizing City to obtain the early transfer of title and possession of the Parcel 10 Interests upon the City's payment to the Owner or deposit with the Court of the City's approved appraisal of value for the Parcel 10 Interests pursuant to Minnesota Statutes, Section 117.042; and

**WHEREAS**, on October 15, 2019, pursuant to said Order, the City deposited \$766,000.00 ("Parcel 10 Deposit") in the Office of the District Court Administrator for Hennepin County, Minnesota, as the City's approved appraisal of value amount for the Parcel 10 Interests, in order to transfer title and possession of the Parcel 10 Interests to the City pursuant to Minnesota Statutes, Section 117.042; and

**WHEREAS**, on October 15, 2019, the City filed said Order in the Office of the Hennepin County Recorder, as Document No. A10712087, and filed the Receipt of Deposit in the Office of the Hennepin County Recorder, as Document No. A10712088, thereby causing title and the right to possession of the Parcel 10 Interests to pass to City; and

**WHEREAS**, for the benefit of Owner and the Church Property, prior to October 15, 2019: (a) City obtained right-of-way for a new road ("Target ROW") from the property immediately east of the Church Property ("Target Parcel"), which right-of-way shall provide access to Parcel 10 in replacement for accesses which will be closed by the Project from Parcel 10 to adjacent streets, and (b) the City Council of City adopted a resolution committing to provide replacement access to Parcel 10; and

**WHEREAS**, City will construct a new public roadway connection to serve Parcel 10, from 101<sup>st</sup> Avenue North over the Target ROW and a new private connection from the east property line of the Church Property to the Church parking lot in the area and as shown in Exhibit C attached hereto, and City will not permit old access points to Parcel 10 to be closed until the new access over the Target ROW and the private connection has been constructed and is available for permanent use by Owner; and

**WHEREAS**, the Parties have reached agreement on the total amount which the City will pay to Owner in settlement of all claims which the Owner and Mortgagee may have against the City for the taking by City of the Parcel 10 Interests from Owner and Mortgagee in this matter, and the Parties hereby enter this Agreement to confirm the terms of their agreement; and

**WHEREAS**, Owner represents that this Agreement has been approved by its church council and congregation, and that all requirements under its constitution and bylaws for sale of

Church property have been satisfied in connection with the sale by Owner of Owner's property to City in this matter.

## **II. AGREEMENT**

**NOW, THEREFORE**, in consideration of their mutual promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties stipulate and agree as follows:

**2.1 Recitals.** The Parties agree with all of the recitals set forth above and agree to make each of the recitals set forth above part of this Agreement.

**2.2 Settlement Amount.** The Parties agree that: (a) City will pay Owner a Settlement Amount of One Million One Hundred Sixty Thousand and no/100 Dollars (\$1,160,000) as total compensation for the acquisition herein by City of the Parcel 10 Interests, as described in Exhibit A attached hereto; (b) City will construct a new public roadway connection to serve Parcel 10, from 101<sup>st</sup> Avenue North over the Target ROW and a new private connection from the east property line of the Church Property to the Church parking lot in the area as shown in Exhibit C attached hereto, and City will not permit old access points to Parcel 10 to be closed until the new access over the Target ROW and the private connection has been constructed and is available for permanent use by Owner; (c) that the Settlement Amount includes \$60,000, toward the cost which Owner will incur if Owner chooses to construct a second access route to the Subject Property over the Target Parcel in the future, and if this second access route is approved by Target Corporation or whomever is then the owner of the Target Parcel; (d) that the Settlement Amount is fair and equitable total compensation for the acquisition by the City of the Parcel 10 Interests, and related costs which will be incurred by Owner due to the City's takings herein; and (e) that City's payment of the Settlement Amount satisfies any and all claims which the Owner could assert against the

City in the above captioned matter in connection with the City's acquisition of the Parcel 10 Interests for the Project, including, but not limited to: interest, damages for the taking of real estate, access, fixtures, and improvements, if any, severance damages to the remainder of the Subject Property, damages to the Subject Property due to construction-related interference, demolition and related expenses, and reimbursement of litigation expenses incurred herein by Owner, including appraisal fees, expert fees, and attorney fees. The Owner agrees to pay Mortgagee \$46,064.96 from the Settlement Amount to be applied by Mortgagee in accordance with the Agreement Regarding Condemnation Awards by and between Owner and Mortgagee dated December 16, 2019.

**2.3 Contingency.** This Agreement is contingent upon receipt by counsel for City of a written waiver by Respondent Northern States Power Company of any claim for compensation with respect to Parcel 10 in the above captioned action, in form acceptable to counsel for the City.

**2.4 Payment.** City will pay the Settlement Amount to Owner by postage-paid certified mail, return receipt requested, addressed to Owner's Senior Pastor at 8601 101<sup>st</sup> Avenue North, Brooklyn Park, MN 55445, within 30 days following the approval of this Agreement by the City Council of City, and the written consent to this agreement by Mortgagee.

**2.5 Deposit.** Owner and Mortgagee hereby assign the Parcel 10 Deposit to City, effective upon City Council's approval of this Agreement.

### **III. MISCELLANEOUS**

**3.1 Waiver of Notice.** Owner and Mortgagee hereby waive their right to further notices and hearings under Minnesota Statutes, Chapter 117.

**3.2 Choice of Law.** This Agreement is governed by and shall be construed in accordance with the laws of the State of Minnesota.

**3.3 Court Retains Jurisdiction.** The Parties agree that Hennepin County District Court has jurisdiction to enforce this Agreement.

**3.4 Voluntary Agreement.** The undersigned have read this Agreement and understand its terms. The Owner and Mortgagee acknowledge that they have had a sufficient opportunity to consult with legal counsel of their choice, and they voluntarily enter into this Agreement, and intend to be bound by all of the terms stated herein.

**3.5 Entire Agreement.** This Agreement constitutes the entire agreement between the Parties. In executing this Agreement and compromising all claims which they may have related to the Project, the Owner and Mortgagee specifically represent that they are not relying on any statements or promises by or on behalf of the City other than those stated in this Agreement. Upon approval of this Agreement by the City Council of City, the terms of this Agreement shall constitute a binding contract. No modification or amendment to this Agreement shall be valid or binding unless contained in a written instrument which is signed by all Parties hereto and approved by the City Council of City.

**3.6 Introduction To Target Corporation Personnel.** The City Manager, or his designee, will introduce a representative of Owner to a representative of Target Corporation who is familiar with the City's acquisition of the Target ROW, to enable Owner to begin discussions with Target Corporation about a possible additional access to the Subject Property across the Target Parcel from a public road.

**3.7 Possible Additional Access To and From Future Public Road.** City agrees that, if a future public road is ever constructed on property owned by City, which abuts the Subject Property, the City will allow one access point to and from the Subject Property and to and from the future public road.

**3.8 Remove Trees.** The City agrees to remove additional trees from the new entrance area to be constructed between the east property line of the Church Property and the Church parking lot.

**3.9 New Entrance Sign and Directional Maps.** If approved by the City, the Church may install a new Church entrance sign on the Church Property near the new entrance to be constructed that complies with City Code. Upon City approval, the City will place a dirt base of adequate dimensions to underlie it. Both during and after the project, the City shall provide the Church with a map indicating the route to enter and exit the Church property. The Church shall be responsible for making copies of these maps for its use.

**3.10 Sprinkler System.** The City will move the Church sprinkler systems now located in the north and east sides of the Subject Property and which will be impacted by the Project to new locations acceptable to the Church.

