

Monday, April 13, 2020
7:00 p.m. (following Board of Appeal and Equalization meeting)

Brooklyn Park Council Chambers
Via Telephone
5200 85th Avenue North

REGULAR COUNCIL MEETING – AGENDA #16

All members of the City Council will participate in the meeting by telephone pursuant to Minnesota Statutes, Section 13D.021 rather than in-person at the City Council's regular meeting place at City Hall, 5200 85th Avenue North, Brooklyn Park, Minnesota. Members of the public can monitor the council meeting by watching it on CCX Media Channel 16 or by livestreaming it at https://nwsccl-brooklynpark.granicus.com/ViewPublisher.php?view_id=5 or by calling 1-312-626-6799 and entering Meeting ID: 419 404 906 and then pressing # when you are asked to enter a Participant ID.

Members of the public who desire to give input or testimony during the meeting may do so by texting Mayor Lunde at 763-242-1555 or emailing him at jeffrey.lunde@brooklynpark.org (Subject line: "Council Testimony").

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

Our Vision: Brooklyn Park, a thriving community inspiring pride where opportunities exist for all.

Our Brooklyn Park 2025 Goals:

• A united and welcoming community, strengthened by our diversity • Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination • A balanced economic environment that empowers businesses and people to thrive • People of all ages have what they need to feel healthy and safe • Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper • Effective and engaging government recognized as a leader

I. ORGANIZATIONAL BUSINESS

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT AND RESPONSE 7:00 p.m. Provides an opportunity for the public to address the Council on items which are not on the agenda. Public Comment will be limited to 15 minutes (*if no one is in attendance for Public Comment, the regular meeting may begin*), and it may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Individuals should limit their comments to three minutes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Public Comment will not be used as a time for problem solving or reacting to the comments made, but rather for hearing the citizen for informational purposes only.

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

3A. APPROVAL OF AGENDA (Items specifically identified may be removed from Consent or added elsewhere on the agenda by request of any Council Member.)

3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B.1 Mayor's Proclamation Declaring May 2, 2020 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park

A. PROCLAMATION

3B.2 COVID-19 Update and Budget Implications

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 Accept Bids and Award Construction Contract for River Park Redevelopment Project,

CIP #2011-19

- A. RESOLUTION
 - B. WSB AWARD RECOMMENDATION
- 4.2 Professional Service Agreement with WSB for Construction Administration, Staking, Testing and Inspections Associated with River Park Redevelopment Project
 - A. RESOLUTION
 - B. WSB SCOPE OF SERVICE
- 4.3 Approve Alternative Landscape Equipment Grant with Minnesota Pollution Control Agency
 - A. RESOLUTION
- 4.4 Approval of Minutes
 - A. CITY COUNCIL MEETING MINUTES, AUGUST 26, 2019
 - B. SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 16, 2020
 - C. CITY COUNCIL MEETING MINUTES, MARCH 16, 2020
 - D. SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 23, 2020
- 4.5 Accept Petition and Order Feasibility Report for the Extension of 94th Avenue to Hampshire Avenue
 - A. RESOLUTION
 - B. LOCATION MAP
 - C. PETITION
- 4.6 Accept Feasibility Report for 94th Avenue N, CIP 4018-20 and Order Preparation of Plans and Specifications
 - A. RESOLUTION
 - B. FEASIBILITY REPORT

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

5. PUBLIC HEARINGS

None

6. LAND USE ACTIONS

None

7. GENERAL ACTION ITEMS

- 7.1 Business License Renewal Deadlines Due to COVID-19
 - A. BUSINESS LICENSE PROJECTED FEES WITH REDUCTIONS
 - B. SURROUNDING CITIES SPREADSHEET
 - C. PRESENTATION
- 7.2 Approve Final Layout for 93rd Avenue Reconstruction, CIP 4054-20
 - A. RESOLUTION
 - B. OPTION #1 – PREFERRED LAYOUT
 - C. OPTION #2
 - D. GRAPHIC OF TRAIL EXTENSION FROM REGENT AVE TO NOBLE PKWY
- 7.3 Approve Change Order 1 for TH 169 / 101st Avenue N Interchange; CIP 4042-19
 - A. RESOLUTION
 - B. LOCATION MAP
 - C. CHANGE ORDER NO. 1
- 7.4 Authorize the City of Brooklyn Park to Defer its Metropolitan City Status and Participate in the Urban Hennepin County Community Development Block Grant (CDBG) Program
 - A. RESOLUTION
 - B. LETTER OF NOTICE FROM HENNEPIN COUNTY

III. DISCUSSION – These items will be discussion items but the City Council may act upon them during the course of the meeting.

8. DISCUSSION ITEMS

None

IV. VERBAL REPORTS AND ANNOUNCEMENTS

- 9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS
- 9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS

V. ADJOURNMENT

Since we do not have time to discuss every point presented, it may seem that decisions are preconceived. However, background information is provided for the City Council on each agenda item in advance from city staff and appointed commissions, and decisions are based on this information and past experiences. If you are aware of information that has not been discussed, please raise your hand to be recognized. Please speak from the podium. Comments that are pertinent are appreciated. Items requiring excessive time may be continued to another meeting.

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.1	Meeting Date:	April 13, 2020
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration Operations and Maintenance
Resolution:	N/A	Prepared By:	Greg Hoag, Manager Park and Building Maintenance Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jeffrey Lunde, Mayor
Item:	Mayor's Proclamation Declaring May 2, 2020 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall proclaim May 2, 2020, as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park by one of the following:

1. "I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 2, 2020, as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park."

OR

2. By reading the proclamation.

Overview:

In April and May, communities throughout the United States will celebrate the importance of trees to our landscape, community aesthetics and environmental health by hosting Arbor Day Celebrations.

In 2005 and again in 2013, many trees in Brooklyn Park were lost to storms and disease, which led the city to promote replanting and re-growth through the annual sale of bare-root trees at a reduced cost. This year's sale will take place on May 2. Our residents and the entire community benefit from buying and planting these trees in their own yards.

A formal Arbor Day observance and proclamation is one of the requirements for designating the City of Brooklyn Park as a Tree City USA by the National Arbor Day Foundation.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A PROCLAMATION

PROCLAMATION

DECLARING MAY 2, 2020, AS "ARBOR DAY" AND THE MONTH OF MAY AS "ARBOR MONTH" IN THE CITY OF BROOKLYN PARK

WHEREAS, Brooklyn Park will be celebrating Arbor Day by having its annual tree sale May 2; and

WHEREAS, climate change is a complex problem that impacts all Minnesotans and our ability to thrive; and

WHEREAS, the health and longevity of Minnesota's trees are being affected by changing temperatures and precipitation, more extreme weather events, and increasing pressure from pests, diseases, and invasive species; and

WHEREAS, Minnesota is at risk to lose more than one billion ash trees due to emerald ash borer, potentially increasing CO₂ emissions and causing flooding; and

WHEREAS, a healthy tree canopy decreases temperatures along streets providing cooler spaces in the summertime for recreation and commerce; and

WHEREAS, communities worldwide are facing issues with air quality, water resources, personal health and well-being, energy use and protection from extreme heat and flooding; and

WHEREAS, careful management of our trees and forests protects drinking water and reduces the cost of water treatment; and

WHEREAS, sound management of forested lands surrounding the Mississippi River ensures clean drinking water for more than one million Minnesotans; and

WHEREAS, planting and maintaining trees is a natural and easy way to keep our water clean.

NOW, THEREFORE, I, Jeffrey Joneal Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 2, 2020, as "Arbor Day" and the month of May as "Arbor Month" in Brooklyn Park.

BE IT FURTHER RESOLVED that the Mayor and Council urge residents to become more aware of the importance of trees to the well-being of their neighborhoods.

Jeffrey Joneal Lunde, Mayor



5200 85th Avenue North
Brooklyn Park, MN 55443

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.2	Meeting Date:	April 13, 2020
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Jay Stroebe, City Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Jay Stroebe, LaTonia Green, Finance Director, and T. John Cunningham, Fire Chief
Item:	COVID-19 Update and Budget Implications		

City Manager's Proposed Action:

City staff will update the City Council on the latest information regarding COVID-19. Specific information will be provided regarding COVID-19's expected 2020 budget impact and initial strategies in place to address this impact. The conversation will also include discussion on additional potential budget reduction steps for 2020 and potential 2021 budget considerations.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Attachments: N/A

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.1	Meeting Date:	April 13, 2020
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Jody Yungers, Director Recreation and Parks
Ordinance:	N/A		
Attachments:	2	Presented By:	Jody Yungers
Item:	Accept Bids and Award Construction Contract for River Park Redevelopment Project, CIP #2011-19		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ ACCEPTING BIDS AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH ROSTI CONSTRUCTION FOR THE REDEVELOPMENT OF RIVER PARK IN THE AMOUNT OF \$2,597,349.00 FOR RIVER PARK REDEVELOPMENT PROJECT, CIP 2011-19.

Overview:

In 2018-2019, staff engaged the community in development of the Master Plan for River Park. City Council approved the River Park Master Plan on May 13, 2019.

Over the last year, staff has worked with WSB Consultants to engage the community and complete design development plans for River Park, including bids and construction documents. Throughout this process, staff and WSB have met with many stakeholder groups including the Recreation and Parks Advisory Commission (RPAC), Friends of the Mississippi, and agency permitting stakeholders including the Corp of Engineers, Minnesota DNR and the National Park Service (NPS).

A request for bids was released to the public on February 12, 2020 and opened on March 12, 2020. Five bids were received:

<u>BIDDER</u>	<u>TOTAL AMOUNT OF BID</u>
Rosti Construction	\$2,597,349.00
Custom Builders	\$2,690,644.00
S.M. Hentges & Sons Inc.	\$3,266,867.00
Sunram Construction, Inc.	\$3,332,656.00
Blackstone Contractors, LLC	\$4,151,283.00

The lowest responsible bidder is Rosti Construction in the amount of \$2,597,349. City consultant WSB and staff checked references with the cities of Bloomington, West Saint Paul and Edina and the references were positive.

Primary Issues/Alternatives to Consider: NA

Budgetary/Fiscal Issues:

This project is scheduled for construction beginning in May 2020 with completion in summer of 2021. The cost for development is being paid through the Open Space Land Acquisition and Development Fund (OSLAD), including \$1,062,000 in grant dollars.

The total anticipated project budget was \$3,449,000 with \$3,260,000 appropriated for construction. Not included in this construction scope of work is the cost for construction administration, engineering observation/inspection, construction staking and testing. This work will be conducted by an independent consulting service. This is anticipated to be approximately \$190,000 in fees.

Current Grant Awards include:

U.S. Department of Interior National Park Service	\$362,000.00
State of Minnesota Commissioner of Natural Resources	\$250,000.00
State of Minnesota Legacy Heritage Fund	\$250,000.00
Shingle Creek and West Mississippi Watershed Commissions	\$100,000.00
Hennepin County Division of Environmental Services	\$100,000.00
	<u>\$1,062,000.00</u>

Attachments:

- 4.1A RESOLUTION
- 4.1B WSB AWARD RECOMMENDATION

RESOLUTION #2020-

RESOLUTION ACCEPTING BIDS AND AUTHORIZING THE MAYOR AND CITY MANAGER
TO ENTER INTO A CONTRACT WITH ROSTI CONSTRUCTION FOR THE REDEVELOPMENT
OF RIVER PARK IN THE AMOUNT OF \$2,597,349.00
FOR RIVER PARK REDEVELOPMENT PROJECT, CIP 2011-19

WHEREAS, on May 13, 2019, the City Council approved the River Park Master Plan; and

WHEREAS, the City has worked with WSB Consultants to complete design development and bid specifications for the reconstruction of River Park; and

WHEREAS, a request for bids was released to the public on February 12, 2020 in accordance with the law; and

WHEREAS, bids were received, opened and tabulated on March 12, 2020, in compliance with bid advertisement:

<u>BIDDER</u>	<u>TOTAL AMOUNT OF BID</u>
Rosti Construction	\$2,597,349.00
Custom Builders	\$2,690,644.00
S.M. Hentges & Sons Inc.	\$3,266,867.00
Sunram Construction, Inc.	\$3,332,656.00
Blackstone Contractors, LLC	\$4,151,283.00

WHEREAS, the City Manager recommends award of contract to Rosti Construction as the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Mayor and City Manager to enter into a contract with Rosti Construction for the redevelopment of River Park according to the plans and specifications for River Park redevelopment project, CIP #2011-19, in the amount of \$2,597,349.00, thereof approved by the Council and on file in the office of the Clerk.



