Special Council Meeting – Agenda #12

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

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 Brooklyn Park Development Corporation Board of Directors Interviews
   A. VOTING FORM

3B.2 COVID-19 Update and Preparedness Measures

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 Approval of the 2020-2021 Collective Bargaining Agreement with the Law Enforcement Labor Services Union, Local 429
   A. RESOLUTION

4.2 Approval of 2020-2021 Collective Bargaining Agreement with the Teamster Police Department Non-Licensed Employees Local 320
   A. RESOLUTION

4.3 Application for MN Department of Natural Resources Grant – 2020 Local Trail Connections Grant Program for Lakeland Park Trail Connections
   A. RESOLUTION

4.4 Award the Bid for the 2020 Bituminous Overlay Project to C.S. McCrossan
   A. RESOLUTION
   B. BID TAB
   C. MAP

4.5 Approve the Issuance of a Lawful Gambling Premises Permit for the Northwest Area Jaycees at Broadway Pizza, 8525 Edinburgh Centre Drive North, Brooklyn Park
   A. RESOLUTION

4.6 Removed from the Agenda

4.7 Authorize Application for Grant Funding through the Hennepin Youth Sports Grant Program for Lakeland Park Playground
   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 2040 Comprehensive Plan Adoption to Put the Plan into Effect as Authorized by the Metropolitan Council
       A. RESOLUTION
       B. LETTER FROM METROPOLITAN COUNCIL
       C. COMPREHENSIVE PLAN (Limited Distribution and available on the City’s website)

7. GENERAL ACTION ITEMS
   7.1 Appointments to Commissions
   7.2 Resolution in Support of our Hmong/Lao Community and Opposing Federal Deportation of Hmong/Lao Residents
       A. RESOLUTION
   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. ORDNANCE
   7.4 Emergency Declaration and a Resolution Enacted Pursuant to Minnesota Statutes Section 12.29 Extending the Period of a Mayor-Declared Local Emergency
       A. EMERGENCY DECLARATION
       B. RESOLUTION
   7.5 Authorize Mayor or City Manager to Cancel Meetings of City Boards, Committees, and Commissions until the Council Declared Emergency Pertaining to the COVID-19 Pandemic is over
   7.6 Consider approving the allocation of emergency funds to local nonprofit organizations directly providing emergency support services to residents of Brooklyn Park and authorize a reallocation of up to $30,000 to Community Development and a subsequent reduction of $30,000 from the contingency line item in the 2020 General Fund adopted budget
       A. RESOLUTION

III. 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>
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<td>March 23, 2020</td>
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<tr>
<td>Agenda Section:</td>
<td>Public Presentations/Proclamations Receipt of General Communications</td>
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<td>Originating Department: Administration</td>
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<td>Prepared By:</td>
<td>Daniela Lorenz, Business Development Coordinator</td>
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<td>1</td>
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<tr>
<td>Presented By:</td>
<td>Mayor Jeffrey Lunde</td>
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<td>Item:</td>
<td>Brooklyn Park Development Corporation Board of Directors Interviews</td>
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City Manager’s Proposed Action:

Interview applicants to fill two vacancies on the Brooklyn Park Development Corporation Board of Directors.

Overview:

The Brooklyn Park Development Corporation (BPDC) board currently has an opening for the Financial representative and business representative. BPDC bylaws state that all representatives on the Board of Directors shall be appointed by the City Council. Given the more specific requirements for BPDC board positions, staff sent out communications to businesses to solicit applications for the two vacancies. Three applications were received, two for the business representative role and one for the financial representative.

In the packet, you will find a voting form to indicate your choices. At the end of the meeting, please pass your voting form to Mayor Lunde with your choices indicated. He will consolidate the votes to determine who will be appointed to the board. The final appointments will be made during the March 30, 2020 Council meeting.

Background

In the early 1990s, the Economic Development Authority formed a limited partnership, the Brooklyn Park Development Fund, for the purpose of establishing a small business loan program. BPDC was formed as a non-profit for the purpose of acting as the general partner of the Fund, with the EDA acting as the limited partner. BPDC offers two loans, a fixed rate real estate and equipment loan for $100,000-$300,000 that can be used to purchase fixed assets including land, building machinery, and equipment and a small business micro loan up to $50,000 for working capital, inventory, equipment, and general operations.

2020 is a critical year for BPDC. The board will be discussing several topics including bylaw changes that include potentially expanding the board, analyzing new and existing loan products, and discussing how to make the board more effective. The Board will be meeting quarterly with its first meeting on April 2 at 8 a.m. at City Hall. The dates for the other meetings will be set at the April 2 meeting.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A VOTING FORM
BROOKLYN PARK DEVELOPMENT CORPORATION BOARD OF DIRECTORS VOTING FORM

COUNCIL MEMBER: ________________________________

Voting Form to submit to the Mayor

<table>
<thead>
<tr>
<th>Name</th>
<th>Financial Institution</th>
<th>Confirmed Attendance</th>
<th>Council Appointment Choice</th>
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<tbody>
<tr>
<td>Kuria, Mary</td>
<td>NDC/Customized Accounting Solutions</td>
<td>Yes</td>
<td>BROOKLYN PARK DEVELOPMENT CORPORATION BOARD OF DIRECTORS</td>
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<td>Allen, Phil</td>
<td>Lowell, Inc</td>
<td>Yes</td>
<td>1st choice _________________</td>
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<td>Vang, Roger</td>
<td>Diversified Plastics</td>
<td>Yes</td>
<td>1st choice _________________</td>
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Note: This ballot is public information per Minnesota Government Data Practices Act.

Rev 031120
# City of Brooklyn Park
## Request for Council Action

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<td>Prepared By:</td>
<td>Devin Montero, City Clerk</td>
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<td>Presented By:</td>
<td>Jay Stroebel, City Manager and John Cunningham, Fire Chief</td>
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<td>Attachments:</td>
<td>N/A</td>
<td>Item:</td>
<td>COVID-19 Update and Preparedness Measures</td>
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**City Manager’s Proposed Action:**

City Manager Jay Stroebel and Fire Chief John Cunningham will give an update on COVID-19 and preparedness measures.