**3.11 Removal of Trees.** If allowed by City Code, and if approved by the City Council, the Church may remove trees now growing along the TH169 right of way adjacent to the Subject Property by the south side of the Owner's building.

**3.12 Signage on Kids, Youth and Worship Building.** If found by the City to be allowed by the City's Sign Code, the Church may be allowed to place a sign on the Church's Kids, Youth and Worship Building.

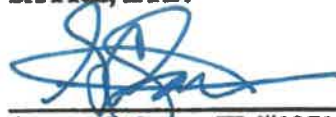
**3.13 Signage on Worship Building.** If found by the City to be allowed by the City Sign Code, the Church may be allowed to install some signage on the Church's worship building.

**3.14 Light Pole Signage in Church Property.** If found by the City to be allowed by the City Sign Code, the Church may be allowed to install a sign on the light pole on the Church Property.

**3.15 Underground Tank.** The City does not believe that the Church's underground tank will be affected by the Project, but if the underground tank is affected as a direct result of the Project, the City will address the problem as part of the Project. Replacement of the underground tank or payment by the City of compensation for a new underground tank will be contingent upon the Church providing an inspection report to the City which is prepared by a qualified person which shows the tank to be in good working condition prior to March 1, 2020. A City representative must be present during the inspection process.

**3.16 Effective Date.** This Agreement shall become effective upon its execution by or on behalf of all parties, and delivery of the fully signed Agreement to the City, the Owner, and the Mortgagee.

**IN WITNESS THEREOF,** the undersigned have each executed this Agreement on the day and year set forth below.

**SIGNATURE PAGE FOR OWNER****OWNER:****GRACE FELLOWSHIP**Dated: 1-22, 2020By: Paul D. GileIts: Church Chairman**LEONARD, O'BRIEN, SPENCER, GALE &  
SAYRE, LTD.**Dated: 1-23, 2020Grover C. Sayre, III (#137108)  
100 South Fifth Street, Suite 2400  
Minneapolis, MN 55402**ATTORNEYS FOR GRACE FELLOWSHIP****MORTGAGEE:****CONVERGE CORNERSTONE FUND,  
formerly known as BAPTIST GENERAL  
CONFERENCE CORNERSTONE FUND**Dated: January 23<sup>rd</sup>, 2020By: Paul KuntIts: Vice President

Dated: \_\_\_\_\_, 2020


**CITY OF BROOKLYN PARK**

By: \_\_\_\_\_  
Jeffrey Lunde, Mayor

By: \_\_\_\_\_  
Jay Stroebe, City Manager

Dated: January 27, 2020

**KENNEDY & GRAVEN, CHARTERED**

  
\_\_\_\_\_  
Douglas D. Shafel (#0391985)  
Abby Jacobson (#0397069)  
470 U.S. Bank Plaza  
200 South Sixth Street  
Minneapolis, MN 55402  
(612) 337-9300

**ATTORNEYS FOR CITY OF  
BROOKLYN PARK**

**EXHIBIT A**

**Parcel No. 10:** Property I.D. 07-119-21-12-0004, Torrens, Certificate No. 757895

**Property Address:** 8601 – 101<sup>st</sup> Av N, Brooklyn Park, MN 55445

**Description of Subject Property:**

That part of the West half of the Northwest Quarter of the Northeast Quarter of Section 7, Township 119, Range 21, lying Easterly of a line run parallel with and distant 100 feet Easterly of the following described line:

Beginning at a point on the North line of said Section 7, distant 75.02 feet West of the North Quarter corner thereof; thence run Southerly at an angle of 88 degrees 52 minutes 30 seconds with said North section line (when measured from West to south) for 218.91 feet; thence deflect to the left on a 00 degree 45 minutes 00 second curve (delta angle 12 degrees 48 minutes 35 seconds) for 1707.96 feet and there terminating;

Except a triangular tract adjoining and Easterly of the above described strip and Northwesterly of the following described line:

Beginning at a point on the Easterly boundary of the above described strip, distant 100 feet Southerly of its intersection with a line run parallel with and distant 33 feet South of the North line of said Section 7; thence run Northeasterly to a point on said 33 foot parallel line, distant 100 feet Easterly of said intersection; thence continue to the North line of said Section 7;

And except that part thereof which lies southerly of the Southerly right-of-way line of the public road running along the North line of said Section 7 and Northerly of Line 1 described below:

Line 1. Beginning at a point on the North line of said Section 7, distant 794.98 feet East of the North Quarter corner thereof; thence run Southerly at right angles to said North section line for 33 feet; thence run Westerly to a point distant 50 feet Southerly (measured at right angles) of a point on said North section line, distant 424.98 feet East of the North Quarter corner thereof; thence run Westerly to a point distant 60 feet Southerly (measured at right angles) of a point on said North section line, distant 124.98 feet East of the North Quarter corner thereof; thence run Westerly parallel with said North section line to its intersection with the West line of the first tract described above and there terminating;

Hennepin County, Minnesota.

**Description of Portion of Property to be taken in fee:**

All that part of the Subject Property (described above), lying within the north 150.00 feet of the West Half of the Northwest Quarter of the Northeast Quarter.

**Description of access to be taken:**

All right of access, being the right of ingress to and egress from the hereinbefore described property to be taken in fee.

**Description of easements to be taken:**

**Temporary Grading Easement**

A temporary easement for grading and construction purposes over that part of the Subject Property (described above) described as follows:

Commencing at the northwest corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 7; thence South 00 degrees 17 minutes 06 seconds West, assumed bearing, along the west line of said West Half, 150.00 feet; thence South 89 degrees 56 minutes 01 seconds East, 196.45 feet to point "A" and the point of beginning of the land to be described; thence South 00 degrees 00 minutes 00 seconds East, 45.00 feet; thence South 89 degrees 56 minutes 01 seconds East 129.60 feet; thence North 00 degrees 00 minutes 00 seconds East, 45.00 feet; thence North 89 degrees 56 minutes 01 seconds West, 129.60 feet to the point of beginning.

Together with:

Commencing at said point "A"; thence South 89 degrees 56 minutes 01 seconds East, 314.73 feet to the point of beginning; thence South 00 degrees 24 minutes 29 seconds East, 60.00 feet; thence South 89 degrees 56 minutes 01 seconds East, 54.82 feet; thence South 00 degrees 23 minutes 11 seconds West, 15.00 feet; thence South 89 degrees 56 minutes 01 seconds East, 90.00 feet to the east line of said West Half of the Northwest Quarter of the Northeast Quarter; thence North 00 degrees 23 minutes 11 seconds East along said east line, 75.00 feet; thence North 89 degrees 56 minutes 01 seconds West, 145.65 feet to the point of beginning.

**Term of Temporary Easement:** November 15, 2019—November 15, 2021

Subject to easements of record, except as taken herein. Note: Petitioner intends to take the interests described above subject to an easement for sewer conveyed to the Metropolitan Council at T3377942 (re Parcel 28, with a Consent to Encroachment at T3579784).

