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 Proclamation Declaring February 24, 2020, as “Brooklyn Avenues Day” in the City of Brooklyn Park, Minnesota
   A. PROCLAMATION

3B.2 Donations to Cities United Cohort
   A. RESOLUTION – METRO TRANSIT POLICE DONATION
   B. RESOLUTION – BROOKLYN PARK LIONS DONATION

3B.3 Acceptance of a North Hennepin Community College Donation of $500
   A. RESOLUTION

   A. CHARTER COMMISSION ANNUAL REPORT
   B. CHARTER COMMISSION 2020 WORK PLAN

3B.5 Human Rights Commission Annual Report and 2020 Work Plan

3B.6 Interview Applicants for Commissions
   A. ATTENDANCE SHEET
   B. BUDGET ADVISORY COMMISSION VOTING PACKET
   C. COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION VOTING PACKET
   D. HUMAN RIGHTS COMMISSION VOTING PACKET
   E. PLANNING COMMISSION VOTING PACKET
   F. RECREATION AND PARKS ADVISORY COMMISSION VOTING PACKET

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 New Creations Daycare (Amcon Construction Company) – Encroachment Agreement for a Utility Easement at 4500 Oak Grove Parkway North
   A. ENCROACHMENT AGREEMENT
   B. LOCATION MAP

4.2 Approve Construction Cooperative Agreement No. PW 01-04-20 with Hennepin County for the Installation of a Permanent Traffic Signal System at the Noble Parkway (CSAH 12) / 93rd Avenue North Intersection, CIP 4005-19
   A. RESOLUTION
   B. LOCATION MAP
   C. AGREEMENT NO. PW 01-04-20

4.3 Authorize Trade-In of Kubota Tractor as Part of Procurement of Ventrac Tractor
   A. RESOLUTION
   B. CUSHMAN VENTRAC QUOTE WITH TRADE-IN VALUE

4.4 Authorize Trade-In of Toro Reel Master 3100D as Part of Procurement of Toro GM4500 Large Rough Mower
   A. RESOLUTION
   B. MTI GM4500 LEASE QUOTE
   C. MTI 3100D TRADE QUOTE

4.5 Approve the Issuance of a Lawful Gambling Premises Permit for Northwest Area Jaycees at Palmer Lake VFW Post #3915, 2817 Brookdale Drive North, Brooklyn Park
   A. RESOLUTION

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

5. PUBLIC HEARINGS
   None

6. LAND USE ACTIONS
   6.1 “610 Junction” (United Properties) – Amended Development Plan, Site Plan Review, and a Plat #20-100 to Include Four Business Park Buildings and a Service Center Northeast of 93rd Avenue and Decatur Drive
      A. RESOLUTION – DEVELOPMENT PLAN/PRELIMINARY PLAT
      B. RESOLUTION – SITE PLAN REVIEW
      C. LOCATION MAP
      D. PLANNING AND ZONING INFORMATION
      E. PLANNING COMMISSION MINUTES
      F. ORDINANCE #2017-1226
      G. APPLICANT’S NARRATIVE
      H. 2017 PLAN
      I. PLANS

7. GENERAL ACTION ITEMS
   7.1 Approve Final Allocation of Fiscal Year (FY) 2020 Community Development Block Grant (CDBG) Program Funds
      A. RESOLUTION
      B. MARKETING FLYER CDBG 2020
      C. PRESS RELEASE
      D. PUBLIC HEARING NOTICE

7.2 Modification of the Home Rehabilitation Deferred Loan Program Guidelines

7.3 Second Reading of an Ordinance to Consider the Recommendation of the Brooklyn Park Charter Commission Amending Charter Chapters 9, Section 9.04 and 11, Sections 11.01 and 11.02 of the Home Rule City Charter
   A. ORDINANCE
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

<table>
<thead>
<tr>
<th>Agenda Item:</th>
<th>3B.1</th>
<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<tr>
<td>Agenda Section:</td>
<td>Public Presentations/Proclamations/Receipt of General Communications</td>
<td>Originating Department:</td>
<td>Administration</td>
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<tr>
<td>Resolution:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Sarah Abe, Project Facilitator</td>
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<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td>Presented By:</td>
<td>Mayor Jeffrey Lunde</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1</td>
<td>Item:</td>
<td>Proclamation Declaring February 24, 2020, as “Brooklyn Avenues Day” in the City of Brooklyn Park, Minnesota</td>
</tr>
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</table>

City Manager’s Proposed Action:

The Mayor shall proclaim February 24, 2020, as Brooklyn Avenues Day.

1. I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim February 24, 2020 as Brooklyn Avenues Day in the City of Brooklyn Park, Minnesota.

OR

2. By reading the proclamation.

Overview:

For 25 years, Avenues for Youth has supported youth ages 16-24 in Hennepin County. Whether a young person needs someplace to stay for just one night, or a year and a half, Avenues partners with youth to find their path out of homelessness. Avenues for Youth does that by providing a stable home, building trusting relationships, and navigating the youth’s education, career, health and wellness and housing goals.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A PROCLAMATION
PROCLAMATION

BROOKLYN AVENUES DAY

PROCLAIMING FEBRUARY 24, 2020, AS “BROOKLYN AVENUES DAY” IN THE CITY OF BROOKLYN PARK, MINNESOTA

WHEREAS, for 25 years, Avenues for Youth has supported youth ages 16-24 in Hennepin County. Whether a young person needs someplace to stay for just one night, or a year and a half, Avenues partners with youth to find their path out of homelessness; and

WHEREAS, Avenues for Youth does that by providing a stable home, building trusting relationships, and navigating the youth’s education, career, health and wellness and housing goals; and

WHEREAS, in response to the community’s concern and support, Avenues opened Brooklyn Avenues, a 12-bed shelter and transitional living program, to support northwest suburban youth experiencing homelessness; and

WHEREAS, since opening, 147 youth have lived at Brooklyn Avenues for up to 19 months, and 305 youth have used the emergency bed for at least one night; and

WHEREAS 80% of youth who have lived at Brooklyn Avenues have moved into stable housing; and

WHEREAS, the goals are to get homeless youth off the streets and out of harm’s way; provide youth a safe and home-like place to stabilize, address their crisis needs, begin healing from their trauma and start addressing long-term goals help them gain hope for their future, a healthy sense of self-worth and the skills to pursue larger goals; and support the youth as they continue their education, seek employment, address larger life issues, learn independent living skills, build relationships with family and others, seek to reunify with family, and find permanent housing.

NOW, THEREFORE, I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim February 24, 2020, as Brooklyn Avenues Day to recognize and celebrate their 5th anniversary, achievements and contributions of Avenues for Youth in the City of Brooklyn Park.

Jeffrey Joneal Lunde, Mayor
## City of Brooklyn Park
### Request for Council Action

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<th>3B.2</th>
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<td>Originating Department:</td>
<td>Recreation and Parks</td>
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<tr>
<td>Resolution:</td>
<td>XX</td>
<td>Prepared By:</td>
<td>Antonio Smith, Youth Services Liaison and City Lead, Cities United – My Brother’s Keeper</td>
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<td>Ordinance:</td>
<td>N/A</td>
<td>Presented By:</td>
<td>Antonio Smith</td>
</tr>
<tr>
<td>Attachments:</td>
<td>2</td>
<td>Item:</td>
<td>Donations to Cities United Cohort</td>
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<tr>
<td>Item:</td>
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### City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO ACCEPT A DONATION OF 30 GO TO CARDS AND 100 ONE RIDE PASSES VALUED AT $25,215 FROM THE METRO TRANSIT POLICE DEPARTMENT FOR THE CITIES UNITED COHORT PROJECT.

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO ACCEPT A $1,000 DONATION FROM THE BROOKLYN PARK LIONS CLUB FOR THE CITIES UNITED COHORT PROJECT.

### Overview:

Brooklyn Park Cities United aims to reduce the number of crimes against persons by and against young Black men and boys through prevention and intervention activities focused on both individual and systemic change.

The Cities United Cohort Project serves boys/young men of color ages 14-21 who have experienced adversity, including school-based challenges, light involvement in the criminal justice system and living in highly mobile families.

The Cities United Cohort Program supports youth in building and practicing social and emotional skills that will lead to improved critical thinking, the development of relationships with caring adult mentors, and improve avoidance of risk-taking behavior.

We would like to acknowledge and thank Chief Eddie Frizell and the Metro Transit Police Department for their donation of 30 Go-To cards and 100 One-Ride passes to CUCP 2020 (our new year-round youth cohort). This donation has a value of $25,215. Metro Transit Police Department is a part of the CUCP Integrative Leadership team, which supports CUCP 2020 grant work in collaboration with Big Brothers Big Sisters in the year-round investment in 30 boys and young men of color.

We would also like to acknowledge the Brooklyn Park Lions Club for their donation of $1,000 for the CUCP STEM activities, and increase internet access for homework help offered by the Brooklyn Park Library. The Brooklyn Park Lions Club has been a supporter of many programs and services within Brooklyn Park and Cities United.

### Primary Issues/Alternatives to Consider: N/A
Budgetary/Fiscal Issues:

The donations are to be recognized as revenue for Cities United, Cities United Cohort Project.

Attachments:

3B.2A  RESOLUTION – METRO TRANSIT POLICE DONATION
3B.2B  RESOLUTION – BROOKLYN PARK LIONS DONATION
RESOLUTION TO ACCEPT A DONATION OF 30 GO TO CARDS AND 100 ONE RIDE PASSES VALUED AT $25,215 FROM THE METRO TRANSIT POLICE DEPARTMENT FOR THE CITIES UNITED COHORT PROJECT

WHEREAS, the Cities United Cohort Project serves boys/young men of color ages 14-21 who have experienced adversity, including school-based challenges, light involvement in the criminal justice system and living in highly mobile families; and

WHEREAS, the Cities United Cohort Program supports youth in building and practicing social and emotional skills that will lead to improved critical thinking, the development of relationships with caring adult mentors, and improve avoidance of risk-taking behavior; and

WHEREAS, the Cities United Cohort Project would like to thank Chief Eddie Frizell and the Metro Transit Police Department for their part in the CUCP Integrative Leadership team, which supports CUCP 2020 grant work in collaboration with Big Brothers Big Sisters in the year-round investment in 30 boys and young men of color.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to accept a donation of 30 Go To Cards and 100 One Ride Passes valued at $25,215.

BE IT FURTHER RESOLVED that the funding is provided by amending the 2020 Adopted Budget where appropriate.
RESOLUTION TO ACCEPT A $1,000 DONATION FROM THE BROOKLYN PARK LIONS CLUB
FOR THE CITIES UNITED COHORT PROJECT

WHEREAS, the Cities United Cohort Project serves boys/young men of color ages 14-21 who have experienced adversity, including school-based challenges, light involvement in the criminal justice system and living in highly mobile families; and

WHEREAS, the Cities United Cohort Program supports youth in building and practicing social and emotional skills that will lead to improved critical thinking, the development of relationships with caring adult mentors, and improve avoidance of risk-taking behavior; and

WHEREAS, the Cities United Cohort Project would like to thank the Brooklyn Park Lions for their donation, which will provide multiple opportunities for young people in the cohort to experience STEM activities, and increase internet access for homework help offered by the Brooklyn Park Library.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to accept a donation of $1,000 from the Brooklyn Park Lions Club for the Cities United Cohort Project.

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<tr>
<th>NAME</th>
<th>CONTRIBUTION</th>
<th>DESIGNATION</th>
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<tr>
<td>Brooklyn Park Lions Club</td>
<td>$1,000</td>
<td>Cities United Cohort Project</td>
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BE IT FURTHER RESOLVED that the funding is provided by amending the 2020 Adopted Budget where appropriate.
City of Brooklyn Park
Request for Council Action

Agenda Item: 3B.3
Meeting Date: February 24, 2020

Agenda Section: Public Presentations/Proclamations/Receipt of General Communications
Originating Department: Recreation and Parks

Resolution: X
Ordinance: N/A
Prepared By: Antonio Smith, Youth Services Liaison and City Lead, Cities United – My Brother’s Keeper

Attachments: 1
Presented By: Antonio Smith

Item: Acceptance of a North Hennepin Community College Donation of $500

City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO ACCEPT A $500 DONATION FROM NORTH HENNEPIN COMMUNITY COLLEGE FOR THE CITIES UNITED ANNUAL BLACK HISTORY MONTH EVENT.

Overview:

The vision for Cities United/My Brother’s Keeper is to Revitalize Hope, Health and Safety and the development of relationships with caring adult mentors and improve avoidance of risk-taking behavior. Each year, as a part of Black History Month, the City provides an opportunity to gather young people and celebrate Black History.

Over the past five years, several organizations have partnered to support young people as they share their story connected to Black History. This year the National Forum for Black Public Administrators (MFBPA) Minnesota Chapter hosted a professional networking session; My Brother’s Keeper (MBK) Brooklyn Park hosted a U.S. Census presentation during the luncheon. The Northwest Integration School District (NWISD) provided logistical activities for the event. Off The Blue Couch, North Hennepin Community College (NHCC) Alumna and local non-profit organizations conducted breakout sessions on environmental equity, trauma and healing. The Hennepin County Library provided music and shared library materials.

We would like to acknowledge North Hennepin Community College for hosting the Cities United Black History Month event four out of the last five years. We would like to acknowledge and thank the Student Services Division and the entire team at North Hennepin Community College for their donation of $500 in support of future Cities United activities.

Primary Issues/Alternatives to Consider:

The $500 will provide multiple opportunities for young people to network and enjoy food and activities offered by the Cities United Annual Black History Month Event.

Budgetary/Fiscal Issues:

The donation is to be recognized as revenue for Cities United.

Attachments:

3B.3A RESOLUTION
RESOLUTION #2020-

RESOLUTION TO ACCEPT A $500 DONATION FROM NORTH HENNEPIN COMMUNITY COLLEGE FOR THE CITIES UNITED ANNUAL BLACK HISTORY MONTH EVENT

WHEREAS, the Cities United Annual Black History Month Event celebrates Black History from the perspective of young people; and

WHEREAS, the vision of Cities United is to Revitalize Hope, Health and Safety and the development of relationships with caring adult mentors, and improve avoidance of risk-taking behavior; and

WHEREAS, the Cities United Cohort Project would like to thank North Hennepin Community College for their donation, which will provide multiple opportunities for young people to enjoy the break-out session, mini-resource fair and food.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to accept a donation of $500 from North Hennepin Community College for the Cities United Annual Black History Month Event.

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<tr>
<th>NAME</th>
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<th>DESIGNATION</th>
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<tbody>
<tr>
<td>North Hennepin Community College</td>
<td>$500</td>
<td>Cities United</td>
</tr>
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</table>

BE IT FURTHER RESOLVED that the funding is provided by amending the 2020 Adopted budget where appropriate.
City of Brooklyn Park
Request for Council Action

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<th>3B.4</th>
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<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Devin Montero, City Clerk</td>
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<tr>
<td>Attachments:</td>
<td>2</td>
<td>Presented By:</td>
<td>Scott Simmons, Charter Commission Chair</td>
</tr>
</tbody>
</table>

City Manager’s Proposed Action:

MOTION ______________, SECOND ______________, TO ACCEPT THE CHARTER COMMISSION 2020 WORK PLAN.

Overview:

Charter Commission Chair Scott Simmons will present the 2019 Charter Commission Annual Report and 2020 Work Plan.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.4A CHARTER COMMISSION 2019 ANNUAL REPORT
3B.4B CHARTER COMMISSION 2020 WORK PLAN
MEETINGS

- The Charter Commission held 8 monthly meetings in 2019.
- The November meeting was cancelled due to a lack of agenda items.
- The June, July and August meetings were cancelled.

CHARTER ACTION ITEMS IN 2019

City Manager’s Population Report.

On March 13, 2019, the Commissioners held discussions on the City Manager’s Population Report. The Redistricting Subcommittee presented the population estimates in each district, the deviations in each district and a map of recent residential developments. Discussions were held to determine if the population in any district(s) had deviated to a point (5%) where the Commission should recommend redistricting to the Council.

Discussions were held on: The redistricting timeline and process to the Council, the Redistricting Subcommittee to review the timeline and report back to the Commission, the districts were within the five percent deviations, the costs for redistricting after the Census, and the timeline to respond to the City Manager’s Population Report.

The Redistricting Subcommittee Chair also asked if Section 2.04 should be amended to include a five, ten percent differential, or keep the current language of the Charter. He stated the percentage of deviations was not in the Charter but had been the practice to use a five percent deviation. He provided proposed language to Section 2.04. Discussion was held on the City Attorney’s memo on what the courts had said regarding the deviations percentages and what other Charter cities used for deviations. It was the consensus of the Commissioners to continue the discussion of the City Manager’s Population Report to the April meeting and to forward the proposed amendment to the city attorney for a review.

Proposed amendment to Section 2.04, 4th Paragraph:

"when the population has deviated from district to district by five percent, as evidenced in the Manager’s Biennial City Population Report or as determined by the Charter Commission"

On April 10, 2019, the Redistricting Subcommittee members provided a report regarding the City Manager’s Population Report. They reviewed the report, deviation percentages in each district, populations estimates from the Met Council and ESRI Demographics. The Committee met with the city clerk, staff and GIS Specialists. They reviewed two scenarios from the GIS specialist: moving Precinct E4-O to the Central District and moving Precinct C-4 to the East District; moving Precinct E4-O to the Central District and moving Precinct C-2 to the East District.

After reviewing the estimates, growth factor of the city, the suggested scenarios and waiting for the 2020 Federal Census population numbers, the Subcommittee concluded their recommendation to the Charter Commission was to leave the Districts as they were until they got more accurate population totals with the 2020 Census.
Another issue the Subcommittee was challenged with when looking into redistricting was whether the city could legally change precincts versus ward boundaries based on the City Manager's Population Report. The Subcommittee asked for an opinion from the City Attorney, Secretary of State's Office and Hennepin County. Subcommittee Chair Secara stated once they receive the opinions it might be necessary to amend Charter Section 2.04 to reflect that to be in compliance with state law. He stated that in preparation of receiving the opinion from the city attorney, he drafted three possible amendments to Section 2.04 for consideration:

1) When the population has deviated from district to district by 6%, as evidenced in the Manager's Biennial City Population Report or as determined by the Charter Commission, the Charter Commission shall provide a Redistricting Report to the City Council.

2) When the population has deviated from district to district by 10%, as evidenced in the Manager's Biennial City Population Report or as determined by the Charter Commission, the Charter Commission shall provide a Redistricting Report to the City Council.

3) "If the Charter Commission determines that the population within each district is not as near equal or as practical in keeping with the one person; one vote concept as evidenced by the Biennial City Manager's Population Report, the Charter Commission shall provide a Redistricting Report to the City Council."

When the population has deviated from district to district, as evidenced in the Manager's Biennial City Population Report or as determined by the Charter Commission, the Charter Commission shall provide a Redistricting Report to the City Council. The Charter Commission shall submit this report to the Council within 45 days after the release of the Manager's City Population Report. This Redistricting Report, upon its release to the Council, shall be published by the Council in two consecutive issues of the official newspaper of the city. The Council shall consider the report of the Charter Commission and within 45 days of its release enact a redistricting ordinance which shall take effect 30 days after publication. If the Council does not enact by ordinance a plan for redistricting within the specified time, no further remuneration shall be paid to the Mayor or Council until the districts of the city are duly redetermined as required by this Charter."

Discussions were held on two issues presented by the Subcommittee and taking the items separately because they were separate issues. The Subcommittee proposed not making any changes because the Commission could go through process now and then after the Census might have to redistrict again. The discussion was also held on the 45-day report to the Council after the release of the Population Report.

A proposed amendment was suggested because the Commission formally received the City Manager's Population Report.

"the Charter Commission shall submit this report to the Council within 45 days after the receipt release of the City Manager's Population Report."

A motion was made and unanimously passed to send to the Council a recommendation to not redistrict at this time.

**CHARTER CHAPTER 9, SECTION 9.04, COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION**

On May 8, 2019, the Charter Commission reviewed proposed amendments provided by the CLIC that would be discussed and approved at their meeting in May. The Charter Commission tabled the
discussion until September.

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 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.

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 Work Long-range Improvement Plan to the City Council by March 31 July 1 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.

E. RESPONSE BY COUNCIL. A written review by the City Council of the Long-Range Improvement Report shall be returned to the Commission within sixty (60) days after the submission of the report.

On September 11, 2019, the Charter Commission reviewed the proposed amendments by CLIC and discussion was also held on reorganizing Section 9.04, C., Duties.

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 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 CONTENTS OF REPORTS.** The Community Long-range Improvement Commission report 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. RESPONSE BY COUNCIL.** A written review by the City Council of the Long-Range Improvement Report shall be returned to the Commission within sixty (60) days after the submission of the report.

The Charter Commission had additional questions for the CLIC to be answered before the Charter Commission acted to approve the amendments and invited the CLIC Chair to the October meeting.

**Questions:**

1. Why was the March 31 date selected?
2. What is the CLIC reporting in addition to the Work Plan? Is there no longer an Annual Long range Improvement Plan?
3. What does it mean when saying "other committees"?
4. Does the March 31 date sync with the new Commissioners starting their term?

On October 9, 2019, the Commissioners held discussions with the CLIC Chair regarding the proposed amendments and questions asked by the Charter Commission.

A motion was made by the Charter Commission and unanimously approved to adopt and refer the proposed amendments back to the CLIC for the changes the Charter had recommended for Section 9.04 for their review and approval. At the CLIC’s meeting on October 10, 2019, the Commissioners approved the proposed amendments.

**RECOMMENDED CHANGES BY THE CHARTER COMMISSION TO THE CLIC**

**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 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 4, 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.

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.

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

On December 11, 2019, the Commissioners held discussions on the amendments to Chapter 9, Section 9.04 and Chapter 11, Sections 11.01 and 11.02. Two additional proposed amendments were discussed, and a motion was made to Section 9.04, Section C, Factor #1, changing “reaction” to “response” and Section 11.01 to remove the “comma” after the word “boundaries. The motion passed unanimously.

Review of City Charter Chapters:

On January 9, 2019, the Commissioners continued their review of City Charter Chapters and proposed changes to Chapters 2, 3, 4, 5, 6, 7, 8 to ensure the Charter was compatible with current technologies related to the city’s website. Additional discussions and changes were held on Sections 3.11, 4.07, 7.01, 7.06, and 8.06.

SECTION 3.11, REVISION AND CODIFICATION OF ORDINANCES.

Notice that copies of the revision and codification of ordinances are available at the office of the City Clerk shall be published on the city website and in the official newspaper for at least two (2) successive weeks.

SECTION 4.07, NOMINATION PETITIONS

Petitions for the nomination of candidates for elective office shall be in writing, signed by the petitioning voters, with the street and number, if there by such, of their respective residences. Each petition may consist of one or more pages papers, and the signatures need not all be on the same page paper.

SECTION 7.01, THE CITY MANAGER

Whenever the office of City Manager is declared vacant, the City Council shall advertise for a new City Manager through
SECTION 7.06, CONTRACTS: HOW LET

Unless the Council shall by an emergency ordinance otherwise provide, the City Manager shall advertise for bids on the city website and by at least one week’s published notice in the official legal newspaper of the city on all such contracts as provided by statute.

SECTION 8.06, PASSAGE OF THE BUDGET

Prior to the adoption of the budget and in accordance with State law, notice shall be given on the city website and in the official city newspaper stating the time and place at which the budget will be considered and stating that copies are on file in the City Hall for public inspection.

On February 13, 2019, the Commissioners began their review of Chapters 7 through 11 and also identified an amendment to Section 8.12.

SECTION 8.12, ACCOUNTS AND REPORTS

The Comprehensive Annual Financial Report or a summary thereof shall be published on the city website and in the official newspaper on or before July 30 of each year.

On March 13, 2019, the Commissioners reviewed Chapters 11 through 14 and identified proposed amendments at a previous meeting relating to add the website language to Sections 12.03 and 13.07.

On April 10, 2019, the Commissioner reviewed all banked proposed amendments. A motion was made to accept and approve the proposed amendments and forward them to the city Council with the opportunity for the city attorney to review the proposed amendments. The motion carried unanimously.

**Review of Banked Proposed Charter Changes:**

On April 10, 2019, the Commissioners reviewed the proposed changes to Chapters 2, 3, 4, 5, 6, 7, 8, 12, 13 and 14 and held discussions.

A motion was made and unanimously passed to send to the Council with the opportunity for the city attorney to review.

A proposed change to Chapter 11, Eminent Domain, Section 11.01 and 11.02 was introduced for consideration. It was the consensus of the Commission to forward the proposed changes to the City Attorney for review and comment.

A motion was made to table the discussion on Section 11.01 and 11.02 until the September meeting and unanimously passed.

On May 8, 2019, the Commissioners discussed that Section 6.03 and 6.04 had been omitted from the approved banked changes at the April 10 meeting. A motion was made to include the proposed changes to Sections 6.03 and 6.04 and unanimously passed.

Discussion was also held on the City Attorney’s comments to the three suggested options to amend Section 2.04 related to Districts and Redistricting procedures.
A motion was made to Section 2.04, adopting amended version #3 as discussed with changing the word “practical” to “practicable” and changing the word “release” to “receipt,” and unanimously approved.