**Overview:** N/A

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

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

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

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<th>Meeting Date:</th>
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<td>Beth Toal, HR Manager</td>
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<td>Jay Stroebel, City Manager</td>
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<td>Attachments:</td>
<td>1</td>
<td>Item:</td>
<td>Approval of the 2020-2021 Collective Bargaining Agreement with the Law Enforcement Labor Services Union, Local 429</td>
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City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_______ TO APPROVE STAFF TO ENTER INTO THE 2020-2021 AGREEMENT WITH THE LAW ENFORCEMENT LABOR SERVICES UNION, LOCAL 429.

Overview:

City staff and union representatives from the Law Enforcement Labor Services Union, Local 429, were able to come to a tentative agreement on a collective bargaining agreement for the period of January 1, 2020 through December 31, 2021. Terms of the contract were included under separate cover with Council packet materials. Union membership voted to approve the agreement on February 6, 2020.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Funds are available in the 2020 general fund budget.

Attachments:

4.1A RESOLUTION
RESOLUTION #2020-

RESOLUTION TO APPROVE THE 2020-2021 COLLECTIVE BARGAINING AGREEMENT
WITH THE LAW ENFORCEMENT LABOR SERVICES, LOCAL 429

WHEREAS, the City of Brooklyn Park has reached a negotiated agreement with the Law Enforcement Labor Services, Local 429; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the 2020-2021 agreement between the City of Brooklyn Park and Law Enforcement Labor Services, Local 429, is hereby approved, and the City Manager is hereby authorized to execute the same on behalf of the City.
City of Brooklyn Park
Request for Council Action

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<td>Prepared By:</td>
<td>Beth Toal, Human Resources Manager</td>
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<td>Attachments:</td>
<td>1</td>
<td>Presented By:</td>
<td>Jay Stroebel, City Manager</td>
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<tr>
<td>Item:</td>
<td>Approval of 2020-2021 Collective Bargaining Agreement with the Teamster Police Department Non-Licensed Employees Local 320</td>
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City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO APPROVE THE 2020-2021 COLLECTIVE BARGAINING AGREEMENT WITH THE TEAMSTER POLICE DEPARTMENT NON-LICENSED EMPLOYEES LOCAL 320.

Overview:

City staff and union representatives from the Teamster Police Department Non-Licensed Employees Local 320 have negotiated a tentative agreement for a two-year labor contract, subject to City Council approval. Terms of the contract were included under separate cover with Council packet materials. Union membership voted to approve the agreement in March of 2020.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Funds are available in the 2020-2021 general fund budget.

Attachments:

4.2A RESOLUTION
RESOLUTION #2020-

RESOLUTION TO APPROVE THE 2020-2021 COLLECTIVE BARGAINING AGREEMENT WITH THE TEAMSTER POLICE DEPARTMENT NON-LICENSED EMPLOYEES LOCAL 320

WHEREAS, the City of Brooklyn Park has reached a negotiated agreement with the Teamster Police Department Non-Licensed, Local No. 320; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the 2020-2021 agreement between the City of Brooklyn Park and the Teamster Police Department Non-Licensed, Local No. 320 is hereby approved, and the City Manager is hereby authorized to execute the same on behalf of the City.
City Manager’s Proposed Action:

MOTION __________, SECOND __________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ TO APPROVE APPLICATION OF MN DEPARTMENT OF NATURAL RESOURCES LAKELAND GRANT – 2020 LOCAL TRAIL CONNECTIONS GRANT PROGRAM FOR LAKELAND PARK TRAIL CONNECTIONS.

Overview:
To help support the redevelopment goals for Lakeland Park, staff is submitting a grant application to the MN Department of Natural Resources (DNR) – 2020 Local Trails Connection Grant Program.

The proposed project scope includes development of a new 10 ft. paved multi-use bicycle/pedestrian trail connection from the existing Crystal Lake Regional Trail (which runs parallel County Road 81) and its connection to the north end of a new .5-mile looped trail within Lakeland Neighborhood Park. The full $1.2 M park redevelopment project will also include trail lighting, wayfinding signage, bike lane on-road markings, connecting the neighborhood to Lakeland Park. The new looped trail within the park will address an equity and connectivity gap in the park system and broader trail network.
Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The total cost of the Trail Connections Project is $360,000. The Grant request is for $150,000 (Max grant request allowed). The City is required to provide a match and will be appropriating $210,000 of Park Bond Funds to support the grant application.

Attachments:

4.3A RESOLUTION
RESOLUTION #2020-

RESOLUTION APPROVING APPLICATION FOR MN DEPARTMENT OF NATURAL RESOURCES – 2020 LOCAL TRAIL CONNECTIONS GRANT PROGRAM FOR LAKELAND PARK TRAIL CONNECTIONS

WHEREAS, the City of Brooklyn Park supports the grant application made to the Minnesota Department of Natural Resources for the Local Trail Connections Program. The application is to construct a new 10 ft. paved multi-use bicycle/pedestrian trail connection from the existing Crystal Lake Regional Trail and its connection to the north end of a new .5-mile looped trail within Lakeland Neighborhood Park; and

WHEREAS, the City of Brooklyn Park is requesting grant funding in the amount of $150,000 and has secured $210,000 in non-state cash matching funds (Park Bonds Funds) for the total anticipate trail project cost of $360,000; and

NOW, THEREFORE, BE IT RESOLVED, if the City of Brooklyn Park is awarded a grant by the Minnesota Department of Natural resources, the City of Brooklyn Park agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Brooklyn Park will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement; and

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

BE IT FURTHER RESOLVED, the City Council of the City of Brooklyn Park names the fiscal agent for the City of Brooklyn Park this project as:

LaTonia Green
Director of Finance
City of Brooklyn Park
5200 85th Ave N.
Brooklyn Park, MN 55443

BE IT FURTHER RESOLVED, the City of Brooklyn Park hereby assures the Lakeland Park Trail will be maintained for a period of no less than 20 years.