**Interests being acquired as to fee takings and encumbered as to easement takings within the taking areas described above:**

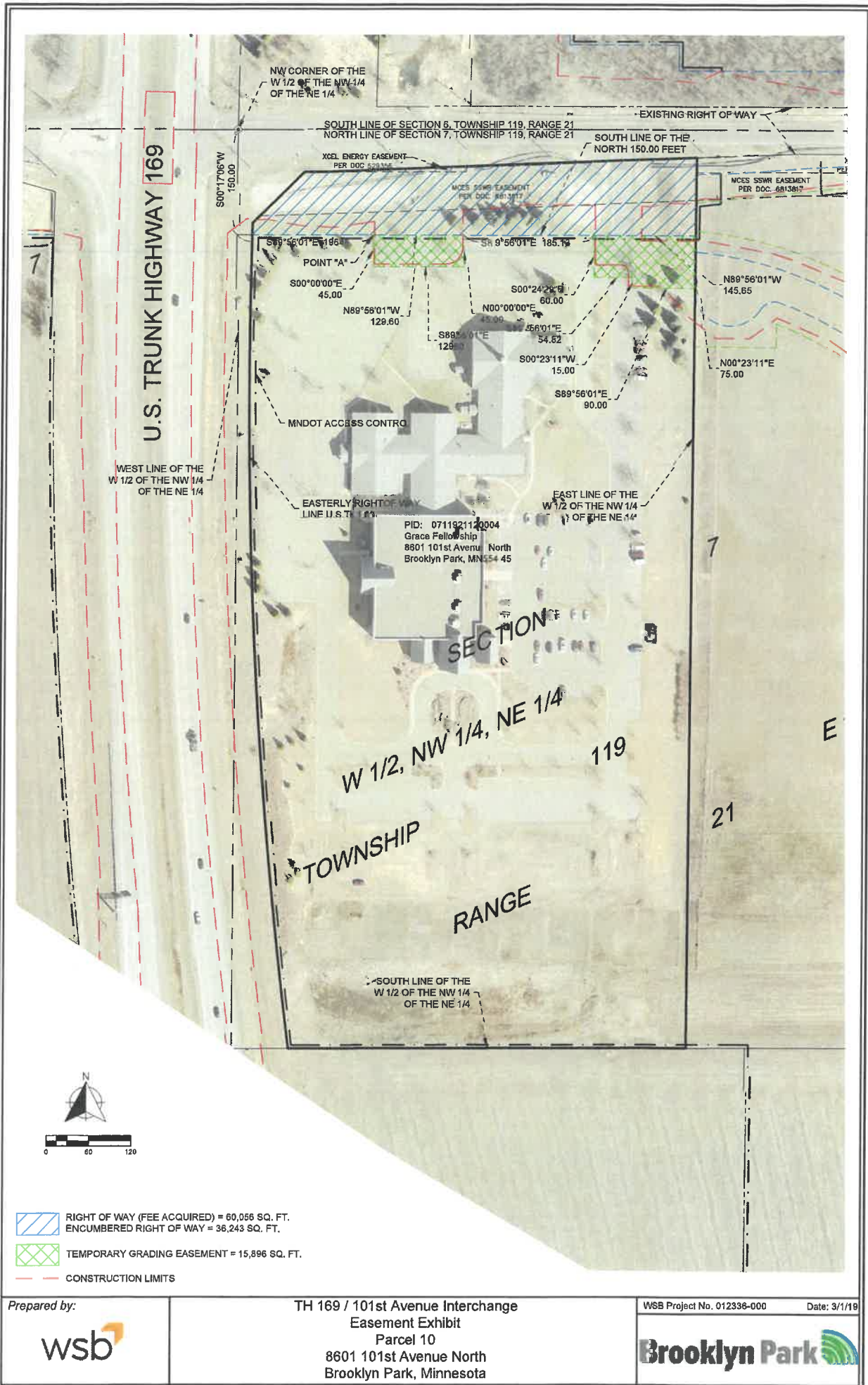
NAME	NATURE OF INTEREST
Grace Fellowship	Fee Owner
Baptist General Conference Cornerstone Fund	Mortgagee
Northern States Power Company	Easement
All other parties unknown, together with unknown successors, assigns, heirs, devisees and spouses, if any	Any right, title or interest within the acquired portion of the Subject Property

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

**EXHIBIT B**

**Parcel 10 Sketch**

**[attached]**



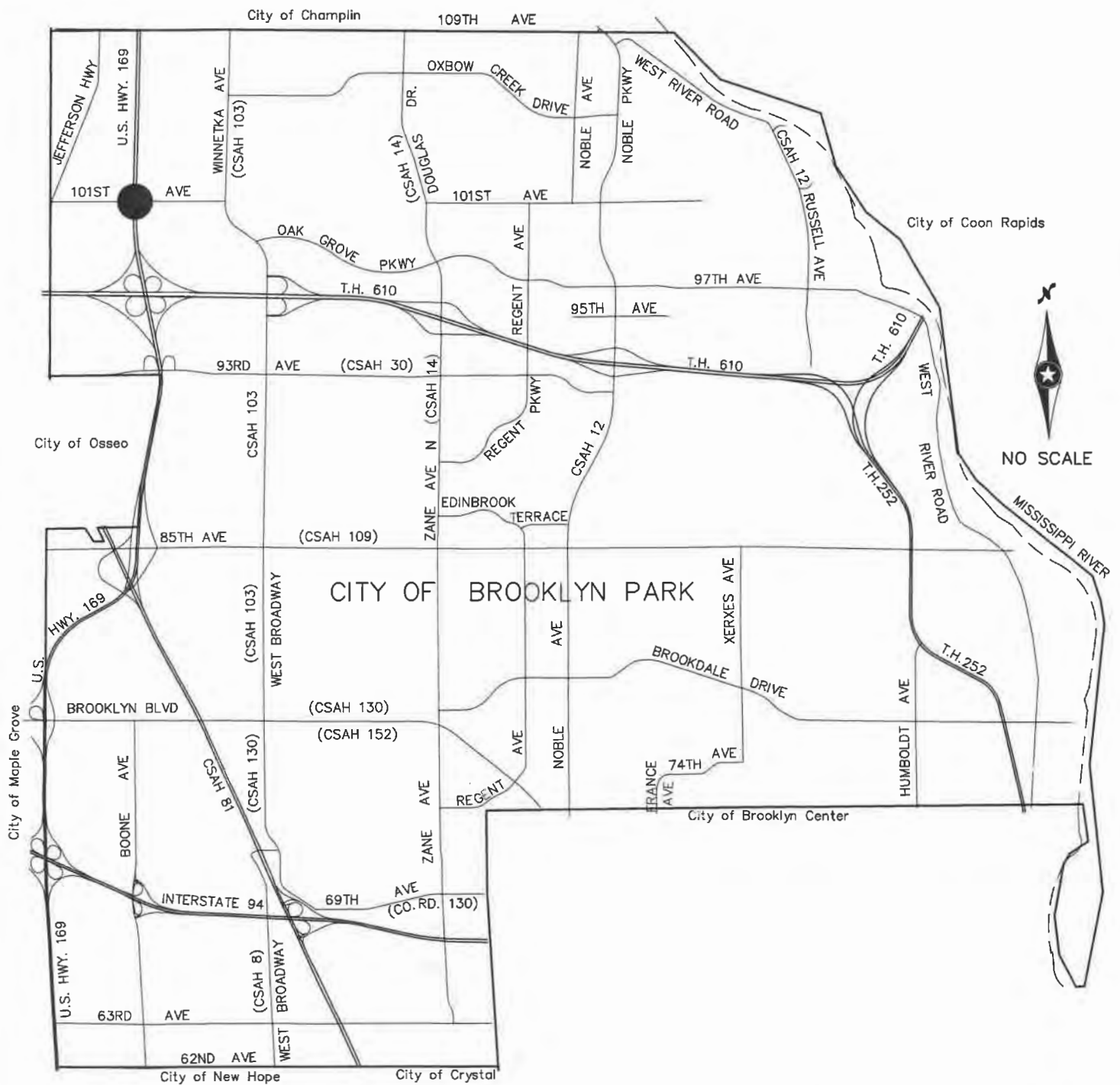
**EXHIBIT C**

**Plan Sheet**

**[attached]**

[illegible]