**CHARTER PROVISIONS AND ISSUES DISCUSSED IN 2019**

**Charter Chapter 11, Eminent Domain**

On September 11, 2019, the Commissioners reviewed and discussed the City Attorney’s email on proposed amendments to Sections 11.01 and 11.02 related to Eminent Domain and the unintended consequences. A motion was made to leave Sections 11.01 and 11.02 as is. The motion passed unanimously.

Discussions were also held on grammatical changes to Section 11.01 and 11.02 related to amending “which” with “that.” A motion was held to table the grammatical changes until it was appropriate to bring it back with other banked changes to the Charter. The motion passed.

**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.

**Chapter 9, Section 9.04, Community Long-range Improvement Commission-Terms of Office**

On March 13, 2019, the Commissioners held discussions on amending Section 9.04 related to the terms of office. Discussions were held on the City Attorney memo that it didn’t need amending because of the adoption of a new resolution by the Council related to boards and commission and their terms of office was consistent with the language.

**OTHER**

- In April 2019, Mark Koester met all statutory requirements and were appointed as duly qualified members of the Brooklyn Park Charter Commission by Chief Judge of District Court Ivy Bernhardson and in September 2019, Mark Koester resigned.
- In May 2019, Evans Odhambo and Beatrice Otieno met all statutory requirements and were appointed as duly qualified members of the Brooklyn Park Charter Commission by Chief Judge
of District Court Ivy Bernhardson.

- At the **February 25, 2019**, City Council meeting Chair Scott Simmons gave the Annual Verbal Charter Commission report.
- Commissioners were invited to attend the Annual Joint Goal Setting meeting with City Council during the Special City Council meeting on **August 5, 2019**.

Respectfully submitted,

Scott Simmons  
Brooklyn Park Charter Commission Chair

<table>
<thead>
<tr>
<th>cc</th>
<th>Mayor &amp; Council Members</th>
<th>Devin Montero, City Clerk</th>
</tr>
</thead>
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<tr>
<td></td>
<td>Jay Strobel, City Manager</td>
<td>Chief Judge Ivy Bernhardson</td>
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<td>Jim Thomson; City Attorney</td>
<td>Charter Commission Members</td>
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<td>May/June</td>
<td>Census 2020 preparation/Redistricting</td>
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<td>Ranked Choice Voting Discussion</td>
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<td>Discussion of Council Member meeting attendance</td>
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<td>Review City Council and part time city employment</td>
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<td>Review Non-Planning ordinance changes not affecting land use that affect city laws and City Charter</td>
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<td>Review what other Charter Commissions are doing (work plans, ordinances, etc.)</td>
<td>☐1 ☐2 ☐3 ☐4 ☐5 ☐6</td>
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City of Brooklyn Park
Request for Council Action

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<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<td>Public Presentations/</td>
<td>Originating Department:</td>
<td>Administration</td>
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<td>Proclamations/Receipt of</td>
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<td>Resolution:</td>
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<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Wokie Freeman-Gbogba, Assistant City Manager</td>
</tr>
<tr>
<td>Attachments:</td>
<td>N/A</td>
<td>Presented By:</td>
<td>Christian Eriksen, Chair</td>
</tr>
<tr>
<td>Item:</td>
<td>Human Rights Commission Annual Report and 2020 Work Plan</td>
<td></td>
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City Manager’s Proposed Action:

MOTION ______________, SECOND ______________, TO ACCEPT THE HUMAN RIGHTS COMMISSION 2020 WORK PLAN.

Overview:


Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A
City of Brooklyn Park
Request for Council Action

<table>
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<td>Prepared By:</td>
<td>Marlene Kryder, Program Assistant</td>
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<td>Ordinance:</td>
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<td>Mayor Jeffrey Lunde</td>
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<td>Attachments:</td>
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<tr>
<td>Item:</td>
<td>Interview Applicants for Commissions</td>
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</table>

City Manager’s Proposed Action:

Interview applicants to fill current and upcoming openings on commissions.

Overview:
The City has advertised to fill openings on the Budget Advisory Commission, Community Long-range Improvement Commission, Human Rights Commission, Planning Commission and the Recreation and Parks Advisory Commission. The appointments are to fill current vacancies and/or upcoming openings due to terms ending April 1, 2020. Applicants have been contacted; an attendance sheet is attached.

Per Resolution #2019-46, there are district requirements on all of these city commissions. The City Council will make the appointments taking into consideration the representation required by each commission. An applicant who represents outside of his/her residing district and is seeking reappointment to a commission is eligible for reappointment to the same seat even if other individuals who reside in the appropriate district apply for the seat.

The following openings exist (all are for three-year terms to expire April 1, 2023 unless indicated otherwise):

**Budget Advisory Commission** – Four openings (one East appointment will be for the balance of a term)
- City At-large (1) – replacing Kim Riesgraf
- East (2) – replacing Kathryn Murphy
- Central (1) – reappointing or replacing Trelawny Grant (vacancy – balance of a term to expire April 1, 2022)

**Community Long-range Improvement Commission (CLIC)** – Six openings (One City At-large appointment will be for the balance of a term)
(Per Section 9.04 of our City Charter, the Mayor appoints to this commission with the approval of the City Council.)
- City At-large (3) – replacing Sarah Dettmann; replacing Devale Hodge (vacancy – balance of a term to expire April 1, 2021); reappointing or replacing Robin Turner
- East (1) – replacing Cory Funk
- Central (1) – replacing Heidi Heinzel
- West (1) – reappointing or replacing Kaade Wallace

**Human Rights Commission** – Three openings
- City At-large (1) – reappointing or replacing Christian Eriksen
- East (1) – reappointing or replacing Nausheena Hussain
- West (1) – reappointing or replacing Thomas Brooks
Planning Commission – Three openings
   City At-large (1) – re-appointing or replacing Syed Husain
   East (1) – replacing Amy Hanson
   West (1) – replacing Michelle Mersereau

Recreation and Parks Advisory Commission – Five openings (one East appointment will be for the balance of a term)
   City At-large (2) – reappointing or replacing Deborah Everson
      replacing Lang Vang
   East (2) – reappointing or replacing Christy Sandberg
      replacing Patricia Dominguez-Mejia (vacancy – balance of a term to expire April 1, 2021)
   Central (1) – reappointing or replacing Monica Dillenburg

I wish to make Council aware of City Code Section 30.39 which states, “Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission residing in the district from which the appointment is required to be made, an applicant residing in any district of the city may be appointed to such board or commission.” (Ord. 2000-932, passed 9-11-00.)

In the packet are voting forms to indicate your choices. At the end of the meeting, please pass your voting forms to Mayor Lunde with your choices indicated. He will consolidate the votes to determine who will be appointed to the commissions. The appointments will be made during the March 16, 2020 Council meeting.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.6A ATTENDANCE SHEET
3B.6B BUDGET ADVISORY COMMISSION VOTING PACKET
3B.6C COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION VOTING PACKET
3B.6D HUMAN RIGHTS COMMISSION VOTING PACKET
3B.6E PLANNING COMMISSION VOTING PACKET
3B.6F RECREATION AND PARKS ADVISORY COMMISSION VOTING PACKET
Brooklyn Park City Boards and Commissions Interviews - Commission Applicant Attendance  
Monday, February 24, 2020  7:00 p.m.

*Interviews are grouped by applicant’s commission choices*

<table>
<thead>
<tr>
<th>Applicant’s Name (Alpha order)</th>
<th>Confirmed Attendance</th>
<th>First Choice</th>
<th>Second Choice</th>
<th>Third Choice</th>
<th>Residing District</th>
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<tbody>
<tr>
<td><strong>BUDGET ADVISORY COMMISSION</strong> 4 openings (1 City At-large; 2 East (one is for balance of a term); 1 Central)</td>
<td></td>
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<tr>
<td>Butler, Denise</td>
<td>Cannot attend</td>
<td>Budget</td>
<td>CLIC</td>
<td>Rec and Parks</td>
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<td>Gregory, Shannon</td>
<td>Yes</td>
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<td>Habiba, Mamdouh</td>
<td>Yes</td>
<td>Cable</td>
<td>Budget</td>
<td>Human Rights</td>
<td>East</td>
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<tr>
<td>Hall, Maxwell</td>
<td>Yes</td>
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<td>Human Rights</td>
<td>Planning</td>
<td>West</td>
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<td>Kollie, Henason</td>
<td>Yes</td>
<td>Budget</td>
<td>CLIC</td>
<td>Charter</td>
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<tr>
<td>Le, Tommy</td>
<td>Yes</td>
<td>Charter</td>
<td>Budget</td>
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<tr>
<td>Omondi, Nancy (reappointment)</td>
<td>Yes</td>
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<td>Planning</td>
<td>Human Rights</td>
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<tr>
<td>Ritchie, Heidi</td>
<td>Yes</td>
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<td>Planning</td>
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<td>West</td>
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<td>Spears, Anthony</td>
<td>Yes</td>
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<td>Budget</td>
<td>Human Rights</td>
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<td><strong>COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION</strong> 6 openings (3 City At-large [one At-large appointment will be for the balance of a term]; 1 East; 1 Central; 1 West)</td>
<td></td>
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<tr>
<td>Cooper, Joseph</td>
<td>Yes</td>
<td>CLIC</td>
<td>Human Rights</td>
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<td>Quigley, Kevin</td>
<td>Yes</td>
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<td>Planning</td>
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<td>Turner, Robin (reappointment)</td>
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<td>CLIC</td>
<td>Rec and Parks</td>
<td>Watershed (WM)</td>
<td>East</td>
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<td>Wallace, Kaade (reappointment)</td>
<td>Yes</td>
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<td>Budget</td>
<td>Planning</td>
<td>West</td>
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<td><strong>HUMAN RIGHTS COMMISSION</strong> 3 openings (1 City At-large; 1 East; 1 West)</td>
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<td>Adejumo, Ademola</td>
<td>Yes</td>
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<td>Ahmed, Jamal</td>
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<td>Brooks, Thomas (reappointment)</td>
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<td>Christman, Timothy</td>
<td>Yes</td>
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<td>Cook, Michael</td>
<td>Yes</td>
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<td>--</td>
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<tr>
<td>Davis, Robert</td>
<td>Yes</td>
<td>Human Rights</td>
<td>--</td>
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<td>Eriksen, Christian (reappointment)</td>
<td>Yes</td>
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<td>Planning</td>
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<tr>
<td>Fasinro, Teslim</td>
<td>Yes</td>
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<td>Hoth, Patrick</td>
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<td>Hussain, Naushheena (reappointment)</td>
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<td>Lewis Barr, Veronica</td>
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<td>Name</td>
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<td>Position</td>
<td>Term</td>
<td>Location</td>
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<td>Ly Bliatia-Christiansen, Soua</td>
<td>Yes</td>
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<td>Redd, Scott</td>
<td>Yes</td>
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<td>Reese, James</td>
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<td>Reeves, Brenda</td>
<td>Yes</td>
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<td>Tin, Tinna</td>
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<td>Wolfe, Beverly</td>
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**PLANNING COMMISSION** 3 openings (1 City At-large; 1 East; 1 West)

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<td>Borer, Maggie</td>
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<td>Davis, Ruby</td>
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<td>McAdam, Morgan</td>
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<td>Muvundamina, Christian</td>
<td>Yes</td>
<td>Planning</td>
<td>Budget</td>
<td>CLIC</td>
</tr>
<tr>
<td>Plunkett, Tyrone</td>
<td>Yes</td>
<td>Planning</td>
<td>Planning</td>
<td>Planning</td>
</tr>
</tbody>
</table>

**RECREATION AND PARKS ADVISORY COMMISSION** 5 openings (2 City At-large; 2 East [one East appointment will be for the balance of a term]; 1 Central)

<table>
<thead>
<tr>
<th>Name</th>
<th>Participation</th>
<th>Position</th>
<th>Term</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caldwell, Latrina</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>Budget</td>
<td>Human Rights</td>
</tr>
<tr>
<td>Dillenburg, Monica (reappointment)</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>Human Rights</td>
<td>Charter</td>
</tr>
<tr>
<td>Everson, Deborah (reappointment)</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>McKenzie, Edna</td>
<td>Yes</td>
<td>Watershed (SC)</td>
<td>Watershed (WM)</td>
<td>Rec and Parks</td>
</tr>
<tr>
<td>Murray, Taylor</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>Planning</td>
<td>CLIC</td>
</tr>
<tr>
<td>Oluwagbemi, Oluwatobi</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>Planning</td>
<td>Human Rights</td>
</tr>
<tr>
<td>Pasieka, Tasha</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>Planning</td>
<td>CLIC</td>
</tr>
<tr>
<td>Quinn, Adam*</td>
<td>Cannot attend</td>
<td>Rec and Parks</td>
<td>Watershed (WM)</td>
<td>Watershed (SC)</td>
</tr>
<tr>
<td>Sandberg, Christy (reappointment)</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Specht, Thomas</td>
<td>Yes</td>
<td>Rec and Parks</td>
<td>CLIC</td>
<td>Cable</td>
</tr>
</tbody>
</table>

*Adam Quinn is the BP Representative on the Shingle Creek Watershed Management Commission.
BUDGET ADVISORY COMMISSION (BAC)  
COUNCIL MEMBER: ____________________________  
Voting Form to submit to the Mayor

BUDGET ADVISORY COMMISSION  4 openings (1 City At-large; 2 East [one for balance of a term]; 1 Central)  
Replacing Kim Riesgraf, Kathryn Murphy, and Trelawny Grant (vacancy); Reappointing or replacing Nancy Omondi

<table>
<thead>
<tr>
<th>Commission Applicants</th>
<th>Residing District</th>
<th>Confirmed Attendance</th>
<th>Terms end 4/1/2023 unless indicated otherwise</th>
<th>Council Appointment Choice – BAC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Butler, Denise</td>
<td>West</td>
<td>Cannot Attend</td>
<td></td>
<td>City At-large</td>
</tr>
<tr>
<td>Gregory, Shannon</td>
<td>Central</td>
<td>Yes</td>
<td></td>
<td>(replacing Kim Riesgraf)</td>
</tr>
<tr>
<td>Habiba, Mamdouh</td>
<td>East</td>
<td>Yes</td>
<td></td>
<td>East District</td>
</tr>
<tr>
<td>Hall, Maxwell</td>
<td>West</td>
<td>Yes</td>
<td></td>
<td>(replacing Kathryn Murphy)</td>
</tr>
<tr>
<td>Kollie, Henason</td>
<td>West</td>
<td>Yes</td>
<td></td>
<td>East District (for balance of a term)</td>
</tr>
<tr>
<td>Le, Tommy</td>
<td>Central</td>
<td>Yes</td>
<td></td>
<td>(term ending 4/1/2022)</td>
</tr>
<tr>
<td>Omondi, Nancy</td>
<td>Central</td>
<td>Yes</td>
<td></td>
<td>Central District</td>
</tr>
<tr>
<td>(reappointment)</td>
<td></td>
<td></td>
<td></td>
<td>(reappointing or replacing Nancy Omondi)</td>
</tr>
<tr>
<td>Ritchie, Heidi</td>
<td>West</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spears, Anthony</td>
<td>Central</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Listed as 2nd Choice

| Wallace, Kaade*        | West             | Yes                  |                                             |                                 |
| Ahmed, Jamal           | Central          | Cannot attend        |                                             |                                 |
| Muvundamina, Christian | West             | Yes                  |                                             |                                 |
| Caldwell, Latrina      | Central          | Yes                  |                                             |                                 |

Listed as 3rd Choice

| Brooks, Thomas**       | West             | Yes                  |                                             |                                 |
| Eriksen, Christian**   | Central          | Yes                  |                                             |                                 |
| Aganmwonyi, Oduwa      | East             | Yes                  |                                             |                                 |

*Kaade Wallace is interviewing for reappointment to the CLIC.  
**Thomas Brooks and Christian Eriksen are interviewing for reappointment to the HRC.

District Requirements for entire commission (9):  
3 City At-large; 2 East; 2 Central; 2 West

City Code Section 30.39 states, “Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission residing in the district from which the appointment is required to be made, an applicant residing in any district of the city may be appointed to such board or commission.”

Note: This ballot is public information per Minnesota Government Data Practices Act.

Rev 021920
The Budget Advisory Commission, established by Ordinance on March 17, 2003, is an on-going citizen-led commission established for the purpose of reviewing past budgets, long-term plans, resident survey data, and recommending budgetary options to the Council. The commission is comprised of nine voting members. All members serve staggered three-year terms. Meetings are held at 7 p.m. at City Hall the 4th Tuesday of the month. (No meetings in July and December.)

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Phone</th>
<th>Appointment History</th>
<th>Term Ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adeniji, Akeem</td>
<td>763-442-7961</td>
<td>Date Appointed: Mar. 11, 2019</td>
<td>April 1, 2022</td>
</tr>
<tr>
<td>7320 Noble Ct N</td>
<td></td>
<td>Replacing: Mark Paynter</td>
<td></td>
</tr>
<tr>
<td>Brooklyn Park, MN 55443</td>
<td></td>
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</tr>
<tr>
<td>Residing District: Central</td>
<td></td>
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</tr>
<tr>
<td>Representing: City At-large</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date Appointed: Trelawny Grant</td>
<td></td>
<td>Replacing: Trelawny Grant</td>
<td></td>
</tr>
<tr>
<td>Brooklyn Park, MN 55443</td>
<td></td>
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<tr>
<td>Residing District: Central</td>
<td></td>
<td></td>
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<tr>
<td>Representing: City At-large</td>
<td></td>
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</tr>
<tr>
<td>Murphy, Kathryn</td>
<td>763-445-2645</td>
<td>Date Appointed: May 22, 2017</td>
<td>April 1, 2020</td>
</tr>
<tr>
<td>4155 Foxglove Avenue N</td>
<td></td>
<td>Replacing: Imran Qureshi</td>
<td></td>
</tr>
<tr>
<td>Brooklyn Park, MN 55443</td>
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<tr>
<td>Residing District: East</td>
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<tr>
<td>Representing: East</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Date Appointed: Tanya Simons</td>
<td></td>
<td>Replacing: Tanya Simons</td>
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<tr>
<td>10507 Welcome Dr N</td>
<td>612-209-2001</td>
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<tr>
<td>Brooklyn Park, MN 55443</td>
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<tr>
<td>Residing District: Central</td>
<td></td>
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<tr>
<td>Representing: Central</td>
<td></td>
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<tr>
<td>Date Appointed: Robert O'Keefe</td>
<td></td>
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</tr>
<tr>
<td>6325 Quebec Avenue N</td>
<td>763-971-0114</td>
<td></td>
<td>April 1, 2022</td>
</tr>
<tr>
<td>Brooklyn Park, MN 55428</td>
<td></td>
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<tr>
<td>Residing District: West</td>
<td></td>
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<tr>
<td>Representing: West</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date Reappointed: Mar. 11, 2019</td>
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<td></td>
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<tr>
<td>Riesgraf, Kim</td>
<td>763-221-1229</td>
<td>Date Appointed: Mar. 11, 2019</td>
<td>April 1, 2020</td>
</tr>
<tr>
<td>10418 Vera Cruz Dr N</td>
<td></td>
<td>Replacing: Nancy Omondi</td>
<td></td>
</tr>
<tr>
<td>Brooklyn Park, MN 55443</td>
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<tr>
<td>Residing District: Central</td>
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</tr>
<tr>
<td>Representing: City At-large</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Date Appointed: Nancy Omondi</td>
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<td></td>
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</tr>
<tr>
<td>Name/Address</td>
<td>Phone</td>
<td>Appointment History</td>
<td>Term Ends</td>
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<tr>
<td>---------------------------</td>
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<td>----------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Vue, Mena Xiong*</td>
<td>763-843-8867</td>
<td>Date Appointed: May 14, 2018 Replacing: Julia Gordon</td>
<td>April 1, 2021</td>
</tr>
<tr>
<td>4629 Impatiens Court N</td>
<td></td>
<td></td>
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<tr>
<td>Brooklyn Park, MN 55443</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Residing District: Central</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Representing: West</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wako, Teshite</td>
<td>651-208-1376</td>
<td>Date Appointed: Mar. 14, 2016 Replacing: Sean Beattie Date Reappointed: May 14, 2018</td>
<td>April 1, 2021</td>
</tr>
<tr>
<td>5712 102nd Ave N</td>
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<td></td>
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<tr>
<td>Brooklyn Park, MN 55443</td>
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<td></td>
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<tr>
<td>Residing District: Central</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Representing: Central</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Winston, Hollies</td>
<td>651-274-4555</td>
<td>Date Appointed: May 26, 2015 Replacing: Debra Englund Date Reappointed: May 14, 2018</td>
<td>April 1, 2021</td>
</tr>
<tr>
<td>9327 Nantwick Lane</td>
<td></td>
<td></td>
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<tr>
<td>Brooklyn Park, MN 55443</td>
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<tr>
<td>Residing District: Central</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Representing: City At-large</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Indicates commissioner is representing district outside of residing district

Mark Mata, Council Liaison
10520 Major Avenue N
Brooklyn Park, MN 55443
ph 612-366-1538
vm 763-493-8040
mark.mata@brooklynpark.org

LaTonia Green, Staff Liaison
5200 85th Avenue N
Brooklyn Park, MN 55443
w 763-493-8150
latonia.green@brooklynpark.org
**COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION (CLIC)**

**Voting Form to submit to the Mayor**

**Monday, February 24, 2020**

6 Openings (3 City At-large; 1 East; 1 Central District; 1 West District)

- City At-large – Replacing Sarah Dettmann; Reappointing or replacing Robin Turner; Replacing Devale Hodge (balance of a term)
- East District – Replacing Cory Funk
- Central District – Replacing Heidi Heinzl
- West District – Reappointing or replacing Kaade Wallace

Terms end 4/1/2023 unless indicated otherwise

### Commission Applicants

<table>
<thead>
<tr>
<th>Residing District</th>
<th>Confirmed Attendance</th>
<th>Council Appointment Choices – CLIC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CLIC applicants - Listed as 1st Choice</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooper, Joseph</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Quigley, Kevin</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>Turner, Robin</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>Wallace, Kaade</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Listed as 2nd Choice</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Butler, Denise</td>
<td>West</td>
<td>Cannot attend</td>
</tr>
<tr>
<td>Kollie, Henason</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td>Hoth, Patrick</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td>Redd, Scott</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Reeves, Brenda</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>Walton, Stanley</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>Aarestad, Erin</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>McAdam, Morgan</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Specht, Thomas</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Listed as 3rd Choice</strong></td>
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<td></td>
</tr>
<tr>
<td>Gregory, Shannon</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Ritchie, Heidi</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td>Adejumo, Ademola</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Fasinro, Teslim</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Muvundamina, Christian</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td>Murray, Taylor</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>Pasieka, Tasha</td>
<td>West</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**City At-large ___________________________ (for balance of a term)**
(replacing Devale Hodge – **Term ends April 1, 2021**)

**East District ___________________________**
(replacing Cory Funk)

**Central District ___________________________**
(replacing Heidi Heinzl)

**West District ___________________________**
(reappointing or replacing Kaade Wallace)

**District Requirements (15 members):**
- 6 City At-large; 3 East; 3 Central; 3 West

City Code Section 30.39 states, “Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission residing in the district from which the appointment is required to be made, an applicant residing in any district of the city may be appointed to such board or commission.”

---

**Note: This ballot is public information per Minnesota Government Data Practices Act.**
The Community Long-range Improvement Commission (CLIC) studies all improvements concerning the present and future needs and requirements of the City where public funds and/or collected fees are or will be involved. The CLIC is comprised of 15 citizens, a staff liaison and a Council liaison. Term length is three years. Members are limited to two full consecutive terms per Resolution #2019-46. Meetings are held on the 2nd Thursday of the month at 7:00 p.m. at City Hall.