______________________________
JEFFERY A. LUNDE - MAYOR

ATTEST:

________________________________
DEVIN MONTERO - CITY CLERK
City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ TO AWARD THE BID FOR THE 2020 BITUMINOUS OVERLAY PROJECT TO C.S. MCCROSSAN.

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

The bituminous overlays are necessary to extend the useful life of existing streets in adequate condition for this treatment in Street/Utilities Maintenance District Five. The streets recommended for overlay were selected by condition study, review of other related infrastructure items and other relevant input. Sixteen and four-tenths (16.4) miles of residential streets and two (2) basketball courts will receive an overlay in this project.

The 2020 Bituminous Overlay Project O&M-SM-20-01 was advertised on February 6, 2020, in the Brooklyn Park Sun-Post. On February 27, 2020, eight (8) bids were received. The lowest responsible bid meeting specifications is from C.S. McCrossan in the amount of $2,565,790.00. The project preliminary estimated cost was $2,900,000.00.

Primary Issues/Alternatives to Consider:
Should the Council award the bid as recommended?

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

Budgetary/Fiscal Issues:
The project recommended bid cost of $2,565,790.00 is within the preliminary estimate of $2,900,000.00 and is included in the 2020-2024 Capital Improvement Plan. Expenditures for the street portion of this project will initially come out of the Construction Fund, but the Construction fund will be reimbursed at the end of the year by franchise fee revenue. Park Maintenance expenditure fund will be used to fund the Noble Sports Park basketball courts.

Attachments:
4.4A RESOLUTION
4.4B BID TAB
4.4C MAP
RESOLUTION #2020-

RESOLUTION TO AWARD THE BID AWARD
FOR THE 2020 BITUMINOUS OVERLAY PROJECT
TO C.S. MCCROSSAN

WHEREAS, the 2020 Bituminous Overlay Project was advertised in the Brooklyn Park Sun-Post on February 6, 2020; and

WHEREAS, on February 27, 2020, eight (8) bids were received; and

WHEREAS, the lowest responsible bid meeting specifications is from C.S. McCrossan for $2,565,790.00; and

WHEREAS, the construction project, CIP #4001, is budgeted to be funded by the 2020 Construction Fund expenditure budget and reimbursed by franchise fee revenue at the end of the year, and the Park Maintenance expenditure budget for a total preliminary estimated cost of $2,900,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to award the bid for the 2020 Bituminous Overlay Project to C.S. McCrossan in the amount of $2,565,790.00.
2020 BITUMINOUS OVERLAYS
PROJECT O&M-SM-20-01

FOR WHICH BIDS WERE OPENED AT
QUEST.CDN WEBSITE ON
FEBRUARY 27, 2020, AT 10AM

<table>
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<tr>
<th>CONTRACTOR</th>
<th>BID SECURITY AT 5%</th>
<th>BID AMOUNT</th>
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<tr>
<td>C.S. McCrossan*</td>
<td>X</td>
<td>$2,565,790.00</td>
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<tr>
<td>Park Construction</td>
<td>X</td>
<td>$2,758,251.00</td>
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<td>Northwest Asphalt</td>
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<td>Valley Paving, Inc.</td>
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<td>North Valley, Inc.</td>
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<td>X</td>
<td>$3,049,625.00</td>
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<tr>
<td>ASTECH</td>
<td>X</td>
<td>$3,124,525.50</td>
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*Low Bidder
## City of Brooklyn Park
### Request for Council Action

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<td>Megan Bookey, Program Assistant III</td>
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<td>Presented By:</td>
<td>Keith Jullie, Rental and Business Licensing Manager</td>
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<td>Item:</td>
<td>Approve the Issuance of a Lawful Gambling Premises Permit for the Northwest Area Jaycees at Broadway Pizza, 8525 Edinburgh Centre 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 THE NORTHWEST AREA JAYCEES AT BROADWAY PIZZA, 8525 EDINBURGH CENTRE DRIVE NORTH, BROOKLYN PARK.

### Overview:

The Northwest Area Jaycees have submitted a completed application on March 6, 2020, for a Lawful Gambling Premises Permit to conduct Bar Bingo and Pull-Tabs at Broadway Pizza located at 8525 Edinburgh Centre 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 conduct lawful gambling at Mad Jacks and Palmer Lake VFW #3915 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 APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT FOR THE NORTHWEST AREA JAYCEES AT BROADWAY PIZZA
8525 EDINBURGH CENTRE 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 Broadway Pizza, 8525 Edinburgh Centre 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 Broadway Pizza to conduct lawful gambling at their location; and

WHEREAS, the Northwest Area Jaycees currently operate lawful gambling in Brooklyn Park at Mad Jacks, 8078 Brooklyn Blvd, and bar bingo at Palmer Lake VFW #3915, 2817 Brookdale Dr; and

WHEREAS, the Northwest Area Jaycees and Broadway Pizza meet 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 Broadway Pizza, 8525 Edinburgh Centre Drive North, Brooklyn Park, Minnesota.
# City of Brooklyn Park
## Request for Council Action

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<td>Prepared By:</td>
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<td>Brad Tullberg, Parks and Facilities Manager</td>
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<td>Jennifer Jordan, Senior Project Manager</td>
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<td>Item:</td>
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<td></td>
<td>Authorize Application for Grant Funding through the Hennepin Youth Sports Grant Program for Lakeland Park Playground</td>
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## City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ TO AUTHORIZE APPLICATION FOR GRANT FUNDING THROUGH THE HENNEPIN YOUTH SPORTS GRANT PROGRAM FOR LAKELAND PARK PLAYGROUND.

## Overview:

The Hennepin County Board of Commissioners, via the Hennepin Youth Sports Program, provides for capital funds to assist local government units of Hennepin County for the development of sports or recreational facilities. The Hennepin Youth Sports Program awards allow municipalities, park districts and school districts to create, expand or improve athletic or recreational facilities and to purchase new equipment. Playground grant requests can range up to $25,000.

The proposed grant request would be used for the replacement and expansion of the Lakeland Park Playground as part of the Park Bond Reinvestment Project that will redevelop all aspects of Lakeland Park. The Lakeland Park Playground was originally installed in 1994 and is at the end of its useful life. Replacement has been delayed to be included in the Lakeland Park redevelopment.