# TH 169/101ST AVE INTERCHANGE PROJECT



PROPOSED PROJECT

**Brooklyn Park**



Prepared by:



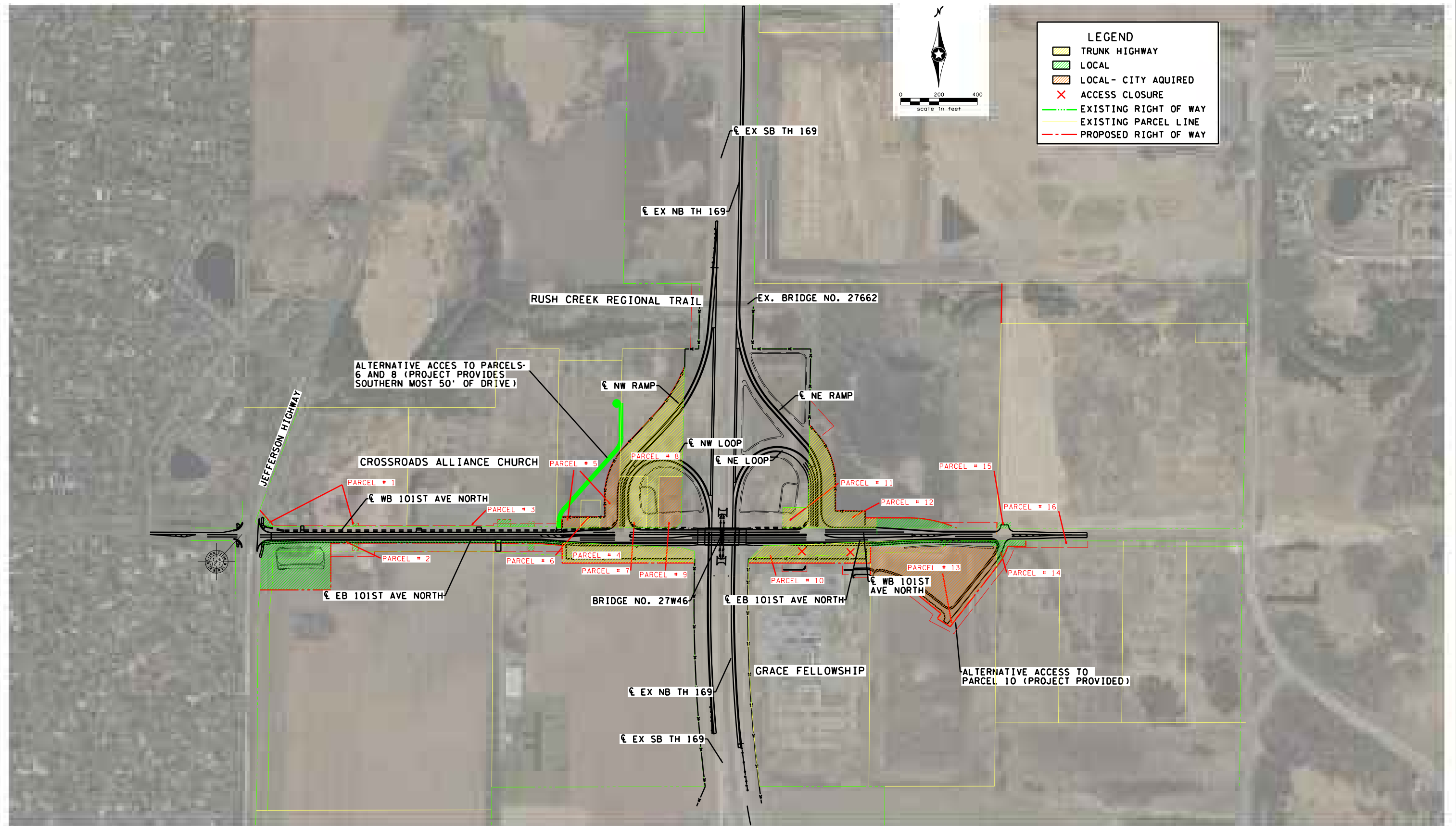
TH 169 / 101st Avenue Interchange  
Easement Exhibit  
Parcel 10  
8601 101st Avenue North  
Brooklyn Park, Minnesota

WSB Project No. 012336-000

Date: 3/1/19



pw:\\srf-pw.bentley.com:srf-pw\Documents\Projects\11431\03\_Design\Graphic\11431\_ROW\_Graphic3.dgn


 8757  
10/8/2019

## Alternative Access to Parcel 10 and to Remainder of Parcels 6 and 8

TH 169/101ST AVENUE INTERCHANGE PRELIMINARY DESIGN  
CITY OF BROOKLYN PARK

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	7.3	<b>Meeting Date:</b>	February 10, 2020
<b>Agenda Section:</b>	General Action Items	<b>Originating Department:</b>	Operations and Maintenance Engineering Services Division
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jesse Struve, P.E., City Engineer
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	4	<b>Presented By:</b>	Jesse Struve
<b>Item:</b>	Approve Preferred Layout for 93 <sup>rd</sup> Avenue Reconstruction, CIP 4054-20		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-\_\_\_\_\_ APPROVING PREFERRED LAYOUT FOR 93<sup>RD</sup> AVENUE RECONSTRUCTION, CIP 4054-20.

## Overview:

On December 9, 2019, the City Council authorized staff to reconstruct 93<sup>rd</sup> Avenue from Zane Avenue to Regent Avenue in 2020. The main goals of the project are to reduce speed along 93<sup>rd</sup> Avenue, provide a sidewalk between Zane Avenue and Regent Avenue, and provide a multi-use path from Zane Avenue to Noble Parkway. Staff and the consulting engineers analyzed numerous layouts and narrowed these down to two options.

### Option #1 – Preferred Layout

This layout provides a 6' concrete sidewalk on the north side of the road, a 10' multi-purpose trail on the south side (Zane to Noble), incorporates a planted median, left turn lanes into existing entrances, narrows the drive lanes down to 11', and incorporates pinch points by narrowing and minimizing the spacing between the median and boulevard. This design will provide the best opportunity to reduce driver speeds through this corridor.

Other benefits of this design are reduced hardcover, less storm sewer treatment requirements, and added green space through the corridor. Breaks in the planting area were added to allow for pull off location for the maintenance crews. The trails and sidewalks were also separated by an 7-8' boulevard area. The 10' multi-purpose trail was moved from the north side of the road to the south side. This was decided because there are grade issues on the north side toward Noble Parkway and the gas station has their underground tanks close to the right of way and a trail could not fit through this area.

### Option #2

This layout provides a 6' concrete sidewalk on the north side of the road, a 10' multi-purpose trail on the south side (Zane to Noble), and a continuous turn lane down the center of the road. While we reduced the lane widths, staff felt this layout would not result in significant speed reduction along the segment. It also increases the amount of pavement and storm water treatment requirements.

Both designs will handle the short-term and long-term traffic volumes and provide safe bike and pedestrian facilities along the corridor. Ultimately, staff feels Option #1 will provide the highest reduction of speeds and a reduction of stormwater treatment for the segment of road.

Staff held a meeting with residents on January 22, 2020, where we presented the two layouts and showed the extension of the trail on the south side of 93<sup>rd</sup> Avenue to Noble Parkway. The vast majority of residents preferred Option #1, and we only had one property that was concerned about extending the trail all the way to Noble Pkwy.