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Phone</th>
<th>Appointment History</th>
<th>Term Ends</th>
</tr>
</thead>
</table>
| Carter, Doneva                    | 763-286-0704 | Date Appointed: Dec. 16, 2013  
Replacing: Celia Thomas              | April 1, 2022 |
| 6332 84th Court N                 |           | Date Reappointed: Mar. 14, 2016  
Replacing: Alida Abdullah            |            |
| Brooklyn Park, MN 55445           |           | Date Reappointed: Mar. 11, 2019  
Replacing: Syed Husain               |            |
| Residing District: West           |           |                                      |            |
| Representing: West                |           |                                      |            |
| Dettmann, Sarah                   | 612-598-5926 | Date Appointed: Mar. 20, 2017  
Replacing: Rebecca Dougherty          | April 1, 2020 |
| 7809 Noid Drive                   |           |                                      |            |
| Brooklyn Park, MN 55428           |           |                                      |            |
| Residing District: West           |           |                                      |            |
| Representing: At-large            |           |                                      |            |
| Fraser, Kathy                     | 763-566-4279 | Date Appointed: Mar. 14, 2016  
Replacing: Alida Abdullah            | April 1, 2022 |
| 7209 92nd Trail N                 |           | Date Reappointed: Mar. 11, 2019  
Replacing: Andrew Reinhardt          |            |
| Brooklyn Park, MN 55445           |           |                                      |            |
| Residing District: Central        |           |                                      |            |
| Representing: Central             |           |                                      |            |
| Funk, Cory                        | 763-493-2703 | Date Appointed: Dec. 16, 2013  
Replacing: Noya Woodrich             | April 1, 2020 |
| 9313 Newton Avenue N               |           | Date Reappointed: Mar. 13, 2018     |            |
| Brooklyn Park, MN 55444           |           |                                      |            |
| Residing District: East           |           |                                      |            |
| Representing: East                |           |                                      |            |
| Gbeizon-Bornor, Etta              | 763-777-2154 | Date Appointed: Aug. 28, 2017  
Replacing: Oduwa Aganmwonyi          | April 1, 2021 |
| 5733 80th Avenue N                 |           | Date Reappointed: Mar. 13, 2018     |            |
| Brooklyn Park, MN 55443           |           |                                      |            |
| Residing District: Central        |           |                                      |            |
| Representing: At-large            |           |                                      |            |
| Hayes, Tom                        | 763-315-2987 | Date Appointed: Aug. 28, 2017  
Replacing: Noya Woodrich             | April 1, 2021 |
| 9721 Oliver Avenue N              |           | Date Reappointed: Mar. 13, 2018     |            |
| Brooklyn Park, MN 55444           |           |                                      |            |
| Residing District: East           |           |                                      |            |
| District: East                    |           |                                      |            |
| Heinzel, Heidi                    | 763-688-3016 | Date Appointed: Dec. 1, 2014  
Replacing: Syed Husain                | April 1, 2020 |
<p>| 10032 Hampshire Terrace N         |           | Date Reappointed: Mar. 20, 2017     |            |
| Brooklyn Park, MN 55445           |           |                                      |            |
| Residing District: Central        |           |                                      |            |
| Representing: Central             |           |                                      |            |</p>
<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Phone</th>
<th>Date Appointed</th>
<th>Replacing</th>
<th>Term Ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iteghete, Sheila</td>
<td>763-447-9126</td>
<td>Mar. 12, 2018</td>
<td>Ray Klotz</td>
<td>April 1, 2022</td>
</tr>
<tr>
<td>8017 Brandywine Parkway</td>
<td></td>
<td></td>
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<tr>
<td>Brooklyn Park, MN 55444</td>
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<tr>
<td>Residing District: East</td>
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<tr>
<td>Representing: At-large</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

| Kiflu-Martin, Yordanos  | 651-442-1153  | Aug. 27, 2018    | Kathy Fraser   | April 1, 2022 |
| 7325 75th Avenue N  |             |                  |                |               |
| Brooklyn Park, MN 55428 |             |                  |                |               |
| Residing District: West  |          |                  |                |               |
| Representing: At-large  |          |                  |                |               |

| Meuers, Amy  | 651-503-7714  | Mar. 11, 2019    | Trelawny Grant | April 1, 2022 |
| 7717 Drew Avenue N  |             |                  |                |               |
| Brooklyn Park, MN 55443 |             |                  |                |               |
| Residing District: Central  |         |                  |                |               |
| Representing: At-large  |          |                  |                |               |

| Meyers, Erik  | 612-844-1129  | Mar. 12, 2018    | Albert Smith   | April 1, 2021 |
| 9001 66th Avenue N  |             |                  |                |               |
| Brooklyn Park, MN 55428 |             |                  |                |               |
| Residing District: West  |          |                  |                |               |
| Representing: West  |          |                  |                |               |

| Sell, Laura  | 763-425-1562  | Nov. 26, 2018    | Scott Smeaton  | April 1, 2021 |
| 10341 Yates Dr  |             |                  |                |               |
| Brooklyn Park, MN 55443 |             |                  |                |               |
| Residing District: Central  |         |                  |                |               |
| Representing: Central  |          |                  |                |               |

| Turner, Robin | 763-267-8453  | Aug. 28, 2017    | Kaade Wallace  | April 1, 2020 |
| 9012 Dunbar Knoll Ct N  |             |                  |                |               |
| Brooklyn Park, MN 55443 |             |                  |                |               |
| Residing District: East  |          |                  |                |               |
| Representing: At-large  |          |                  |                |               |

| Wallace, Kaade  | 763-315-1016  | Mar. 20, 2017    | Robin Turner   | April 1, 2020 |
| 8559 Maplebrook Pkwy  |             |                  |                |               |
| Brooklyn Park, MN 55445 |             |                  |                |               |
| Residing District: West  |          |                  |                |               |
| Representing: West  |          |                  |                |               |

| Susan Pha, Council Liaison  |             |                  |                |               |
| 8301 Sumter Avenue N  |             |                  |                |               |
| Brooklyn Park, MN 55445 |             |                  |                |               |
| 651-252-9080  |             |                  |                |               |
| vm 763-315-8496  |             |                  |                |               |
| susan.pha@brooklynpark.org |             |                  |                |               |

**Susan Pha, Council Liaison**  
8301 Sumter Avenue N  
Brooklyn Park, MN 55445  
651-252-9080  
vm 763-315-8496  
susan.pha@brooklynpark.org

---

Jesse Struve, Staff Liaison  
5200 85th Avenue N  
Brooklyn Park, MN 55443  
w 763-493-8114  
jesse.struve@brooklynpark.org

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**CLIC Public Directory**  
February 18, 2020  
Page 2 of 2
**HUMAN RIGHTS COMMISSION (HRC)**

**COUNCIL MEMBER:** ____________________________

**Monday, February 24, 2020**

Voting Form to submit to the Mayor

---

**HUMAN RIGHTS COMMISSION**  
3 Openings (1 City At-large; 1 East; 1 West)  
Reappointing or replacing Christian Ericksen, Nausheena Hussain, Thomas Brooks

### Commission Applicants

<table>
<thead>
<tr>
<th>HRC applicants - Listed as 1st Choice</th>
<th>Residing District</th>
<th>Confirmed Attendance</th>
<th>Council Appointment Choice – HRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adejumo, Ademola</td>
<td>Central</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Ahmed, Jamal</td>
<td>Central</td>
<td>Cannot attend</td>
<td></td>
</tr>
<tr>
<td>Brooks, Thomas (reappointment)</td>
<td>West</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Christman, Timothy</td>
<td>Central</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Cook, Michael</td>
<td>Central</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Davis, Robert</td>
<td>West</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Eriksen, Christian (reappointment)</td>
<td>Central</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Fasinro, Teslim</td>
<td>Central</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Hoth, Patrick</td>
<td>West</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Hussain, Nausheena (reappointment)</td>
<td>East</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Lewis Barr, Veronica</td>
<td>West</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Ly Bliatia-Christianzen, Soua</td>
<td>East</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Redd, Scott</td>
<td>Central</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Reese, James</td>
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<td>Reeves, Brenda</td>
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<tr>
<td>Tin, Tina</td>
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<td>Walton, Stanley</td>
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<tr>
<td>Wolfe, Beverly</td>
<td>East</td>
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</table>

**Listed as 2nd Choice**

<table>
<thead>
<tr>
<th>HRC applicants - Listed as 2nd Choice</th>
<th>Residing District</th>
<th>Confirmed Attendance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hall, Maxwell</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td>Cooper, Joseph</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Dillenburg, Monica*</td>
<td>Central</td>
<td>Yes</td>
</tr>
</tbody>
</table>

---

**Terms end 4/1/2023 unless indicated otherwise**

**3 appointments**

- **City At-large**  
  (reappointing or replacing Christian Eriksen)

- **East**  
  (reappointing or replacing Nausheena Hussain)

- **West**  
  (reappointing or replacing Thomas Brooks)

---

**District Requirements for entire commission (9):**

3 City At-large; 2 East; 2 Central; 2 West

City Code Section 30.39 states, “Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission residing in the district from which the appointment is required to be made, an applicant residing in any district of the city may be appointed to such board or commission.”
Listed as 3rd Choice

<table>
<thead>
<tr>
<th>Name</th>
<th>District</th>
<th>Reappointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habiba, Mamdouh</td>
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<td>Yes</td>
</tr>
<tr>
<td>Omondi, Nancy**</td>
<td>Central</td>
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<tr>
<td>Spears, Anthony</td>
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<td>Aarestad, Erin</td>
<td>East</td>
<td>Yes</td>
</tr>
<tr>
<td>Caldwell, Latrina</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Oluwagbemi, Oluwatobi</td>
<td>Central</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Monica Dillenburg is interviewing for reappointment to the RPAC.
**Nancy Omondi is interviewing for reappointment to the BAC.

Note: This ballot is public information per Minnesota Government Data Practices Act.
**HUMAN RIGHTS COMMISSION**

**Public Directory - 2020**

Ordinance #1993-726 was adopted by the City Council on July 12, 1993, adding Section 290 to the City Code establishing a Human Relations Commission. Ordinance #2007-1078, effective November 25, 2007, changed the name to the Human Rights Commission. The Commission was established for the purpose of securing for all residents equal opportunity in employment, housing, public accommodations, public services, education, and full participation in the affairs of the city by assisting the Minnesota Department of Human Rights in implementing state laws against discrimination and by advising the City Council in long-range programs to ensure human service needs are met. The Commission is comprised of nine residents, one staff liaison and one Council liaison. Term length is three years. Members are limited to two full consecutive terms per Resolution #2019-46. Meetings are held the 3rd Thursday of every month at 6:00 p.m.

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Phone</th>
<th>Appointment History</th>
<th>Term Ends</th>
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<tbody>
<tr>
<td>Brooks, Thomas</td>
<td>315-399-7714</td>
<td>Date Appointed: Sept. 23, 2019</td>
<td>April 1, 2020</td>
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<tr>
<td>6648 Edgemont Blvd N</td>
<td></td>
<td>Replacing: Edao Dawano</td>
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<tr>
<td>Brooklyn Park, MN 55428</td>
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<tr>
<td>Residing District: West</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Representing: West</td>
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<tr>
<td>Hussain, Nausheena</td>
<td>763-315-4775</td>
<td>Date Appointed: Aug. 27, 2018</td>
<td>April 1, 2020</td>
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<tr>
<td>9136 West River Road</td>
<td></td>
<td>Replacing: Jacqueline Coleman</td>
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<tr>
<td>Brooklyn Park, MN 55444</td>
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<tr>
<td>Residing District: East</td>
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<tr>
<td>Representing: East</td>
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<td></td>
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<tr>
<td>Eriksen, Christian</td>
<td>773-610-4742</td>
<td>Date Appointed: Mar. 20, 2017</td>
<td>April 1, 2020</td>
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<tr>
<td>4501 78th Avenue N</td>
<td></td>
<td>Replacing: Kendra Kuhlmann</td>
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<tr>
<td>Residing District: Central</td>
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<tr>
<td>Representing: At-large</td>
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<td></td>
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<tr>
<td>Hostetler, John Mark</td>
<td>763-232-6242</td>
<td>Date Appointed: Mar. 13, 2018</td>
<td>April 1, 2021</td>
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<tr>
<td>6272 Yukon Avenue N</td>
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<td>Replacing: Michael Fowler</td>
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<td>Brooklyn Park, MN 55428</td>
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<td></td>
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<tr>
<td>Residing District: West</td>
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<tr>
<td>Representing: West</td>
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<tr>
<td>King, Aja</td>
<td>205-451-7955</td>
<td>Date Appointed: Jan. 7, 2019</td>
<td>April 1, 2022</td>
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<tr>
<td>6312 Welcome Avenue N</td>
<td></td>
<td>Replacing: Mary Pargo</td>
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<tr>
<td>Brooklyn Park, MN 55429</td>
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<td>Date Reappointed: Jan. 7, 2019</td>
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<td>Residing District: West</td>
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<tr>
<td>Representing: City At-large</td>
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</tbody>
</table>

Arrows indicate terms ending.
<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Phone</th>
<th>Appointment History</th>
<th>Term Ends</th>
</tr>
</thead>
</table>
| Shevlin-Woodcock, Cindy | 612-240-2627 | Date Appointed: Mar. 11, 2019  
Replacing: Aja King | April 1, 2022 |
| 5017 89th Crescent N  |           |                                        |           |
| Brooklyn Park, MN 55443|           |                                        |           |
| Residing District: Central |          |                                        |           |
| Representing: Central   |           |                                        |           |
| Volltrauer, Scott      | 612-564-5766 | Date Appointed: Mar. 12, 2018  
Replacing: Edmond Gray 
Date Reappointed: Mar. 12, 2018 | April 1, 2021 |
| 7757 Newton Avenue N  |           |                                        |           |
| Brooklyn Park, MN 55444|           |                                        |           |
| Residing District: East |          |                                        |           |
| Representing: City At-large |       |                                        |           |
| Walton, Kate           | 763-354-9044 | Date Appointed: Sept. 23, 2019  
Replacing: Kimberly Carpenter | April 1, 2022 |
| 9356 Washburn Ave N   |           |                                        |           |
| Brooklyn Park, MN 55444|           |                                        |           |
| Residing District: East |          |                                        |           |
| Representing: East     |           |                                        |           |
| Wang, Minn             | 763-764-7680 | Date Appointed: Sept. 23, 2019  
Replacing: Deborah Lewis | April 1, 2021 |
| 4908 103rd Avenue N   |           |                                        |           |
| Brooklyn Park, MN 55443|           |                                        |           |
| Residing District: Central |         |                                        |           |
| Representing: Central  |           |                                        |           |

*Indicates commissioner is representing district outside of residing district

Lisa Jacobson, Council Liaison  
9012 Glen Edin Lane N  
Brooklyn Park, MN 55443  
ph 763-234-0315  
vm 763-493-8146  
lisa.jacobson@brooklynpark.org

Wokie Freeman-Gbogba, Staff Liaison  
5200 85th Avenue N  
Brooklyn Park, MN 55443  
w 763-493-8005  
wokie.freeman@brooklynpark.org
PLANNING COMMISSION

3 Openings (1 City At-large; 1 East; 1 West)
Reappointing or replacing Syed Husain; Replacing Amy Hanson and Michelle Mersereau

Commission Applicants

<table>
<thead>
<tr>
<th>Residing District</th>
<th>Confirmed Attendance</th>
<th>Terms end 4/1/2023 unless indicated otherwise</th>
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<tbody>
<tr>
<td><strong>Planning applicants - Listed as 1st Choice</strong></td>
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<td>Aarestad, Erin</td>
<td>East</td>
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<td>Aganmwonyi, Oduwa</td>
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<td>Yes</td>
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<tr>
<td>Borer, Maggie</td>
<td>Central</td>
<td>Yes</td>
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<tr>
<td>Davis, Ruby</td>
<td>East</td>
<td>Yes</td>
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<tr>
<td>Husain, Syed</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>McAdam, Morgan</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Muvundamina, Christian</td>
<td>West</td>
<td>Yes</td>
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<tr>
<td>Plunkett, Tyrone</td>
<td>East</td>
<td>Yes</td>
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<table>
<thead>
<tr>
<th><strong>Listed as 2nd Choice</strong></th>
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</thead>
<tbody>
<tr>
<td>Gregory, Shannon</td>
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<tr>
<td>Omondi, Nancy*</td>
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<tr>
<td>Ritchie, Heidi</td>
</tr>
<tr>
<td>Adejumo, Ademola</td>
</tr>
<tr>
<td>Brooks, Thomas**</td>
</tr>
<tr>
<td>Eriksen, Christian</td>
</tr>
<tr>
<td>Tin, Tinna</td>
</tr>
<tr>
<td>Murray, Taylor</td>
</tr>
<tr>
<td>Oluwagbemi, Oluwatobi</td>
</tr>
<tr>
<td>Pasieka, Tasha</td>
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<tr>
<td>Quigley, Kevin</td>
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</table>

**Council Appointment Choice – Planning Commission**

3 appointments

City At-large __________________________
(reappointing or replacing Syed Husain)

East __________________________
(replacing Amy Hanson)

West __________________________
(replacing Michelle Mersereau)

District Requirements for entire commission (9):
3 City At-large; 2 East; 2 Central; 2 West

City Code Section 30.39 states, "Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission residing in the district from which the appointment is required to be made, an applicant residing in any district of the city may be appointed to such board or Commission."
<table>
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<tbody>
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<td>Hall, Maxwell</td>
<td>West</td>
<td>Yes</td>
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<tr>
<td>Le, Tommy</td>
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<td>Yes</td>
</tr>
<tr>
<td>Wallace Kaade***</td>
<td>West</td>
<td>Yes</td>
</tr>
<tr>
<td>Ahmed, Jamal</td>
<td>Central</td>
<td>Cannot Attend</td>
</tr>
<tr>
<td>Hoth, Patrick</td>
<td>West</td>
<td>Yes</td>
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<tr>
<td>Redd, Scott</td>
<td>Central</td>
<td>Yes</td>
</tr>
<tr>
<td>Walton, Stanley</td>
<td>East</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Nancy Omondi is interviewing for reappointment to the BAC.
**Thomas Brooks is interviewing for reappointment to the HRC.
***Kaade Wallace is interviewing for reappointment to the CLIC.

Note: This ballot is public information per Minnesota Government Data Practices Act.
The Planning Commission is instrumental in determining both current development and future land use patterns. The Planning Commission acts as an advisory body to the City Council and holds public hearings on a wide variety of development issues, including Zoning, Platting, Conditional Use Permits and Variances. In addition, the Planning Commission develops long-range plans to guide the physical development of the community through a comprehensive planning process. The commission is comprised of nine voting members. Term length is three years. Members are limited to two full consecutive terms per Resolution #2019-46. Meetings are held the 2nd and 4th Wednesday of each month at 7:00 p.m. at City Hall.

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Phone</th>
<th>Appointment History</th>
<th>Term Ends</th>
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<tbody>
<tr>
<td>Hanson, Amy*</td>
<td>763-350-1510</td>
<td>Date Appointed: Mar. 3, 2014 Replacing: George Lessard Date Reappointed: Mar. 20, 2017</td>
<td>April 1, 2020</td>
</tr>
<tr>
<td>6732 Douglas Drive N Brooklyn Park, MN 55429 Residing District: West Representing: East</td>
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<td></td>
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<tr>
<td>Herbers, Christopher*</td>
<td>763-657-0401</td>
<td>Date Appointed: Apr. 23, 2018 Replacing: Jon Fletcher</td>
<td>April 1, 2021</td>
</tr>
<tr>
<td>9663 Linden Lane N Brooklyn Park, MN 55443 Residing District: East Representing: Central</td>
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<tr>
<td>Husain, Syed</td>
<td>507-313-3023</td>
<td>Date Appointed: Mar. 20, 2017 Replacing: Sarah Stuewe</td>
<td>April 1, 2020</td>
</tr>
<tr>
<td>6206 106th Avenue N Brooklyn Park, MN 55443 Residing District: Central Representing: At-large</td>
<td></td>
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<td></td>
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<tr>
<td>Kiekow, John</td>
<td>763-493-2571</td>
<td>Date Appointed: Mar. 12, 2018 Replacing: James Jackson</td>
<td>April 1, 2021</td>
</tr>
<tr>
<td>6401 Neddersen Circle Brooklyn Park, MN 55445 Residing District: Central Representing: At-large</td>
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<tr>
<td>Kisch, Michael</td>
<td>763-442-3658</td>
<td>Date Appointed: Nov. 9, 2015 Replacing: Matthew Trapp Date Reappointed: Mar. 14, 2016 Date Appointed: Mar. 11, 2019</td>
<td>April 1, 2022</td>
</tr>
<tr>
<td>7413 Oxbow Creek Circle N Brooklyn Park, MN 55445 Residing District: Central Representing: Central</td>
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<tr>
<td>Name/Address</td>
<td>Phone</td>
<td>Appointment History</td>
<td>Term Ends</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------</td>
<td>-----------------------------------------------------------------</td>
<td>-------------</td>
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</table>
| Mersereau, Michelle    | 651-335-0278| **Date Appointed:** Mar. 20, 2017  
**Replacing:** Tonja West-Hafner | April 1, 2020 |
| 6414 84th Ct N         |             |                                                                |             |
| Brooklyn Park, MN 55445|             |                                                                |             |
| **Residing District:** West |            |                                                                |             |
| **Representing:** West |             |                                                                |             |
| Mohamed, Hassanen      | 763-537-0238| **Date Appointed:** Mar. 12, 2018  
**Replacing:** Steven Schmidt | April 1, 2021 |
| 6589 Douglas Dr N      |             |                                                                |             |
| Brooklyn Park, MN 55429|             |                                                                |             |
| **Residing District:** West |            |                                                                |             |
| **Representing:** West |             |                                                                |             |
| Morton-Spears, Marshell| 763-208-3537| **Date Appointed:** Feb. 2, 2015  
**Replacing:** Wynfred Russell  
**Date Reappointed:** Mar. 14, 2016  
**Date Appointed:** Mar. 11, 2019 | April 1, 2022 |
| 6209 104th Circle N    |             |                                                                |             |
| Brooklyn Park, MN 55443|             |                                                                |             |
| **Residing District:** Central |           |                                                                |             |
| **Representing:** At-large |            |                                                                |             |
| Vosberg, Carol         | 612-240-1132| **Date Appointed:** Mar. 14, 2016  
**Replacing:** Jeffrey Cupka  
**Date Appointed:** Mar. 11, 2019 | April 1, 2022 |
| 8816 Inverness Terrace |             |                                                                |             |
| Brooklyn Park, MN 55443|             |                                                                |             |
| **Residing District:** East |            |                                                                |             |
| **Representing:** East |             |                                                                |             |

*Indicates commissioner is representing district outside of residing district

**Wynfred Russell, Council Liaison**
6309 84th Court N  
Brooklyn Park, MN 55445  
ph 612-283-1859  
vm 763-315-8442  
wynfred.russell@brooklynpark.org

**Cindy Sherman, Staff Liaison**
5200 85th Avenue North  
Brooklyn Park, MN 55443  
763-493-8051  
cindy.sherman@brooklynpark.org
RECREATION AND PARKS ADVISORY COMMISSION

**COUNCIL MEMBER:**

**Voting Form to submit to the Mayor**

**Monday, February 24, 2020**

### RECREATION AND PARKS ADVISORY COMMISSION

5 Openings (2 City At-large; 2 East [1 for balance of a term]; 1 Central)

Reappointing or replacing Deborah Everson, Christy Sandberg, Monica Dillenburg

Replacing Lang Vang, Patricia Dominquez-Mejia

#### Commission Applicants

<table>
<thead>
<tr>
<th>Residing District</th>
<th>Confirmed Attendance</th>
<th>Council Appointment Choice – RPAC</th>
</tr>
</thead>
</table>

**RPAC applicants - Listed as 1st Choice**

<table>
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<tr>
<th>Applicant</th>
<th>Residing District</th>
<th>Confirmed Attendance</th>
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<tbody>
<tr>
<td>Caldwell, Latrina</td>
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<td>Dillenburg, Monica</td>
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<td>(reappointment)</td>
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<tr>
<td>Everson, Deborah</td>
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<tr>
<td>(reappointment)</td>
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<td>McKenzie, Edna</td>
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<td>Oluwagbemi, Oluwatobi</td>
<td>Central</td>
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<td>Pasieka, Tasha</td>
<td>West</td>
<td>Yes</td>
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<tr>
<td>Quinn, Adam*</td>
<td>Central</td>
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<td>Sandberg, Christy</td>
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<td>Yes</td>
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<td>(reappointment)</td>
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<td>Specht, Thomas</td>
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**Listed as 2nd Choice**

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<tr>
<td>Turner, Robin**</td>
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<td>Christman, Timothy</td>
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<td>Fasrinro, Teslim</td>
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<td>Borer, Maggie</td>
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<td>Davis, Ruby</td>
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**Listed as 3rd Choice**

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<tr>
<td>Butler, Denise</td>
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<td>Lewis Barr, Veronica</td>
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<td>Quigley, Kevin</td>
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*Adam Quinn is on Shingle Creek Watershed Mgmt Commission.*

**Robin Turner is interviewing for reappointment to the CLIC.**

### Terms end 4/1/2023 unless indicated otherwise

- **At-large** (reappointing or replacing Deborah Everson)
- **At-large** (replacing Lang Vang)

- **East** (reappointing or replacing Christy Sandberg)

- **East** (balance of term 04/01/21) (replacing Patricia Dominquez-Mejia)
- **Central** (reappointing or replacing Monica Dillenburg)

**District Requirements for entire commission (12):**

- 6 City At-large; 2 East; 2 Central; 2 West

City Code Section 30.39 states, “Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission applicant residing in any district of the city may be appointed to such board or commission.”

**Note:** This ballot is public information per Minnesota Government Data Practices Act.

Rev 022020
RECREATION AND PARKS ADVISORY COMMISSION

Public Directory – 2020

The Recreation and Parks Advisory Commission studies issues relative to public parks and recreation. The commission is comprised of twelve voting members (six representing the city at-large, and two members from each of the three districts) and a liaison from each of the areas: City Council, City Staff, and Planning Commission. Term length is three years. Members are limited to two full consecutive terms per Resolution #2019-46. Meetings are held the 3rd Wednesday of every month at 6:30 p.m. at the Community Activity Center.