## Primary Issues/Alternatives to Consider:

City Council approval is required as a part of the grant application.

## Budgetary/Fiscal Issues:

The grant request is for the maximum $25,000. The total cost to the project is estimated to be $200,000 with the City of Brooklyn Park Recreation and Parks Department providing the balance of the funding through the voter-approved 2018 Park Bond Referendum funds.

## Attachments:

4.7A   RESOLUTION
WHEREAS, the Hennepin County Board of Commissioners, via the Hennepin Youth Sports Program, provides for capital funds to assist local government units of Hennepin County for the development of sports or recreational facilities; and

WHEREAS, the City of Brooklyn Park, hereinafter LGU, desires to replace and improve a playground at Lakeland Park, hereinafter PROJECT; and

WHEREAS, the estimate of the total cost of developing PROJECT shall be $200,000. The LGU is requesting $25,000 from the Hennepin Youth Sports Program and will assume responsibility for providing matching funds of $175,000; and

WHEREAS, the City of Brooklyn Park is the owner of the property where the PROJECT is located. The City of Brooklyn Park will own the property where PROJECT is located for at least the functional life of the facility, which is estimated to be 25 years. The PROJECT may not be converted to non-public or non-recreational uses within this time period without the approval of Hennepin County; and

WHEREAS, the City of Brooklyn Park agrees to assume one hundred (100) percent of operational and maintenance costs for PROJECT. The City of Brooklyn Park will operate PROJECT for its intended purpose as stated in the PROJECT application for the functional life of the facility; and

WHEREAS, the City of Brooklyn Park agrees to enter into necessary and required agreements with Hennepin County for the specific purpose of developing PROJECT and managing its long-term operation; and

WHEREAS, Brad Tullberg, Parks and Facilities Manager, is authorized and directed to execute the application for the Hennepin Youth Sports Program grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize application for grant funding for Lakeland Park Playground through the Hennepin Youth Sport Grant.
City of Brooklyn Park
Request for Council Action

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<td>Land Use Actions</td>
<td>Originating Department:</td>
<td>Community Development</td>
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<td>Resolution:</td>
<td>X</td>
<td></td>
<td></td>
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<td>Ordinance:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Cindy Sherman, Planning Director</td>
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<tr>
<td>Attachments:</td>
<td>3</td>
<td>Presented By:</td>
<td>Cindy Sherman and Erin Perdu, WSB</td>
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<td>Item:</td>
<td>2040 Comprehensive Plan Adoption to Put the Plan into Effect as Authorized by the Metropolitan Council</td>
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City Manager’s Proposed Action:

MOTION ____________, SECOND ____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ PLACING THE 2040 COMPREHENSIVE PLAN INTO EFFECT AS AUTHORIZED BY THE METROPOLITAN COUNCIL.

Overview:
The Comprehensive Plan is a document that includes a lot of information about the city and our infrastructure and land use. It is tied to the system statements completed by the Metropolitan Council and each plan is reviewed to ensure consistency with the regional systems. In 2011, the City put the 2030 Comprehensive Plan into effect with several modifications approved over the years.

The Comprehensive Plan process began in earnest back in 2017 and used the 2016 Brooklyn Park 2025 process and goals as the basis for the plan.

Throughout 2016, the city engaged community members in a collective visioning effort, resulting in the Brooklyn Park 2025 community plan. Nearly 1,000 people participated in this iterative process. The robust visioning process used for Brooklyn Park 2025 is the basis for the plan. In addition, outreach for the plan was done in several different ways. There was a public open house on October 30, 2017 at City Hall, presentation at the Izaak Walton League with more than 700 notices sent, door knocking, and surveying was done around housing and economic development, presentations were made to Citizen Long-range Improvement Committee, Business Forward Advisory Board, Think Again Brooklyn’s community forum, included on joint session agenda on June 5, 2017, and webpage presence and email blasts for the open house and public hearings.

The Planning Commission is responsible under state law to hold the hearing and make recommendations to the City Council on the Comprehensive Plan. The plan process was discussed at a joint session with the City Council on June 5, 2017. The Planning Commission discussed the plan at two work sessions: October 25, 2017 and March 28, 2018. They held a public hearing on March 14, 2018, which was continued to April 11, 2018. The Commission discussed the plan and recommended some minor changes to the land use map and policies. The modifications were included in the draft provided to the City Council for consideration on May 29, 2017. At that time, the Council directed that the plan be routed for adjacent community and other jurisdictional review as required by statute. The plan remained open for public comment until October 26, 2018 and for adjacent review until December 1, 2018. Comments were received from several communities, agencies and some residents and they were provided to the Council in December of 2018.

The City Council authorized submission of the plan to the Metropolitan Council on December 10, 2018. The Met Council deemed the plan incomplete and we began the work of modifying the plan to address issues identified. We reviewed revisions with the City Council on June 24, 2019, and continued to make minor changes to data and information to succeed in meeting the Met Council’s completion standard. We now have
the final version, which was accepted as complete, in conformance with the regional systems, and compatible with adjacent jurisdictions. The final step is for the City Council to adopt the plan and put it into effect.

The plan as published includes the following chapters:

- Introduction includes purpose, process and goals
- Background includes history, planning area designation, and demographic trends
- Land Use includes purpose, influencing factors, land use analysis, station area planning and Building to 2030 summary
- Housing includes existing housing profile, future housing needs, housing programs, and housing goals
- Transportation includes roadways, transit, bikeways, walkways, aviation, etc.
- Economic Development assesses the current landscape in the city, analyzes trends in human capital and business development and goals to achieve the vision for economic development in the city
- Parks and Trails includes regional park and trail systems, and a summary of the city’s system plan
- Sanitary Sewer Plan reviews the city system and regional systems
- Water Distribution reviews the city’s existing system, future system needs and conservation efforts
- Surface Water Management inventories the existing system, outlines the future needs and goals of the city system
- Resilience outlines the work the city has completed around energy conservation and recycling
- The Mississippi River Corridor Critical Area Plan (MRCCA) outlines the goals and policies around protection of the river consistent with the new state rules
- Implementation: this chapter identifies additional work needed in order to implement the plan. Additional work is needed in land use controls, zoning, housing, economic development, transportation, recreation and parks, and resilience in order to meet the goals outlined. This chapter helps inform the work plans of the various work groups.