The proposed project schedule is as follows:

- April 2020 – Open Bids
- May 2020 – Start Construction
- October 2020 – Complete Construction

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:**

The project was included in the adopted 2020-2024 Capital Improvement Plan (CIP) for a scheduled 2020 completion as Project No. 4054-20 with an estimated cost of \$3,240,000. In 2020, project costs will be paid using reallocated funds from the General Fund and transfers from Economic Development Authority and Housing and Redevelopment Authority. The remaining balance of the project will be funded by an interfund loan to be paid back by the General Fund yearly. Estimated yearly payments will be \$290,000 for the next 15 years and will be factored into future budgets.

**Attachments:**

- 7.3A RESOLUTION
- 7.3B OPTION #1 – PREFERRED LAYOUT
- 7.3C OPTION #2
- 7.3D GRAPHIC OF TRAIL EXTENSION FROM REGENT AVE TO NOBLE PKWY

RESOLUTION #2020-

RESOLUTION APPROVING PREFERRED LAYOUT FOR  
93<sup>RD</sup> AVENUE RECONSTRUCTION, CIP 4054-20

WHEREAS, the City Engineer will prepare plans for the following improvements to wit:

CIP 4054-20: 2020 Street Reconstruction Project along 93<sup>rd</sup> Avenue bounded by Zane Avenue on the west and Regent Avenue on the east.

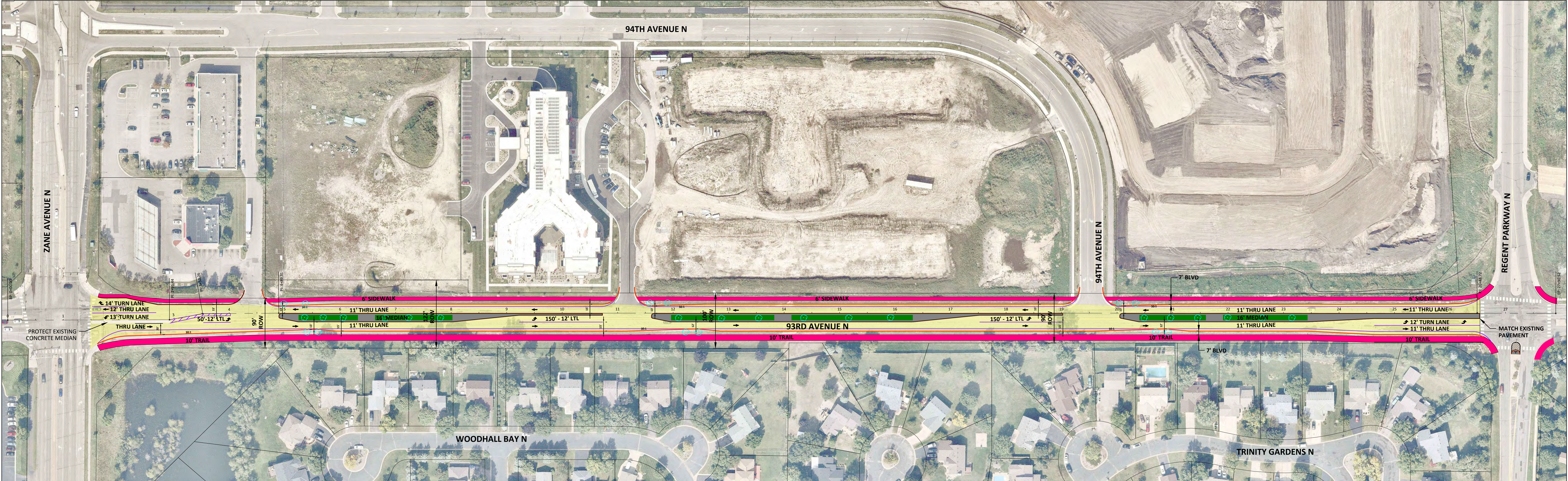
WHEREAS, said project is included in the City's 2020-2024 CIP as CIP 4054-20; and

WHEREAS, the City Council authorized staff to reconstruct 93<sup>rd</sup> Avenue from Zane Avenue to Regent Avenue in 2020; and

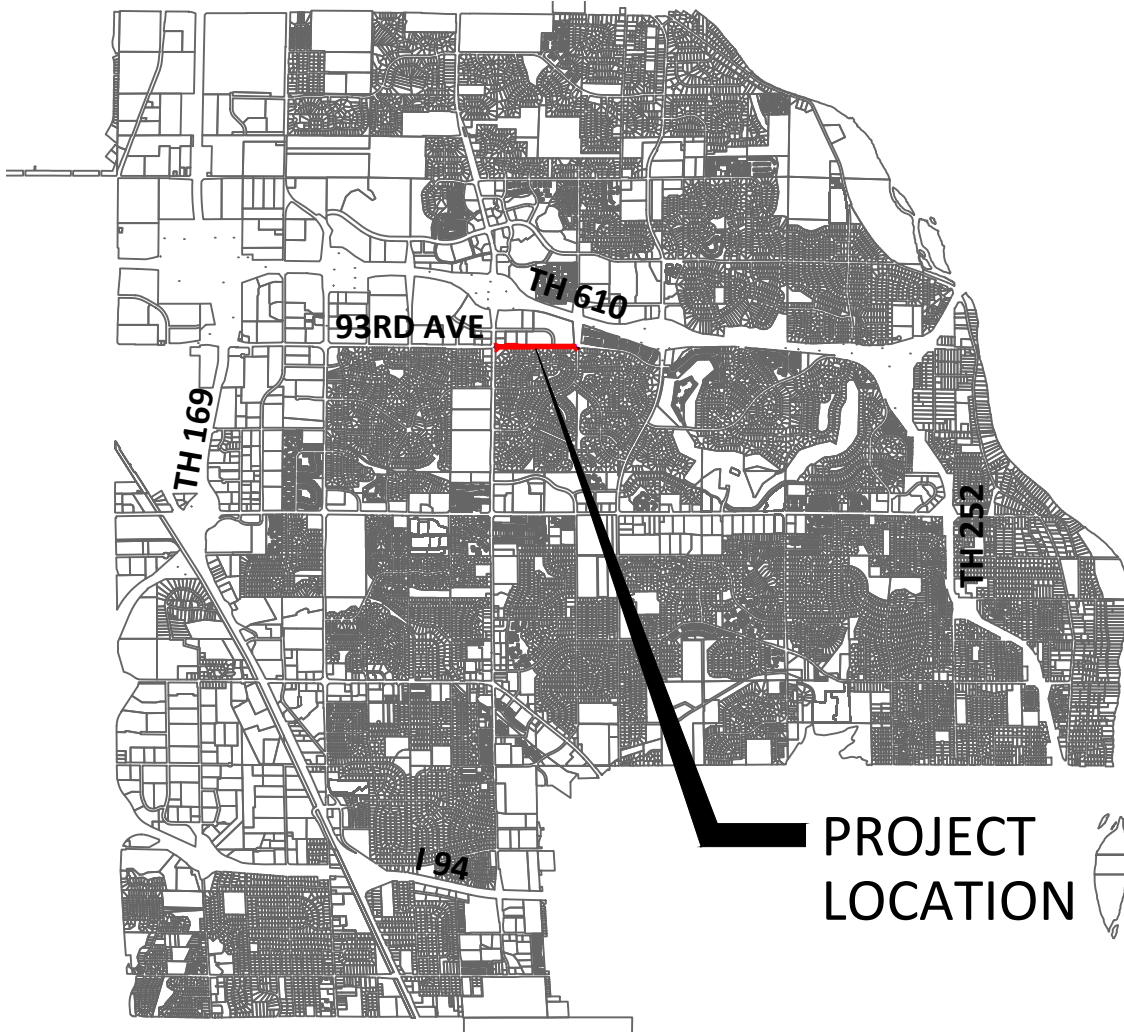
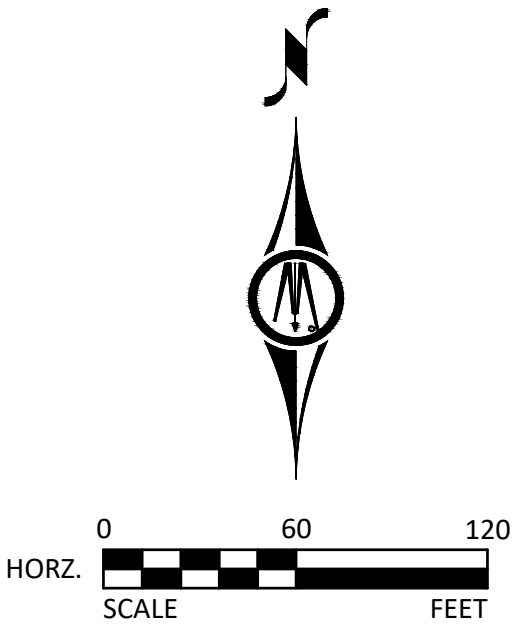
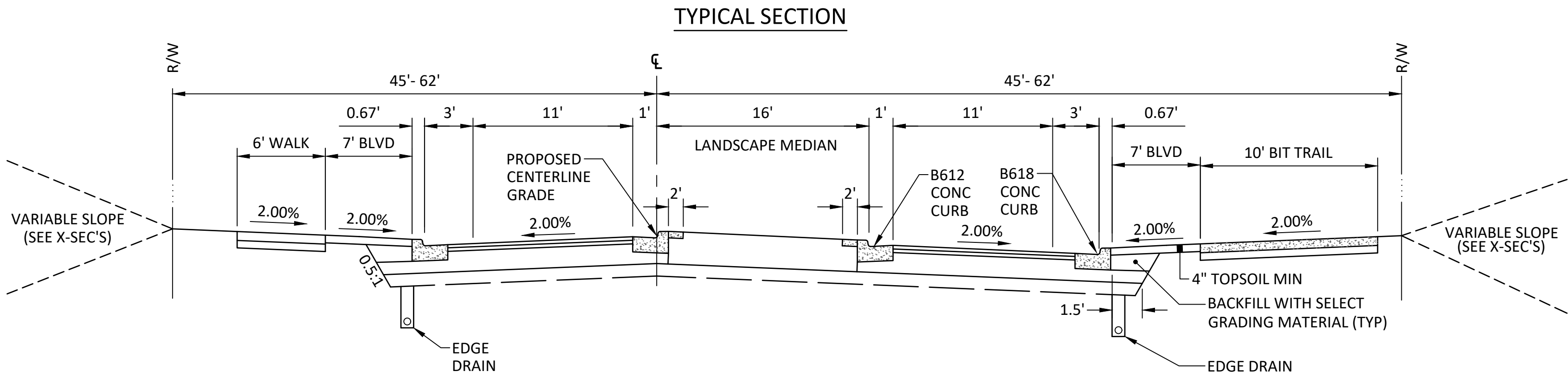
WHEREAS, the preferred layout provides safe movement of pedestrian and bicycles, reduces pavement and stormwater treatment, and provides the best solution for vehicular speed reduction.