March 18, 2020

Honorable Mayor and City Council
City of Brooklyn Park
5200 85th Ave N
Brooklyn Park, MN 55443

Re: River Park Improvement Project
City of Brooklyn Park Project No. 2011-19
WSB Project No. 014584-000

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, March 12, 2020, and were opened and read aloud. A total of 5 bids were received. The bids were checked for mathematical accuracy and tabulated and there are no errors made on the Proposal Form. The base bid Engineer's Estimate was \$2,998,102.40. The bid tabulation indicates the low base bidder as Rosti Construction Co of MN, Inc., Jordan, MN, in the amount of \$2,589,084.00.

We recommend that the City consider these bids and award a contract to Rosti Construction Co of MN, Inc. based on the results of the bids received and communication with contractor references.

Sincerely,

WSB

A handwritten signature in black ink that reads "Jeff A. Feulner". The signature is written in a cursive, flowing style.

Jeff Feulner, PLA
Project Manager

Enclosure

cc: Brandon Hodges, Rosti Construction Co of MN, Inc.
Jody Yungers, City of Brooklyn Park

alp

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	April 13, 2020
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Jody Yungers, Director Recreation and Parks
Ordinance:	N/A		
Attachments:	2	Presented By:	Jody Yungers
Item:	Professional Service Agreement with WSB for Construction Administration, Staking, Testing and Inspections Associated with River Park Redevelopment Project		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ FOR PROFESSIONAL SERVICE AGREEMENT WITH WSB FOR CONSTRUCTION ADMINISTRATION, STAKING, TESTING AND INSPECTIONS ASSOCIATED WITH RIVER PARK REDEVELOPMENT PROJECT IN THE AMOUNT OF \$188,581.

Overview:

In 2018, the City put out an RFP for professional services to assist with development of the Master Plan for River Park. WSB was awarded the contract and has continued to work with the City on community engagement and design development that included preparation of the final plans and specification, including bid and construction documents for the redevelopment of River Park. This project is scheduled for construction beginning in May 2020 with completion in summer of 2021.

WSB is very familiar with this project and has been instrumental in working with the City on the permit process with the Corp of Engineers, MN Department of Natural Resources (DNR) and the National Park Service (NPS).

Based on the sensitivity of this project and the need to comply with project requirements as directed by the permitting agencies, staff felt it was important to have an independent consultant provide oversight to ensure compliance with stormwater and river front stabilization technique, as prescribed by the permitting agencies. With this in mind, the City did not include within the construction scope of work (proposed award to Rosti Construction), construction administration, engineering observation/inspection, construction staking and testing.

Staff is recommending WSB to provide the project oversight and inspection of the varying aspects of the River Park construction. As per WSB's proposal, the cost for construction administration, engineering observation/inspection, construction staking, and testing is not to exceed \$188,581.

Primary Issues/Alternatives to Consider: NA

Budgetary/Fiscal Issues:

The cost for development, testing and construction administration is being paid through the Open Space Land Acquisition and Development Fund (OSLAD). The total anticipated project budget was \$3,449,000 with the cost of construction to be \$2,597,349.00.

To alleviate the need to fully fund the project out of OSLAD, the City has been awarded five grants (Federal, State, Watershed and County) in the amount of \$1,062,000 to help support the park redevelopment and stormwater improvements.

Attachments:

4.2A RESOLUTION

4.2B WSB SCOPE OF SERVICE

RESOLUTION #2020-

RESOLUTION FOR PROFESSIONAL SERVICE AGREEMENT WITH WSB FOR CONSTRUCTION
ADMINISTRATION, STAKING, TESTING AND INSPECTIONS ASSOCIATED WITH RIVER PARK
REDEVELOPMENT PROJECT IN THE AMOUNT OF \$188,581

WHEREAS, in 2018, the City awarded a professional services contract with WSB for development of the Master Plan for River Park; and

WHEREAS, the project is scheduled for redevelopment beginning in May 2020 with completion in summer of 2021; and

WHEREAS, the City did not include within the construction scope of work with Rosti Construction, construction administration, engineering observation/inspection, construction staking and testing; and

WHEREAS, WSB is very familiar with this project and has been instrumental in working with the City on the permit process with the Corp of Engineers, MN DNR and the National Park Service (NPS); and

WHEREAS, WSB has provided a proposal, to assist the City in construction administration, engineering observation/inspection, construction staking, and testing for River Park redevelopment project, in an amount not to exceed \$188,581.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to enter into a contract with WSB for the construction administration, staking, testing and inspections associated with River Park Redevelopment in the amount of \$188,581.



March 31, 2020

Ms. Jody Yungers
Director of Recreation and Parks
City of Brooklyn Park
5600 85th Ave. N.
Brooklyn Park, MN 55443

Re: Professional Services Proposal – Construction Administration, Staking and Layout,
Materials Testing, and Inspections associated with the River Park Improvement Project

Dear Ms. Yungers:

WSB is pleased to present this proposal for professional services related to the construction phase of the River Park Improvement Project, as per the completed bid documents and project award.

This scope of services is based on WSB's discussions with you and our direct knowledge gained through the design of this project. We understand that the following scope is scheduled to be performed primarily between May and November of 2020, with final completion in Spring of 2021.

SCOPE OF SERVICES

WSB will provide construction administration services for this project as outlined below.

A. CONSTRUCTION ADMINISTRATION SERVICES

- 1. Contract Administration and Site Progress Meetings: \$ 57,206**
 - a. Conduct Pre-construction Conference and prepare / distribute meeting minutes to all the attendees. Attendees to include City staff, WSB, public and private utility representatives, Met Council utility project representative and others as needed to ensure coordination within and adjacent to River Park.
 - b. Weekly Site Progress Meetings: Attend up to 28 weekly site progress meetings during periods of active construction during the project to allow for proactive communication with the Contractor and Owner, which will maximize efficiency during the construction. Meeting minutes will be prepared and distributed to all the attendees. These meetings will allow WSB to:
 - i. Become generally familiar with and to keep the Owner informed about the progress and the quality of the Work completed. Note, this does not include exhaustive or continuous on-site inspections to check the quality or quantity of the Work.
 - ii. Determine in general if the Work is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents.
 - iii. Report to the Owner known deviations from the Contract Documents.
 - iv. Ensure coordination with City staff and MCES Utility project
 - c. Review submittals & shop drawings.
 - d. Answer Contractor questions and provide design intent and clarification for any issues that may arise during the project.
 - e. Review pay applications prepared by the Contractor and make recommendations regarding payment.

- f. Assist City staff with grant administrative reporting, budget tracking and project status to ensure compliance with grant requirements.
- g. In the event of changed conditions during the project, WSB will prepare and distribute any necessary change orders to expedite the work in the field.
- h. Conduct contractor employee interviews and complete documentation to ensure labor compliance with prevailing wages.
- i. Substantial completion meeting and punchlist.
- j. Final Project Completion review meeting.
- k. Prepare record drawings and conduct warranty inspection.

2. Site Observation and Inspection: \$ 46,736

- a. Conduct full time inspections for up to 4 weeks during installation of utilities, and storm sewer.
- b. Periodic site visits by landscape architect and/or construction inspector to confirm grades, roll testing, and bituminous paving operation for the drive lanes / parking areas.
- c. Periodic site visits by landscape architect and/or construction inspector to confirm site and pond grading, riprap placement, retaining wall installation and sheet piling and other significant element installation.
- d. Coordination of staking and material testing operations.

3. Environmental Compliance inspections / audits: \$ 7,056

- a. A certified Environmental Compliance Specialist registered in the State of Minnesota will conduct 18 biweekly audits of the project and 10 additional inspections following rain events, to meet the City's requirements and goals. Each site audit will include a review of the project's SWPPP, installation of BMPs, inspection and maintenance records, and overall site compliance with the NPDES Permit and the City's ordinances. The Specialist will prepare an inspection report detailing the audit results and all reports will be provided within 24 hours of inspection completion.

4. Construction Staking: \$ 27,000

- a. Prepare staking data for construction limit, erosion control, grading and layout of pond, trails, building, parking lot and drive, storm sewer, utilities, and retaining wall.
- b. Provide construction stakes for staking data defined above. This will include one set of stakes with line and grade on an offset that is usable (for utilities), the Contractor will be responsible for protecting these stakes, any re-stake will be at the Contractor's cost.
- c. As-builts for utilities.

5. Building Observation and Inspections (HCM Architects): \$ 28,975

- a. Attend preconstruction meeting
- b. Provide project ASI's and answer RFI and questions
- c. Draft PR Proposal Request and PD for scope changes
- d. Review submittals and shop drawings
- e. Attend construction meetings every other week during building construction (8 meetings).
- f. MEP consultant – three site visits
- g. Structural consultant – two site visits
- h. One punch list review at end of project

- i. Final walk-through
- j. As-built drawings
- k. Includes \$850.00 of reimbursable expenses.

6. Restroom Building Construction Testing Services: \$ 9,988

- a. Aggregates and Soils:
 - i. 2 trips for excavation observations of foundation
 - ii. 5 trips for compaction testing of fill and backfill
 - iii. Nuclear Density Testing
 - 5 tests – fill beneath slab
 - 4 tests – slab subbase
 - 10 tests – foundation wall backfill
 - iv. Sieve Analysis
 - 1 test – select granular
- b. Concrete Reinforcement
 - i. 1 trip for piers
 - ii. 2 trips for footings
 - iii. 1 trip for walls
 - iv. 1 trip for slab
- c. Concrete
 - i. 6 trips for concrete pours
 - ii. 24 cylinders for curing and compressive strength testing
 - iii. 3 trips for sample pick up
- d. Masonry
 - i. 2 trips for Masonry observation and testing
 - ii. 2 trips for sample pick up
 - iii. 2 tests – compressive strength of mortar
 - iv. 2 tests – compressive strength of group prisms
- e. Adhesive anchors
 - i. 1 trip for field inspection and observation
- f. Structural steel
 - i. 2 trips for field inspection and testing of bolts/welds

7. Site Construction Testing Services: \$ 11,620

- a. Aggregates and Soils:
 - i. 1 trip for excavation observations of retaining wall base
 - ii. 9 trips for compaction testing of fill and backfill
 - iii. Nuclear Density Testing
 - 10 tests – aggregate base
 - 2 tests – watermain trench backfill
 - 3 tests – storm sewer trench backfill
 - 2 tests – sanitary trench backfill
 - iv. Sieve Analysis
 - 1 test – aggregate base
 - 1 test – wall backfill
 - v. Standard Proctor
 - 1 test – aggregate base
 - 1 test – subgrade
 - 2 tests – trench backfill
- b. Asphalt
 - i. 3 trips for roll pattern determination
 - ii. 3 tests – asphalt content

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- iii. 3 tests – extracted gradation
- iv. 3 trips for sample pick up
- c. Concrete Reinforcement
 - i. 1 trip for stairs
 - ii. 2 trips for 5" walk
 - iii. 1 trip for pergola
- d. Concrete
 - i. 10 trips for concrete pours
 - ii. 40 cylinders for curing and compressive strength testing
 - iii. 5 trips for sample pick up

TOTAL CONSTRUCTION ADMINISTRATION FEE: \$ 188,581

B. ADDITIONAL SERVICES

Any additional work or change in project scope will be completed on an hourly basis to be billed in accordance with WSB's hourly rates at the time work is completed.