**Highlights/Points of Discussion**

This is not intended to identify all issues/changes but to highlight potential points of interest.

- We’ve added a section in the background that describes the historical development of “nodes” throughout the community based on phased growth.
- A change in the staging plan creates two remaining areas: Pre-2030 and Post-2030.
- Land Use Modifications are outlined beginning on page 3-16. This includes modification to the land use descriptions and land use types. While not too different from our existing plan, the language has been modified to be more in keeping with current land use descriptions and trends.
- The Housing chapter identifies issues related to housing, existing programs for protecting and enhancing the housing stock, and implementation strategies.
- There was no Economic Development chapter in the 2030 Comprehensive Plan, so this entire chapter is new.
- Transportation includes all the anticipated changes that are in study or scheduled for construction.
- Sidewalks and trails are discussed in both transportation and parks and trails chapters.
- Mississippi River Corridor Critical Area Plan (MRCCA) Chapter has been updated to meet the new state requirements developed over the last several years.

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

**Budgetary/Fiscal Issues:**

Some policies will have budget consequences if they are implemented over time.

**Attachment:**

6.1A RESOLUTION
6.1B LETTER FROM METROPOLITAN COUNCIL
6.1C COMPREHENSIVE PLAN (*Limited Distribution and available on the City's website*)
RESOLUTION #2020-

RESOLUTION PLACING THE 2040 COMPREHENSIVE PLAN INTO EFFECT
AS AUTHORIZED BY THE METROPOLITAN COUNCIL

WHEREAS, the City of Brooklyn Park began the process of updating the Comprehensive Plan (the plan) in 2017; and

WHEREAS, the City of Brooklyn Park Planning Commission held two work sessions and two public hearings to gather input on the plan; and

WHEREAS, the Brooklyn Park City Council reviewed the plan at three public meetings in 2018 and 2019; and

WHEREAS, the City of Brooklyn Park submitted the plan to the Metropolitan Council prior to December 31, 2018 as required by state law; and

WHEREAS, the City of Brooklyn Park staff and consultant worked with the Metropolitan Council staff to provide additional information and clarity to the plan so that on January 22, 2020, the Metropolitan Council found the plan meets all Metropolitan Land Planning Act requirements, conforms to the regional system plans, is consistent with Thrive MSP 2040, and is compatible with the plans of adjacent jurisdictions; and

WHEREAS, the plan includes the Mississippi River Critical Corridor Area Plan (MRCCA) as required by DNR regulations and by this action puts the plan in effect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the 2040 Comprehensive Plan is hereby adopted and in effect as the planning policy guide for the city.
January 23, 2020

Cindy Sherman
Planning Director
City of Brooklyn Park
5200 85th Avenue North
Brooklyn Park, MN 55443

RE: City of Brooklyn Park 2040 Comprehensive Plan – Post Council Action
Metropolitan Council Review File No. 21068-1
Metropolitan Council District 2, Reva Chamblis

Dear Ms. Sherman:

The Metropolitan Council reviewed the City of Brooklyn Park 2040 Comprehensive Plan (Plan) at its meeting on January 22, 2020. The Council based its review on the staff’s report and analysis (attached).

The Council found that the City’s 2040 Plan meets all Metropolitan Land Planning Act requirements, conforms to the regional system plans including transportation, aviation, water resources management, and parks, is consistent with Thrive MSP 2040, and is compatible with the plans of adjacent jurisdictions.

In addition to the Advisory Comments and Review Record, the Council adopted the following recommendations:

1. Authorize the City of Brooklyn Park to place its 2040 Comprehensive Plan into effect.
2. Revise the City’s forecasts downwards as shown in Table 1 of the attached Review Record.
3. Revise the City’s Affordable Housing Need Allocation to 795.
4. Advise the City to adopt the Mississippi River Critical Comor Area (MRCCA) Plan within 60 days after receiving final DNR approval and submit a copy of the final adopted plan and evidence of adoption to the DNR, Council, and National Park Service within 10 days after the adoption.
5. Advise the City to implement the advisory comments in the Review Record for Forecasts, Housing, and Water Supply.
6. Approve the City of Brooklyn Park’s Comprehensive Saver Plan.
7. Advise the City to implement the advisory comments in the Review Record for wastewater.

Please consult the attached staff report for important information about the City’s next steps. Of particular importance are the Council’s actions, listed on page 1, general Advisory Comments listed on page 3, and the specific comments for technical review areas, which are found in the body of the report. The final copy of the Plan needs to include all supplemental information/changes made during the review.
Cindy Sherman
January 23, 2020
Page 2

Congratulations on completing this important project. It was a pleasure to work with the City's staff and consultants throughout the review process.

Sincerely,

Angela R. Torres

Angela R. Torres, AICP, Manager
Local Planning Assistance

Attachment

cc: Matt Bauman, Minnesota Department of Natural Resources
    John Anfinson, NPS
    Tod Sherman, Development Reviews Coordinator, MnDOT Metro Division
    Reva Chamblis, Metropolitan Council, District 2
    Eric Wojchik, Sector Representative/Principal Reviewer
    Raya Esmaeili, Reviews Coordinator

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Limited Distribution of Hard Copy

Electronic version available at

www.brooklynpark.org
City of Brooklyn Park
Request for Council Action

Agenda Item: 7.1
Meeting Date: March 23, 2020

Agenda Section: General Action Items
Originating Department: Administration

Resolution: N/A
Prepared By: Marlene Kryder, Program Assistant

Ordinance: N/A
Presented By: Mayor Jeffrey Lunde

Attachments: N/A

Item: Appointments to Commissions

City Manager’s Proposed Action:

Appoint commissioners to serve on the Budget Advisory Commission, Community Long-range Improvement Commission, Human Rights Commission, Planning Commission, and the Recreation and Parks Advisory Commission. The terms are for three years unless noted otherwise.