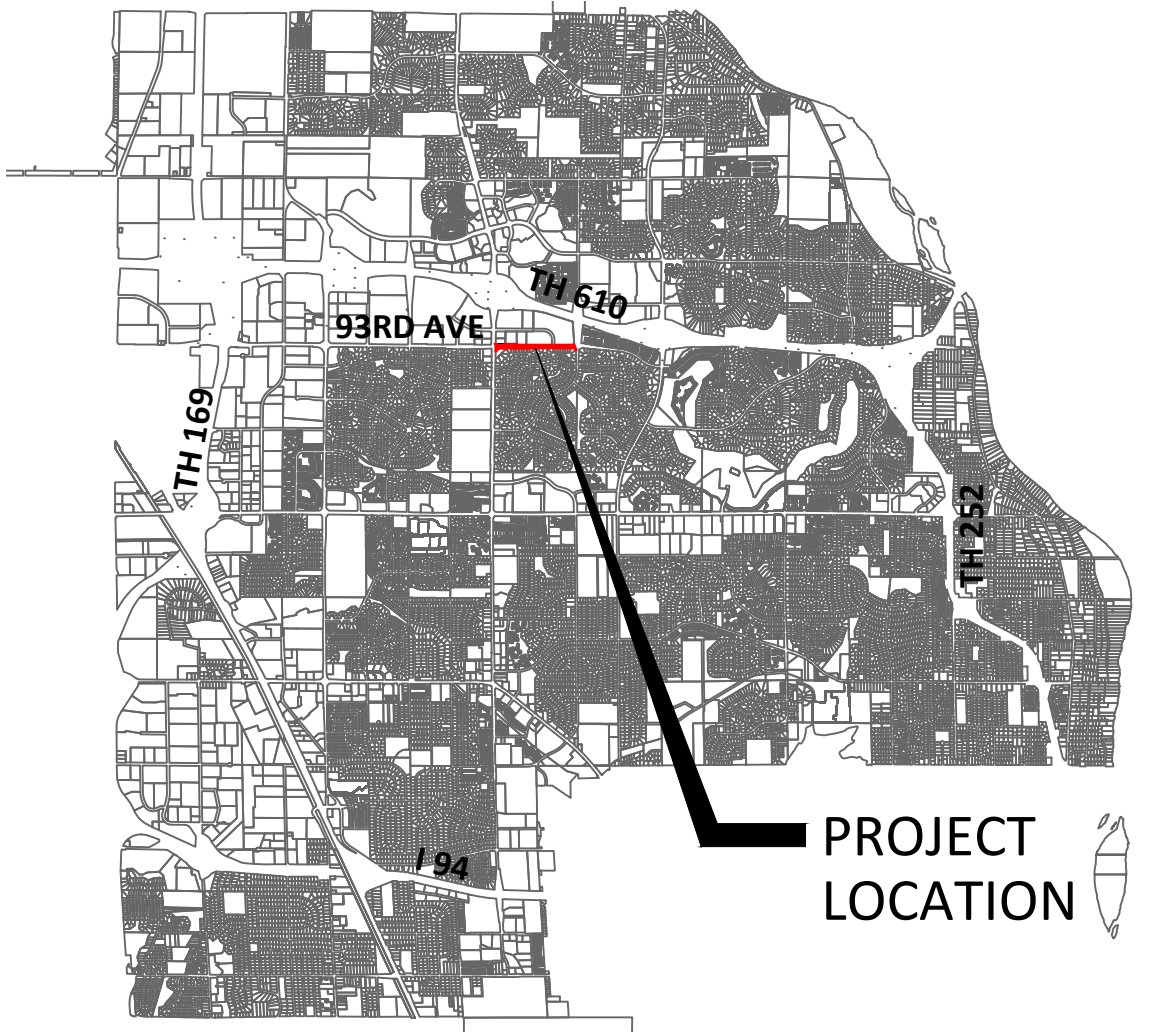
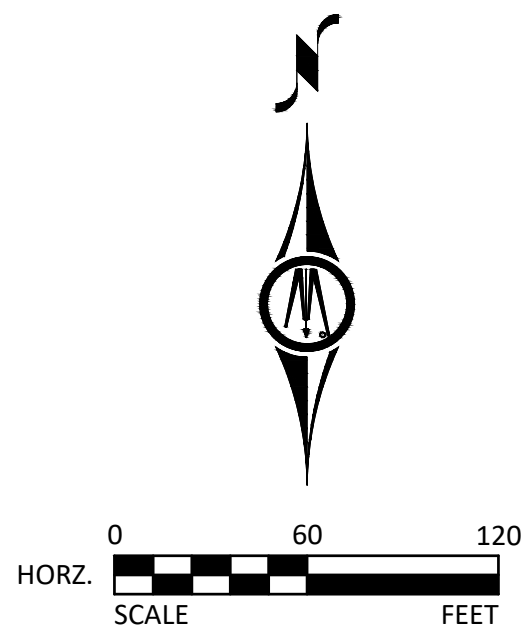
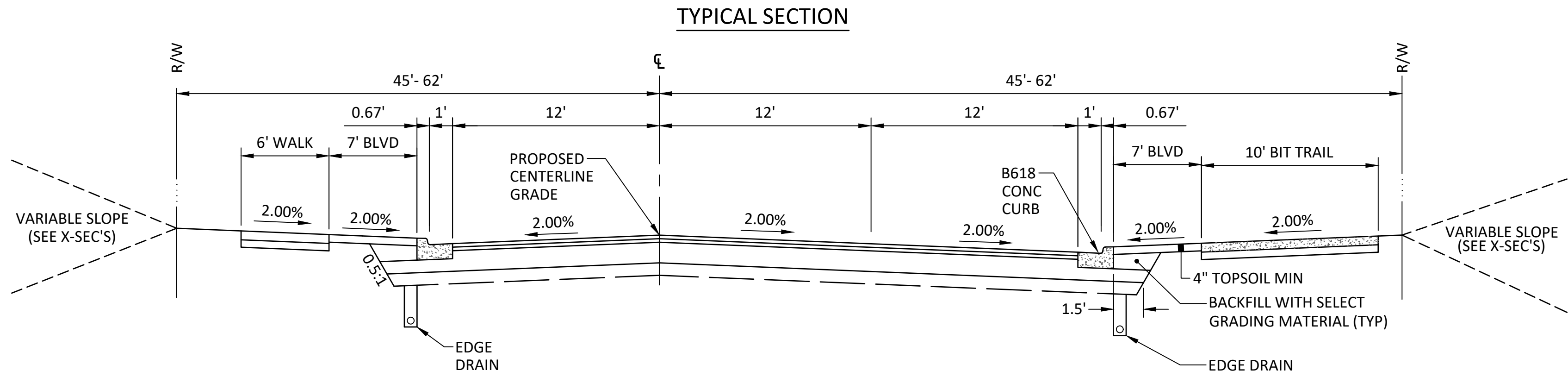
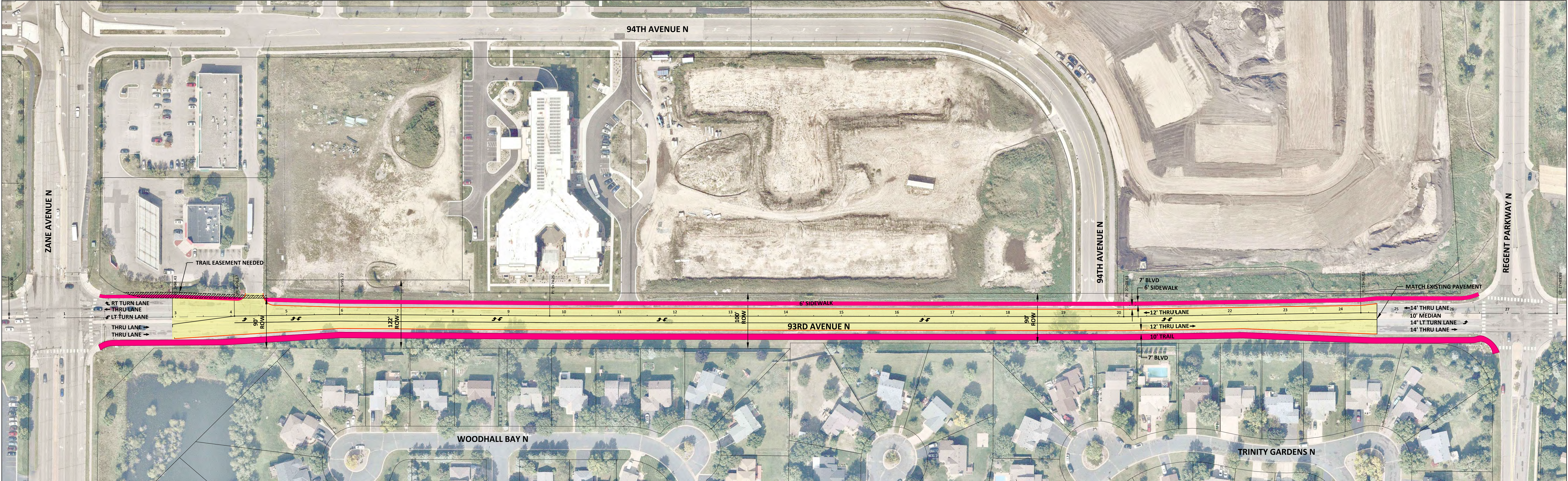
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park.