C. PROJECT MANAGEMENT:

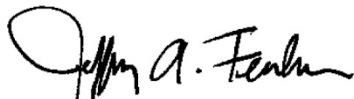
Jeff Feulner will serve as the project manager with Steve Foss providing direct assistance for this project.

- D. PROPOSED FEES:** All proposed fees are based on the scope of services defined in this proposal. WSB and their sub consultants will provide the services as outlined in Scope of Services Section A above for an hourly not-to-exceed fee of \$ 188,581.00

The proposed scope and fee presented herein represents our complete understanding of the project based on available information. If you have any questions or need additional information, please feel free to contact me at (763) 287-8527. Once again, we appreciate the opportunity to submit this proposal and look forward to working with you and your staff.

Sincerely,

WSB



Jeff Feulner, PLA
Associate / Senior Landscape Architect



Jason L. Amberg, PLA, ASLA
Principal / Director of Landscape Architecture

The City of Brooklyn Park hereby accepts the proposal for services outlined above in the amount of \$188,581.00 to be performed in accordance with the terms and conditions of the Agreement for Professional Services between the City of Brooklyn Park and WSB & Associates, Inc. effective June 12th, 2017.

Signature: _____

Name/Title: _____

Date: _____

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.3	Meeting Date:	April 13, 2020
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Greg Hoag, Park and Building Maintenance Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Greg Hoag
Item:	Approve Alternative Landscape Equipment Grant with Minnesota Pollution Control Agency		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO AUTHORIZE THE CITY MANAGER AND OPERATIONS AND MAINTENANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE MINNESOTA POLLUTION CONTROL AGENCY FOR THE ALTERNATIVE LANDSCAPING EQUIPMENT GRANT PROGRAM.

Overview:

In October 2019, the Minnesota Pollution Control Agency (MPCA) opened an Alternative Landscape Equipment grant solicitation process. The intent of the program is to reduce emissions from two-cycle gasoline engines used in landscaping by purchasing and using battery/electric-powered equipment. Staff applied for funds through this solicitation process, and in December 2019, the MPCA awarded a \$6,025.61 grant to Brooklyn Park to replace some existing gasoline powered landscaping equipment with battery-powered equipment.

Primary Issues/Alternatives to Consider:

Operations and Maintenance staff recommend acceptance of the grant as presented.

Budgetary/Fiscal Issues:

This grant has a 1:1 match requirement. The city will be required to match the Grant award of \$6,025.61. Matching funds are available in the Park Maintenance General Fund budget.

Attachments:

4.3A RESOLUTION

RESOLUTION #2020-

RESOLUTION TO AUTHORIZE THE CITY MANAGER AND OPERATIONS AND MAINTENANCE DIRECTOR
TO ENTER INTO AN AGREEMENT WITH THE MINNESOTA POLLUTION CONTROL AGENCY
FOR THE ALTERNATIVE LANDSCAPING EQUIPMENT GRANT PROGRAM

WHEREAS, in October 2019, the Minnesota Pollution Control Agency opened an Alternative Landscaping Equipment grant solicitation process; and

WHEREAS, Operations and Maintenance staff submitted an application on November 7, 2019 for funds from this grant program; and

WHEREAS, in December 2019, the Minnesota Pollution Control Agency awarded Brooklyn Park a \$6,025.61 grant; and

WHEREAS, this grant request will replace some existing gasoline powered equipment with battery powered equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the City Manager and Operations and Maintenance Director to enter into an Agreement with the Minnesota Pollution Control Agency for the Alternative Landscaping Equipment Grant Program.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.4	Meeting Date:	April 13, 2020
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	4	Presented By:	Devin Montero
Item:	Approval of Minutes		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF AUGUST 26, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MARCH 16, 2020, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF MARCH 16, 2020, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MARCH 23, 2020, AS PRESENTED BY THE CITY CLERK.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.4A CITY COUNCIL MEETING MINUTES, AUGUST 26, 2019
- 4.4B SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 16, 2020
- 4.4C CITY COUNCIL MEETING MINUTES, MARCH 16, 2020
- 4.4D SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 23, 2020

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, August 26, 2019
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Susan Pha, Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Finance Director LaTonia Green; Police Chief Todd Milburn and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager stated a resident addressed the Council regarding the concerns for safety and speeding on 93rd Avenue.

2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Stated the Planning Commission approved townhomes and requested either 93rd Avenue be done and finished off with sidewalks and trails on one or both sides or a left turn lane be put in so the road would become much safer for pedestrians and vehicles. She stated people had spoken to the Planning Commission and Council regarding that road from the Prairie homes when the apartments were approved and the townhome complex.

She stated the city collected money from their development 30 years ago and now had close to \$300,000. She stated it was an MSA roadway and the city had been getting money for the past 20 years when TH610 was opened when the city took the road back from the County. She asked that the safety concerns be addressed and the speed be reduced. She stated three of Planning Commissioners called it a dangerous and said people were taking their lives in their own hands if they tried to walk along that road with the speeds at 50 mph. She stated there were 750 cars on last year's four-day study, and that on average people were going 60 mph or greater.

She stated the crosswalk and police enforcement had made drastic improvements with people stopping at the stop sign. She thanked the Council for it and was happy to hear that the access and trail way on Regent would be gone because pulling out in front of vehicles going 40 mph would be another thing for bicycles.

3A. MOTION WEST-HAFNER, SECOND PARKS TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK WITH THE REMOVAL OF ITEM 4.2. MOTION PASSED UNANIMOUSLY.

3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B.1 Legislative Delegation Presentation and Discussion

City Manager Stroebel introduced the legislative delegation and they briefed the Council on legislative issues.

Representative Michael Nelson briefed the Council on issues with Bottineau Boulevard and the railroad. He stated next year was a bonding year, North Hennepin Community College was going to be building the Center for Innovation of Arts and would be a collaboration between the College, Brooklyn Park, Metropolitan State University and Hennepin County. He highlighted budget issues with the Highway 252 project because of inflation and not properly estimating the costs. He updated the Council on the legislation and the Pension Commission, and Brooklyn Park would be moving toward full time firefighters and would eliminate volunteer positions. He stated the concerns would be getting the volunteer firefighters money out of their pension fund and not have a reduction in the reserves.

Representative Melissa Hortman highlighted on the Bottineau light rail concerns. She stated the House of Representatives passed the liability protection language for the Burlington Northern Santa Fe in the transportation bill and carried it to conference and could not convince the Senate to adopt the language. She stated in 2020, it was speculated the bill would pass in the House and the Senate, which then would be signed into law within the bonding bill. She expressed moving the Light Rail project forward with the MET Council, federal delegation Senators Klobuchar and Senator Smith, Representative Omar and Representative Phillips. She stated with conversations with the Governor, it would be the number one legislative priority for Brooklyn Park in the year 2020. She stated the House passed a Comprehensive Transportation Funding Package to dedicate new transportation resources to cities and counties of Minnesota. If the proposal became law, the City of Brooklyn Park would be receiving \$153,000 in 2020, \$708,000 in 2021, \$860,000 in 2022, and \$967,000 in 2023; in return, Minnesota would add a nickel in the gas tax every year.

Senator John Hoffman highlighted on the growth of residents over sixty-five and the need for affordable housing. He stated two bills passed, House File 7, which assisted in access to affordable housing. Additionally, in the Bonding section, \$60 million was allocated to affordable housing efforts and allocated money toward permanent housing and supported housing for families or individuals that were at risk or experiencing homelessness. He stated it also addressed the issue of affordable housing for seniors and the preservation of federal incentives for housing.

Representative Samantha Vang stated as a part of the Bonding and Capitol Investments Committee, she would be touring the Mississippi Gateway Regional Park. She stated she was part of the conversation for CITA to learn more about that project. She stated she was the chief author of LGA to restore funding back two levels and passed the LGA with an increase of \$26 million in 2020 and an additional four million to 2021, which was very close to restore two levels on the funding. She stated it meant funding would be increased \$260,000 for Brooklyn Park.

Mayor Lunde asked about Highway 252 becoming a freeway and wanted Brooklyn Center and Brooklyn Park to get it done because it was the most dangerous intersection in the state. He stated the project was so big that they did not want to spend the entire city budget on the project. He stated the city had some funds but would like to communicate more with the state with assisting in the project. He talked about housing and the challenges of housing needed.

BROOKLYN PARK COUNCIL MEETING; August 26, 2019...Page 3

Mayor Lunde stated he would be interested in hosting a bonding lunch to discuss partnerships and assistance to move things forward.

Senator Hoffman stated the Mille Lacs Tribe investigated their housing issues and successfully built Section 42 housing and an enterprise zone. He stated he would follow up on a with information for the Mayor.

Council Member Pha stated she appreciated the legislative updates from the representatives and welcomed them back next year.

Council Member Jacobson stated she appreciated seeing the representatives at events outside of the session.

Council Member Russell stated it was an honor to have them in attendance to give an update and to work with the Council to improve the life of those in Brooklyn Park. He asked about updates regarding the Census.

Representative Nelson stated the legislative branch dedicated \$1.6 million into the Census to get a complete count. He stated Brooklyn Park and Brooklyn Center had a complete count committee and reiterated that the citizenship question would not be on the Census.

City Manager Stroebel stated he was thankful for the relationships and partnerships with those at the Capitol. He asked if there were any new resources or conversations for cost relief in the upcoming election.

Representative Nelson stated money to assist with elections was provided by the Help America Vote Act and money would be in there to help local election officials to get prepared for the next election.

Representative Hortman stated next year would be an interesting election year because of the Presidential Nomination Primary. She stated Minnesota would be the first state in the country to be voting and it was important to get the word out that it was a new mechanism and to work together.

City Manager Stroebel stated the estimated budget costs for the electoral process for 2020 budget would be \$250,000 to fund the three elections. He stated his understanding was that the state was looking to reimburse \$20,000 and asked if there were other resources to fill in the funding.

Mayor Lunde thanked the Senators and Representatives for their work and attending tonight's meeting.

3B.2 Restaurant Week Presentation.

Communications Manager Camille Hepola briefed the Council on Restaurant Week.

3B.3 Presentation on International Making Cities Livable Conference.

Council Member Wynfred Russell briefed the Council on his attendance to the International

Making Cities Livable Conference.

4.0 MOTION WEST-HAFNER, SECOND JACOBSON TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO RELEASE ON-SITE LETTER OF CREDIT #2017-1 (\$352,800) BY BUILDING TRADES CREDIT UNION, RELEASE THE CASH BOND (\$18,500) AND THE ENGINEERING ESCROW (\$11,100) FOR SATISFACTORY COMPLETION OF THE "MPLS PIPEFITTERS BLDG ADDITION" PROJECT #17-005 LOCATED AT 6200 LAKELAND AVE N FOR MINNEAPOLIS PIPEFITTERS JAC.