**BUDGET ADVISORY COMMISSION (BAC)** Four appointments (One City At-large; Two East [one for a full term and one for the balance of a term]; One Central)

**City At-large**

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Replacing Kim Riesgraf)

**East District**

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Replacing Kathryn Murphy)

**East District (Balance of a Term – Vacancy)**

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2022. (Replacing Trelawny Grant)

**Central District**

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Reappointing or replacing Nancy Omondi)
COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION (CLIC)  Six appointments  (Three City At-large [two for a full term and one for the balance of a term]; One East; One Central; One West)  (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)

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Replacing Sarah Dettmann)

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Reappointing or replacing Robin Turner)

City At-large (Balance of a Term – Vacancy)

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2021.  (Replacing Devale Hodge)

East District

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Replacing Cory Funk)

Central District

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Replacing Heidi Heinzel)

West District

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Reappointing or replacing Kaade Wallace)

HUMAN RIGHTS COMMISSION (HRC)  Three appointments (One City At-large; One East; One West)

City At-large

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Reappointing or replacing Christian Eriksen)

East District

MOTION __________, SECOND __________, TO APPOINT _____________ TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023.  (Reappointing or replacing Nausheena Hussain)
West District

MOTION __________, SECOND __________, TO APPOINT _______________, TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Reappointing or replacing Thomas Brooks)

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

City At-large

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE PLANNING COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Reappointing or replacing Syed Husain)

East District

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE PLANNING COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Replacing Amy Hanson)

West District

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE PLANNING COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Replacing Michelle Mersereau)

RECREATION AND PARKS ADVISORY COMMISSION (RPAC) Five appointments (Two City At-large; Two East [one for a full term and one for the balance of a term]); One Central

City At-large

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Reappointing or replacing Deborah Everson)

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Replacing Lang Vang)

East District

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Reappointing or replacing Christy Sandberg)

East District (Balance of a Term - Vacancy)

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2021. (Replacing Patricia Dominguez-Mejia)
Central District

MOTION __________, SECOND __________, TO APPOINT _______________ TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE APRIL 1, 2020 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2023. (Reappointing or replacing Monica Dillenburg)

Overview:

On February 24, 2020, the City Council interviewed applicants to fill commission openings.

Primary Issues/Alternatives to Consider:

Selection and appointment of commissioners.

Budgetary/Fiscal Issues: N/A

Attachments: N/A
City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ IN SUPPORT OF OUR HMONG/LAO COMMUNITY AND OPPOSING FEDERAL DEPORTATION OF HMONG/LAO RESIDENTS.

Overview:

Brooklyn Park is home several thousand Hmong, Lao, and other ethnic minority groups from Laos, many of whom arrived in the United States as refugees fleeing persecution as a result of the American Secret War (the Vietnam War) in southeast Asia. Many Hmong, Lao and other ethnic minority groups from Laos bravely fought alongside the United States, aided American soldiers, and rescued American pilots who had been shot down.

More than 4,700 Hmong and Lao noncitizens nationwide are at risk of deportation largely based on older criminal convictions proposed by the Trump Administration.

At the March 9 Council Work Session, Council Member Susan Pha presented the issue and proposed a resolution of support our Hmong/Lao community and opposing the Federal deportation.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

7.2 RESOLUTION
RESOLUTION SUPPORTING OUR HMONG/LAO COMMUNITY AND OPPOSING FEDERAL DEPORTATION OF HMONG/LAO RESIDENTS

WHEREAS, Brooklyn Park is home to over several thousand Hmong, Lao, and other ethnic minority groups from Laos, many of whom arrived in the U.S. as refugees fleeing persecution as a result of the American Secret War (the Vietnam War) in Southeast Asia; and

WHEREAS, many Hmong, Lao and other ethnic minority groups from Laos bravely fought alongside the United States, aided American soldiers, and rescued American pilots who had been shot down; and

WHEREAS, more than 30,000 Hmong people were killed during the war, and many thousands were targeted and killed after the war in retaliation for their allegiance with the United States; and

WHEREAS, the Hmong, Lao, and other ethnic minority groups from Laos have resettled in the United States as refugees of war, established roots in Brooklyn Park, are raising their families, working, running businesses, and contributing to the community; and

WHEREAS, more than 4,700 Hmong and Lao noncitizens nationwide are at risk of deportation largely based on older criminal convictions; and

WHEREAS, many of them have completed their sentences and gone on to raise families, lead productive lives and are contributing back to the community; and

WHEREAS, if the Hmong, Lao and other ethnic minority groups from Laos were to be deported back to Laos, they would most certainly face hardship, retaliation, violence, and possibly death; and

WHEREAS, the City of Brooklyn Park strongly opposes efforts to separate, deport, and inflict harm on to the Hmong, Lao and other ethnic minority groups from Laos.

NOW THEREFORE, BE IT RESOLVED that the city of Brooklyn Park strongly opposes the deportation of our Hmong, Lao and other ethnic minority groups from Laos; pending deportation orders should be reconsidered on a case-by-case basis.

BE IT FURTHER RESOLVED that the city clerk shall send copies of this resolution to our Minnesota Governor, each member of our Congressional delegation and to the Secretary of the Department of Homeland Security of the United States.
City of Brooklyn Park  
Request for Council Action

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<th>Meeting Date:</th>
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<td>General Action Items</td>
<td>Originating Department:</td>
<td>Administration</td>
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<td>Resolution:</td>
<td>N/A</td>
<td>Prepared By:</td>
<td>Devin Montero, City Clerk</td>
</tr>
<tr>
<td>Ordinance:</td>
<td>SECOND READING</td>
<td>Presented By:</td>
<td>Scott Simmons, Chair, Charter Commission</td>
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<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>
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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>
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<tr>
<th>Date</th>
<th>Event</th>
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</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>March 16, 2020</td>
<td>Second Reading of Ordinance Held</td>
</tr>
<tr>
<td>March 26, 2020</td>
<td>Ordinance Published in Newspaper</td>
</tr>
<tr>
<td>June 23, 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, 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 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 or 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

Agenda Item: 7.4 | Meeting Date: March 23, 2020
---|---
Agenda Section: General Action Items | Originating Department: Administration
Resolution: X
Ordinance: N/A | Prepared By: Devin Montero, City Clerk
Attachments: 2 | Presented By: Jeffrey Lunde, Mayor
Item: Emergency Declaration and a Resolution Enacted Pursuant to Minnesota Statutes Section 12.29 Extending the Period of a Mayor-Declared Local Emergency

City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-____ AND ENACT PURSUANT TO MINNESOTA STATUTES SECTION 12.29 EXTENDING THE PERIOD OF A MAYOR-DECLARED LOCAL EMERGENCY.