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<td>Dillenburg, Monica</td>
<td>612-876-6185</td>
<td>Date Appointed: Jul. 27, 2015, Replacing: Julie Dukowitz</td>
<td>April 1, 2020</td>
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<tr>
<td>4740 Oxborough Ct N</td>
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<td>Date Appointed: Mar. 20, 2017, Replacing: Mindy Frost</td>
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<td>8030 Mississippi Lane</td>
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<td>Groebner, Colleen</td>
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<td>Hayat, Aslam Tajim</td>
<td>608-738-1392</td>
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<td>6483 102nd Avenue N</td>
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Recreation and Parks Advisory Commission Public Directory

February 7, 2020  Page 1 of 2
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</table>

*Indicates commissioner is representing district outside of residing district

Terry Parks, Council Liaison
622 73rd Way
Brooklyn Park, MN 55444
763-561-4371
vm 763-493-8097
terry.parks@brooklynpark.org

Jody Yungers, Staff Liaison
5600 85th Avenue N
Brooklyn Park, MN 55443
w 763-493-8337
jody.yungers@brooklynpark.org

Marshall Morton-Spears, Planning Commission Liaison
6209 104th Circle N
Brooklyn Park, MN 55443
763-208-3537

Recreation and Parks Advisory Commission Public Directory
February 7, 2020
City of Brooklyn Park
Request for Council Action

Agenda Item: 4.1  Meeting Date: February 24, 2020
Agenda Section: Consent  Originating Department: Community Development
Resolution: N/A
Ordinance: N/A
Attachments: 2
Presented By: Todd A. Larson

Item: New Creations Daycare (Amcon Construction Company) – Encroachment Agreement for a Utility Easement at 4500 Oak Grove Parkway North

City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO APPROVE AN ENCROACHMENT AGREEMENT AT 4500 OAK GROVE PARKWAY NORTH AND AUTHORIZE THE MAYOR AND CITY MANAGER TO SIGN IT.

Staff Recommendation:

Staff recommends approval of the encroachment agreement.

Overview:

New Creations Daycare was approved by the Council in 2019 and began construction in the late fall. During the construction process, an easement was identified that impacts the building location. This easement was dedicated to the City by separate document (not platted) so that the CVS site can be directly served with public water and sanitary sewer that crosses the New Creations property. The building does not interfere with either utility in the easement so it can remain as is, provided an encroachment agreement is in place. An encroachment agreement is necessary so that the encroachment does not adversely cloud the title of the property, a concern of the business’ lender.

Budgetary/Fiscal Issues: N/A

Alternatives to consider:

1. Approve the encroachment agreement as presented.
2. Approve the agreement with modifications.
3. Deny the agreement based on certain findings.

Attachments:

4.1A ENCROACHMENT AGREEMENT
4.1B LOCATION MAP
ENCROACHMENT AGREEMENT

This Encroachment Agreement (‘‘Agreement’’) is made as of the ___ day of February, 2020, by and between the City of Brooklyn Park, a Minnesota municipal corporation (the ‘‘City’’), and STORE MASTER FUNDING XIV, LLC, a Delaware limited liability company (the ‘‘Owner’’).

RECITALS

A. The Owner is fee owner of the real property that is legally described as follows:
   Lot 2, Block 1, Noble Office Park 2nd Addition
   (the ‘‘Property’’).

B. The Property is subject to a recorded Easement Agreement dated April 3, 2017, filed April 17, 2017, as Document No. T05435708, which grants the City a permanent, non-exclusive easement for drainage and utility purposes over, across and through that part of the Property described in the attached Exhibit A and depicted in the attached Exhibit B (the ‘‘Easement Area’’).

C. The Owner has constructed or is in the process of constructing a building. The Owner recently discovered that a small portion of the southwesterly corner of the building encroaches into the Easement Area (the ‘‘Encroachment’’). The building does not encroach in such a way as to interfere with the current location of the underground utilities in the Easement Area. A depiction of the Encroachment is contained on the attached Exhibit C.

D. The City has agreed that the Owner may utilize the Easement Area for the Encroachment on condition that the Owner executes this Agreement.

AGREEMENT

NOW, THEREFORE, on the basis of the premises and the mutual covenants and agreements set forth in this Agreement, the parties agree as follows:
1. The Owner may continue to maintain the Encroachment as it currently exists at the date of this Agreement.

2. The permission granted by the City in this Agreement is limited exclusively to the Encroachment in the Easement Area, as outlined in paragraph C of the Recitals of this Agreement, and no additional improvements may be constructed or installed by the Owner within the Easement Area.

3. This Agreement shall not prevent or impair the future use of the Easement Area by the City or any other entity entitled by law to so use the Easement Area.

4. The Owner shall be solely responsible for the maintenance of the Encroachment and shall be entitled to maintain and repair the Encroachment as needed, so long as such maintenance and repair does not interfere with the City’s use of the Easement Area or expand the Encroachment so that it is further encroaching into the Easement Area.

5. If the building on the Property is destroyed to the extent that it must be removed and reconstructed, the Owner shall remove the Encroachment reconstruct the building so that it is no longer within the Easement Area.

6. If the Encroachment is voluntarily removed by the Owner, any new improvements must be constructed on the Property so that they are not within the Easement Area, and otherwise in compliance with all local ordinances.

7. This Agreement shall run with the Property and shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and assigns.

8. The Owner, its successors and assigns shall indemnify, hold harmless, and defend the City, its officials, employees, contractors and agents, from and against any and all claims, losses, proceedings, damages, causes of action, liability, costs or expenses (including reasonable attorneys’ fees), arising from or in connection with or caused by any act, omission or negligence of the Owner, their contractors, licensees, invitees, agents, servants or employees in connection with the Owner’s use, repair or maintenance of the Encroachment within the Easement Area.

9. The Owner agrees not to suffer or allow any liens, claims, or processes to be placed against the City’s rights to or interest in the Easement Area as a result of the Owner’s use of the Easement Area, including, without limitation, any liens for labor or materials provided for the repair or maintenance of the Encroachment.

10. Nothing contained in this Agreement shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Any claims shall be subject to the City’s governmental immunity defenses and the maximum liability limits provided in Minnesota Statutes, Chapter 466, if applicable.

11. This Agreement shall be governed by and construed and enforced in accordance with the laws of Minnesota.
13. This Agreement constitutes the entire agreement between the parties and any prior understandings or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

14. Any modification to this Agreement shall be binding only if evidenced in writing signed by both parties.

15. The Owner agrees that its use of the Easement Area is with the City’s permission and is not open, continuous, notorious, or any other manner supportive of a claim of adverse possess, prescriptive easement, abandonment, or other entitlement to the Easement Area. This Agreement is not a lease or easement and does not confer any estate or interest in real property to the Owners by the City beyond what is specifically recited herein.

[signature pages to follow]
IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

CITY OF BROOKLYN PARK

By: ________________________________
    Jeffrey Lunde
Its:    Mayor

By: ________________________________
    Jay Stroebel
Its:    City Manager

STATE OF MINNESOTA )
    ) ss.
COUNTY OF HENNEPIN )

The foregoing instrument was acknowledged before me this ____ day of February, 2020, by Jeffrey Lunde and Jay Stroebel, the Mayor and City Manager, respectively, of the City of Brooklyn Park, Minnesota, a municipal corporation, on behalf of the City.

__________________________________
Notary Public
OWNER:
STORE MASTER FUNDING XIV, LLC
a Delaware limited liability company

By: _______________________

Its: _______________________

STATE OF _____________ )
      ) ss.
COUNTY OF ___________ )

This instrument was acknowledged before me this ___ day of February, 2020,
by _______________________, the ______________________ of STORE MASTER
FUNDING XIV, LLC, a Delaware limited liability company, on behalf of said company.

________________________________
Notary

This document was drafted by:

Kennedy & Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street, Suite 470
Minneapolis, MN 55402
(612) 337-9300
EXHIBIT A

Legal Description of Easement Area

That part of Lot 2, Block 1, Noble Office Park 2nd Addition, Hennepin County, Minnesota, which lies 37.00 feet southeasterly, as measured at right angles to a line described as beginning at a point on the west line of said Lot 2 a distance of 54.96 feet northerly of the southwest corner of said Lot 2, to a point on the east line of said Lot 2 a distance of 72.69 feet northerly of the southeast corner of said Lot 2 and said line there terminating.
EXHIBIT C

Encroachment Area

BUILDING ENCROACHMENT EXHIBIT

ENCROACHMENT DESCRIPTION

AN AREA OF BUILDING ENCROACHMENT OVER UNDER AND ACROSS THAT PART OF LOT 2, BLOCK 1, NOBLE OFFICE PARK, HENNEPIN COUNTY, MINNESOTA DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 1, NOBLE OFFICE PARK, HENNEPIN COUNTY, MINNESOTA, THENCE NORTH 00 DEGREES 35 MINUTES 48 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 54.96 FEET; THENCE NORTH 83 DEGREES 53 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF A DRAINAGE AND UTILITY EASEMENT PER DOC. NO. 70543570, A DISTANCE OF 103.95 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 83 DEGREES 53 MINUTES 13 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 42.89 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 12 SECONDS EAST, A DISTANCE OF 4.06 FEET; THENCE SOUTH 83 DEGREES 53 MINUTES 13 SECONDS WEST, A DISTANCE OF 15.82 FEET; THECAE SOUTH 88 DEGREES 52 MINUTES 48 SECONDS WEST, A DISTANCE OF 48.53 FEET TO THE POINT OF BEGINNING.

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SCOTT C. TROSEN, MIN LS 47485.
DATE: 02/11/2020  REVISED: 

TROSEN LAND SURVEYING, LLC
2801 LEOPARD STREET SOUTH
MINNEAPOLIS, MN 55407
PH: 952-888-1162
WWW.TROSENLANDSURVEYING.COM
City of Brooklyn Park
Request for Council Action

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<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<td>Consent</td>
<td>Originating Department:</td>
<td>Operations and Maintenance – Engineering Services Division</td>
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<tr>
<td>Resolution:</td>
<td>X</td>
<td>Prepared By:</td>
<td>Jeff Holstein, P.E., P.T.O.E. City Transportation Engineer</td>
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<td>Presented By:</td>
<td>Jesse Struve, P.E. City Engineer</td>
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<td>Attachments:</td>
<td>3</td>
<td>Item:</td>
<td>Approve Construction Cooperative Agreement No. PW 01-04-20 with Hennepin County for the Installation of a Permanent Traffic Signal System at the Noble Parkway (CSAH 12) / 93rd Avenue North Intersection, CIP 4005-19</td>
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City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ APPROVING CONSTRUCTION COOPERATIVE AGREEMENT NO. PW 01-04-20 FOR FUNDING, CONSTRUCTION, OPERATION AND MAINTENANCE OF A TRAFFIC CONTROL SIGNAL SYSTEM AT THE NOBLE PARKWAY (CSAH 12) / 93RD AVENUE NORTH INTERSECTION, CIP 4005-19.

Overview:

The City Council approved the installation of a new permanent traffic signal system at the Noble Parkway / 93rd Avenue intersection on July 8, 2019. The design of the signal system is completed and the city advance ordered the poles and mastarms as approved by Council on December 9, 2019. The project is expected to begin the bidding process soon with a bid opening of March 19 and expected award of March 30.

Hennepin County owns, operates and maintains Noble Parkway as County State Aid Highway #12 (CSAH 12). City engineering staff discussed the need for a traffic signal to be installed at this location with Hennepin County staff, including the County Engineer. The County agrees that a signal is necessary and should be installed during the spring/summer of 2020. The County also agrees to participate in the installation of the signal system.

County staff prepared Agreement No. PW 01-04-20, which outlines the responsibilities for the County and the City relative to the construction, operation, maintenance, design and funding for the proposed traffic signal installation at the Noble Parkway (CSAH 12) / 93rd Avenue North intersection. City staff reviewed this agreement and found it acceptable. The City Manager recommends that the City Council approve Agreement No. PW 01-04-20.

Primary Issues/Alternatives to Consider:

The project is included in the City’s 2020-2024 C.I.P. for a 2020 installation.

Budgetary/Fiscal Issues:

The estimated cost of installing a new permanent traffic signal system at this location is $494,000. This includes $470,000 of construction cost and $24,000 of design / construction engineering cost. The expected County participation is expected to be approximately $128,000 or roughly 25%. The signal system will include ADA compliant pedestrian ramps, battery backup, pedestrian countdown indications and Accessible Pedestrian Signal (APS) components.
The City would pay for its share of the traffic signal (estimated at approximately $366,000) by using monies from the Street and Signal and Streetlight Utility Fund and previously agreed upon assessments from Allina Medical Center ($25,000) and Astra Village ($87,500).

Attachments:

4.2A RESOLUTION
4.2B LOCATION MAP
4.2C AGREEMENT NO. PW 01-04-20
RESOLUTION #2020-

RESOLUTION APPROVING CONSTRUCTION COOPERATIVE AGREEMENT NO. PW 01-04-20
FOR FUNDING, CONSTRUCTION, OPERATION AND MAINTENANCE OF A
TRAFFIC CONTROL SIGNAL SYSTEM AT THE NOBLE PARKWAY (CSAH 12)/
93rd AVENUE NORTH INTERSECTION, CIP #4005-19

WHEREAS, Hennepin County and the City of Brooklyn Park consider it mutually desirable to install a
traffic control signal system at the intersection of County State Aid Highway (CSAH) 12 (Noble Parkway) with
93rd Avenue North within the Brooklyn Park City limits; and

WHEREAS, the City of Brooklyn Park has expressed a willingness to participate in the funding,
construction, operation and maintenance costs of said signal system; and

WHEREAS, Hennepin County has prepared Agreement No. PW 01-04-20 regarding the funding,
construction, operation and maintenance participation of the traffic control signal system at the said intersection.

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

1. The City of Brooklyn Park approves Agreement No. PW 01-04-20 for funding, construction, operation
and maintenance of a traffic control signal system at CSAH 12 (Noble Parkway) and 93rd Avenue North
with Hennepin County, a copy of said agreement is attached hereto and made a part hereof.

2. The Mayor and City Manager are hereby authorized and directed to execute said agreement on behalf
of the City of Brooklyn Park.

3. The City Clerk is directed to forward two (2) City executed copies of said agreement and two (2) certified
copies of this resolution to Hennepin County Department of Public Works, 1600 Prairie Drive, Medina,
MN  55340-5421.
LOCATION MAP
NOBLE PARKWAY/93RD AVENUE
PROPOSED TRAFFIC SIGNAL
CONSTRUCTION COOPERATIVE AGREEMENT

This Agreement is made and entered into this _____day of ________, 20___ ("Effective Date"), by and between the County of Hennepin, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the “County”, and the City of Brooklyn Park, a Minnesota home-rule charter city, under the laws of the State of Minnesota, hereinafter referred to as the “City.” The County and the City collectively are referred to as the “Parties.”

Recitals

1. An intersection on County State Aid Highway (CSAH) 12 (Noble Parkway) and 93rd Avenue North inside of the corporate limits of the City experiences high numbers of crashes, due in part to the absence of a traffic signal system, raising concerns among residents, the City’s and County’s staff.

2. The City and the County desire to install a new traffic signal system and Americans with Disabilities Act (ADA) compliant ramps at the intersection, and have agreed to enter into this Agreement to memorialize the partnership and to outline each party’s financial and maintenance responsibilities, and associated costs under County Project (CP) 2193500, City Project No. 4005-19, and which shall hereinafter be referred to as the “Project.”

3. The City shall be the lead agency in Project designs, construction administration engineering, and be responsible for acquiring all necessary right of way and/or other governmental agencies required permits needed for the Project.

4. The City’s Engineer has prepared an Engineer’s Estimate of quantities and unit prices for the above described Project in the sum of Four Hundred Sixty Eight Thousand Four Hundred Thirty Four Dollars and Zero Cents ($468,434), and a copy of the Engineer’s Estimate and an estimated Division of Cost Summary, marked Exhibit “A”, is attached hereto.

5. The County has indicated its willingness to cost participate in the Project as detailed herein.

6. To ensure compatibility with the County’s existing network of traffic signal systems, the County will furnish a traffic signal controller equipment and video detection cameras to be installed as a part of the Project and the City has agreed to reimburse the County for the cost of traffic signal related items as furnished by the County.

7. The Project will be carried out by the Parties under the provisions of Minnesota Statutes, Section 162.17, Subdivision 1, and Section 471.59.
NOW, THEREFORE, the Parties agree as follows:

1. Term of Agreement, Survival of Terms, and Exhibits.

1.1. Effective Date. The term of this Agreement commences on the Effective Date above written or on the date on which the last signature was obtained, whichever date shall be later.

1.2. Expiration Date. This Agreement will expire after all obligations have been satisfactorily fulfilled.

1.3. Survival of Terms. Provisions that by their nature are intended to survive the term, cancellation or termination of this Agreement do survive such term, cancellation or termination. Such provisions include but are not limited to: Maintenance Responsibilities, Records/Audits, Indemnification, Insurance, Worker Compensation Claims, Cancellation, Termination, and Minnesota Laws Govern.

1.4. Exhibits. The City Engineer’s Estimate of quantities and unit prices and estimated Division of Cost Summary marked Exhibit “A” and a copy of the Minnesota Department of Transportation (MnDOT) Americans with Disabilities Act (ADA) Compliance Checklist (Curb Ramp) form marked Exhibit “B” are attached and incorporated into this Agreement.

2. The City’s Construction Responsibilities.

2.1. Contract Award and Administration. The City or its agents shall prepare the necessary plans, specifications, and proposal; obtain approval of the plans and specifications from the County; advertise for bids for the work and construction; receive and open bids pursuant to the advertisement; enter into a contract with the successful bidder at the unit prices specified in the bid of such bidder; administer the contract; and perform the required engineering and inspection; all in accordance with the plans and specifications set forth below.

2.2. Plans and Specifications.

2.2.1. All design work performed by the City and its agents that is to be incorporated into the bidding documents for the Project shall be prepared and certified by a Professional Engineer licensed in the State of Minnesota. All designs which affect County facilities shall conform to MnDOT Design Standards applicable to County State Aid Highways and to ADA requirements, and be approved by the County Engineer. Attached as Exhibit “B” is a copy of the MnDOT ADA Compliance Checklist (Curb Ramp) form. The City or its agents shall complete the form for each curb ramp constructed as part of the Project and submit the forms by using the “Asset Management” site, which requires registration to access. The City understands and
agrees that payment will not be made by the County until all required ADA certification forms have been received and verified by the County. (For instructions on how to fill and submit the form, visit: https://www.hennepin.us/residents/transportation/ada-transition-plan).

2.2.2. The plans and specifications are referenced and identified as S.A.P. 027-612-018, S.A.P. 110-144-001, and approved by MnDOT.

2.2.3. Prior to beginning construction. The City shall furnish the County with plans and specifications for review and approval as follows: electronic submittals at 60%, 90%, and 100%; comment response letter with 90% and 100% package; hard copy of plans at 100% with title sheet for county signature. Title sheet for county signature must arrive two weeks prior to Project advertisement and include City signature. Upon completion of the Project, the City or its agents shall furnish the County with a complete set of as-built plans certified as to their accuracy by the City Engineer. The as-designed plans, specifications and as-built plans for the Project shall be provided by the City at no cost to the County. All designs and plans shall be submitted to Public Works Transportation Project Delivery Design Division Manager.

2.2.4. All construction and materials sampling and testing for the Project shall be accomplished in accordance with all applicable standards and requirements of MnDOT State Aid for Local Transportation Division in effect at the time of Contract award. Material samples sent to MnDOT shall not include the County’s State Aid Number.

2.2.5. Permits and Approvals. The City shall also obtain, and comply with, any and all permits and approvals required from other governmental or regulatory agencies to accomplish the Project. The permits and approvals shall be obtained prior to the start of any construction and made available to the County upon request.

2.3. Construction Supervision and Inspection. The City or its agents will administer the construction contract, and perform all necessary engineering, inspection and testing of all the contract work. All work for the Project shall be completed in compliance with the County approved plans and specifications. The County Highway Engineer or a designated representative shall have the right, as the work progresses, to enter upon the job site to make any inspections deemed necessary and shall cooperate with the City Engineer and staff at their request to the extent necessary, but will have no responsibility for the supervision of the work.

2.4. Plan Changes and Additional Construction.

2.4.1. The County agrees that the City may make changes in the plans or in the character of the contract construction that are reasonably necessary to cause the construction to be in all things performed and completed in a satisfactory manner. It is further agreed by the County that the City may, subject to the County’s rights under Section 2.2 and the County’s cost participation under Section 6, enter into any change orders or supplemental agreements with the city’s contractor for the performance of any additional construction or construction occasioned by any necessary, advantageous
2.4.2. The County shall have the right to review any proposed changes to the plans and specifications as they relate to the County's cost participation prior to the work being performed, and in those instances where the proposed changes necessitate a re-engineering of the design and/or specifications, the City shall submit the re-engineered design and/or specifications to the County. The County Highway Engineer or designated representative shall respond to the City’s request for approval to authorize the issuance of any negotiated change orders or supplemental agreements prepared by the City that affect the County's share of the construction cost within a reasonable time frame.

3. The City’s Maintenance Responsibilities. Upon completion of the Project, the City shall provide for maintenance of the improvements as follows:

3.1. Roadways. Maintenance of portions of 93rd Avenue North reconstructed under the Project. Maintenance includes, but is not limited to sweeping, debris removal, resurfacing and seal coating, and any other maintenance activities according to accepted city maintenance practices.

3.2. Traffic Signal Components. Routine maintenance of traffic signal components belongs to the County. However, the City at its sole expense agrees to maintain the luminaire system; including the lamp on the luminaire extension, the fuse and the wire from the lamp to the load side of the meter socket of traffic signal system constructed as part of this Project. In the event that the City fails to perform or request for the County’s assistance in performing these maintenance responsibilities, the County with its forces, at its sole discretion and subject to the limitations imposed by availability of manpower, equipment and replacement parts, and the condition of the County Road System, will endeavor to perform these maintenance items and invoice the City for the services rendered.


3.3.1. The City shall install, cause the installation of, or perpetuate the existence of an adequate three wire, 120/240 volt, single phase, alternating current electrical power connection to the permanent traffic control signal systems and integral streetlights included in the Project, at no cost to the County. Further, the City, at its sole cost and expense shall provide the electrical energy for the operation of all permanent and temporary traffic control signal systems and integral streetlights installed as a part of the Project.

3.3.2. The City shall not revise by addition or deletion, nor alter or adjust any component, part, sequence, or timing of the traffic control signal, however, nothing herein shall prohibit prompt, prudent action by properly constituted authorities in situations where a part of such traffic control signals may be directly involved in an emergency.

3.3.3. The EVP Systems provided for herein shall be installed, operated, maintained
or removed in accordance with the following conditions and requirements:

3.3.3.1. Emitter units may be installed and used only on vehicles responding to an emergency as defined in Minnesota Statutes Chapter 169.01, Subdivision 5 and 169.03. The City will provide the County Engineer or their designated representative a list of all such vehicles with emitter units.

3.3.3.2. The City shall report malfunctions of EVP systems to the County immediately after discovery of the malfunction.

3.3.3.3. In the event the EVP Systems or components are, in the opinion of the County, being misused or the conditions set forth herein are violated, and such misuse or violation continues after receipt by the City of written notice thereof from the County, the County shall remove the EVP Systems.

3.3.3.4. All timing of the EVP Systems shall be determined by the County.

3.4. Pedestrian Ramps. Routine maintenance of ADA pedestrian ramps. Maintenance includes, but is not limited to, snow, ice and debris removal, patching, crack repair, and any other maintenance activities according to accepted city maintenance practices.

3.5. Crosswalk Markings. Maintenance of the newly installed durable crosswalk markings.

3.6. Storm Sewers. Routine maintenance of city owned storm sewer drainage systems such as all trunk lines, grit chambers, ponds, storm water treatment and drainage structures.

4. The County’s Maintenance Responsibilities. Upon completion of the Project, the County shall provide for maintenance of the improvements as follows:

4.1. Roadways. Maintenance of CSAH 12 reconstructed under the Project. Maintenance includes, but is not limited to sweeping, snow, ice and debris removal, resurfacing and seal coating, and any other maintenance activities according to accepted county maintenance practices.

4.2. Traffic Signal Components. The County shall own and maintain the traffic control signal systems and their components at the expense of the County except for those items identified as the City’s responsibilities above.

4.3. Storm Sewers. Maintenance of catch basins and associated lead pipes within or between the outermost curb lines of the County roadways and those within the radius return limits of intersecting municipal streets, at no cost to the City.

5. County Supplied Equipment. The County will provide County Supplied Equipment consisting of traffic control signal cabinet equipped with controller, video detection equipment, and required accessories to be installed as a part of the Project.
5.1. The City agrees to reimburse the County for one hundred (100%) of the costs of the County Supplied Equipment. For informational purposes only, the total estimated costs for the County Supplied Equipment is $60,000.00. The City agrees that this is an estimate and that the actual quantities of equipment, as determined by the County Engineer, shall govern in computing the total final costs to the City. The City will directly pay to the County for the costs rather than applying its share as a credit against the County’s proportionate share of the Project costs.