4.1 TO RELEASE THE CASH BOND (\$3,000) AND THE ENGINEERING ESCROW (\$1,263.66) FOR SATISFACTORY COMPLETION OF THE "FREDDY'S FROZEN CUSTARD & STEAKBURGERS" PROJECT #18-001 LOCATED AT 9901 XENIA AVE N FOR INTERCORE RESTAURANT HOLDINGS.

4.1 TO RELEASE THE SUBDIVISION PERFORMANCE BOND #106231234 (\$416,500) BY TRAVELERS, RELEASE THE CASH BOND (\$21,900) AND THE ENGINEERING ESCROW (\$10,423.49) FOR SATISFACTORY COMPLETION OF THE "MURPHY OIL" PROJECT #15-110 LOCATED AT 8000 LAKELAND AVE N FOR MURPHY OIL USA.

4.1 TO RELEASE THE PERFORMANCE BOND #2273012 BY NORTH AMERICAN SPECIALTY INSURANCE COMPANY (\$1,153,800), REDUCE THE CASH BOND BY \$50,700 AND REDUCE THE ENGINEERING ESCROW BY \$31,000 FOR SATISFACTORY PROGRESS OF THE "URBANA PLACE" PROJECT #18-003 LOCATED AT 5601 94TH AVENUE N FOR TRIDENT DEVELOPMENT LLC.

4.3 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-134 TO EXTEND THE CITY INSURANCE PROGRAMS FOR CONTRACT YEAR 2018-2019 WITH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST FOR AN ADDITIONAL THREE MONTHS.

4.4 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-135 ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE SANITARY SEWER TELEVISIONING AND CLEANING TO PIPE SERVICES CORPORATION INC.

4.5 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-136 ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE WELL PUMP MAINTENANCE AND REPAIR TO KEYS WELL DRILLING INC.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF APRIL 2, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL WORK SESSION OF APRIL 9, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL WORK SESSION OF MAY 7, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JUNE 4, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE SPEICAL BROOKLYN PARK CITY COUNCIL MEETING OF JULY 9, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF AUGUST 27, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF SEPTEMBER 24, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JULY 22, 2019, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE SPECIAL BROOKLYN PARK CITY COUNCIL MEETING OF AUGUST 5, 2019, AS PRESENTED BY THE CITY CLERK.

4.7 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-137 APPROVING A VARIANCE WAIVING THE BASEMENT REQUIREMENT FOR A SINGLE-FAMILY HOME AT 9106 WEST RIVER ROAD.

4.8 TO APPROVE AN OFF-SALE 3.2 PERCENT MALT LIQUOR LICENSE FOR HY-VEE, INC DBA HY-VEE, 9409 ZANE AVENUE NORTH.

4.9 TO APPROVE TEMPORARY CLOSURE OF OXBOW CREEK DRIVE BETWEEN NOBLE AVENUE AND VERA CRUZ DRIVE TO ALLOW FOR CHAMPLIN PARK HIGH SCHOOL HOMECOMING PARADE.

MOTION PASSED UNANIMOUSLY.

6.1 Senior Planner Todd Larson briefed the Council on the Final Plat #19-114 to Subdivide 14.46 Acres into 105 Townhome Lots and Six Outlots Northwest of 93rd and Regent Avenues.

6.1 MOTION LUNDE, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT RESOLUTION #2019-138 APPROVING FINAL PLAT OF "PEMBERLY," SUBDIVIDING 14.46 ACRES INTO 105 TOWNHOME LOTS AND SIX OUTLOTS NORTHWEST OF 93RD AND REGENT AVENUES. MOTION PASSED UNANIMOUSLY.

7.1 Mayor Lunde briefed the Council on the Appointment to the Shingle Creek Watershed Management Commission.

7.1 MOTION LUNDE, SECOND WEST-HAFNER TO APPOINT ADAM QUINN AS THE COMMISSIONER TO THE SHINGLE CREEK WATERSHED MANAGEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE JANUARY 31, 2021. (Replacing John Roach)

8.1 2019 Street-Signal Light and Sanitary Sewer Utility Rate Discussion.

Operations and Maintenance Director Dan Ruiz briefed the Council on the 2019 Street-Signal Light and Sanitary Sewer Utility Rate. He briefed on the Enterprise Funds Background, Rate Study, Sanitary Sewer Cost Drivers, Sanitary Sewer Fund-No Increase, Sanitary Sewer Recommendations, Sanitary Sewer Fund-With Increase, 2019 Monthly Household Sanitary Sewer Changes, Street-Signal Light Cost Drivers, Street-Signal Fund-No Increase, Street Signal Light Recommendation, Street Signal Fund-With Increase, and Next Steps.

Council Member Jacobson asked how many times annually residents had a sewer back up at that level.

Operations and Maintenance Director Ruiz stated one to two a year.

Council Member Jacobson stated if the rate was one to two, they would be spending more on purchasing the insurance than to self-insure the issues. She stated she would be interested in seeing a timeline of water main breaks to get a better gauge for the need.

Mayor Lunde asked if projects were related to Highway 252 and/or West Broadway.

Operations and Maintenance Director Ruiz stated it included the \$6 million in capital projects in the five-year window of the capital improvement plan and it included the sewage and sanitary repairs of West Broadway, which was included in the Light Rail Transit Project and any repairs in the Highway 252 area. He stated part of the reason they had not had to be more aggressive in the rates was because those projects had not come to fruition. He stated in a previous rate study, they were projecting a \$2 million bond in 2020 and a \$4 million bond in 2022, but because those expenses had not been done, the city would not need the bond. He stated the city had saved enough money to pay those on a "pay as you go" basis.

Mayor Lunde stated he preferred the insurance route for the sewer issues with the League of Minnesota Cities and to adopt the ability to advocate for the insurance claims.

Operations and Maintenance Director Ruiz stated they could take a stronger role as an advocate for the residents, that was why they were bringing forward the no-fault insurance clause because if the Council wanted to take on the responsibility for the city, then that would be the direction they would go.

Council Member Jacobson asked if they went with the proposed cost adjustments, where would the city be on the chart presented.

Operations and Maintenance Director Ruiz stated Brooklyn Park would stay in the third lowest of the cities listed.

Council Member Jacobson stated that Mayor Lunde's statement regarding the no-fault policy with the League of MN Cities, that with the lack of knowledge with insurance and the League understands that. She stated in those cases where they could advocate for the residents, they should be doing that, but there was a cost to doing it, staff time, etc.

Council Member Pha asked about the street light signal light utility 2020-2023, with an increase being proposed. She stated that with the separation of difference in the rates between the four

different quarterly charges asked why the single-family fee would increase to .15 but a business would only increase .01 cents, with the single-family house being increased the most.

Operations and Maintenance Director Ruiz explained that the utility that was set up in 2003 was to create a utility that was as equitable as possible and was based on the street frontage. He stated street frontage for homes was sixty feet. If the residence took up more street length, then the lights were split up by usage of the lights. He stated the rates were adjusted by how many units with the number of streetlights.

Council Member Pha stated to analyze the current assessment of what was equitable, did it still stand because businesses needed to be equitable to single-family homes.

Operations and Maintenance Director Ruiz stated the reason why they were recommending .01 cent was that rate was about a 5.8% increase, which was close to the single-family homes increase.

Council Member Mata stated the square footage on the businesses and the single-family was a lump fee, that was the difference between those two different rates. He stated with the insurance, with a \$41,000 premium it would benefit one or two people, and those one or two people might not even get it. He stated that rather than the City investing in the insurance, it would be the homeowner's responsibility. He stated another issue would be to mitigate individuals who would use the claim or would not use it for the claim. He stated it would be better for the city to take that responsibility and find the money.

He stated that on the streetlights, fifty lights were changing from wood to fiberglass a year. If they had an increase in expenses and an increase in taxes, they did not reduce the changed-out poles to forty poles rather than fifty to save money, because eventually, that would sunset. He stated the lights they approved on Noble Parkway and 93rd Avenue, the city had funds in the CIP, which allocated money for the stoplights. He stated the Council said that particular signal light was a priority because there was a large concern from the citizens. He asked why they were worried about a \$325,000 expense when it already had been budgeted in the CIP. He asked if the Xcel covered some of the streetlights when the lights were on.

Operations and Maintenance Director Ruiz stated 50% Xcel, 50% city. If there was a light on the street that was city-owned, they wanted to catch those things. He stated it was \$5 a month and was a very small amount.

Council Member Mata suggested to put something in the Park Pages to ask citizens to report if city lights were on during daylight or not working and a reward system. He stated Xcel did not give a credit back for lights out, so they didn't feel obligated to worry about lights that were turned off. He stated he didn't want to see those funds increased and they could put less expenditures in them to make them work.

Mayor Lunde stated the residents should be asked if they would like a slow increase or a large increase all at once. He suggested asking the Budget Advisory Commission on their opinion on how the increases should be handled.

Council Member Pha stated they should be conservative with the budget but also act accordingly to make sure they were not depleting funds and were funding appropriately for the

projects that were coming up. She stated in the past, certain projects were not being funded properly and how that trickled over and effected projects in the current needs. She stated having the ability to have enough money to do what was needed but also be conservative about how they did projects was important. She stated she would also like to hear from the Budget Advisory Commission to see the numbers.

Council Member Mata asked about the the 2019 Monthly Household Sanitary Sewer Charges slide if the reason why the city was at the bottom in spending was because something was better than other cities.

Operations and Maintenance Director Ruiz stated part of the reason was New Hope and Minnetonka were older cities and they were going through construction that was more intense. He stated it also had to do with the deferred maintenance and needed to catch up on their projects, and it was a combination of management and age of the infrastructure.

Council Member West-Hafner agreed with the insurance claim and preferred the incremental increase. She stated there would be a lot of pressure to increase so they should be as smart as possible and have the least impact per year. She stated an incremental increase would be best.

Council Member Jacobson agreed with what had been said, and with seniors and their fixed incomes, they would be impacted on the decisions they made. She stated it was still in increase even if it was small. She stated there were some things they had to do but also things that were nice to do. She stated there were projects in Operations and Maintenance that were not optional.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Lunde stated briefed on the national meeting at the Cities United Conference and the city was recognized twice for awards. He stated he would work with the City Manager on a presentation to the Council.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated next Monday was Labor Day and the Council Work Session would be held on Tuesday.

He stated the Farmers Market continued on Wednesdays from 2 to 6 p.m. at Zanewood Sports Park.

He stated American Legion Commander Walter Cole was looking to do a veteran's memorial project in the city. He stated they did a project in Maple Grove and wanted to do something similar in Brooklyn Park. He stated he had a great meeting with Recreation and Parks Director Yungers on potential sites and more would be coming on the project.

Council Member Jacobson stated there was a new Rotary Club for Veterans in Minnesota and suggested to connect those two groups on the fundraising.

Council Member West-Hafner suggested having the Farmers Market open longer because people missed the window when getting off from work.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 8:55 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

BROOKLYN PARK SPECIAL CITY COUNCIL MEETING
CLOSED EXECUTIVE SESSION

Monday, March 16, 2020
6:30 p.m.

Steve Lampi Room
5200 85th Avenue North

A QUORUM OF THE COUNCIL WAS NOT PRESENT

PRESENT: Mayor Jeffrey Lunde, City Manager Jay Stroebel; City Attorney Jim Thomson; Fire Chief John Cunningham; Police Chief Craig Enevoldsen; and City Clerk Devin Montero.

ABSENT: Council Members Terry Parks, Susan Pha, Lisa Jacobson, Mark Mata, Wynfred Russell and Tonja West-Hafner.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, March 16, 2020
7:02 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

A QUORUM OF THE COUNCIL WAS NOT PRESENT

PRESENT: Mayor Jeffrey Lunde, City Manager Jay Stroebel; City Attorney Jim Thomson; Fire Chief John Cunningham; Police Chief Craig Enevoldsen; and City Clerk Devin Montero.