Overview:

The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus and how it spreads.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

7.4A EMERGENCY DECLARATION
7.4B RESOLUTION
CITY OF BROOKLYN PARK, MINNESOTA
MAYORAL DECLARATION NO. 2020-1 DECLARING A LOCAL EMERGENCY

WHEREAS, the Mayor of the City of Brooklyn Park, Minnesota ("Mayor") finds that the following local emergency ("Emergency") exists in the City of Brooklyn Park, Minnesota ("City"):  

1. On March 11, 2020, the World Health Organization determined that the COVID-19 outbreak constitutes a pandemic. On March 13, 2020, President Trump declared a national state of emergency as a result of the pandemic.  

2. On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota. The Governor’s Executive Order triggered activation of the City’s emergency management plan and enabled the City to exercise its emergency powers.  

3. The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus and how it spreads.  

WHEREAS, Minnesota Statutes Section 12.29 authorizes the Mayor to declare the existence of the Emergency, to invoke necessary portions of the Emergency Operations Plans and the Pandemic Response Plan, and to authorize aid and services in accordance with interjurisdictional agreements; and  

WHEREAS, Minnesota Statutes Section 12.37 authorizes the City, acting through its governing body, to: (1) enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and by providing emergency assistance to the victims of the disaster; and (2) exercise the powers vested by that section in the light of the exigencies of the disaster without compliance with time-consuming procedures and formalities otherwise prescribed by law; and  

WHEREAS, the Mayor finds that the Emergency is sudden and could not have been anticipated; and  

WHEREAS, the Mayor finds that this situation threatens the health, safety, and welfare of the residents of the community and threatens the provision and delivery of city services as a result of the Emergency; and  

WHEREAS, the Mayor finds that the Emergency poses the risk of and may cause catastrophic loss of public health, safety, and welfare if not immediately addressed; and  

NOW, THEREFORE, as the Mayor of the City of Brooklyn Park, Minnesota, I declare that a Local Emergency exists effective at 6:00 p.m. on March 16, 2020 in the City of Brooklyn Park, Minnesota.  

This declaration of a local emergency will invoke the City's Emergency Operations Plans and the Pandemic Response Plan. The portions that are necessary for response to and recovery from the Emergency are authorized, including but not limited to all appropriate community containment and mitigation strategies. To the extent normal state laws and city policies and procedures impede an efficient response or compliance with federal and state directives and recommendations, the City Manager, Emergency Manager, and their designees are authorized to suspend compliance with those laws, policies, and procedures and to take those actions necessary to protect the public health, safety, and welfare.  

Dated: March __, 2020.  
Jeffrey Joneal Lunde, Mayor
RESOLUTION #2020- ___

CITY OF BROOKLYN PARK, MINNESOTA

RESOLUTION ENACTED PURSUANT TO MINNESOTA STATUTES SECTION 12.29 EXTENDING THE PERIOD OF A MAYOR-DECLARED LOCAL EMERGENCY

WHEREAS, the Mayor of the City of Brooklyn Park, Minnesota by Mayoral Declaration No. 2020-1 has declared that a local emergency is in effect in the City as of at 6:00 p.m. on March 16, 2020; and

WHEREAS, the City Council of the City of Brooklyn Park agrees with the mayor’s determination and further finds that the local emergency will last for more than three days and that immediate action to respond to the local emergency is needed in order to protect the health, safety and welfare of the City and the community; and

WHEREAS, the Council finds that this emergency, which involves an outbreak of an infectious disease (COVID-19), is a highly fluid and evolving situation, and in the interest of the public health, a response or action may be needed that requires deviation from standard procedures for procuring goods and services; and

WHEREAS, Minnesota Statutes §§ 12.29 and 12.37 authorize the actions taken in this resolution and provide that emergency contracts and agreements are not subject to the normal purchasing and competitive bidding requirements because of the local emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE BROOKLYN PARK CITY COUNCIL as follows:

1. The Mayor’s Declaration of a local emergency is continued in effect until further action of the City Council.

2. City staff is authorized to enter into agreements and contracts necessary for the procurement of materials, equipment, and services required to respond to the local emergency.

3. The Mayor and City Manager are authorized to execute any necessary agreements, contracts, and related documents regarding the local emergency necessary to implement corrective action relative to the local emergency to protect the health, safety and welfare of the City and the community.

4. City staff is authorized to take any appropriate action and to prepare any appropriate documents to facilitate the directives of the Council as set forth in this resolution.

5. The Mayor, City Manager, City staff, City attorney, and City consultants are authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this resolution.
City of Brooklyn Park
Request for Council Action

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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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<td>Presented By:</td>
<td>Jeffrey Lunde, Mayor</td>
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<td>Attachments:</td>
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<tr>
<td>Item:</td>
<td>Authorize Mayor or City Manager to Cancel Meetings of City Boards, Committees, and Commissions until the Council Declared Emergency Pertaining to the COVID-19 Pandemic is over</td>
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City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, AUTHORIZING THE MAYOR OR CITY MANAGER TO CANCEL MEETINGS OF CITY BOARDS, COMMITTEES, AND COMMISSIONS UNTIL THE COUNCIL-DECLARED EMERGENCY PERTAINING TO THE COVID-19 PANDEMIC IS OVER.

Overview:

The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus and how it spreads. Due to updated guidance issued by the Federal government the city council will be conducting future meetings by telephone or other electric means. All city boards, committees, and commissions are required to do likewise.