5.2. The City or its agents shall notify the County’s Signal Shop Supervisor a minimum of thirty (30) days prior to picking up the County Supplied Equipment. The County shall notify the City when the County Supplied Equipment is ready to be picked up for field installation. It shall be the responsibility of the City or its agents to pick up the County Supplied Equipment at the Hennepin County Department of Transportation, Public Works Facility in Medina, Minnesota and install the equipment on the Project.

5.3. Upon picking up of the County Supplied Equipment by the City or its agents, the County will invoice the City for the County Supplied Equipment. Payment shall be made directly to the County, in the name of the Hennepin County Treasurer, by the City for the full amount due stated on the invoice within forty-five (45) days of the invoice date.

6. Cost Participation. The County will cost participate under this Agreement as follows:

6.1. The County’s cost participation in the Project shall be an estimated amount of One Hundred Twenty Two Thousand Dollars and No Cents ($122,000.00), as referenced in the Engineer’s Estimate and an estimated Division of Cost Summary, marked Exhibit “A”. The amount due to the City from the County includes estimated costs of contract construction, design engineering (10%), and construction engineering (8%), and twenty-five percent (25%) costs of County Supplied Equipment.

6.2. The County intends to use County State Aid funds to pay for the County’s share at an estimated amount of $122,000 and the County’s cost participation must be eligible for County State Aid funding that shall be used for construction that benefits the County highways included in the Project.

6.3. The County reserves the right not to make payment for its share of the costs if any action or inaction of the City causes MnDOT’s State Aid Engineer to determine that the County’s costs are not eligible for State Aid funding. The County’s cost participation in the Project is contingent upon submittal to the County by the City of the MnDOT approved plan for the project.

6.4. Upon completion of the Project, the City shall notify the County and submit an invoice for one hundred percent (100%) of the County’s share of the costs for the Project. The invoice shall include: date of invoice, invoice number, name of the project manager (Mr. _____________), project name, county project number (CP 2193500), contract number, and purchase order number. The City shall include one project per invoice, provide the County with complete as built plans, and before and after photographs of the project. Upon approval and acceptance of the completed Project by the County
Engineer or designated representative and within forty-five (45) days of receipt of the invoice, the County shall reimburse the City for the County’s share of the costs for the Project, except as provided in Section 6.3.

6.5. Invoices and supporting documentation should be mailed to: Hennepin County Accounts Payable, P.O. Box 1388, Minneapolis, MN 55440-1388. An electronic copy of all invoices and project documentation should also be submitted to __________@hennepin.us

7. **Authorized Representatives.** In order to coordinate the services of the County with the activities of the City and vice versa so as to accomplish the purposes of this Agreement, the Hennepin County Highway Engineer or designated representative and the City Engineer or designated representative shall manage this Agreement on behalf of the County and the City.

**County of Hennepin:**
Brian Langseth  
Transportation Operations Department / Asset Management Division  
Sr. Administrative Manager  
Hennepin County Public Works  
1600 Prairie Drive, Medina, MN 55340  
Office: 612-596-0332  
Brian.Langseth@hennepin.us

**City of Brooklyn Park:**
Name:  
Title:  
City of Brooklyn Park  
Address:  
Office Phone:  
Email:

8. **Assignment, Amendments, Default, Waiver, Agreement Complete, Cancellation or Termination.**

8.1. **Assignment.** The City shall not assign, subcontract, transfer or pledge this Agreement and/or the services to be performed hereunder, whether in whole or in part, without the prior written consent of the County.

8.2. **Amendments.** Any alterations, variations, modifications or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement and signed by the Parties hereto.

8.3. **Default.** If the City fail to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute a default. Unless the City’s default is excused by the County, the County may upon written notice immediately cancel this Agreement in its entirety.

8.4. **Waiver.** The County's failure to insist upon strict performance of any provision or to
exercise any right under this Agreement shall not be deemed a relinquishment or waiver of the same, unless consented to in writing. Such consent shall not constitute a general waiver or relinquishment throughout the entire term of the Agreement.

8.5. **Agreement Complete.** The entire Agreement between the Parties is contained herein and this Agreement supersedes all oral agreements and negotiations between the Parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement.

8.6. **Cancellation or Termination.** This Agreement may be terminated or cancelled by each party with or without cause upon thirty (30) day written notice. This Agreement shall be terminated or cancelled by any party upon a material breach by the other party that is not waived by the non-breaching party. In the event of a termination or cancellation, the Parties will remain responsible for cost participation as provided in this Agreement for obligations incurred up through the effective date of the termination or cancellation, subject to any equitable adjustment that may be required to account for the effects of a breach.

9. **Indemnification.** The County and the City agree to defend, indemnify and hold each other harmless, including its officials, officers, agents, volunteers, and employees from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorneys’ fees, resulting directly or indirectly from any act or omission of either party or either party’s consultant or sub consultant, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable in the performance of the services required by this contract, and against all loss by reason of the failure of either party to perform fully, in any respect, all obligations under this contract. The Parties’ liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 or other applicable law.

10. **Insurance.** The City also agrees that any future contract let by the City for the performance of any of the work included hereunder shall include clauses that will: 1) Require the contractor to indemnify and hold the County, its commissioners, officers, agents and employees harmless from any liability, claim, demand, judgments, expenses, action or cause of action of any kind or character arising out of any act or omission of said contractor, its officers, employees, agents or subcontractors; 2) Require the contractor to be an independent contractor for the purposes of completing the work provided for in this Agreement; and 3) Require the Contractor to provide and maintain the following insurance so as to assure the performance of its indemnification and hold harmless obligation:

<table>
<thead>
<tr>
<th>Limits</th>
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<tbody>
<tr>
<td>(1) Commercial General Liability on an occurrence Basis with contractual liability coverage:</td>
</tr>
<tr>
<td>General Aggregate</td>
</tr>
<tr>
<td>Products - Completed Operations Aggregate</td>
</tr>
<tr>
<td>Personal and Advertising Injury</td>
</tr>
<tr>
<td>Each Occurrence - Combined Bodily Injury and Property Damage</td>
</tr>
</tbody>
</table>
Hennepin County shall be named as an additional insured for the Commercial General Liability coverage with respect to operations Covered under this Agreement.

(2) Automobile Liability:
Combined Single limit each occurrence coverage or the equivalent covering owned, non-owned, and hired automobiles: $1,500,000

(3) Workers’ Compensation and employer’s Liability:
Work Workers’ Compensation: Statutory
If the Contractor is based outside the State of Minnesota, coverage must apply to Minnesota laws.

Employer’s Liability. Bodily injury by:
Accident – Each Accident $500,000
Disease – Policy Limit $500,000
Disease - Each Employee $500,000

(4) Professional Liability – Per Claim and Aggregate: $2,000,000

The above listed Professional Liability insurance will not be required in any construction contract let by City if the City’s Contractor is not required to perform design engineering as part of the construction contract.

An umbrella or excess policy over primary liability coverages is an acceptable method to provide the required insurance limits.

The above subparagraphs establish minimum insurance requirements. It is the sole responsibility of the City's Contractor to determine the need for and to procure additional insurance which may be needed in connection with the Project and any subsequent maintenance work covered under this Agreement.

All insurance policies shall be open to inspection by the County and copies of policies shall be submitted to the County upon written request.

11. Worker Compensation Claims.

11.1. Any and all employees of the City and all other persons engaged by the City in the performance of any work or services required or provided for herein to be performed by the City shall not be considered employees of the County, and any and all claims that may or might arise under the Workers' Compensation Act or the Unemployment Compensation Act of the State of Minnesota on behalf of the employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of the employees while so engaged on any of the work or services
provided to be rendered herein shall in no way be the obligation or responsibility of the County.

11.2. Any and all employees of the County and all other persons engaged by the County in the performance of any work or services required or provided for herein to be performed by the County shall not be considered employees of the City, and any and all claims that may or might arise under the Workers' Compensation Act or the Unemployment Compensation Act of the State of Minnesota on behalf of the employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of the employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the City.

12. **Records/Audits.** The City agrees that the County, the State Auditor or any of their duly authorized representatives at any time during normal business hours, and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt and transcribe any books, documents, papers, records, etc., which are pertinent to the Project and maintenance work, and the accounting practices and procedures of the City which involve transactions relating to this Agreement.

13. **Nondiscrimination.** The provisions of Minnesota Statute Section 181.59 and of any applicable local ordinance relating to civil rights and discrimination and the Affirmative Action Policy statement of Hennepin County shall be considered a part of this Agreement as though fully set forth herein.

14. **Minnesota Laws Govern.** The laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the Parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the Parties will be in the appropriate federal court within the State of Minnesota.

(This space left intentionally blank)
IN TESTIMONY WHEREOF, The Parties hereto have caused this Agreement to be executed by their respective duly authorized officers as of the day and year first above written.

CITY OF BROOKLYN PARK

Seal

By: ____________________________________________
    Mayor
    Date: _________________________________________

And: ____________________________________________
    Manager
    Date: _________________________________________

COUNTY OF HENNEPIN

ATTEST:

By: ____________________________________________
    Deputy/Clerk of the County Board
    Date: _________________________________________

By: ____________________________________________
    Chair of its County Board
    Date: _________________________________________

And: ____________________________________________
    County Administrator
    Date: _________________________________________

APPROVED AS TO FORM:

By: ____________________________________________
    Assistant County Attorney
    Date: _________________________________________

And: ____________________________________________
    Assistant County Administrator, Public Works
    Date: _________________________________________

APPROVED AS TO EXECUTION:

By: ____________________________________________
    Assistant County Attorney
    Date: _________________________________________

By: ____________________________________________
    County Highway Engineer
    Date: _________________________________________

RECOMMENDED FOR APPROVAL

By: ____________________________________________
    Department Director, Transportation Operations
    Date: _________________________________________
EXHIBIT “A”
EXHIBIT “B”
City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO AUTHORIZE TRADE-IN OF KUBOTA TRACTOR AS PART OF PROCUREMENT OF NEW VENTRAC TRACTOR FOR EDINBURGH USA.

Overview:

This request is for authorization to trade in the Kubota Tractor that is used for mowing and snow removal (unit 8461) and apply the trade-in value toward the purchase of a Ventrac tractor and attachments as its replacement. The Ventrac has the following attachments: mowing deck, sickle cutting arm, and snow broom implement. The Ventrac is a more versatile tool to use around the golf course and allow for one piece of equipment to perform the tasks of several pieces of equipment. The Ventrac tractor and attachments are better suited to mowing slopes and banks around the property. The sickle arm attachment will allow for bi-monthly mowing of all pond banks greatly reducing labor needed to manually mow banks with string trimmers. The Ventrac attachments are designed with a single pin system allowing them to be changed very quickly and easily helping our equipment manager complete more daily tasks.

The new tractor unit is manufactured by Ventrac Manufacturing. The procurement of this new tractor unit is through the State Cooperative Purchasing Contract( #164397), and the vendor is Cushman Motor Co. Inc. of Minneapolis, Minn. The trade-in amount offered by Cushman is $19,200.00, which exceeds the auction value of similar equipment, and trade-in values from other vendors.

Primary issues/alternatives to consider:

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 Kubota to a public or private auction.

Budgetary/Fiscal Issues:

The cost of a new Ventrac tractor and attachments is $41,803.14, and the stated trade-in value is accounted for within this price. This cost can be accommodated in the 2020 Edinburgh USA Golf Course Maintenance budget.

Attachments:

4.3A RESOLUTION
4.3B CUSHMAN VENTRAC QUOTE WITH TRADE-IN VALUE
RESOLUTION TO AUTHORIZE TRADE-IN OF KUBOTA TRACTOR AS PART OF PROCUREMENT OF NEW VENTRAC TRACTOR FOR EDINBURGH USA

WHEREAS, the Kubota Tractor is currently used for mowing and snow removal; and

WHEREAS, a Ventrac Tractor is more versatile, and attachments include mower, sickle cutting arm and snow broom; and

WHEREAS, the pricing in the quote is part of the State Cooperative Purchasing Contract, Contract #164397; and

WHEREAS, the trade-in value of the Kubota tractor was deducted from the price of the purchase of the Ventrac tractor; and

WHEREAS, the breakout of costs is as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cushman Motor Co</td>
<td>Ventrac Tractor with attachments</td>
<td>$58,763.08</td>
</tr>
<tr>
<td>Cushman Motor Co</td>
<td>Kubota Tractor Trade-in</td>
<td>&lt;$19,200.00</td>
</tr>
<tr>
<td>Cushman Motor Co</td>
<td>Setup Charges</td>
<td>$ 1,950.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$41,513.08</strong></td>
</tr>
</tbody>
</table>

WHEREAS, it is recommended to accept the Kubota tractor trade-in value and purchase the Ventrac tractor; and

WHEREAS, this acquisition can be accommodated in the 2020 Edinburgh USA Golf Course Maintenance budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brooklyn Park to authorize the trade-in of the Kubota tractor in the amount of $19,200.

BE IT FURTHER RESOLVED to authorize the procurement of the Ventrac tractor from Cushman Motor Company.
4.3B CUSHMAN VENTRAC QUOTE WITH TRADE-IN

Page 3

Prepared For: Sold & Serviced by:

Edinburgh Golf Course - City of Brooklyn Park
8700 Edinbrook Crossing
Brooklyn Park, MN 55443

CUSHMAN MOTOR CO INC
2909 E FRANKLIN AVE
MINNEAPOLIS MN 55406
Thank you for the opportunity to quote the following Ventrac product(s) for your review. I have added the items that we feel would best serve your needs. Please feel free to contact me with any questions.

<table>
<thead>
<tr>
<th>QTY</th>
<th>Model #</th>
<th>Description</th>
<th>Minnesota</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4500P (39.51207)</td>
<td>Ventrac Tractor: KN, 4500P Kawasaki FD851D</td>
<td>21,315.60</td>
<td>21,315.60</td>
</tr>
<tr>
<td>1</td>
<td>70.4154-99</td>
<td>Accessory: Kit, Suspension Seat 4500</td>
<td>511.50***</td>
<td>511.50</td>
</tr>
<tr>
<td>1</td>
<td>KW452 (70.2014)</td>
<td>Accessory: CAB Cab, KW452 for 4500</td>
<td>6,463.50</td>
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<td>70.8162</td>
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<td>Attachment: BROOM KJ, KJ520 Broom</td>
<td>4,645.35***</td>
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<td>1</td>
<td>70.8211</td>
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<td>1</td>
<td>MJ840 (39.55160)</td>
<td>Attachment: MOWERS - CONTOUR DECK MJ, MJ840 Contour Mower</td>
<td>7,398.15</td>
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<td>1</td>
<td>MA900 (39.55170)</td>
<td>Attachment: MOWERS - BOOM MA, MA900 Boom Mower</td>
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<td>1</td>
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<td>Accessory: HYDRAULIC FRONT DUAL VALVE, KIT FOR 4500 Kit, Dual Front HYD Aux 4500</td>
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<td>1</td>
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<td>Kit, Spool Float Hyd. Valve</td>
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<td>Accessory: MID-WEIGHT BAR KIT Kit, Weight Bar Mid 4500</td>
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<td>47.0115</td>
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<td>88.35</td>
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<td>4</td>
<td>47.0115</td>
<td>Accessory: ADDITIONAL WEIGHTS Weight, Suitcase - 42 LBS w/Box</td>
<td>88.35</td>
<td>353.40</td>
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*** Item is open market with contract discount applied.

Subtotal  58,763.08

DISCOUNTS
Trade In Value            -19,200.00

CHARGES
Setup Charges +1,950.00
TOTAL USD $ 41,513.08

Notes:
Complete Set-up of all equipment with delivery and operational training.
Sales tax not included in pricing.

THIS IS NOT A BID OR SOLICITATION
This is the cost if purchased through -
MN 164397
Contract number must be listed on PO
Please issue PO's to -
Venture Products Inc
500 Venture Dr
Orrville OH 44667

For email delivery and/or to request a W9-
sales@ventrac.com

C Ryan Miller - Venture Products Inc
330.683.0075 x2335

Ryan Miller
Government Contract Specialist
VENTRAC by Venture Products Inc.
330-683-0075 x2335 | 1-866-836-8722
Website | YouTube | Facebook | Twitter
City of Brooklyn Park
Request for Council Action

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<th>4.4</th>
<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<td>Agenda Section:</td>
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<td>Originating Department:</td>
<td>Recreation and Parks</td>
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<td>Resolution:</td>
<td>X</td>
<td></td>
<td>Brad Tullberg, Parks and Facilities Manager</td>
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<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Matt Olsonoski, Golf Course Superintendent</td>
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<td>Attachments:</td>
<td>3</td>
<td>Presented By:</td>
<td>Brad Tullberg</td>
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<tr>
<td>Item:</td>
<td>Authorize Trade-In of Toro Reel Master 3100D as Part of Procurement of Toro GM4500 Large Rough Mower</td>
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City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO AUTHORIZE TRADE IN OF TORO REELMASTER 3100D AS PART OF PROCUREMENT OF NEW TORO GM4500 LARGE ROUGH MOWER FOR EDINBURGH USA.

Overview:

This request is for authorization to trade-in the Toro 3100D (unit # 8458) and apply the trade-in value toward the lease of a Toro 4500. This replacement is in the approved 2020-2024 Capital Equipment Plan (CEP). The Toro 3100 mower was previously used for mowing fairway surround areas. Due to a change in maintenance practices as an effort to save labor costs, this mower is no longer in use at Edinburgh.

The new GM4500 rough mower unit is manufactured by Toro Company. The procurement of this new tractor unit is through the OMNIA Cooperative Purchasing Contract (#2017025). The mower will be leased directly through MTI Distributing in Brooklyn Center, Minn. The trade-in amount offered by MTI Distributing is $9,500.00, which is higher than the auction value of similar mowers.

Primary issues/alternatives to consider:

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 without the trade-in and send the Toro 3100D to a public or private auction.

Budgetary/Fiscal Issues:

The cost to lease a new Toro GM4500 is $14,000/year. The balance of $4,500, including the stated trade-in value, is accounted for within this price. This cost can be accommodated in the 2020 Edinburgh USA Golf Course Maintenance budget. The lease of the Toro 4500 rough mower has been determined to be the most cost-effective way to replace the Toro 3100D, when compared to purchasing new.

Attachments:

4.4A RESOLUTION
4.4B MTI GM4500 LEASE QUOTE
4.4C MTI 3100D TRADE QUOTE
RESOLUTION #2020-

RESOLUTION TO AUTHORIZE TRADE IN OF TORO REELMASTER 3100D AS PART OF PROCUREMENT OF NEW TORO GM4500 LARGE ROUGH MOWER FOR EDINBURGH USA

WHEREAS, the Toro 3100D is no longer used for mowing at Edinburgh USA; and

WHEREAS, a Toro GM4500 is a key part of the equipment fleet used for rough mowing at Edinburgh USA; and

WHEREAS, the pricing in the quote is part of the OMNIA Cooperative Purchasing Contract, Contract #2017025; and

WHEREAS, the trade-in value of the Toro 3100D was deducted from the lease price of the GM4500; and

WHEREAS, the lease of the Toro GM4500 rough mower has been determined to be the most cost-effective way to replace the Toro 3100D, when compared to purchasing new; and

WHEREAS, the breakout of costs is as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>MTI Distributing</td>
<td>Toro GM4500 lease</td>
<td>$14,000.00</td>
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<tr>
<td>MTI Distributing</td>
<td>Toro 3100D Trade-in</td>
<td>&lt;$ 9,500.00&gt;</td>
</tr>
</tbody>
</table>

TOTAL $ 4,500.00

WHEREAS, it is recommended to accept the Toro 3100D trade-in value and lease the Toro GM4500; and

WHEREAS, this acquisition can be accommodated in the 2020 Edinburgh USA Golf Course Maintenance budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brooklyn Park to authorize the trade-in of the Toro 3100D in the amount of $9,500.

BE IT FURTHER RESOLVED to authorize the lease of the Toro GM4500 from MTI Distributing in the amount of $4,500.
Matt Olsonoski
Edinburgh U.S.A.

Equipment Proposal
February 18, 2020

Expiration Date: 3/19/2020

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<tr>
<th>Qty</th>
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<th>Description</th>
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<tr>
<td>1</td>
<td>30885</td>
<td>Groundsmaster 4500-D (T4)</td>
<td>$65,906.65</td>
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<p>| | |</p>
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<tbody>
<tr>
<td><strong>TOTALS</strong></td>
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<tr>
<td>Equipment Total</td>
<td>$65,906.65</td>
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<tr>
<td>6.875% Sales/Use Tax</td>
<td>$4,531.08</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$70,437.73</strong></td>
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Optional Rental of GM4500
$14,000 per year (May-Oct) per unit - up to 600 hours

| Annual Payments (includes tax) | $14,000.00 |

Quote is valid for 30 days
New Toro commercial equipment comes with a two-year manufacturer warranty
Equipment delivery at no additional charge
All commercial products purchased by a credit card will be subject to a 2.5% service fee.

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us.

Larry Gorman, SCPS
Outside Sales Representative
612-877-0830

Karen Wangensteen
Inside Sales Representative
763-592-5643

MTI Distributing, Inc. • 4830 Azelia Avenue N. #100 • Brooklyn Center, MN 55429
<table>
<thead>
<tr>
<th>Qty</th>
<th>Model Number</th>
<th>Description</th>
<th>Trade Value</th>
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<tbody>
<tr>
<td>1</td>
<td>XF-UE</td>
<td>Toro RM3100-D Sidewinder, 27&quot; 8-Blade</td>
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<td></td>
<td></td>
<td>Model 03170, serial #316000205, 572 hours</td>
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</table>

**TOTALS**

Trade Total

($9,500.00)

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us.

**Larry Gorman**  
Outside Sales Representative  
612-877-0830

**Karen Wangensteen**  
Inside Sales Representative  
763-592-5643

MTI Distributing, Inc. • 4830 Azelia Avenue N. #100 • Brooklyn Center, MN  55429
# City of Brooklyn Park
## Request for Council Action

<table>
<thead>
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<th>Agenda Item:</th>
<th>4.5</th>
<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<tr>
<td>Agenda Section:</td>
<td>Consent</td>
<td>Originating Department:</td>
<td>Community Development Rental and Business Licensing</td>
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<td>Resolution:</td>
<td>X</td>
<td>Prepared By:</td>
<td>Megan Bookey, Program Assistant III</td>
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<td>Ordinance:</td>
<td>N/A</td>
<td>Presented By:</td>
<td>Keith Jullie, Rental and Business Licensing Manager</td>
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<td>Attachments:</td>
<td>1</td>
<td>Item:</td>
<td>Approve the Issuance of a Lawful Gambling Premises Permit for Northwest Area Jaycees at Palmer Lake VFW Post #3915, 2817 Brookdale Drive North, Brooklyn Park</td>
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## City Manager’s Proposed Action:

MOTION ___________, SECOND ___________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO APPROVE THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT FOR NORTHWEST AREA JAYCEES AT PALMER LAKE VFW POST #3915, 2817 BROOKDALE DRIVE NORTH, BROOKLYN PARK.

## Overview:

Northwest Area Jaycees has submitted a completed application on February 10, 2020, for a Lawful Gambling Premises Permit to conduct Bar Bingo at Palmer Lake VFW #3915 located at 2817 Brookdale Drive North. The Gambling Control Board requires a resolution approving the application for the premises permit for the lawful gambling license. The completed application and adopted resolution will be sent to the Gambling Control Board for final action. The Northwest Area Jaycees currently conducts lawful gambling at Mad Jacks in Brooklyn Park.

Staff has reviewed the application and location for this Lawful Gambling Premises Permit and recommends approval of the permit.

**Primary issues/alternatives to consider:** N/A

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

**Attachments:**

4.5A  RESOLUTION
RESOLUTION #20-

RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT FOR NORTHWEST AREA JAYCEES AT PALMER LAKE VFW #3915
2817 BROOKDALE DRIVE NORTH, BROOKLYN PARK

WHEREAS, the Northwest Area Jaycees have applied to the Minnesota Charitable Gambling Control Board for a lawful gambling premises permit at Palmer Lake VFW #3915, 2817 Brookdale Drive North; and

WHEREAS, the Northwest Area Jaycees agree to provide to the City of Brooklyn Park monthly copies of the monthly reports they submit to the Gambling Control Board; and

WHEREAS, the Northwest Area Jaycees have a lease agreement with Palmer Lake VFW #3915 to operate bar bingo at their location; and

WHEREAS, the Northwest Area Jaycees currently operate lawful gambling in Brooklyn Park at Mad Jacks, 8078 Brooklyn Blvd; and

WHEREAS, Palmer Lake VFW #3915 meets Brooklyn Park ordinance requirements to conduct lawful gambling.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that approval is granted for a lawful gambling premises permit for The Northwest Area Jaycees at Palmer Lake VFW #3915, 2817 Brookdale Drive North, Brooklyn Park, Minnesota.
City of Brooklyn Park  
Request for Council Action

<table>
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<tr>
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<td>Prepared By:</td>
<td>Todd A. Larson, Senior Planner</td>
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<td>Presented By:</td>
<td>Cindy Sherman, Planning Director</td>
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<tr>
<td>Item:</td>
<td>“610 Junction” (United Properties) – Amended Development Plan, Site Plan Review, and a Plat #20-100 to Include Four Business Park Buildings and a Service Center Northeast of 93rd Avenue and Decatur Drive</td>
<td></td>
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City Manager’s Proposed Actions:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ APPROVING RESOLUTION APPROVING AMENDED DEVELOPMENT PLAN FOR “610 JUNCTION” AND PRELIMINARY PLAT OF “GATEWAY 4TH ADDITION,” NORTHEAST OF 93RD AVENUE AND DECATURE DRIVE NORTH.