ABSENT: Council Members Terry Parks, Susan Pha, Lisa Jacobson, Mark Mata, Wynfred Russell and Tonja West-Hafner.

Mayor Lunde stated that due to a lack of a quorum, tonight's City Council meeting was cancelled. He stated that at the request of the entire Council, and himself, based on guidance issued earlier today by the Federal government that no meeting shall be more than 10 people, the Council decided the meeting shouldn't be held. He stated the Council felt it was important that the Council supported the community and also made sure people were aware that having large gatherings could lead to the spread of the virus. He stated the Council wanted to take every precaution, not only for the public but also for the staff.

He stated for the rest of the week, City Hall would be closed excluding essential services, such as police, fire and others as determined. He stated they were currently working on a plan that would potentially allow City Hall to open with limited services. He stated if anyone had questions on City Hall services to visit the city's website, contact a Council Member or the Mayor for information. He stated they were diligently working on how they could continue to serve the public and provide services as needed for core functions. He stated that if anyone had questions to visit the city's website or contact a Council Member.

ADJOURNMENT – Mayor Lunde adjourned the meeting at 7:05 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

BROOKLYN PARK SPECIAL CITY COUNCIL MEETING
CLOSED EXECUTIVE SESSION

Monday, March 23, 2020
6:00 p.m.

Council Chambers
Via Telephone
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; City Manager Jay Stroebel; Human Resources Manager Beth Toal, and City Clerk Devin Montero.

VIA TELEPHONE: Council Members Tonja West-Hafner, Susan Pha, Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Attorney Jim Thomson; Police Chief Craig Enevoldsen.

ABSENT: None.

Mayor Lunde stated the purpose of the closed executive session was to discuss and consider matters relating to labor negotiation and strategies.

2.1 MOTION LUNDE, SECOND RUSSELL TO CLOSE THE MEETING PURSUANT TO MINNESOTA STATUTES, SECTION 13D.03 SUBDIVISION 1(B) TO DISCUSS AND CONSIDER MATTERS RELATING TO LABOR NEGOTIATIONS AND STRATEGIES.

2.1 THE MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – MATA, PHA, WEST-HAFNER, RUSSELL, JACOBSON, PARKS, AND LUNDE.

At 6:02 p.m., the Council met in a closed session to discuss and consider matters relating to labor negotiations and strategies.

At 6:14 p.m., the Council ended their discussions.

At 6:15 p.m., Mayor Lunde adjourned the special meeting.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.5	Meeting Date:	April 13, 2020
Agenda Section:	Consent	Originating Department:	Operations and Maintenance Engineering Services Division
Resolution:	X		
Ordinance:	N/A		
Attachments:	3		
Item:	Accept Petition and Order Feasibility Report for the Extension of 94 th Avenue to Hampshire Avenue		
		Prepared By:	Jesse Struve, City Engineer
		Presented By:	Jesse Struve

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ TO ACCEPT THE PETITION AND ORDER PREPARATION OF FEASIBILITY REPORT FOR THE EXTENSION OF 94TH AVENUE N TO HAMPSHIRE AVENUE N.

Overview:

On February 20, 2020, James Michael Seed Trust, Ryan Companies, and all other affected properties submitted a petition for public improvements to extend 94th Avenue from its current location (west of HyVee) to Hampshire Avenue to serve their property. The development plan and final plat for "Six Ten Zane Third Addition" was reviewed and approved by the City Council on March 30, 2020. The petition is to construct 94th Avenue N from its current ending location (west of HyVee), west to Hampshire Avenue N (see attached location map).

Since the petition was signed by 100% of the affected properties and they are aware of the estimated cost, the City can waive the Public Hearing for this project.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The construction of these roadway improvements was included in the approved 2020-2024 Capital Improvement Plan (CIP) as CIP 4018. The entire cost of these improvements will be funded by the Economic Development Authority, which will be repaid through special assessments.

Attachments:

- 4.5A RESOLUTION
- 4.5B LOCATION MAP
- 4.5C PETITION

RESOLUTION #2020-

RESOLUTION TO ACCEPT THE PETITION AND ORDER PREPARATION OF FEASIBILITY REPORT
FOR THE EXTENSION OF 94TH AVENUE N TO HAMPSHIRE AVENUE N

WHEREAS, a petition was submitted to construct:

Roadway and utility improvements for a portion of the proposed 94th Avenue N; and

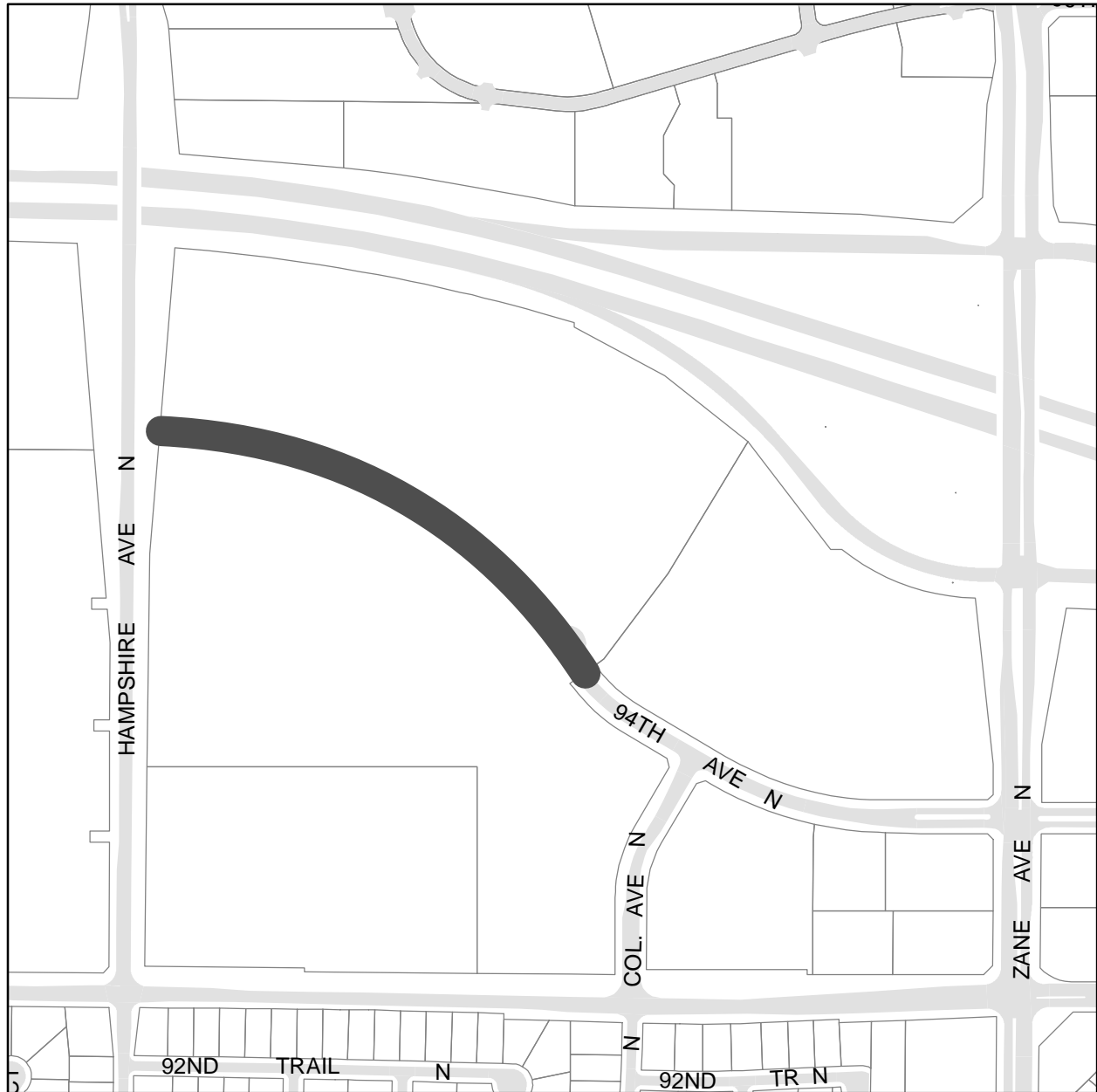
WHEREAS, staff has determined the petition to be valid and sufficient; and

WHEREAS, said petition is signed by 35% or more of all property owners in accordance with requirements of M.S.A 429.031, sub. 3.

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

1. The petition attached to this resolution has been presented to the City Council and it has been determined that the petition was signed by 35% or more of the property owners proposed to be assessed for the improvements.
2. This resolution is adopted in accordance with provisions of M.S.A 429.035.
3. The petition is hereby referred to the City Engineer who is instructed to report to the City Council with all convenient speed in a preliminary way as to whether the improvements are feasible and whether they are best made as proposed or in connection with some other improvement, and the estimated cost thereof.
4. The City Clerk shall cause a copy of this resolution to be published in the official newspaper in accordance with M.S.A. 429.036.

LOCATION MAP



ROADWAY EXTENSION



NO SCALE

DATE:

2/26/2020

PETITION FOR LOCAL IMPROVEMENT

TO: THE CITY COUNCIL OF BROOKLYN PARK, MINNESOTA

We the undersigned, owners of real property (abutting on) (within the area of) and benefited by, the following described improvement:

The extension of 94th Avenue North to Hampshire Avenue, which includes concrete curb and gutter, paving, stormwater and water infrastructure, concrete sidewalk and bituminous bike trail.

Hereby petition that the aforementioned improvement be authorized and approved by the City Council, in accordance with Minnesota Statutes, Sections 429.011 to 429.111.

SIGNATURE OF OWNER

Mark Schuering, SVP
Ryan Companies US

DESCRIPTION OF PROPERTY

Lot 2, Block 1, Six Ten Zane Second AdditionLot 4, Block 1, Six Ten Zane Second Addition

For City Use:

RECEIVED

DATE: _____

TIME: _____

SIGNATURE: _____

DATE: Feb. 20, 2020

PETITION FOR LOCAL IMPROVEMENT

TO: THE CITY COUNCIL OF BROOKLYN PARK, MINNESOTA

We the undersigned, owners of real property (abutting on) (within the area of) and benefited by, the following described improvement:

The extension of 94th Avenue North to Hampshire Avenue, which includes concrete curb and gutter, paving, stormwater and water infrastructure, concrete sidewalk and bituminous bike trail.

Hereby petition that the aforementioned improvement be authorized and approved by the City Council, in accordance with Minnesota Statutes, Sections 429.011 to 429.111.

SIGNATURE OF OWNER

B W M c G, Benjamin W. McCleary,
, as Trustee of James Michael Seed Trust, 4/4 1976

DESCRIPTION OF PROPERTY

Outlot A, Six Ten Zane First Addition

Outlot A, Six Ten Zane Second Addition

For City Use:

RECEIVED

DATE: _____

TIME: _____

SIGNATURE: _____

FORM "A"

DATE: 3/12/2020

PETITION FOR LOCAL IMPROVEMENT

TO: THE CITY COUNCIL OF BROOKLYN PARK, MINNESOTA

We the undersigned, owners of real property (abutting on) (within the area of) and benefited by, the following described improvement:

The extension of 94th Avenue North to Hampshire Avenue, which includes concrete curb and gutter, paving, stormwater and water infrastructure, concrete sidewalk and bituminous bike trail.

Hereby petition that the aforementioned improvement be authorized and approved by the City Council, in accordance with Minnesota Statutes, Sections 429.011 to 429.111.