1. The City of Brooklyn Park Approves the preferred layout for 93<sup>rd</sup> Avenue reconstruction, CIP 4054-20.

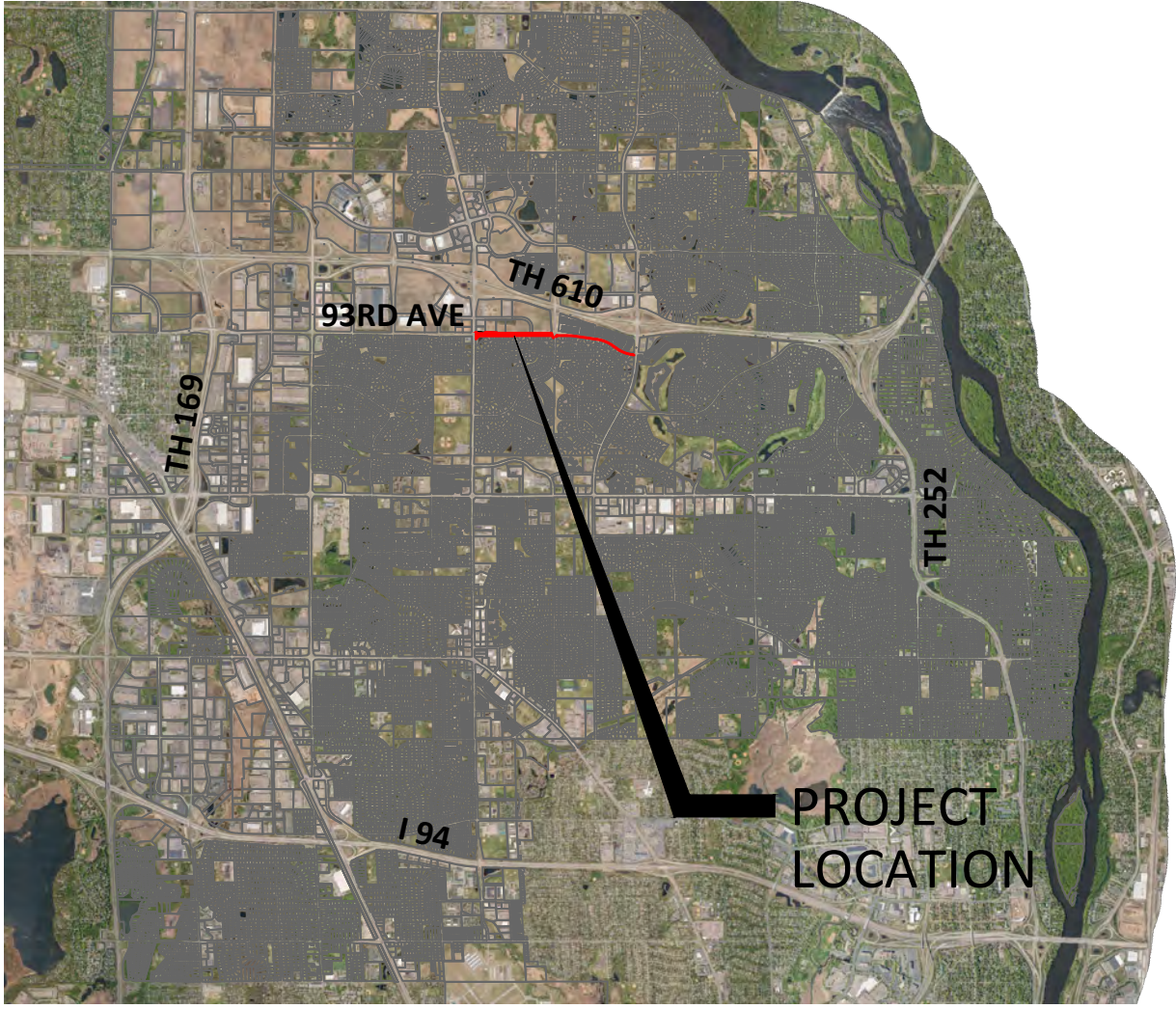
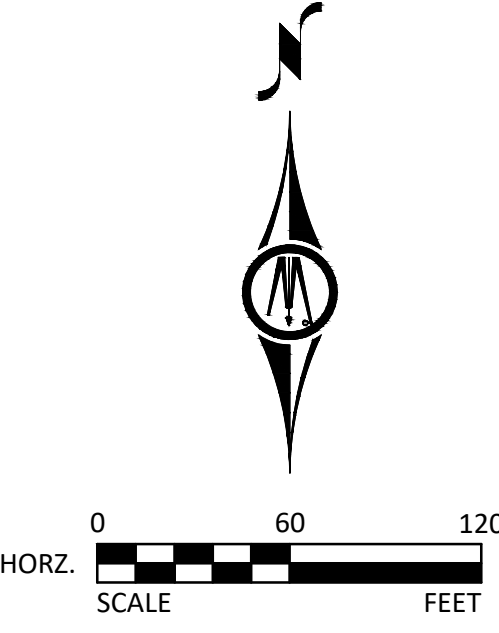
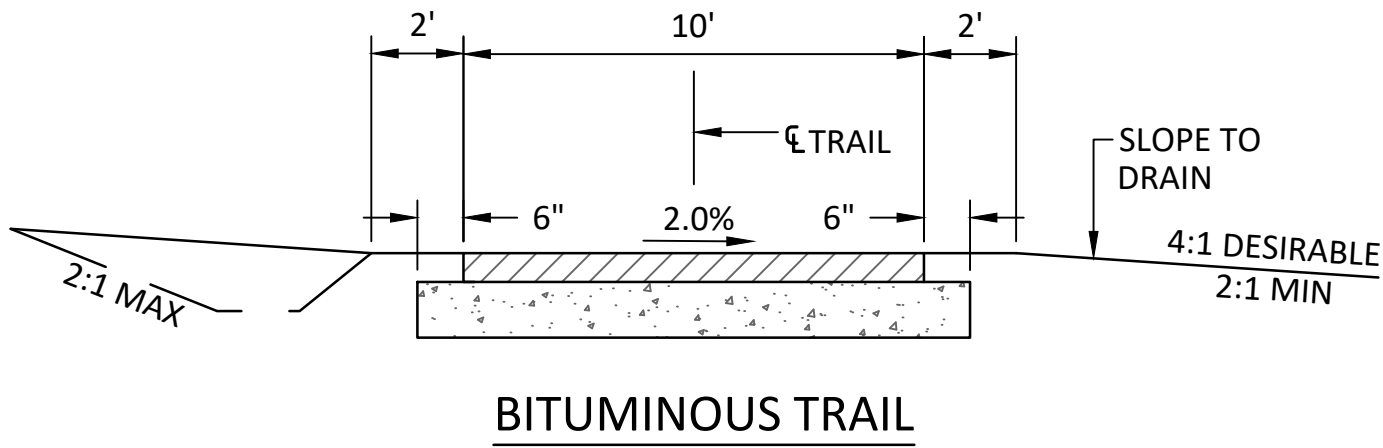
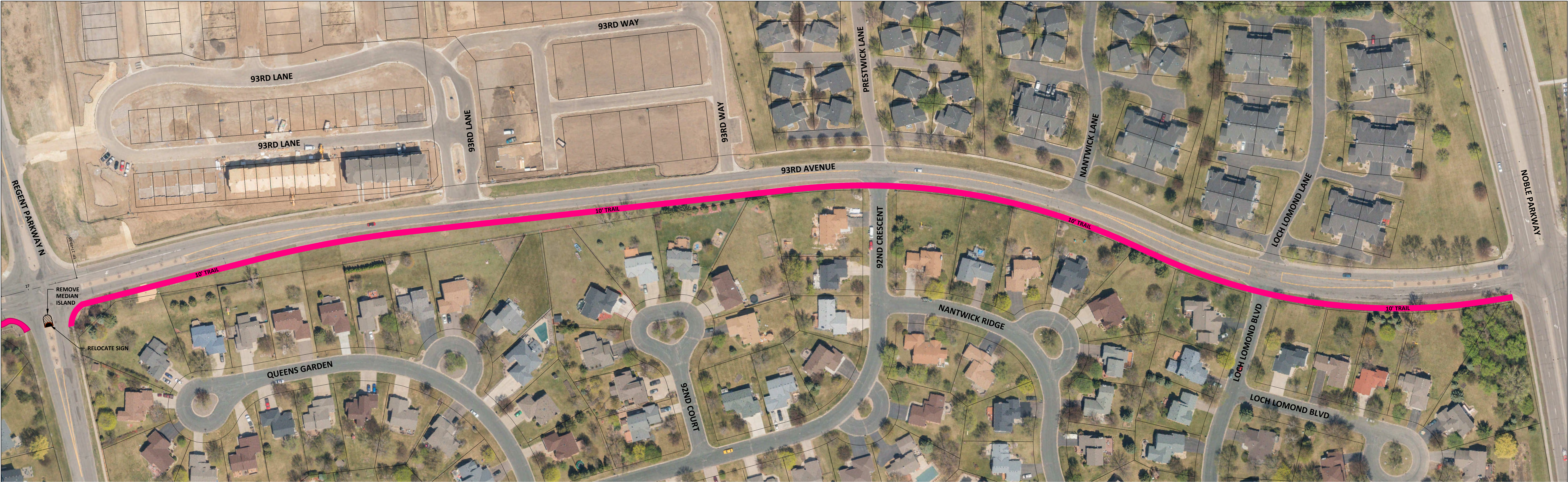


H:\BPPK\13120390\CAD\3D\FIGR-120390-LAYOUT OPTION A.dwg 1/21/2020 5:00 PM





PROPOSED PROJECT LOCATION MAP



PROPOSED PROJECT LOCATION MAP