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-__ APPROVING SITE PLAN REVIEWS FOR OFFICE/MANUFACTURING BUILDINGS AT 8700 94TH AVENUE NORTH AND 9450 DECATURE DRIVE NORTH.

Planning Commission Recommendation:

At its meeting on February 12, 2020, the Planning Commission unanimously (8-0) recommended approval of the amended development plan, preliminary plat, and site plan reviews with the conditions that are listed in the attached resolutions.

Overview:

United Properties is working with Re-Load Investments LLC on the development of a portion of the Gateway site at the southwest quadrant of Highways 169 and 610. The business park portion of the site has been rebranded as “610 Junction” and is proposed to consist of four smaller single- or multi-tenant office/manufacturing buildings and a retail/service building in the area north of 93rd Avenue and east of Decatur Drive.

In 2017, the property was rezoned and a development plan for three buildings was approved. This application includes an amendment to the development plan to change the number of buildings from three to five, size of the buildings, and the addition of a service center. It also includes the public road which was removed in the last plan.

In addition to the amended development plan, the application includes a preliminary plat subdividing the property, and a site plan review for two of the building sites.

Budgetary/Fiscal Issues:

Park dedication will be required on the two lots created for new construction.
Alternatives to consider:

1. Approve the proposal as presented.
2. Approve the proposal with modifications.
3. Deny the proposal based on certain findings.

Attachments:

6.1A RESOLUTION – DEVELOPMENT PLAN/PRELIMINARY PLAT
6.1B RESOLUTION – SITE PLAN REVIEW
6.1C LOCATION MAP
6.1D PLANNING AND ZONING INFORMATION
6.1E PLANNING COMMISSION MINUTES
6.1F ORDINANCE #2017-1226
6.1G APPLICANT’S NARRATIVE
6.1H 2017 PLAN
6.1I PLANS
RESOLUTION #2020-

RESOLUTION APPROVING AMENDED DEVELOPMENT PLAN FOR “610 JUNCTION”
AND PRELIMINARY PLAT OF “GATEWAY 4TH ADDITION,”
NORTHEAST OF 93RD AVENUE AND DECATUR DRIVE NORTH

Planning Commission File #20-100

WHEREAS, Connor McCarthy of United Properties, has petitioned for an Amended Development Plan and Preliminary Plat pursuant to Chapters 152 and 151, respectively, of the Brooklyn Park City Code for four office/manufacturing buildings and one retail/service building northeast of 93rd Avenue and Decatur Drive currently legally described as:

**Outlots B and D, Gateway 3rd Addition, Hennepin County, Minnesota; and**

**That part of the Northeast Quarter of the Southwest Quarter of Section 7, Township 119 North, Range 21 West, shown as Parcel 44 on Minnesota Department of Transportation Right of Way Plat No. 27-71 as the same is on file and of record in the office of the County Recorder in and for Hennepin County Minnesota: Beginning at Right of Way Boundary Corner B101 as shown on Plat No. 27-71 as the same is on file and of record in the office of the County Recorder in and for said County; thence westerly on an azimuth of 269 degrees 50 minutes 59 seconds along the boundary of said plat for 1313.33 feet to Right of Way Boundary Corner B2; thence on an azimuth of 00 degrees 21 minutes 11 seconds along the boundary of said plat for 388.75 feet; thence on an azimuth of 90 degrees 20 minutes 45 seconds for 674.09 feet; thence on an azimuth of 120 degrees 56 minutes 05 seconds for 741.60 feet. more or less to the point of beginning, Hennepin County, Minnesota**

WHEREAS, the site is subject to Ordinance #2017-1226 that established site and building design criteria and use restrictions through a Planned Development Overlay zoning district; and

WHEREAS, the matter has been referred to the Planning Commission who have given their advice and recommendation to the City Council; and

WHEREAS, the proposed development is consistent with the requirements of Ordinance #2017-1226; and

WHEREAS, the proposed preliminary plat is also consistent with those said requirements; and

WHEREAS, the effect of the proposed use upon the health, safety and welfare of surrounding lands, existing and anticipated traffic conditions and its effect on the neighborhood have been considered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the development plan and preliminary plat for four new office/manufacturing building sites and one retail/service site are approved based on the following conditions:

1.00 DRAWINGS

1.01 Preliminary plat plans on file in the City Clerk’s office dated 01-24-2020 for two lots and two outlots upon compliance with the following requirements:
2.00 BONDS, ESCROWS AND DIRECT PAYMENTS

2.01 On-site bonding and development contract will be required for each site. In the event the applicant does not petition for a public improvement project to construct 94th Avenue, the applicant will be required to provide bonding for its private construction.

2.02 Payment of any special assessments on the property.

2.03 Park dedication is required for the lots created for new construction at the non-residential rate in effect at the time of final plat approval.

3.00 REQUIRED DOCUMENTS

3.01 Approval of Title by the City Attorney.

3.02 Approval of the West Mississippi Watershed Management Organization and all conditions therein including a storm water maintenance agreement must be recorded against the property.

3.03 A cross-access and maintenance agreement for the shared driveways.

3.04 A public temporary roadway easement for the temporary cul-de-sac at the east end of 94th Avenue.

3.05 The property is subject to existing assessment agreements for future traffic signals.

3.06 A petition for construction of 94th Avenue as a public improvement process.

4.00 GENERAL CONDITIONS

4.01 It shall be the developer's responsibility to keep active and up to date the developer's contract and financial surety (Letter of Credit, bonds, etc.). These documents must remain active until the developer has been released from any further obligation by City Council motion received in writing from the Engineering Department.

4.02 Before final bonding obligations are released, a certificate signed by a registered engineer must be provided. This certificate will state that all final lot and building grades are in conformance to drainage development plan(s) approved by the City Engineer.

4.03 No burying of construction debris shall be permitted on the site.

4.04 Dust control measures must be in place to prevent for dust and erosion including, but not limited to, daily watering, silt fences, and seeding. The City Engineer may impose measures to reduce dust.

4.05 Adequate dumpsters must be on site during construction of streets, utilities, and buildings. When full, they must be emptied immediately or replaced with an empty dumpster.

4.06 During construction, streets must be passable, and at all times free of debris, materials, soils, snow, and other obstructions.

4.07 Sanitary sewer must be extended through the sleeve under Decatur Drive to serve the St. Vincent de Paul property to the west as Building 4 site develops.

4.08 A pedestrian connection must be made to 93rd Avenue from Building 3.
4.09 Bicycle and motorcycle parking spaces are required at each building site.

4.10 A right-in access is permitted to the Building #4 site from Decatur Drive in the vicinity of the median island.

If the petitioner needs additional time to satisfy the requirements listed in this Preliminary Plat in order to get it released for recording, then a one-year time extension must be requested. Time extension requests are subject to the conditions found in Subdivision Code (Section 151). The failure on the part of the petitioner to submit a final plat per Section 151 within one year from the date of this approval shall deem the preliminary approval to be null and void.
RESOLUTION #2020-
RESOLUTION APPROVING SITE PLAN REVIEWS
FOR OFFICE/MANUFACTURING BUILDINGS
AT 8700 94TH AVENUE NORTH AND 9450 DECATUR DRIVE NORTH
Planning Commission File #20-100

WHEREAS, Connor McCarthy of United Properties, has petitioned for a Site Plan Review pursuant to Section 152.033 of the Brooklyn Park City Code for two office/manufacturing buildings located at 9450 Decatur Drive (Building 1) and 8700 94th Avenue North (Building 2A), legally described as, respectively:

Lot 1, Block 1, Gateway 4th Addition, Hennepin County, Minnesota
Lot 2, Block 1, Gateway 4th Addition, Hennepin County, Minnesota

WHEREAS, the matter has been referred to the Planning Commission who have given their advice and recommendation to the City Council; and

WHEREAS, the effect of the proposed use upon the health, safety and welfare of surrounding lands, existing and anticipated traffic conditions and its effect on the neighborhood have been considered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the site plan for two new office/manufacturing buildings are approved based on the following conditions:

1. The site plans must conform to the intent of the civil plans dated January 24, 2020, as presented to the Planning Commission, subject to construction plan review by the City Engineer.

2. The building plans must conform to the intent of the architectural plans dated February 3, 2020, as presented to the Planning Commission.

3. Site bonding and development contract are required per Section §152.023 in the amount of:
   a. Building 1: **$908,200.00** in the form of a Letter of Credit from the developer for on-site improvements, **$47,800.00** cash bond for on-site and off-site improvements, and **$28,600.00** engineering escrow.
   b. Building 2A: **$977,500.00** in the form of a Letter of Credit from the developer for on-site improvements, **$51,400.00** cash bond for on-site and off-site improvements, and **$30,800.00** engineering escrow.
   c. Site bonding is required to cover the following:
      i. Earthwork
      ii. Erosion Control
      iii. Site Utilities
      iv. Cub/Gutter/Walkways
      v. Paving and Striping
      vi. Landscaping and Irrigation
      vii. Site Lighting

4. The building heights may be increased from 24-foot clear height to 28-foot clear height.
5. A walkway must be provided extending along the west side of Building 1 for the entirety of the parking lot and connecting to the sidewalk along Decatur Drive.

6. Parking shown on site plans around Building 1 may be reduced and reserved as proof-of-parking.

7. Parking may be added along the north side of Building 2A by converting the driveway in the event it is needed.

8. Bicycle and motorcycle parking must be added to each building’s site plans at the time of building permit.

9. Screening wing-walls are required as shown in the architectural plans at the southeast corner of Building 1 and the northwest corner of Building 2A.

10. The building permit plans must include the required number of shrubs for each site. Some of these shrubs shall be placed on the slopes of the storm water basin.

11. All signs must conform to Chapter 150 and receive a permit prior to installation.
Previous Approvals
The proposed 610 Junction development plan has had several iterations over the past 13 years. The original plan brought forth in 2007 showed office, multi-family, restaurant/retail, and hotel uses. Over the years, as economic climate changed, the plans were modified to add institutional (Noble Academy) and manufacturing uses while the reducing or eliminating the other uses.

Most recently in 2017, a plan submitted by the property owner received development plan approval for the layout of office/manufacturing buildings and architectural standards. The Planned Development Overlay approval (Ordinance #2017-1226, attached) requires buildings to have a two-story appearance, look like office buildings as opposed to warehouses, have internal pedestrian connections, and other shared or coordinated features. At this same time, the City’s Economic Development Authority acquired excess right-of-way from MNDOT at the southwest corner of Highways 169 and 610 and then sold the property to Reload to include in the business park development. A development agreement is in place between the EDA and the property owner that the property will be developed for job producing businesses. The proposed plan meets the intent of the agreement provided construction begins by August of this year and staff will verify that all components of the agreement are satisfied.

Current Proposal
The current proposal is for four industrial/office buildings (Labeled as Buildings 1, 2A, 2B, and 3) and one convenience retail, restaurant, or service building (Building 4). The sizes of the four industrial/office buildings (87,584-115,084 ft²) are a little smaller than what is generally found in the market (150,000-200,000 ft²) in hopes of attracting businesses to take an entire building, although each building can be divided for multiple tenants. Building 4 is just a placeholder on the plans. This building could be a gas station/convenience store or

<table>
<thead>
<tr>
<th>Buildings</th>
<th>Area</th>
<th>Parking Spaces</th>
<th>Parking Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>95,576</td>
<td>251</td>
<td>2.6/1,000</td>
</tr>
<tr>
<td>2A</td>
<td>115,084</td>
<td>164</td>
<td>1.4/1,000</td>
</tr>
<tr>
<td>2B</td>
<td>87,584</td>
<td>164</td>
<td>1.9/1,000</td>
</tr>
<tr>
<td>3</td>
<td>96,000</td>
<td>176</td>
<td>1.8/1,000</td>
</tr>
</tbody>
</table>

Conforms to:
- Land Use Plan – Yes
- Subdivision Code – Yes
- Zoning Code – Yes
- Variances Needed – None

Public Notification
- 38 Mailed Notices
- 2 Proposed Development Signs
- Sun-Post Legal Notices (January 30, 2020)
a small retail/restaurant building intending to serve the immediate business neighborhood and nearby neighborhoods of Osseo.

The buildings are shown on the plans with an internal clear height of 24 feet. The applicant is requesting flexibility to increase the height of either or both buildings by four feet to a 28-foot clear height based on the needs of the initial users.

In the center of the four industrial/office buildings is a central green area serving as an amenity to workers in those buildings. The amenities could include sport courts and picnic areas.

United Properties is looking to construct Buildings 1 and 2A first and are seeking to receive Site Plan Review approval at this time. Buildings 2B, 3, and 4 will need to come back through the Planning Commission and City Council review process for final plat and Site Plan Review approval when they are ready to be built.

**Building Design**

The buildings are designed primarily with concrete precast panels. Two different woodgrain Nichiha panels will be used as a feature at the corner entries and in the center of each wall. The “cedar” (orange/brown) panel will be on the wall and give the building a pop of color while fins of “bark” (gray) will extend out from the building. Large first floor windows and smaller second story windows are shown on three sides of the buildings. The buildings meet the articulation requirements of City Code.

**Roadways and Access**

Decatur Drive is a new roadway in the northwestern part of the community. It links 93rd Avenue with Jefferson Highway. Extending east of Decatur Drive, 94th Avenue is a platted right-of-way where no permanent road has been constructed. There is currently a dirt roadway providing access to the Fischbach property to the east within this right-of-way. 94th Avenue will be constructed at a 36-foot wide business roadway that provides access to four of the five buildings as well as the Fischbach property. A temporary cul-de-sac is shown on the plans at the east end of 94th Avenue that will be required to be finished with either concrete curb and gutter if the development on the Fischbach property does not need additional roadway, or removed and replaced with a typical street section when the roadway is extended into the Fischbach property. A temporary easement is needed for this cul-de-sac.

Another access to Decatur Drive is shown at the northern part of the site. This roadway is a private shared driveway providing access to three of the buildings. East of Building 2A’s truck court entrance, the roadway could be narrowed to 25 feet and be converted to a parking lot in the event additional spaces are needed for that building. This roadway will be constructed first and should provide adequate access to the first two buildings until 94th Avenue is constructed (most likely in late 2020 or early 2021).

Building 4 could have a right-in driveway access from Decatur Drive north of 93rd Avenue where the concrete median is in place. Since the user of this site is unknown, access will be reviewed at the time of its site plan.

**Parking**

Parking is shown in front of each building site. The amount of parking shown around Building 1 is anticipating more office uses. It is recommended that some of the parking on the east and west sides be reserved as proof of parking until the actual need is shown. Conversely, parking quantities shown for Building 2A are shown more for manufacturing uses. For this building, the driveway along the north side of the building could be converted into another parking area. In all buildings, unused areas in the truck courts could be converted to parking as well. The designs of the individual sites do not allow for easy shared parking, so these site flexibilities are important to accommodate a wider range of users in each building.

Motorcycle and bicycle parking are not shown on the site plans. The applicant has indicated that these items will be added to the plans before the building permit is issued.
Pedestrian Connections
The Planned Development Overlay requires strong pedestrian connections between buildings and adjacent roadways. Decatur Drive has a sidewalk on the east side of the roadway. Future 94th Avenue will have a sidewalk along the north side of the road.

The plans do not show any connection between Building 3 and 93rd Avenue. In the future, it is anticipated that bus service is possible in this corridor linking the area with the future Blue Line station approximately three-quarters of a mile to the east. It is recommended that this connection be provided. Additionally, a walkway will need to be extended along the west side of Building 1 to connect to Decatur Drive and along the east side of Building 3 to connect to 94th Avenue.

Landscaping and Screening
The applicant submitted a partial landscape plan. The plan only shows tree locations and typical planting beds; therefore, the exact shrub counts are unknown. The proposed plan does show the required numbers of overstory and evergreen trees while showing that it is short on the ornamental trees. Final construction plans will need to show that each site will have the correct number of shrubs. Shrubs should be included along the storm water basin slopes to help with bank stability.

The stormwater basin at the northeast corner of the site will open up view lines from the Highways 610 and 169 interchange into the truck courts. The landscaping plan shows trees in this area, but not enough to screen the truck court effectively. It is recommended that architectural wing walls are added on the side of Buildings 1 and 2A to help enclose that area. Additional trees should be planted in the northern part of center greenspace as well.

Utilities
Public utilities are available to the site through an easement in the area where the northern private shared driveway is shown. Sanitary Sewer and water will be extended south to serve Buildings 3 and 4 under 94th Avenue through a proposed easement in the rear of Building 2A. Sanitary sewer will be provided to connect to the west via a sleeve installed under Decatur Avenue when the extension is made to serve the service parcel.

Lighting
A portion of the site is within 500 feet of residential properties in Osseo and residentially zoned/guided vacant properties; therefore, freestanding lighting is limited to 15 feet in height. Beyond 500 feet, freestanding lighting is limited to 25 feet. All lighting, including wall-mounted lights, must be downcast and shielded.

Storm Water Management
The site uses a series of connected storm water basins. The site will need to receive approval from the West Mississippi Watershed, and a storm water maintenance agreement is required to be signed and recorded against each parcel.

Plat
The proposed plat of Gateway 4th Addition replats one of the existing outlots in Gateway 3rd Addition and the unplatted land acquired from MNDOT to create buildable lots for Buildings 1 and 2A. Buildable lots for Buildings 2B, 3, and 4 will be created by replatting outlots in the future.

Park Dedication
Park dedication is required on the lots created for new development. The current non-residential rate is $8,000 per acre and is calculated at the time of final plat approval.
1. CALL TO ORDER

The meeting was called to order at 7:00 PM.

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Hanson, Herbers, Husain, Kiekow, Mersereau, Mohamed, Morton-Spears, and Vosberg; Council Liaison Russell; Senior Planner Larson; Planning Director Sherman.

Those not present were: Commissioner Kisch.

6. PUBLIC HEARING

A. 610 Junction (United Properties) – Amended Development Plan, Site Plan Review, and Plat #20-100 to include 4 business park buildings and a service center northeast of 93rd Avenue and Decatur Drive.

Senior Planner Larson introduced the application from United Properties to develop a site that has an approved development plan from 2017. The planned development overlay ordinance for the site included Planning Commission feedback regarding design elements. Instead of the three large buildings, the new proposal is for four smaller buildings. Either there would be fewer tenants in a building, or a tenant would take the whole building. The applicant is proposing to build in phases starting with the two outer buildings facing the freeways. The plan includes construction on 94th Ave which is anticipated to occur after the construction of the private shared driveway. The landscape plan needs either more shrubs or more ornamental trees in addition to more trees needed for screening on northeast portions of the site. Staff recommends approval.

Connor McCarthy, development manager with United Properties, pointed out a unique area in the proposal, which is indicated on the plans as two basketball courts, but these are simply place holders for employee amenity spaces to attract and retain talent.

Commissioner Chair Hanson opened the public hearing.

Seeing no one approach the podium, Commissioner Chair Hanson closed the public hearing.

Commissioner Mohamed asked if there are any prospective tenants.

Mr. McCarthy confirmed they have spoken with a few different groups looking for space, but there are no names to share at this time.

MOTION MOHAMED SECOND MERSEREAU TO RECOMMEND APPROVAL OF AN AMENDED DEVELOPMENT PLAN FOR “610 JUNCTION” AND PRELIMINARY PLAT #20-100 FOR “GATEWAY 4TH ADDITION,” SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

Commissioner Kiekow asked what type of client will be solicited for the space.

Connor McCarthy said their focus is attracting a manufacturing client, and portions of the space will be dedicated for office and warehouse use.

Commissioner Kiekow asked for the ceiling height.
Connor McCarthy said the proposed height is 24 feet, but one of the conditions allows them to build up to 28 feet should a client request more height.

*MOTION CARRIED UNANIMOUSLY.*

MOTION MOHAMED SECOND HUSAIN TO RECOMMEND APPROVAL OF SITE PLAN REVIEW #20-100 FOR OFFICE/MANUFACTURING BUILDINGS AT 8700 94TH AVENUE NORTH AND 9450 DECATUR DRIVE NORTH, SUBJECT TO THE CONDITIONS IN THE DRAFT RESOLUTION.

*MOTION CARRIED UNANIMOUSLY.*

Planning Director Sherman confirmed the item will go to City Council on February 24, 2020.
ORDINANCE #2017-1226

ORDINANCE REZONING PROPERTY LOCATED NORTHWEST OF 93RD AVENUE AND HIGHWAY 169 FROM NEIGHBORHOOD RETAIL BUSINESS DISTRICT WITH PLANNED DEVELOPMENT OVERLAY (B2/PD) TO BUSINESS PARK WITH PLANNED DEVELOPMENT OVERLAY (BP/PD) AND GENERAL BUSINESS DISTRICT WITH PLANNED DEVELOPMENT OVERLAY (B3/PD)

The City Of Brooklyn Park Does Ordain:

Section 1. The following described properties are rezoned from Neighborhood Retail Business District with Planned Development Overlay (B2/PD) to Business Park with Planned Development Overlay (BP/PD):

   Outlots B and D, Gateway 3rd Addition, Hennepin County, Minnesota; and Unplatted Minnesota Department of Transportation property at the southwest corner of Highways 169 and 610

This Planned Development Overlay has the following requirements for the “610 Junction” development plan shown on Site Plan dated 9/20/2017:

1. Uses on the property shall promote a strong full-time employment base with high quality and landmark buildings consistent with the Comprehensive Plan:
   a. Office.
   b. Manufacturing, processing, or research.
   c. Ancillary warehousing to the above uses must be used primarily for goods or materials that have been or will be manufactured or processed on the property.
   d. Warehousing and Distribution Centers as primary uses are prohibited.
   e. Outdoor storage is prohibited.

2. The Site Plan (page A1) dated 09-20-2017 showing the general location of the following items:
   a. Shared driveways, access, truck courts, and parking lots.
   b. Building placement, especially narrower building sides fronting 93rd Avenue.
   c. Shared storm water management basins.

3. The following items must be included in site plans for individual buildings and sites:
   a. Connected internal walkways and between building entrances, 93rd Avenue, and Decatur Drive.
   b. Shared monument or area identification signs.

4. A private shared access easement must be in place with the property to the east including both vehicular (cars and trucks) and pedestrian access (sidewalk).

5. The minimum standards of development for all buildings and sites shall include:
   a. A uniform style of parking lot lighting.
   b. High-quality building materials.

2017-1226
c. An office or professional appearance of building design as opposed to a warehouse appearance.

d. The appearance of the north and east buildings visible to Highways 610 and 169 must be that of a two-story building.

6. A Site Plan Review or Conditional Use Permit application before the Planning Commission and City Council, as described in City Code, is required for each site prior to its construction.

7. Other provisions of the City Code not modified here shall still apply.

8. Curb cuts on Decatur Drive shall be finalized with each site’s site plan review.

9. Sewer service shall be extended to gain access to the St. Vincent de Paul property west of Decatur Drive.

Section 2. The following described properties are rezoned from Neighborhood Retail Business District with Planned Development Overlay (B2/PD) to General Business with Planned Development Overlay (B3/PD):

Outlot A, Gateway 3rd Addition, Hennepin County, Minnesota

This Planned Development Overlay has the following requirements for the “610 Junction” development plan shown on Site Plan dated 9/20/2017:

1. Uses on the site shall conform to those listed on the Site Plan or a similar use allowed in the B3 Zoning District.

2. The following uses are prohibited on the site:
   a. Auto Repair
   b. Car Washes
   c. Currency Exchanges
   d. Pawn Shops
   e. Sexually-oriented Businesses
   f. Outdoor Storage
   g. Transient Sales

3. At least one building adjacent to Highway 610 must have a four-story component, and other buildings on sites adjacent to Highway 610 must have at least two stories.

4. Any self-storage facility must be integrated into adjacent development in design and construction.

5. A Site Plan Review or Conditional Use Permit application before the Planning Commission and City Council, as described in City Code, is required for each site prior to its construction.