SIGNATURE OF OWNER



DESCRIPTION OF PROPERTY

Mill City a division of City & County Credit Union

For City Use:

RECEIVED

DATE: _____

TIME: _____

SIGNATURE: _____

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.6	Meeting Date:	April 13, 2020
Agenda Section:	Consent	Originating Department:	Operations and Maintenance Engineering Services Division
Resolution:	X		
Ordinance:	N/A		
Attachments:	2	Prepared By:	Jesse Struve, City Engineer
		Presented By:	Jesse Struve
Item:	Accept Feasibility Report for 94 th Avenue N, CIP 4018-20 and Order Preparation of Plans and Specifications		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ ACCEPTING FEASIBILITY REPORT FOR 94TH AVENUE N., CIP 4018-20 AND ORDER PREPARATION OF PLANS AND SPECIFICATIONS.

Overview:

On February 20, 2020, James Michael Seed Trust, Ryan Companies, and all other affected properties submitted a petition for public improvements to extend 94th Avenue from its current location (west of HyVee) to Hampshire Avenue to serve their property. The development plan and final plat for "Six Ten Zane Third Addition" was reviewed and approved by the City Council on March 30, 2020. The petition is to construct 94th Avenue N from its current ending location (west of HyVee), west to Hampshire Avenue N (see attached location map).

Since the petition was signed by 100% of the affected properties and they are aware of the estimated cost, the City can waive the Public Hearing for this project.

Staff feels the project is necessary, cost effective, and feasible as detailed in the feasibility report.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The construction of these roadway improvements was included in the approved 2020-2024 Capital Improvement Plan (CIP) as CIP 4018. The entire cost of these improvements will be funded by the Economic Development Authority, which will be repaid through special assessments.

Attachments:

- 4.6A RESOLUTION
- 4.6B FEASIBILITY REPORT

RESOLUTION #2020-

RESOLUTION ACCEPTING FEASIBILITY REPORT FOR 94TH AVENUE N., CIP 4022-15
AND ORDER PREPARATION OF PLANS AND SPECIFICATIONS

WHEREAS, Resolution #2020-~~XX~~ of the City Council adopted on the 13th day of April 2020, authorized the preparation of a feasibility report; and

WHEREAS, a report has been given by the City Engineer to the City Council on April 13, 2020, recommending the following improvements to wit:

CIP 4018-20: Roadway and utility improvements of 94th Avenue N west of Zane Avenue to Hampshire Avenue N.

WHEREAS, a signed petition was submitted with 100% approval of assessed properties; a public hearing is not required.

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

1. Such improvement is necessary, cost effective, and feasible as detailed in the feasibility report.
2. Such improvements as set out in Council Resolution of April 13, 2020 and as above indicated are hereby ordered.
3. The City Engineer is hereby designated as the Engineer for this project and is hereby authorized to retain the services of SRF Consulting Group, Inc. to prepare plans and specifications for the making of such improvements.



April 1, 2020

Project Number: R0026282.00

Honorable Mayor and City Council
CITY OF BROOKLYN PARK
5200 – 85TH Avenue North
Brooklyn Park, MN 55443-4301

SUBJECT: 94th Avenue North Extension
Feasibility Study
City Project No. 4018-20

Dear Mayor and Members of Council:

As requested, we have conducted preliminary design work for the referenced project. This letter will serve as our Feasibility Study, includes our design recommendations, and will also identify project costs.

Introduction

This Feasibility Study has been prepared for City Project No. 4018-20, the extension of 94th Avenue North to Hampshire Avenue.

Overall, proposed 94th Avenue is located south of TH 610, aligned east and west between Zane Avenue North and Hampshire Ave North. The proposed roadway extension lies in a "mixed use" area and will provide access to future commercial development. This construction of 94th Avenue is the second phase of work, to further extend the roadway to Hampshire Avenue where it was completed in 2016.

Westwood

Proposed Improvements

This report addresses the portion of 94th Avenue North Extension from the existing cul-de-sac, to the new intersection with Hampshire Avenue, and includes construction of streets, storm sewer, sidewalk and trails (Figure 1). Figure 2 indicates the plat boundaries and location of the lots and outlots.

94th Avenue is proposed as a 3 lane - 38' wide urban roadway. The center lane provides opposing left turn movements through the development. 94th Avenue will have B618 curb and gutter, concrete sidewalk and bituminous trail provisions along tree planted boulevards (Figure 3). Proposed curbcuts will be installed on 94th Avenue to match the proposed entrances required from the adjacent commercial properties. This project will also include a sidewalk extension to the south along Hampshire Avenue.

Storm sewer will be installed, and will connect to an existing stormwater pond that was constructed in phase 1 of the project. The project drainage area is within the jurisdiction of the West Mississippi Watershed District and coordination of the project will require preparation of a project review submittal package to that agency. Sanitary Sewer was previously installed along the proposed 94th Avenue alignment by the developer. With this project, 10" PVC watermain will be installed adjacent to the existing sanitary sewer, and will connect to existing watermain at Hampshire Avenue. Connection stubs for water services will be included and installed to the property lines at various locations for future development. (Figure 4).

N:\0026282.00\DWG\CIVIL\FEASIBILITY STUDY\0026282C-EXB01.DWG



94TH AVENUE NORTH EXTENSION

DESIGNED: RMB
 CHECKED: RMB
 DRAWN: DWR
 FIELD CREW:
 FIELD WORK DATE:

94TH AVENUE NORTH EXTENSION

BROOKLYN PARK, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
 Fax (952) 937-5822 Minnetonka, MN 55343
 Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

PROJECT LOCATION MAP

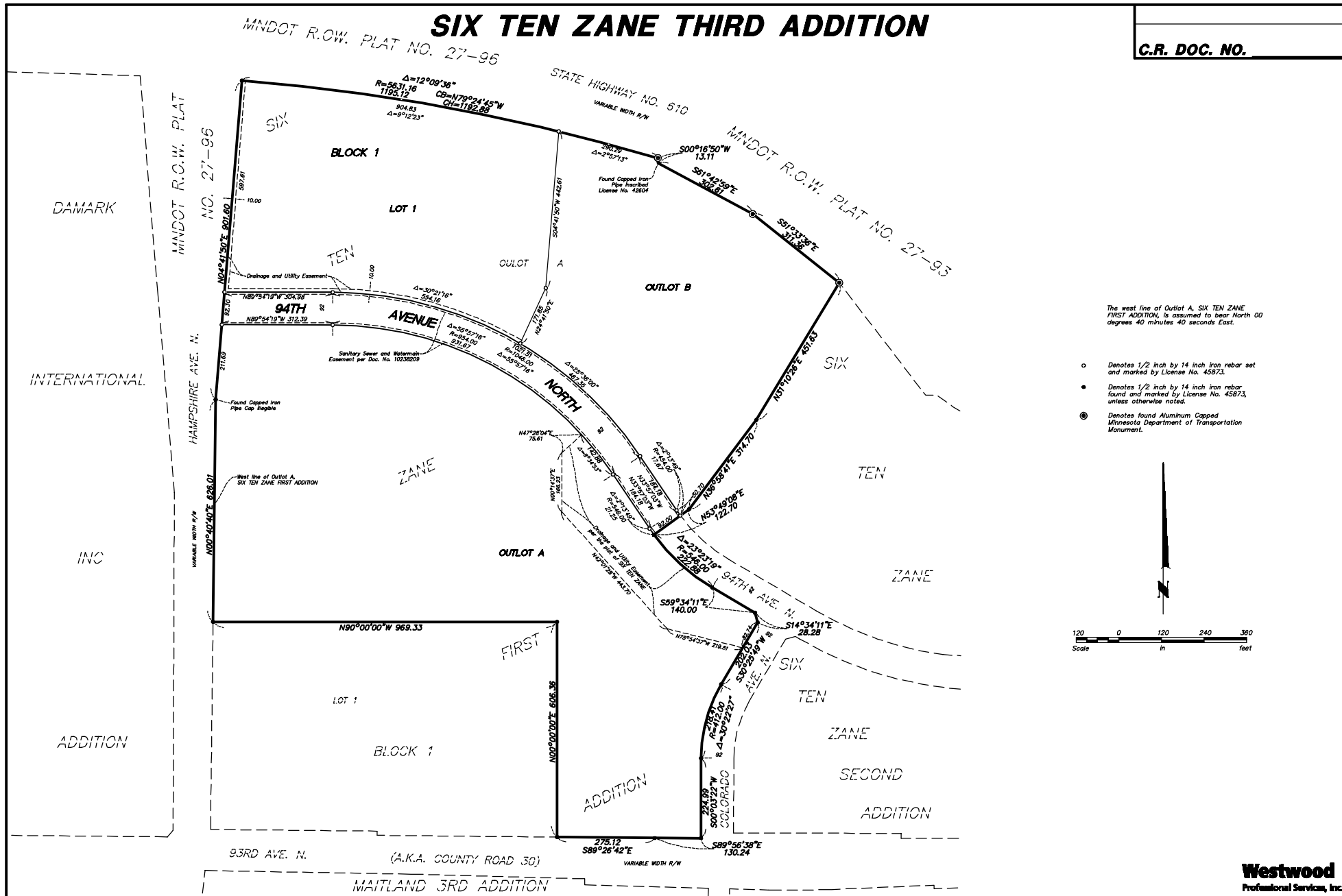
PROJECT NUMBER: 0026282.00

SHEET NUMBER:

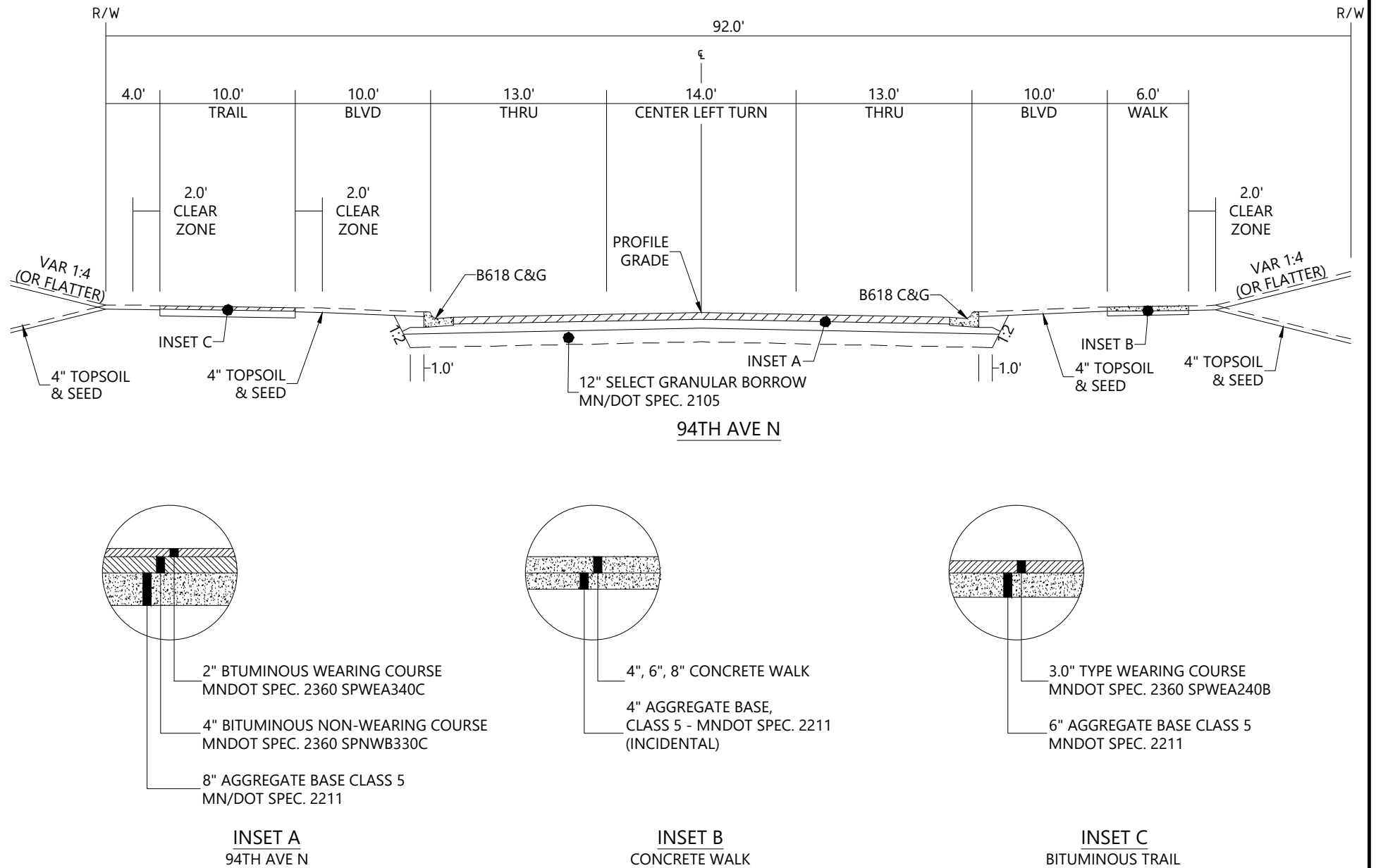
FIGURE 1

DATE: 02/26/20

SIX TEN ZANE THIRD ADDITION

C.R. DOC. NO. _____

N:\0026282.00\DWG\CIVIL\FEASIBILITY STUDY\0026282C-EXB02.DWG



94TH AVENUE NORTH EXTENSION

DESIGNED: RMB
 CHECKED: RMB
 DRAWN: DWR
 FIELD CREW:
 FIELD WORK DATE:

94TH AVENUE NORTH EXTENSION

BROOKLYN PARK, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
 Fax (952) 937-5822 Minnetonka, MN 55343
 Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

TYPICAL SECTION

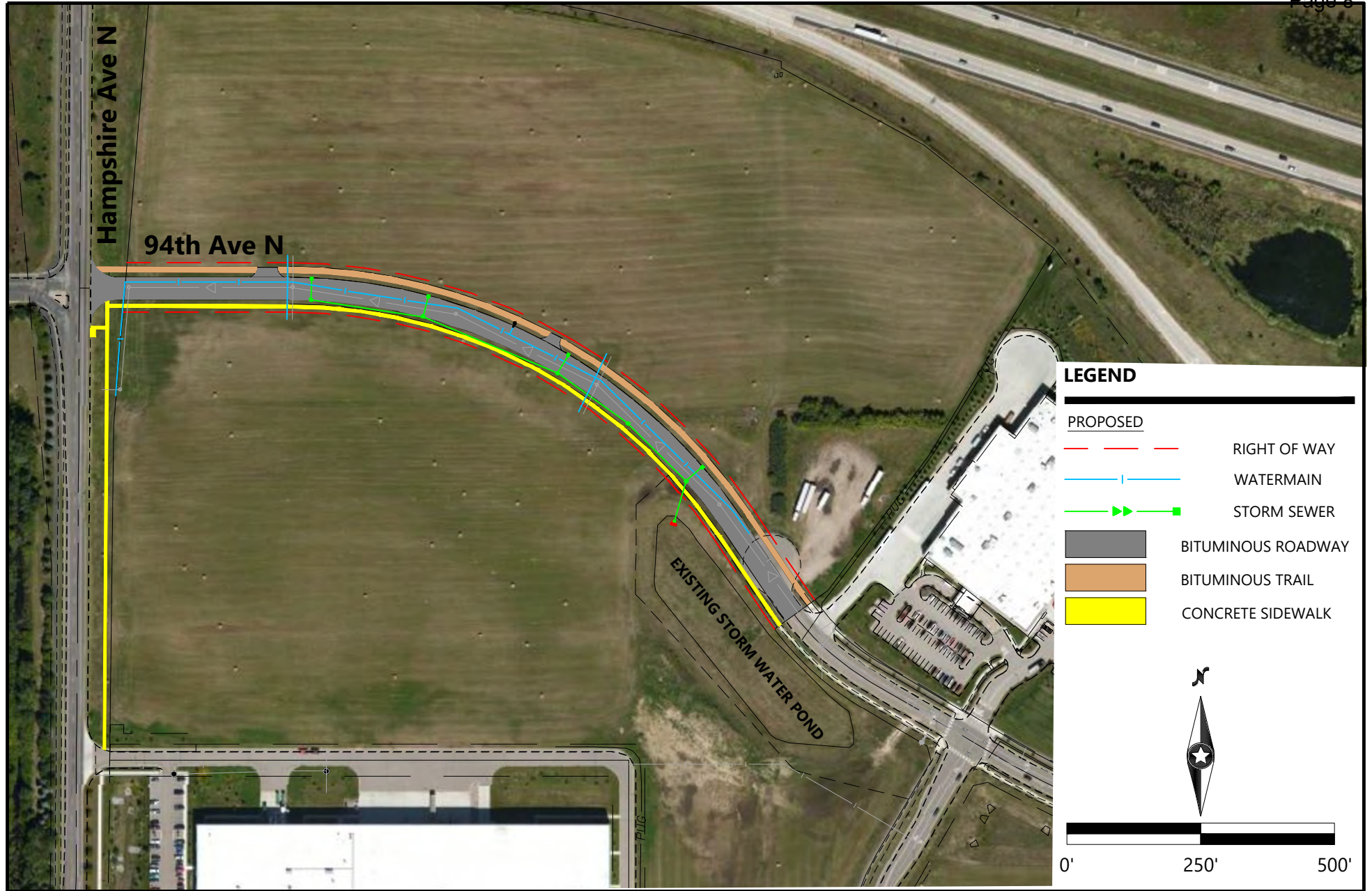
PROJECT NUMBER: 0026282.00

SHEET NUMBER:

FIGURE 3

DATE: 02/26/20

N:\0026282.00\DWG\CIVIL\FEASIBILITY STUDY\0026282C-EXB04.DWG



94TH AVENUE NORTH EXTENSION

DESIGNED: RMB
 CHECKED: RMB
 DRAWN: DWR
 FIELD CREW:
 FIELD WORK DATE:

94TH AVENUE NORTH EXTENSION

BROOKLYN PARK, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300
 Fax (952) 937-5822 Minnetonka, MN 55343
 Toll Free (888) 937-5150 westwoodps.com
 Westwood Professional Services, Inc.

STREET & UTILITY IMPROVEMENTS

PROJECT NUMBER: 0026282.00

SHEET NUMBER:

FIGURE 4

DATE: 02/26/20

Westwood

Estimated Costs

The estimated cost of City Project No. 4018-20 is summarized below. The estimated costs include construction, design, administration and capitalized interest for this project. A preliminary estimate of the construction costs is included in Appendix A.

Estimated Costs
City Project No. 4018-20
94th Avenue North Extension

	Cost
Streets/Walks	\$ 991,771.60
Storm Sewer	\$ 143,655.00
Watermain	\$ 172,387.00
Landscaping/Boulevard Trees	\$ 10,000.00
Street Lighting	\$144,564.49
Engineering, Contingencies and Capitalized Interest (30%)	\$ 438,378.09
TOTAL	\$1,901,091.52

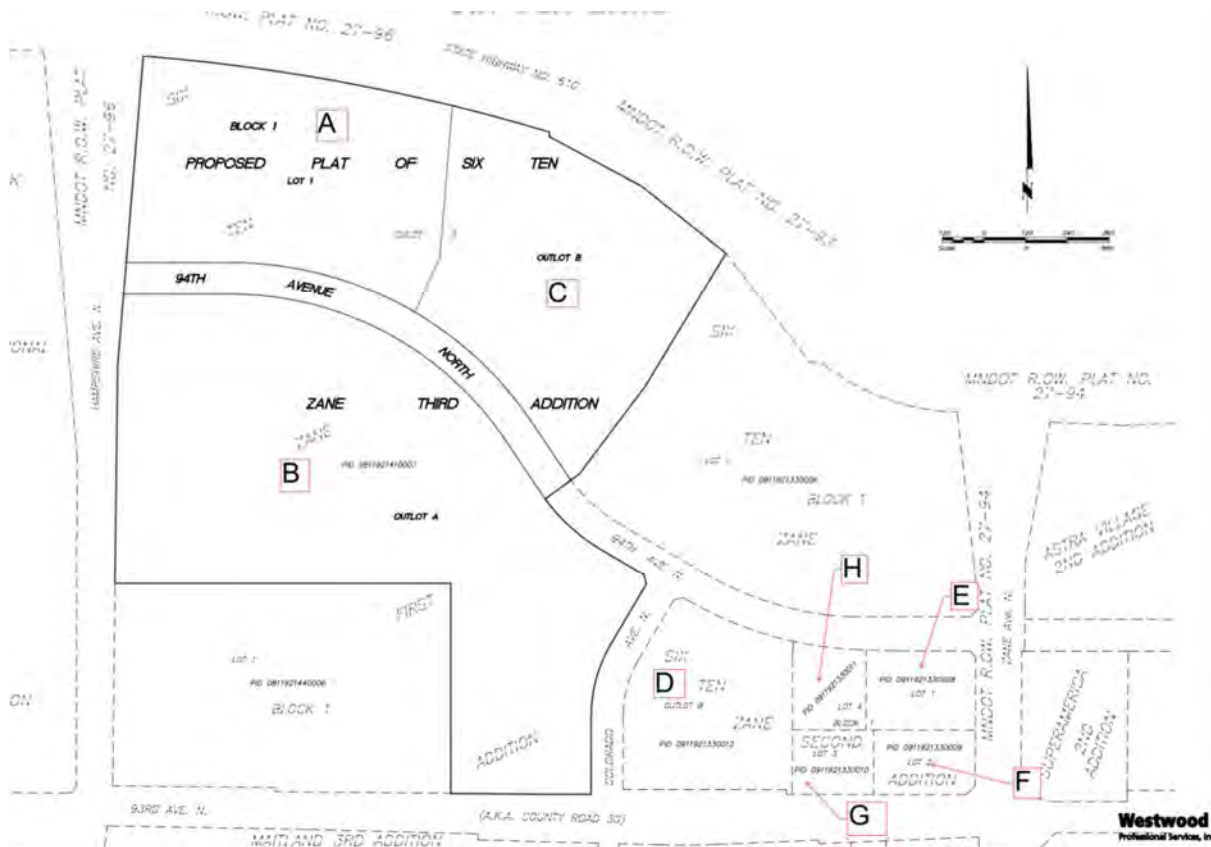
Easements, Right of Way and Permits

The required street right of way and permanent utility easements within the proposed 94th Avenue North Extension are assumed to be dedicated as part of the final plat. Additional easements may be required along the road right of way for grading purposes.