Because of the rapidly changing situation regarding the COVID-19 pandemic, it might become desirable for the City to cancel some meetings of City boards, commissions, or committees. The requested action would allow either the mayor or the city manager to cancel those meetings when either of them believe that it is in the best interest of the public to do so.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

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

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<td>Resolution:</td>
<td>X</td>
<td>Prepared By:</td>
<td>Kim Berggren, Community Development Director Sarah Abe, Project Facilitator</td>
</tr>
<tr>
<td>Ordinance:</td>
<td>N/A</td>
<td>Presented By:</td>
<td>Jay Stroebel, City Manager</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1</td>
<td>Item:</td>
<td>Consider approving the allocation of emergency funds to local nonprofit organizations directly providing emergency support services to residents of Brooklyn Park and authorize a reallocation of up to $30,000 to Community Development and a subsequent reduction of $30,000 from the contingency line item in the 2020 General Fund adopted budget</td>
</tr>
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City Manager’s Proposed Action:

MOTION _____________, SECOND _____________, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO APPROVE THE ALLOCATION OF EMERGENCY FUNDS TO LOCAL NONPROFIT ORGANIZATIONS DIRECTLY PROVIDING EMERGENCY SUPPORT SERVICES TO RESIDENTS OF BROOKLYN PARK AND AUTHORIZE A REALLOCATION OF UP TO $30,000 FROM 2020 CONTINGENCY BUDGET TO COMMUNITY DEVELOPMENT DEPARTMENT 2020 BUDGET BY UP TO $30,000.

Overview:

On March 13, 2020 Governor Tim Walz declared a peacetime state of emergency in the State of Minnesota as result of the outbreak of the COVID-19 virus, commonly referred to as coronavirus. In the week following the Governor’s announcement several additional executive orders were made by the Governor including discouraging gatherings of more than 10 people, partially closing dine-in restaurants, bars, and other venues, and shutting down Minnesota’s K-12 schools for planning purposes. Given the on-going and ever changing nature of the situation it is hard to predict when people will be able to return to work leaving many Minnesotans, including Brooklyn Park community members, unsure of how they will be able to provide basic necessities for their families. This is increasing the strain on local nonprofit organizations that have limited resources and will likely see a downturn in funds being provided by businesses and donors who have also been negatively affected by the COVID-19 outbreak.

Clare Brumback, Executive Director of the Community Emergency Assistance Program (CEAP), reached out to City leadership this week requesting an infusion of dollars from the City in the amount of $10,000 or more. CEAP is one of several nonprofit organizations in the region that works directly with Brooklyn Park community members to provide emergency assistance such as food, clothing, shelter and other immediate needs. The requested dollars will support the ongoing operations of critical programs that provide food and housing assistance to vulnerable community members.

Staff is recommending the City Council makes up to $30,000 immediately available to all local nonprofits directly serving the residents of Brooklyn Park with emergency support services. The dollars can be administratively distributed on an as requested basis through September 1. In order to track the effectiveness of these dollars, the City will ask all organizations that receive funds to provide a report on how the funds were utilized and outcomes including; number of people served, types of services utilized and any significant results of services received.
Primary Issues/Alternatives to consider:

- Why should the City Council consider this proposal?

The executive action taken by Governor Walz has affected over 330,000 Minnesota workers in the retail, food service, hospitality and recreational sectors that make up approximately 19% of the 31,000 jobs in Brooklyn Park. School closures have resulted in additional stress on families with children who must find childcare and prepare more meals at home. The sudden loss of income caused by business closures and interruptions to daily life increases the risk of eviction and food insecurity particularly for low-income populations who are unable to afford a financial emergency. These funds will address the immediate need by supporting nonprofit organizations that are seeing a much greater demand for services during this crisis.

- How much can an organization receive?

The City will cap the amount an organization can receive at $10,000. Staff will consider the distribution of more dollars to high-use organizations on a case by case basis and if evidence of outcomes are clearly documented.

- Who is eligible to receive these funds?

Any nonprofit operating in Brooklyn Park with a positive track record of providing food, clothing, housing and other life or safety issues assistance to Brooklyn Park residents. Staff will use a simple application process to make a determination of eligibility based on the organization’s reputation for performance and ability to provide evidence that funds will be used for eligible purposes.

- What services are eligible to receive funds?

Eligible uses are immediate, emergency services such as food, clothing, shelter and other critical life or safety needs identified by local nonprofit organizations. Services must be for Brooklyn Park residents.

Budgetary/Fiscal Issues:

The recommended reallocation will increase the Community Development budget by up to $30,000. This has no overall effect to the 2020 total General Fund Budget but does reduce the contingency by up to $30,000.

Recommendation:

The City Manager recommends approval.

Attachments:

7.6A  RESOLUTION
RESOLUTION #2020-

RESOLUTION APPROVING THE ALLOCATION OF EMERGENCY FUNDS TO LOCAL NONPROFIT ORGANIZATIONS DIRECTLY PROVIDING EMERGENCY SUPPORT SERVICES TO RESIDENTS OF BROOKLYN PARK AND AUTHORIZING A REALLOCATION OF UP TO $30,000 FROM 2020 CONTINGENCY BUDGET TO THE COMMUNITY DEVELOPMENT DEPARTMENT 2020 BUDGET BY UP TO $30,000.

WHEREAS, on March 13, 2020, Governor Tim Walz declared a peacetime state of emergency as a result of the COVID-19 virus outbreak; and,

WHEREAS, the COVID-19 outbreak has lead the temporary closure of several businesses interrupting the ability of some of the most vulnerable Brooklyn Park residents to pay for basic necessities such as food, clothing, and shelter; and,

WHEREAS, the City of Brooklyn Park is served by several non-profit organizations that help serve residents in times of emergency; and,

WHEREAS, the City is committed to supporting the important work for this non-profit organizations; and,

WHEREAS, the reallocation is accomplished by reducing the 2020 General Fund contingency budget and increasing the Community Development budget by up to $30,000; and,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Park approves the allocation of $30,000 in emergency funds to be allocated to local non-profits directly providing emergency support services to residents of Brooklyn Park and authorize staff to decrease the 2020 General Fund contingency budget by up to $30,000 and increase the General Fund Community Development budget by up to $30,000.