6. Site plans for individual users must include pedestrian connections to adjacent roadways.
ATTEST:

DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney
Passed on First Reading 11-27-2017
Passed on Second Reading 12-04-2017
Published in Official Newspaper: 12-14-17
United Properties seeks to develop an extension of their existing office warehouse campus, Northercross Business Park, to include four (4) additional buildings on the southwest quadrant of Highway 169 and Highway 610. The thoughtfully designed office/warehouse business park has specific real estate demands - at least 160' building depth, 50' x 50' bay spacing, 24'-28' building clear height, ample employee parking, and 120' truck court depth. United Properties’ proposed site plan reflects a carefully proportioned project that is marketable to the business community. The 88,000-115,500 square foot buildings are right-sized and divisible for multiple tenants in the 25% office finish range with large employee counts and parking requirements. The first phase of United Properties’ Northercross Business Park development was highly successful - attracting businesses such as Wurth Adams, Nilfisk Advance, and Tesla (formerly Perbix Machines). United Properties believes that the current building design will attract and accommodate office/manufacturing users in the 20,000-30,000 square foot range, as opposed to distribution users. It is United Properties’ intent to create a business park that all buildings within will have a similar aesthetic and will complement the Northercross Business Park on the east side of Highway 169. The precast concrete wall panels are “faced form side out” for a smooth, modern, high tech look. The building entrances are recessed with raised parapets to break up long wall spans. The exterior is designed to have changes in color and inset reveals to add visual interest while the canopies give a sense of pedestrian scale around the primary entrances. Additionally, windows near the roof line will allow natural light to reach deep into the building and give the appearance of a second floor from the building’s exterior. The business park incorporates amenity space which provides recreation opportunities for employees within the business park - an attractive feature for businesses to keep employees engaged and satisfied. United Properties estimates over $1,000,000 of additional real estate tax to be generated and +/- 550 jobs to be created from this development. United Properties intends to mimic the success that was had across the highway, with comparable Class-A finishes and design standards.
Preliminary Development Plans

for

610 Junction
Brooklyn Park, Minnesota

Presented by:
United Properties

CONSULTANT CONTACT LIST:

DEVELOPER/OWNER
UNITED PROPERTIES
610 JUNCTION
BROOKLYN PARK, MN

ARCHITECT
LAMPERT ARCHITECTS
420 SUMMIT AVE
ST. PAUL, MN 55102

SURVEYOR
SAMBATEK
12800 WHITEWATER DRIVE, SUITE 300
MINNETONKA, MN 55343

LANDSCAPE ARCHITECT
SAMBATEK
12800 WHITEWATER DRIVE, SUITE 300
MINNETONKA, MN 55343

CONSULTANT CONTACT LIST:

DEVELOPER/OWNER
UNITED PROPERTIES
651 NICOLLET MALL
MINNEAPOLIS, MN 55401

ARCHITECT
LAMPERT ARCHITECTS
420 SUMMIT AVE
ST. PAUL, MN 55102

SURVEYOR
SAMBATEK
12800 WHITEWATER DRIVE, SUITE 300
MINNETONKA, MN 55343

LANDSCAPE ARCHITECT
SAMBATEK
12800 WHITEWATER DRIVE, SUITE 300
MINNETONKA, MN 55343

GOVERNING SPECIFICATIONS

CITY OF BROOKLYN PARK ENGINEERING DESIGN STANDARDS
CITY ENGINEER'S ASSOCIATION OF MINNESOTA STANDARD SPECIFICATIONS (2013)
MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (2018 EDITION)
1. Subject properties address is 9330 & 9360 Decatur Drive N, and unassigned, Brooklyn Park, MN. Its property identification numbers are #0711921340012 & #0711921340013.

2. The gross area of the subject property is 35.646 acres or 1,552,737.13 square feet.


4. The building(s) and exterior dimensions of the outside wall at ground level are shown on the survey. It may not be the foundation wall.

1. The vertical datum is based on NAVD88. The originating bench marks are 2750G and 2750J, both referenced from the MN DOT Geodetic Database.

   Benchmark #1 2750G, located near the intersection of Trunk Highway No. 169 and County Road 30. Elev. = 883.89

   Benchmark #2 2750J, located near the intersection of Trunk Highway No. 610 and Jefferson Highway. Elev. = 888.60

   Onsite benchmark top rim of sanitary manhole located near the intersection of 93rd Avenue North and Decatur Drive North. Elev. = 883.42
SUBMITTAL / REVISION

BUILDING, STOOPS, STAIRS SEE ARCHITECTURAL PLANS

01/24/2020

Initial Issue: CJS

REFER TO FINAL PLAT FOR LOT BOUNDARIES, LOT NUMBERS, LOT AREAS, AND LOT DIMENSIONS.

100

CONCRETE SIDEWALK
MONUMENT SIGN

CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF
HAND RAIL (SEE ARCHITECTURAL PLANS)

STREET NAMES ARE SUBJECT TO APPROVAL BY THE CITY.

ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.

CONTRACTOR AND/OR SUBCONTRACTOR AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY
HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD).

IF THE CONTRACTOR ENCOUNTERS ANY DRAIN TILE WITHIN THE SITE, HE OR SHE SHALL NOTIFY THE ENGINEER WITH THE LOCATION, SIZE,
AND COORDINATES OF THE DRAIN TILE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES RESULTING FROM HIS OR HER FAILURE TO
PROPERLY NOTIFY THE ENGINEER OF THE LOCATION OF THE DRAIN TILE.

THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED
BY A SURVEYOR OF QUALIFIED SKILL AND EXPERIENCE USING MODERN SURVEYING EQUIPMENT AND TECHNIQUES. THE CONTRACTOR
SHALL REVIEW THE SURVEY FOR ACCURACY AND CORRECT ANY ERRORS OR OMISSIONS.

THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA
ACCESSIBLE RAMP (SEE DETAIL, SHEET C9.02)

MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS AISLE SHALL BE 2.08%
LOCATIONS.

THE DESIGN GRADIENT AND COORDINATE WITH GRADING CONTRACTOR.

MATCH LINE

PROPOSED BUILDING #1
95,576 S.F.
FFE=885.00
LOT 1

PROPOSED BUILDING #2A
115,084 S.F.
FFE=890.00
LOT 2

PROPOSED BUILDING #2B
87,584 S.F.
FFE=890.00
LOT 1

FUTURE BUILDING #2A
87,584 S.F.
FFE=890.00
LOT 1
LOT 1
PROPOSED BUILDING #1
95,576 S.F. 
FFE=889.00
LOT 1

PROPOSED BUILDING #2A
115,084 S.F. 
FFE=890.00
LOT 2

FUTURE BUILDING #2B
87,584 S.F. 
FFE=888.00
OUTLOT A

PROPOSED INFILTRATION POND
HWL = 882.00
OUTLET = 878.20
BOTTOM = 875.00

MATCH LINE

THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF ASCE/CI 38-02, TITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA." THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, BY CONTACTING THE NOTIFICATION CENTER (GOPHER STATE ONE FOR MINNESOTA). THE CONTRACTOR AND/OR SUBCONTRACTOR AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD).

IF THE CONTRACTOR ENCOUNTERS ANY DRAIN TILE WITHIN THE SITE, HE OR SHE SHALL NOTIFY THE ENGINEER WITH THE LOCATION, SIZE, INVERT AND IF THE TILE LINE IS ACTIVE. NO DRAIN TILE SHALL BE BACKFILLED WITHOUT APPROVAL FROM THE PROJECT ENGINEER.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF ASCE/CI 38-02, TITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA." THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, BY CONTACTING THE NOTIFICATION CENTER (GOPHER STATE ONE FOR MINNESOTA). THE CONTRACTOR AND/OR SUBCONTRACTOR AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD).

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IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
NOTE TO CONTRACTOR

The following information is a list of items included in the overall plan and is intended to assist the contractor in performing the work. The contractor and/or subcontractors shall determine the exact location of all existing utilities before commencing work, by contacting the Notification Center (Gopher State One for Minnesota). The contractor and/or subcontractor agrees to be fully responsible for any and all damages, which might be occasioned by his or her failure to exactly locate and preserve any and all utilities (underground and overhead).

If the contractor encounters any drain tile within the site, he or she shall notify the engineer with the location, size, invert and if the tile line is active. No drain tile shall be backfilled without approval from the project engineer.

It shall be the responsibility of the contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plans.

* Refer to Sheet C5.03 for general notes, maintenance notes, location maps, and standard details.
IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED INVERT AND IF THE TILE LINE IS ACTIVE. NO DRAIN TILE SHALL BE BACKFILLED WITHOUT APPROVAL FROM THE PROJECT ENGINEER. IF THE CONTRACTOR ENCOUNTERS ANY DRAIN TILE WITHIN THE SITE, HE OR SHE SHALL NOTIFY THE ENGINEER WITH THE LOCATION, SIZE, HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD). UTILITIES BEFORE COMMENCING WORK, BY CONTACTING THE NOTIFICATION CENTER (GOPHER STATE ONE FOR MINNESOTA). THE CONTRACTOR AND/OR SUBCONTRACTORS AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY SUBSURFACE UTILITY DATA. THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING ACCORDING TO THE GUIDELINES OF ASCE/CI 38-02, TITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED
Erosion & Sedimentation Control Notes & Details / "Site Map"

**SITE LOCATION MAP**

- **SITE**
- **CONSTRUCTION AREA**
- **BAKE SITE**
- **INSTALL INLET PROTECTION DEVICES.**
- **CONSTRUCT THE SILT FENCES ON THE SITE.**
- **CONCRETE WASHOUT AREA SHALL BE INSTALLED PRIOR TO ANY CONCRETE PLACEMENT**
- **INSTALL UTILITIES, UNDERDRAINS, STORM SEWERS, CURBS AND GUTTERS.**
- **WHEN THE CONCRETE WASHOUT AREA IS REMOVED, THE DISTURBED AREA SHALL BE**
- **NEENAH R-3512**
- **Submittal / Revision**
- **INLET**
- **DUE TO THE GRADE CHANGES DURING THE DEVELOPMENT OF THE PROJECT, CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTING THE EROSION CONTROL MEASURES (SILT FENCES, CHECK DAMS, CONSTRUCTION SITE VEHICLE EXIT LOCATIONS MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE SEDIMENT TRACKING ONTO PAVED SURFACES. TRACKED SEDIMENT MUST BE REMOVED FROM ALL**
- **CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES (BMP’S) AS REQUIRED BY THE SWPPP & PERMITS. CONTRACTOR SHALL OVERSEE THE INSPECTION & MAINTENANCE OF THE BMP’s**
- **ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. A COMPACTED CLAY GEOTEXTILE SHALL BE A WOVEN POLYPROPYLENE FABRIC THAT MEETS OR EXCEEDS**
- **43.13 AC±**
- **BUILDING AREA**
- **DEVELOPER/OWNER:**
- **SUPERINTENDENT:**
- **SITE OPERATOR / GENERAL CONTRACTOR**
- **INSPECTED FOLLOWING EACH RAINFALL.**
- **NOT TO SCALE**
- **169**
- **Construe 2' High Berm with**
- **Curb**
- **NOTES:**

3. **OFF PAVEMENT.**
4. **ON SITE.**
5. **SEEDED AND MULCHED OR OTHERWISE STABILIZED IN A MANNER ACCEPTED BY THE**

1. **GENERAL EROSION NOTES:**
2. **SEQUENCE OF CONSTRUCTION**
3. **PHASE I**
4. **PHASE II**
5. **PHASE III**
6. **PHASE IV**
7. **PHASE V**

**SEQUENCE OF CONSTRUCTION**

- **PHASE I**
- **PHASE II**
- **PHASE III**
- **PHASE IV**
- **PHASE V**

**INLET PROTECTION FILTER SACK (IP-3)**

**AREA SUMMARY IN ACRES**

- **SUMMARY**
- **By**

**GENERAL EROSION NOTES:**

1. **GENERAL EROSION NOTES:**
2. **SEQUENCE OF CONSTRUCTION**
3. **PHASE I**
4. **PHASE II**
5. **PHASE III**
6. **PHASE IV**
7. **PHASE V**

**SEQUENCE OF CONSTRUCTION**

- **PHASE I**
- **PHASE II**
- **PHASE III**
- **PHASE IV**
- **PHASE V**

**INLET PROTECTION FILTER SACK (IP-3)**
1. The city's requirements for the project shall be contained in and accessible with the
   construction documents and specifications. The contractor and subcontractors shall
   coordinate all work methods and procedures with the project engineer, the
   city engineer, the public service company, and the project owner to ensure
   compliance with the city's requirements.

2. All contracts shall be submitted in accordance with city requirements.

3. The contractor shall not open, repair, or otherwise interfere with any city
   utility. All repairs to city utilities shall be made by city personnel and
   approved by the city engineer.

4. All building service connections shall be coordinated with the city engineer
   to ensure proper placement and to avoid conflicts with other utilities.

5. All storm sewer systems shall be designed and installed in accordance with
   the city's stormwater management plan.

6. All sanitary sewer systems shall comply with the city's sanitary sewer
   standards.

7. All water systems shall comply with the city's water supply and
   distribution standards.

8. All soils testing shall be completed by an independent soils engineer.

9. All excavation for the project shall be performed in accordance with
   the city's soil and excavation standards.

10. All storm sewer pipe shall be smooth interior dual wall HDPE pipe
    with water tight gaskets, unless noted otherwise.

11. All sanitary sewer to be PVC SDR-35, unless noted otherwise.

12. All watermain to be ductile iron - Class 52, unless noted otherwise.

13. All utilities shall be constructed in accordance with city requirements.

14. The contractor and/or subcontractor shall determine the minimum
    diameter required for all building service connections (storm, sanitary,
    water) with five feet or less cover area.

15. All watermain shall have 7.5 feet of cover over top of watermain.

16. All areas outside the property boundaries that are disturbed by utility
    construction shall be restored to their original condition.

17. It shall be the responsibility of the contractor to relocate all existing
    utilities which conflict with the proposed building footprint.

18. Invert and if the tile line is active, no drain tile shall be backfilled
    without approval from the project engineer.

19. All watermain shall be ductile iron except as noted for other
    materials.

20. All materials shall comply with the requirements of the city.

21. All soils testing shall be completed by an independent soils engineer.

22. All excavation for the project shall be performed in accordance with
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IMPROVEMENTS SHOWN ON THE PLANS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED CONTRACTOR AND/OR SUBCONTRACTOR AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY SURFACE UTILITY DATA." THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING ACCORDING TO THE GUIDELINES OF ASCE/CI 38-02, TITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED
FLARED END SECTION
DETAIL DRAWING B-8
CITY OF BROOKLYN PARK

B-62 CONCRETE CURB & GUTTER
DETAIL DRAWING ST-1
CITY OF BROOKLYN PARK

B-68 CONCRETE CURB & GUTTER
DETAIL DRAWING ST-2
CITY OF BROOKLYN PARK

CONCRETE CROSS GUTTER
DETAIL DRAWING ST-3
CITY OF BROOKLYN PARK

CONCRETE SIDEWALK
DETAIL DRAWING ST-8
CITY OF BROOKLYN PARK

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed professional ENGINEER under the laws of the state of Minnesota.

Registration No.
Date: 01/24/2020
41301
Chad M. Ayers
PRELIMINARY
C9.04

DETAILS

Project

Location

UNITED PROPERTIES
610 JUNCTION
BROOKLYN PARK, MN

Certification

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed professional ENGINEER under the laws of the state of Minnesota.

If applicable, contact us for a wet signed copy of this plan which is available upon request at Sambatek’s, Minnetonka, MN office.

Registration No.
Date:
41301
01/24/2020

Chad M. Ayers
PRELIMINARY

PRELIMINARY

Summary

Project No.

Phase:
PRELIMINARY

Initial Issue:

Curves No.

No.

Date:

Revision History

Sheet No.

Revision

C9.04

Project No.

22015

Sheets

3 of 6

1-23-2017

STANDARD PLAN 5-297.250

3 of 6

1-23-2017

STANDARD PLAN 5-297.250

5 of 6

1-23-2017

STANDARD PLAN 5-297.250

6 of 6

1-23-2017

STANDARD PLAN 5-297.250

5 of 6

1-23-2017

STANDARD PLAN 5-297.250

3 of 6

1-23-2017

STANDARD PLAN 5-297.250

5 of 6

1-23-2017

STANDARD PLAN 5-297.250

6 of 6
LANDSCAPING CODE SUMMARY

BUILDING / OPEN SPACE REQ'D / STREET FRONTAGE / CANOPY COVER / FOUNDATION PLANTINGS / SCREENING
LOT (3 OF THE FOLLOWING)

#1/1

120,864 SF
5500 SF

PRIVATE ROAD

40/66
50% BUILDING PERIMETER

50/50 / 3000 = EVERGREEN
50/50 / 3000 = SHADE

120,864 SF

#2A/2

110,510 SF
3100 SF

PRIVATE ROAD

37/44
15/15

37/44

#2B/2

109,164 SF
3600 SF

PRIVATE ROAD

74/36
10/10

74/36

#3/OUTLOT

97,614 SF
770' = 11 TREES
3300 SF

D EAST

33/54
9/7

33/26

#4/OUTLOT

27,871 SF
202' = 3 TREES
540 SF

D WEST

9/9
2/3

9/14

SHRUB PLANTINGS:

Typical Pond Edge Species

To help retain sandy soil

Planted over MN State Seed Mix 33-361 (Native Mesic Mix)

Willow
Dogwood
Sumac
Viburnum
Black Chokeberry
Milkweed

Building Foundation Species

*See Typical Entry Planting Below

North Side -

Yews
Hydrangeas
Viburnums
Black Chokeberry

South, West & East Sides -

Cotoneaster
Lilac
Euonymus
Diervilla
Serviceberry

*Required Shrubs Quantity Planting Requirement Will Be Met Between Foundation Plantings and Pond Edge Planting

TYPICAL ENTRY PLANTING

SCALE  IN  FEET

0  20  40

0  10  20

Rpt: / Page:

Mfrs. Name: / Date:

Loveland: / Category:

Engineering: / Client:

Design: / Revision:

Surveying: / Submission:

Finishes: / Revision:

Dwg: / Certification:

Structural: / Date:

Architect: / Name:

Sheet Title

Sheet No. Revision

L1.01

Project No.

22015
PLANT SCHEDULE BLDG-1

<table>
<thead>
<tr>
<th>Code</th>
<th>Botanical / Common Name</th>
<th>Cont.</th>
<th>Cal.</th>
<th>Size</th>
<th>QTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Acer freemanii <code>Sienna Glen</code> / Sienna Glen Maple</td>
<td>B &amp; B</td>
<td>4&quot;CAL</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Celtis occidentalis / Common Hackberry</td>
<td>B &amp; B</td>
<td>2.5&quot;CAL</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Ginkgo biloba <code>Autumn Gold</code> TM / Maidenhair Tree</td>
<td>B &amp; B</td>
<td>2.5&quot;CAL</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Gleditsia triacanthos <code>Skyline</code> / Skyline Honey Locust</td>
<td>B &amp; B</td>
<td>2.5&quot;CAL</td>
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<td></td>
</tr>
<tr>
<td>16</td>
<td>Quercus bicolor / Swamp White Oak</td>
<td>B &amp; B</td>
<td>2.5&quot;CAL</td>
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<tr>
<td>17</td>
<td>Tilia americana <code>Boulevard</code> / Boulevard Linden</td>
<td>B &amp; B</td>
<td>2.5&quot;CAL</td>
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CONIFERS

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<tbody>
<tr>
<td>18</td>
<td>Abies balsamea / Balsam Fir</td>
<td>B &amp; B</td>
<td>6&quot;</td>
<td>18</td>
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<tr>
<td>19</td>
<td>Picea abies / Norway Spruce</td>
<td>B &amp; B</td>
<td>12&quot;</td>
<td>22</td>
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<tr>
<td>20</td>
<td>Pinus strobus / White Pine</td>
<td>B &amp; B</td>
<td>6&quot;</td>
<td>12</td>
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</tr>
<tr>
<td>21</td>
<td>Thuja occidentalis <code>Techny</code> / Techny Arborvitae</td>
<td>B &amp; B</td>
<td>8&quot;</td>
<td>24</td>
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ORN. TREES

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<th>Size</th>
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<tbody>
<tr>
<td>22</td>
<td>Amelanchier canadensis <code>Autumn Brilliance</code> / Autumn Brilliance Serviceberry</td>
<td>B &amp; B</td>
<td>2&quot;CAL</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Crataegus crus-galli <code>Inermis</code> / Thornless Hawthorn</td>
<td>B &amp; B</td>
<td>2.5&quot;CAL</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Malus x <code>Spring Snow</code> / Spring Snow Crab Apple</td>
<td>B &amp; B</td>
<td>2&quot;CAL</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Syringa reticulata / Japanese Tree Lilac</td>
<td>B &amp; B</td>
<td>2&quot;CAL</td>
<td>6</td>
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</table>

SHRUBS

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<tr>
<th>Code</th>
<th>Botanical / Common Name</th>
<th>Cont.</th>
<th>QTY</th>
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</thead>
<tbody>
<tr>
<td>26</td>
<td>Pinus mugo <code>Slowmound</code> / Mugo Pine</td>
<td>5 gal</td>
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<tr>
<td>27</td>
<td>Spiraea betulifolia <code>Tor</code> / Birchleaf Spirea</td>
<td>5 gal</td>
<td>9</td>
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</table>

GRASSES

<table>
<thead>
<tr>
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<th>Cont.</th>
<th>QTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Calamagrostis x acutiflora <code>Karl Foerster</code> / Feather Reed Grass</td>
<td>1 gal</td>
<td>14</td>
</tr>
</tbody>
</table>

Sheet Title: LANDSCAPE PLAN - NORTH

Sheet No. Revision: L1.02
Project No. 22015
Project: 610 JUNCTION
Location: BROOKLYN PARK, MN
Client: UNITED PROPERTIES

Certification:
William Delaney
Registration No.: 40252
Date: 01/24/2020

Revision History:
No. Date No. Submission / Revision
LEGEND

PROPERTY LINE
EXISTING BUILDING
NEW CONSTRUCTION
FOUNDATION PLANTINGS
DEER & GUTTER EDGE
PROPOSED
EXISTING
DEER & GUTTER EDGE
FOUNDATION PLANTINGS
PROPOSED
EXISTING
DEER & GUTTER EDGE
FOUNDATION PLANTINGS

PLANT SCHEDULE BUILDING 2 A

<table>
<thead>
<tr>
<th>NO.</th>
<th>SPECIES</th>
<th>CODE</th>
<th>CAL</th>
<th>SIZE</th>
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<th>CONT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Acer freemanii <code>Sienna Glen</code> / Sienna Glen Maple</td>
<td>B &amp; B</td>
<td>2.5&quot;</td>
<td>CAL</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Acer x freemanii <code>Armstrong</code> / Armstrong Freeman Maple</td>
<td>B &amp; B</td>
<td>2.5&quot;</td>
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<tr>
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<tr>
<td>4</td>
<td>Gleditsia triacanthos <code>Imperial</code> / Imperial Honeylocust</td>
<td>B &amp; B</td>
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<tr>
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<td>CAL</td>
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<td></td>
</tr>
<tr>
<td>8</td>
<td>Tilia cordata <code>Greenspire</code> / Greenspire Littleleaf Linden</td>
<td>B &amp; B</td>
<td>2.5&quot;</td>
<td>CAL</td>
<td>2</td>
<td></td>
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<tr>
<td>9</td>
<td>Ulmus americana <code>Princeton</code> / American Elm</td>
<td>B &amp; B</td>
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<td>B &amp; B</td>
<td>12`</td>
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WARNING:

- All trees shown are Pre-Sale / B & B (Balled & Balled) trees.
- Additional trees may be added at a later date.
- Planting locations are approximate and subject to change.
- All plant materials are subject to availability.
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- All plant materials are subject to availability.
KNOW ALL PERSONS BY THESE PRESENTS: That Re-load Investments, LLC, a Minnesota limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Outlot B, GATEWAY 3RD ADDITION

And

That part of the Northeast Quarter of the Southwest Quarter of Section 7, Township 119 North, Range 21 West, shown as Parcel 44 on Minnesota Department of Transportation Right of Way Plat No. 27-71 as the same is on file and of record in the Office of the County Auditor of Hennepin County, Minnesota, and as described as follows:

Beginning at Right of Way Boundary Corner B2 as shown on Minnesota Department of Transportation Right of Way Plat No. 27-189 and as shown on the plat of Outlot B, GATEWAY 3RD ADDITION, plat No. 27-71, recorded in the office of the County Auditor of Hennepin County, Minnesota, and as shown on plat No. 27-189, and thence on an azimuth of 00 degrees 00 minutes 00 seconds for 1312.59 feet; thence on an azimuth of 19 degrees 10 minutes 27 seconds for 652.00 feet; thence on an azimuth of 198 degrees 20 minutes 45 seconds for 741.60 feet; thence on an azimuth of 270 degrees 00 minutes 00 seconds for 674.09 feet to the west line of said Northeast Quarter of the Southwest Quarter; thence southerly along said west line to the point of beginning.

Has caused the same to be surveyed and platted as GATEWAY 4TH ADDITION and does hereby donate and dedicate to the public for public use forever the public way and also dedicate the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said Re-load Investments, LLC, a Minnesota limited liability company has caused these presents to be signed by its proper officer this day of , 20 .

SIGNED:

Re-load Investments, LLC

By: , as

STATE OF MINNESOTA
COUNTY OF

This instrument was acknowledged before me this day of , 20 ., by , as , for Re-load Investments, LLC, a Minnesota limited liability company, on behalf of the company.

Signature

Notary Printed Name

Notary Public, County, Minnesota

My Commission Expires

I 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 .

Mark R. Salo, Licensed Land Surveyor,
Minnesota License No. 43933

STATE OF MINNESOTA
COUNTY OF

This instrument was acknowledged before me this day of , 20 ., by .

Signature

Notary Printed Name

Notary Public, County, Minnesota

My Commission Expires

By: , Deputy

CITY COUNCIL, CITY OF BROOKLYN PARK, MINNESOTA

This plat of GATEWAY 4TH ADDITION was approved and accepted by the City Council of the City of Brooklyn Park, Minnesota, at a regular meeting held on the 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:

City Manager

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

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

Mark V. Chapin, County Auditor

SURVEY DIVISION, Hennepin County, Minnesota

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

Chris F. Mavis, County Surveyor

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of GATEWAY 4TH ADDITION was recorded in this office this day of , 20 .

Martin McCormick, County Recorder

By: , Deputy

DETAIL "A"
City Manager’s Proposed Action:

MOTION ___________, SECOND ___________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ APPROVING PROPOSED USE OF FISCAL YEAR 2020 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND AUTHORIZING SIGNATURE OF SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY AND ANY THIRD-PARTY AGREEMENTS.

Overview:

The City Council held a public hearing for the general allocation of $507,200 for FY2020 Community Development Block Grant (CDBG) funds on February 10, 2020. At the meeting, Council Members were briefed about various program activities recommended for funding. Discussion focused on funding for the Code Enforcement and Zane Court Park activities and Council tabled the action until the next meeting. The CDBG process requires two actions by the City Council: 1) a public hearing (held on Feb. 10), and 2) an adopted resolution (proposed in attachment 7.1A).

CDBG funds are awarded from the Federal Government’s Department of Housing and Urban Development (HUD) and come to the City through Hennepin County under the Joint Cooperation Agreement (JCA). Staff anticipates having $440,000 available for locally directed programming from a CDBG allocation of about $507,200 for Fiscal Year 2020 that runs from July 1, 2020 to June 30, 2021. Staff proposed funding four projects with the allocation of these funds. In addition, 15 percent of the funds, or about $67,200, will be directed to public/human service activities. Hennepin County will allocate the public/human service activity for all communities within the Urban Hennepin County JCA.

Table 1: FY2020 CDBG Funds Available

<table>
<thead>
<tr>
<th>Program Funds</th>
<th>Estimated FY2020 CDBG Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Available FY2020 CDBG Allocation</td>
<td>$507,200</td>
</tr>
<tr>
<td>15-percent set aside for public/human services (Maximum)</td>
<td>$67,200</td>
</tr>
<tr>
<td>Total amount available for City directed programming</td>
<td>$440,000</td>
</tr>
</tbody>
</table>

Public/Human Service Programs
Funding for public/human service activities is capped by HUD at 15 percent of the grant amount. Per the Joint Cooperation Agreement between the City and the County, Hennepin County will retain the full 15 percent or $67,200 of the grant for allocation to public/human service activities in the City. A new County-based Selection Committee will hold a meeting in March 2020 to award funds retained for public service activities on a competitive request for proposal basis. Breanne Rothstein, Economic Development and Housing Director, will represent the City of Brooklyn Park at the Selection Committee per the City Council’s action.
At the February 10 public hearing, the Council Members tabled a motion to allocate $440,000 in CDBG funds to four program areas, namely Table 2. Some Council Members expressed the need to fund the Code Enforcement program in full using CDBG funds, whereas others were fine with the proposed allocations. There were no other public comments.

### Table 2

<table>
<thead>
<tr>
<th>Program Activity</th>
<th>FY2019 Funds Awarded</th>
<th>FY2020 Proposed Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Rehabilitation Deferred Loans</td>
<td>$259,400</td>
<td>$322,500</td>
</tr>
<tr>
<td>Code Enforcement</td>
<td>$35,000</td>
<td>$17,500</td>
</tr>
<tr>
<td>Zane Court Park Facility Project</td>
<td>$0</td>
<td>$100,000</td>
</tr>
<tr>
<td>Lakeland Park Project</td>
<td>$100,000</td>
<td>$0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$394,400</strong></td>
<td><strong>$440,000</strong></td>
</tr>
</tbody>
</table>

#### Home Rehabilitation Deferred Loan Program

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 at an average of $15,000 each, 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

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

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 a new shed structure, community garden spaces, and create parking spaces off Zane Court. In line with the CDBG regulations, site improvements and blight removal 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.

#### 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.

**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:**

7.1A RESOLUTION
7.1B MARKETING FLYER CDBG 2020
7.1C PRESS RELEASE
7.1D PUBLIC HEARING NOTICE
RESOLUTION #2020-

RESOLUTION APPROVING PROPOSED USE OF FISCAL YEAR 2020 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND AUTHORIZING SIGNATURE OF SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY AND ANY THIRD-PARTY AGREEMENTS

WHEREAS, the City of Brooklyn Park, through execution of a Joint Cooperation Agreement with Hennepin County, is cooperating in the Urban Hennepin County Community Development Block Grant Program; and

WHEREAS, the City of Brooklyn Park has developed a proposal for the use of Urban Hennepin County CDBG funds made available to it, and held a public hearing on February 10, 2020, to obtain the views of residents on local and Urban Hennepin County housing and community development needs and priorities regarding the City’s proposed use of $507,200 from the Fiscal Year 2020 Urban Hennepin County Community Development Block Grant program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the following projects for funding from the Urban Hennepin County Community Development Block Grant program and authorize submittal of the proposal to Hennepin County for review and inclusion in the Fiscal Year 2020 Urban Hennepin County Community Development Block Grant Program.

BE IT FURTHER RESOLVED that should the final amount of Fiscal Year 2020 CDBG funds available to the City be different from the preliminary amount provided to the City, the City Council hereby authorizes the Home Rehab Deferred Loan Program activity reflect an increase or decrease in funding accordingly.

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the Mayor and its City Manager to execute the Subrecipient Agreement and any required Third-Party Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Mayor and its City Manager to approve such modifications to the Agreement as in their judgment is consistent with the spirit and content thereof.

<table>
<thead>
<tr>
<th>FY2020 CDBG PROGRAM ACTIVITY</th>
<th>BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Rehab Deferred Loan Program</td>
<td>$322,500</td>
</tr>
<tr>
<td>Code Enforcement</td>
<td>$17,500</td>
</tr>
<tr>
<td>Zane Court Park Facility</td>
<td>$100,000</td>
</tr>
<tr>
<td>Public/ Human Services</td>
<td>$67,200</td>
</tr>
<tr>
<td><strong>Total Allocation</strong></td>
<td>$507,200</td>
</tr>
</tbody>
</table>
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
• 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
Apply for a Community Development Block Grant
Find out more at 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 benefitting 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.
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

<table>
<thead>
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<th>01/22/20</th>
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<tr>
<td>Customer:</td>
<td>CITY OF BROOKLYN PARK</td>
</tr>
<tr>
<td>Address:</td>
<td>5200 85TH AVE N BROOKLYN PARK</td>
</tr>
<tr>
<td>Telephone:</td>
<td>(763) 493-8180</td>
</tr>
<tr>
<td>Fax:</td>
<td></td>
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| 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 |
| Rep No:       | SE700    |
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.

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

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
# City of Brooklyn Park
## Request for Council Action

<table>
<thead>
<tr>
<th>Agenda Item:</th>
<th>7.2</th>
<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<tbody>
<tr>
<td>Agenda Section:</td>
<td>General Action Items</td>
<td>Originating Department:</td>
<td>Community Development</td>
</tr>
<tr>
<td>Resolution:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>John Kinara, Housing and Redevelopment Specialist</td>
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<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td></td>
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</tr>
<tr>
<td>Attachments:</td>
<td>N/A</td>
<td>Presented By:</td>
<td>Breanne Rothstein, Economic Development and Housing Director</td>
</tr>
<tr>
<td>Item:</td>
<td>Modification of the Home Rehabilitation Deferred Loan Program Guidelines</td>
<td></td>
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</tr>
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</table>

### The City Manager's Proposed Action:

MOTION _____________, SECOND _____________, APPROVING MODIFICATIONS TO THE TERMS OF THE HOME REHABILITATION DEFERRED LOAN PROGRAM.

### Overview:

The Economic Development Authority (EDA) administers several programs that provide financial resources to single-family homeowners for capital improvement repairs. EDA and Federal sources from the Community Development Block Grant (CDBG) program fund these programs. The programs allow homeowners to borrow money to make interior and exterior improvements such as new furnaces, windows, siding as well as kitchen renovations. The Home Rehabilitation Deferred Loan Program provides low or no interest loans that require no monthly payment and are entirely forgiven if the borrower stays in the home for 10 years.

Hennepin County works to keep loans between $10,000 to $15,000 per-household to increase the ability to serve more residents per the direction of the City Council. An additional $5,000 in contingency funds is available in the event of severe structural damages in the property undergoing renovation. Hennepin County and Brooklyn Park staff coordinate closely the use of contingency funds.

- **What are the changes to the Home Rehabilitation Deferred Loan Program?**

  Hennepin County recommends modifying the 3% simple interest rate to 0% among all the cities participating under the Joint Cooperation Agreement. Currently, a 3% simple interest rate is charged for the homeowners earning between 51% to 80% area median income. The proposed change is that all eligible applicants below 80% AMI will receive a deferred, zero interest loan. Hennepin County believes that this change is necessary due to the extra administrative burden created by the 3% simple interest rate. All the other terms will remain the same.

### Revised Program Guidelines:

1. **Loan Amount:** Minimum loan amount of $1,000 and maximum of $20,000. The program administrator will work with the homeowner to determine the need. The program administrator will work to keep loans under $15,000-per-household.

2. **Amortization Type:** Deferred. No monthly payment is required.

3. **Loan Term:** The loan term is 10 years.
4. **Deferment Terms:** The loan is 100% forgiven when the borrower occupies the home for ten years from the date of the loan closing. The loan is due and payable if ownership is transferred or if the property is no longer the borrower’s primary residence within ten years of the date of the loan closing.

5. **Interest Rate:** 0% for borrowers making 50% area median income (AMI) and less, 3% simple interest for borrowers making between 51% and 80% AMI. 0% interest rate for all eligible borrowers.

6. **Income Limit:** Borrowers must meet household income limits. Borrowers must not exceed incomes that are 80% of AMI for Hennepin County as defined by the United States Department of Housing and Urban Development (HUD). Incomes will be determined based on the applicant’s Household adjusted gross income from the most recent year’s Federal tax returns. For 2019, the HUD AMI Household income limits are:

<table>
<thead>
<tr>
<th>Household Size</th>
<th>1 person</th>
<th>2 people</th>
<th>3 people</th>
<th>4 people</th>
<th>5 people</th>
<th>6 people</th>
<th>7 people</th>
<th>8 people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Household income</td>
<td>$52,850</td>
<td>$60,400</td>
<td>$67,950</td>
<td>$75,500</td>
<td>$81,550</td>
<td>$87,600</td>
<td>$93,650</td>
<td>$99,700</td>
</tr>
</tbody>
</table>

A Household is defined as all persons over 18-years of age living in the house, which may include one or more families, a single person, a married couple, or two or more unrelated persons, or any combination thereof.

7. **Loan Security:** The loan will be secured with a subordinate mortgage in favor of the EDA.

8. **Eligible Borrowers:** All borrowers must be legal residents of the United States, as evidenced by a social security number, including U.S. citizens, permanent resident aliens and non-permanent resident aliens. Individual Tax identification numbers are not acceptable.

9. **Eligible Properties:** All properties must be located within the geographical boundaries of the City of Brooklyn Park. Owner-occupied single family and owner-occupied duplex properties are eligible. Owner occupants of condominiums and townhouses will be eligible for this program if their individual unit’s interior is not covered by the owner’s association as stated in the association by laws. Properties held in a contract for deed are not eligible.

10. **Eligible Improvements:** Interior and exterior repairs and improvements are eligible. Hennepin County will perform a site visit and prioritize improvements based on code violations, visually observed safety and health concerns first, and then on homeowner preference. Hennepin County will perform an inspection of all completed improvements.

11. **Ineligible Improvements:** No saunas, whirlpools, furniture, skylights, non-built-in appliances, or funds for working capital, debt service or refinancing existing debts are allowed. Hennepin County will refer to City staff whenever eligibility of an improvement project is questionable.

12. **Multiple Loans per Borrower:** Eligible borrowers may utilize the Program only one time.

13. **Emergency Preference:** Homeowners who have immediate life-safety repair needs have a preference in this program.

14. **Underwriting Decision:** Applicants must be current on all mortgage payments and property taxes. Borrower may not have any outstanding judgments, defaulted government loans, collections, or liens that are tied to the property, Hennepin County may approve or deny a loan based on a credit report or any other documentation received in connection with the application if Center for Energy and Environment determines the applicant does not meet program guidelines.
15. **Miscellaneous:** The funding for this program comes from program income derived from previous CDBG programs offered by the City of Brooklyn Park and the EDA.

**Budgetary/Fiscal Issues:**

In another action, the City Council will consider allocating CDBG funds for fiscal year 2020 in the amount of $322,500. Hennepin County administers the program and limited City staff time is needed to oversee it.

**Attachments:** N/A
City of Brooklyn Park
Request for Council Action

<table>
<thead>
<tr>
<th>Agenda Item:</th>
<th>7.3</th>
<th>Meeting Date:</th>
<th>February 24, 2020</th>
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<td>Agenda Section:</td>
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<td>Administration</td>
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<td>Resolution:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Devin Montero, City Clerk</td>
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<tr>
<td>Ordinance:</td>
<td>SECOND READING</td>
<td>Presented By:</td>
<td>Scott Simmons, Chair, Charter Commission</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1</td>
<td>Item:</td>
<td>Second Reading of an Ordinance to Consider the Recommendation of the Brooklyn Park Charter Commission Amending Charter Chapters 9, Section 9.04 and 11, Sections 11.01 and 11.02 of the Home Rule City Charter</td>
</tr>
</tbody>
</table>

City Manager's Proposed Action:

MOTION __________, SECOND __________, TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2020-______ 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 public hearing and first reading was held on February 10, 2020 and passed unanimously by the Council.

The following is a routine timetable:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 6, 2020</td>
<td>Council Set the Public Hearing</td>
</tr>
<tr>
<td>January 23, 2020</td>
<td>Public Hearing Notice and Text of Proposed Ordinance is Published</td>
</tr>
<tr>
<td>February 10, 2020</td>
<td>Public Hearing and First Reading of Ordinance Held</td>
</tr>
<tr>
<td>February 24, 2020</td>
<td>Second Reading of Ordinance Held</td>
</tr>
<tr>
<td>March 5, 2020</td>
<td>Ordinance Published in Newspaper</td>
</tr>
<tr>
<td>June 2, 2020</td>
<td>Ordinance Becomes Effective (90 days after passage and publication)</td>
</tr>
</tbody>
</table>

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

**Primary Issues/Alternatives to Consider:**

The changes to the City Charter require a unanimous approval of the City Council.

**Attachments:**

7.3A ORDINANCE
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 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 or 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. 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. 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 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 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

<table>
<thead>
<tr>
<th>Agenda Item:</th>
<th>7.4</th>
<th>Meeting Date:</th>
<th>February 24, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agenda Section:</td>
<td>General Action Items</td>
<td>Originating Department:</td>
<td>Operations and Maintenance, Engineering Services Division</td>
</tr>
<tr>
<td>Resolution:</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Jeff Holstein, City Transportation Engineer</td>
</tr>
<tr>
<td>Attachments:</td>
<td>3</td>
<td>Presented By:</td>
<td>Jesse Struve, City Engineer</td>
</tr>
<tr>
<td>Item:</td>
<td>Accept Bids and Award Contract for the TH 169 / 101st Avenue North Interchange Project; CIP 4042-19</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ ACCEPTING BIDS AND AWARDING CONTRACT TO NEW LOOK CONTRACTING, INC. OF ROGERS, MN IN THE AMOUNT OF $13,139,433.90 FOR CONSTRUCTION OF THE TH 169 / 101ST AVENUE NORTH INTERCHANGE PROJECT; CIP 4042-19.

Overview:

The City has been working on the TH 169 / 101st Avenue North Interchange Project for five years. The project is needed to provide reasonably suitable and convenient access to the developing portion of the City north of 93rd Avenue and west of Winnetka/West Broadway Avenues. The project will allow this area to reach its development potential, provide congestion relief to the TH 169 / 109th Avenue Intersection and the TH 610 / West Broadway Interchange and also improve the safety along this portion of TH 169.

The City Council approved the plans and ordered the advertisement for bids on September 23, 2019. The Council approved the Cooperative Construction Agreement with MnDOT on December 9, 2019. This agreement outlines the design, administration, construction, maintenance and construction engineering responsibilities/costs for each agency. MnDOT approval of the plans and the agreement delayed the bidding process until January 2020.

The bids were opened for CIP 4042-19 on February 5, 2020. Six bids were received ranging from a high of $14,516,133.30 to a low of $13,139,433.90. The Engineer’s estimate was $17,420,000. The City’s Design Engineering Consultant (SRF Consulting Group, Inc.) reviewed the bids and recommends awarding to the lowest bidder. MnDOT State Aid also reviewed the bids and concurred with the selection of the low bidder. MnDOT notified the City on February 20, 2020 that the City could award the contract.

Based on the above, staff recommends that the contract for the construction of the TH 169 / 101st Avenue North Interchange Project be awarded to New Look Contracting, Inc., as the lowest responsible bidder.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The TH 169 / 101st Avenue Interchange Project is included in the 2020-2024 Capital Improvement Plan as part of CIP 4042. The revised total estimated project cost is approximately $24 million. The city is expecting to use the funding grants we have been awarded to fund the majority of the project costs. The remaining costs may be funded with special assessments, EDA funds and/or Special Assessment Construction Fund monies.
Attachments:

7.4A RESOLUTION
7.4B LOCATION MAP
7.4C JUSTIFICATION FOR BID ACCEPTANCE LETTER FROM SRF CONSULTING GROUP, INC.
RESOLUTION #2020-

RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT TO NEW LOOK CONTRACTING, INC. OF ROGERS, MN IN THE AMOUNT OF $13,139,433.90 FOR CONSTRUCTION OF THE TH 169 / 101ST AVENUE NORTH INTERCHANGE PROJECT; CIP 4042-19

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

CIP 4042-19 – Construction of the TH 169 / 101st Avenue North Interchange Project

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

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>TOTAL AMOUNT OF THE BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Look Contracting, Inc.</td>
<td>$13,139,433.90</td>
</tr>
<tr>
<td>North Pine Aggregate, Inc.</td>
<td>$13,173,624.16</td>
</tr>
<tr>
<td>Shafer Contracting Company, Inc.</td>
<td>$13,916,221.06</td>
</tr>
<tr>
<td>C.S. McCrossan Construction, Inc.</td>
<td>$14,019,132.24</td>
</tr>
<tr>
<td>Park Construction Company</td>
<td>$14,291,140.60</td>
</tr>
<tr>
<td>Eureka Construction, Inc.</td>
<td>$14,516,133.30</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$17,420,000.00</td>
</tr>
</tbody>
</table>

and

WHEREAS, the City Manager recommends award of contract to New Look Contracting, Inc., of Rogers, MN as the lowest responsible bidder.

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

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with New Look Contracting, Inc., of Rogers, MN in the name of the City of Brooklyn Park for the improvements aforesaid according to the plans and specifications thereof approved by the council and on file in the office of the City Clerk.
LOCATION MAP
TH 169/101ST AVE INTERCHANGE PROJECT
CIP #4042

City of Champlin
109TH AVE
U.S. HWY 169
101ST AVE
MINNEWA AVE
(CHSI 102)

OXBOW CREEK DRIVE AVE
DR

OSBORNE

WEST RIVER ROAD

OAK GROVE PKWY

T.H. 610

OAK GROVE AVE

101ST AVE

69TH AVE

63RD AVE

(CSAP 102)

T.H. 610

95TH AVE

97TH AVE

(CSAP 100)

ZANE AVE (CSAP 100)

EDINSBROOK TERRACE

City of Coon Rapids

NO SCALE

CITY OF BROOKLYN PARK

(CSAP 130)

WEST BROADWAY

(CSAP 130)

NORSE AVE

ROSEVIEW AVE

NORSE AVE

BRIDGDALE DRIVE

T.H. 222

63RD AVE

BROOKLYN BLVD

BROOKLYN AVE

INTERSTATE 94

69TH AVE

(CG RD 130)

City of Oseco

City of New Hope

City of Brooklyn Center

PROPOSED PROJECT

Brooklyn Park

7A:\ENGINEERING\LOCATION\169 STUDY CIP 4042 RWR.DWG
To: Ms. Lisa Daniels  
Metro District – Federal Aid Project Manager  
State Aid, Metro

From: Chris Trbojevich, PE, Principal

Date: February 7, 2020

Subject: Justification for Bid Acceptance – SP 110-129-006, et. Al.

Ms. Daniels;

On February 5, 2020, the City of Brooklyn Park opened bids for SP 110-129-006, et all, also known as TH 169/101st Avenue Interchange Construction. Six (6) bids were received, with the apparent low being New Look Contracting at a bid value of $13,139,433.90. The Engineers Estimate of the project was $17,416,657.50 at the time of bidding, which results in a low bid approximately 24.6% below the estimate. Since the percentage of the absolute value of the bid difference is greater than 10%, the City directed SRF Consulting Group to provide a justification to State Aid to meet the requirements of the project. SRF has completed the evaluation and the justification is provided below.

**Bid Analysis**

SRF received the bid abstract on February 5, 2020 to complete a bid analysis of those bids received. SRF reviewed the bids to determine if there were extreme variations in the engineer’s estimate or if there was obvious unbalancing of unit prices. The results are presented in Tables 1 and 2.

**Bid Comparison and Statistics**

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
<th>% Delta of Engineer’s Estimate</th>
<th>% Delta of Average of Bids Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Look Contracting, Inc</td>
<td>$13,139,433.90</td>
<td>-24.6%</td>
<td>-5.1%</td>
</tr>
<tr>
<td>North Pine Aggregate, Inc</td>
<td>$13,173,624.16</td>
<td>-24.4%</td>
<td>-4.8%</td>
</tr>
<tr>
<td>Shafer Contracting Co, Inc</td>
<td>$13,916,221.06</td>
<td>-20.1%</td>
<td>0.5%</td>
</tr>
<tr>
<td>C.S. McCrossan Construction, Inc</td>
<td>$14,019,132.24</td>
<td>-19.5%</td>
<td>1.3%</td>
</tr>
<tr>
<td>Park Construction Company</td>
<td>$14,291,140.60</td>
<td>-18.0%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Eureka Construction, Inc.</td>
<td>$14,516,133.30</td>
<td>-16.6%</td>
<td>4.9%</td>
</tr>
</tbody>
</table>
Table 2. Baseline Parameters for Comparison

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Engineer’s Estimate</th>
<th>Average of Bids Received</th>
<th>Absolute Min Bid (1)</th>
<th>Absolute Max Bid (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$\text{Engineer’s Estimate}$</td>
<td>$17,416,657.50$</td>
<td>$13,842,614.21$</td>
<td>$10,590,567.01$</td>
<td>$17,108,625.90$</td>
</tr>
</tbody>
</table>

(1) Min and Max Bids are developed using absolute min and max bids from all bidders and summed for a total.

Relative to the Engineer’s Estimate, bid prices were from 16.6% to 24.6% below the value. Overall the estimate was represented as an accurate but conservative estimate for construction. The engineers estimate was based on average bid prices observed over the last few years which tended to see higher prices typically observed. Generally, SRF uses bid price costs based on previous projects and historic data. The data available to SRF used for pricing did not seem to reflect the higher prices observed in the most recent bids received at the end of 2018 and 2019 and was a real concern that estimate encapsulate a worst-case scenario. Based on concerns that these prices would still be relatively high, there was an effort to develop the estimate to ensure bids did not exceed the City’s available funding. This assumption appears to be validated in comparison with the Absolute Max Bid value, in which the delta difference is -1.8%.

**Engineer’s Estimate and Average of Bids**

Since the bid values received were so much lower than the engineer’s estimate, an alternative comparison was performed using the Average of Bids as an estimate of anticipated costs, and a proxy for the Engineer’s Estimate. Relative to this second estimate, bid prices ranged from -5.1% below the average and 4.9% above the average.

**Unit Price Analysis**

The comparison of unit prices across the bids did not seem to indicate significant price differences between bids, nor did any cost differences observed appear to be applied to items to create a mathematical or material imbalance in bids. The comparison of the bid unit prices against the Engineer’s estimate were nearly always lower than estimated.

**Summary**

The low bid is substantially lower than the engineer’s estimate, however the low bid, in comparison to the remaining bids or the average of bids, does appear to be in reasonable conformance with the other bids, and does not show obvious imbalances in bids in regard to the average of bids. No irregularities were found in the submittals of the bid packet, and therefore the bid was determined to be responsive.

Based on this examination of the apparent low bid, the bid provided by New Look Contracting was found to be responsive and not materially unbalanced.
The bidding documents included within New Look Contracting’s bid were reviewed in accordance with the federal online System for Award Management (SAM) list. No contractors included in the bid were found to be listed as debarred contractors on the federal online SAM list.