To complete the project, it is assumed that the following permitting will be required:

- Minnesota Pollution Control Agency Storm Water Permit (NPDES Phase II).
- West Mississippi Watershed District Permit

The properties affected by the proposed improvements are as follows;



Property A, B and C	08-119-21-44-0007
Property D	09-119-21-33-0012
Property E	09-119-21-33-0008
Property F	09-119-21-33-0009
Property G	09-119-21-33-0010
Property H	09-119-21-33-0011

Westwood

Assessments

It is proposed to assess the total cost of City Project No. 4018-20 to the benefiting parcels on a percentage basis. The total cost will be applied consistent with terms as outlined in the Assessment Allocation Agreement. Detailed construction costs are included in the Appendix. City Project No. 4018-20 is proposed to be fully assessed, consistent with the Assessment Allocation Agreement to the adjacent property owners for all construction providing benefit to the development. Assessments are apportioned as follows:

Owner	PID Number	Rate	Assessment Amount
Proposed Kurita Lot – Lot 1, Block 1, Six Ten Zane Third Addition	08-119-21-44-0007	34.91%	\$663,671.05
Outlot A, Six Ten Zane Third Addition	08-119-21-44-0007	36.17%	\$687,624.80
Outlot B, Six Ten Zane Third Addition	08-119-21-44-0007	14.92%	\$283,642.85
Outlot A, Six Ten Zane Second Addition:	09-119-21-33-0012	7.11%	\$135,167.61
Multi-Tenant Retail – Lot 1, Block 1, Six Ten Zane Second Addition:	09-119-21-33-0008	2.24%	\$42,584.45
Lot 2, Block 1, Six Ten Zane Second Addition:	09-119-21-33-0009	1.69%	\$32,128.45
Mill City Credit Union – Lot 3, Block 1, Six Ten Zane Second Addition:	09-119-21-33-0010	1.37%	\$26,044.95
Lot 4, Block 1, Six Ten Zane Second Addition:	09-119-21-33-0011	1.59%	\$30,227.36
TOTAL			\$ 1,901,091.52

Westwood

Summary and Recommendations

City Project No. 4018-20 (94th Avenue North Extension) as outlined herein, is necessary, cost-effective and feasible from an engineering standpoint and conforms to the City of Brooklyn Park Standards. It is recommended that the City Council accept the Feasibility Study for the proposed project.

We would be pleased to meet with the City Council, staff and other interested parties to review any aspect of this report.

Respectfully submitted,

WESTWOOD PROFESSIONAL SERVICES

A handwritten signature in black ink, appearing to read 'R Bluhm', is positioned above the printed name and title.

Ryan Bluhm
Senior Project Manager

Attachment



APPENDIX

Appendix A: Preliminary Estimate of Construction Costs

Appendix A
City Project 4018-20
94th Street

Street and Utility Project

Description	Unit	Total EST Quantity	Total Price
Removals			
Mobilization	LS	1	\$35,000.00
Clearing and Grubbing	ACRE	0.25	\$1,125.00
Remove Ex Bituminous Pavement	S.Y.	1308	\$4,578.00
Remove Ex Concrete Curb and Gutter	L.F.	215	\$1,505.00
Remove Ex Concrete Sidewalk	L.F.	11	\$220.00
Subtotal Removals			\$42,428.00
GRADING			
Common Excavation (EV) (P)	C.Y.	2,650	\$37,100.00
Import Common Borrow for Controlled Fill (CV)	C.Y.	15068	\$233,554.00
Re-spread Topsoil (CV) (P)	C.Y.	1,700	\$14,450.00
Subtotal Grading			\$285,104.00
EROSION CONTROL & TURF ESTABLISHMENT			
Rock Construction Entrance	EACH	2	\$10,000.00
Silt Fence (type regular)	L.F.	5,460	\$12,285.00
Seeding & Mulching MNDOT 25-141 (P)	ACRE	1	\$2,500.00
Storm Inlet Protection in Curbs/Pavement (Complete, per detail: WIMCO or approved equal)	EACH	9	\$3,150.00
Boulevard restoration (sod between curb & sidewalk or trail)	S.Y.	5670	\$19,845.00
Erosion Control Supervisor	L.S.	1	\$5,000.00
Subtotal Erosion Control			\$52,780.00
WATER MAIN			
Remove Ex Hyd & Valve and Connect to Existing Water Main	EACH	2	\$4,000.00
6" C-900 DR-18 PVC Water Main (All Depths)	L.F.	189	\$6,615.00
8" C-900 DR-18 PVC Water Main (All Depths)	L.F.	168	\$6,720.00
10" C-900 DR-18 PVC Water Main (All Depths)	L.F.	1623	\$97,380.00
Hydrant with Auxiliary Valve	EACH	4	\$26,000.00
10" Gate Valve & Box	EACH	5	\$17,500.00
Fittings (Ductile Iron)(AWWA C-153)	LB.	1181	\$14,172.00
Subtotal Water Main			\$172,387.00
STORM SEWER			
15" RC Pipe, Class V (all depths)	L.F.	215	\$12,900.00
18" RC Pipe, Class V (all depths)	L.F.	223	\$14,495.00
21" RC Pipe, Class III (all depths)	L.F.	456	\$34,200.00
24" RC Pipe, Class III (all depths)	L.F.	452	\$36,160.00
2' x 3' Catch Basin	EACH	5	\$12,500.00
48" Diameter CBMH/STMH (0-8' Depth)	EACH	4	\$14,000.00
60" Diameter CBMH/STMH (0-8' Depth)	EACH	1	\$5,000.00
24" RC Flared End Section w/Trash guard	EACH	3	\$10,500.00
Class 3 Rip Rap	C.Y.	19	\$2,850.00
Granular Filter	C.Y.	21	\$1,050.00
Subtotal Storm Sewer			\$143,655.00

Appendix A
City Project 4018-20
94th Street

Street and Utility Project

Description	Unit	Total EST Quantity	Total Price
PAVING			
Subgrade Preparation (1.0' BOC) (P)	S.Y.	7854	\$15,708.00
12" MnDOT 3149 Select Granular Sand Subbase (P)	S.Y.	7854	\$90,321.00
8" Thick, MnDOT 2211, Class 5 Agg. Base, 100% Crushed (1.0' BOC) (P)	S.Y.	7519	\$78,949.50
B618 Style Concrete Curb & Gutter	L.F.	3338	\$55,077.00
8" Concrete Pavement w/ 8" Cl 5 Agg Base	S.F.	1748	\$20,102.00
4" MnDOT 2360 SPNWB330C, Bit. Base Course (P)	S.Y.	6464	\$100,192.00
Adjust Manhole Castings	EACH	5	\$3,000.00
Adjust Gate Valve Castings	EACH	7	\$2,800.00
Street Cleaning For Wear Course Installation	L.S.	1	\$1,500.00
MnDOT 2357 Tack Coat	GAL	339	\$1,186.50
2" MnDOT 2360 SPWEA340C Bit. Wear Course (P)	S.Y.	6464	\$59,792.00
6" Thick MnDOT 2104 Conc Pad inc. 4" Cl. 5, Agg Base	S.F.	210	\$1,470.00
6' Wide x 6" Thick MnDOT 2104, Conc. sidewalk inc. 4" Cl. 5, Agg Base	L.F.	2447	\$88,092.00
Pedestrian Ramp (with Truncated Dome)	EACH	7	\$14,000.00
10' Wide x 3" Thick Bit. Trail inc. 6" Class 5, Agg Base	L.F.	1651	\$62,738.00
Traffic Control	L.S.	1	\$5,000.00
Sign Panels, Type C, High Intensity	S.F.	68	\$2,720.00
Street Name Sign (2 Blades), incl. Post & Hardware	EACH	1	\$500.00
4" Wide White Continous Striping (Epoxy)	L.F.	210	\$378.00
4" Wide Double Yellow Striping (Epoxy)	L.F.	263	\$841.60
4" Wide Yellow Continuous Striping (Epoxy)	L.F.	2940	\$5,292.00
Pavement Message (Epoxy)	EACH	6	\$1,800.00
Subtotal PAVING			\$611,459.60
Subtotal Landscaping	L.S.	1	\$10,000.00
STREET LIGHTING			
94th Avenue Street Lighting	L.S.	1	\$79,940.29
Hampshre Street Lighting	L.S.	1	\$64,624.20
Subtotal Street Lighting			\$144,564.49
SUMMARY			
Subtotal Removals			\$42,428.00
Subtotal Grading			\$285,104.00
Subtotal Erosion Control			\$52,780.00
Subtotal Water Main			\$172,387.00
Subtotal Storm Sewer			\$143,655.00
Subtotal PAVING			\$611,459.60
Subtotal Landscaping			\$10,000.00
Subtotal Street Lighting			\$144,564.49
TOTAL CONSTRUCTION COSTS			\$1,462,378.09
Engineering, Contingencies and Capitalized Interest (30%)			\$438,713.43
TOTAL ESTIMATED COST			\$1,901,091.52

City of Brooklyn Park

Request for Council Action

Agenda Item:	7.1	Meeting Date:	April 13, 2020
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Keith Jullie, Rental and Business Licensing Manager Megan Bookey, Program Assistant III Jason Newby, Environmental Health and Inspections Manager
Ordinance:	N/A		
Attachments:	2	Presented By:	Kim Berggren, Director of Community Development
Item:	Business License Renewal Deadlines Due to COVID-19		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO DIRECT STAFF TO EXTEND THE 2020 DEADLINES FOR CERTAIN BUSINESS LICENSE RENEWALS UNTIL 30 DAYS AFTER THE BUSINESS CAN REOPEN TO THE PUBLIC.

Overview:

Staff requests that the City Council extend business license deadlines for massage, pools, and gambling businesses who have been impacted by COVID-19 Executive Orders 20-20 and 20-33. Staff also seeks direction from the City Council around related business licensing renewal fees.

Due to the likely hardships caused by the current COVID-19 pandemic, staff is asking for Council direction as to possible time extensions of business licensing renewal deadlines and/or reductions in annual license fees to help ease the burden on these businesses. Staff contacted surrounding cities considering similar actions to assist their licensed businesses. Attachment 7.1B outlines the changes occurring in other cities.

The attached spreadsheet, 7.1A, lists the license types with renewal deadlines that recently passed or are approaching soon. These types include Massage Therapists, Massage Enterprises, Swimming Pools, Liquor, Gambling, and Garbage Hauler licenses.

Staff recommends extending the renewal deadlines for COVID-19 impacted business types (massage, pools and gambling) to 30 days after they are allowed to re-open to the public. The city cannot extend Liquor License renewal deadlines per State Statute. Extending deadlines for city-controlled licenses will allow businesses to get back up and running and to submit the proper paperwork and fees for renewal. No late fees would be applied for these business types during the extended license renewal period.

Staff is asking for further direction regarding possible reductions of business license fees for the 2020-2021 licensing period. The estimated loss of revenue is \$31,000 if a 20% reduction is applied to massage, pools and on-sale liquor businesses. Also, staff is anticipating reduced fee revenue because of business closures. As an example, if 10 percent of these types of businesses choose not to re-open, and 50 percent of outdoor pools do not open this summer, fee revenues would be reduced by about \$13,000.

There are other licensed businesses that are directly impacted by COVID-19 Executive Orders, including restaurants, tobacco only shops, and lodging. Renewals for these businesses are due December 31, 2020. If the Council reduces fees for the businesses with pending renewals, these other COVID-19 impacted businesses might anticipate similar treatment. Staff estimates the fee reduction for these other renewals would be an additional estimated \$21,000.

Instead of a fee reduction, the Council could consider allowing the fee to be split over two payments to provide some relief to COVID-19 impacted businesses.

Primary Issues/Alternatives to Consider:

- Extend expiration dates for business licenses expiring March 31 through July 1, 2020 (massage, pools, and gambling) by 30 days from the date they can reopen to the public.
- Split the annual liquor license fees for 2020-2021 into two payments. Half due at renewal time, the second half due by end of year.
- Consider reduction in business license fees for massage, pools, gambling and on-sale liquor – estimate for 20% reduction in fee provided.
- Consider reduction in license fees that renew at the end of the year 2020 that were impacted by the shutdown (food, institution, lodging, and tobacco-only shops).

Budgetary/Fiscal Issues:

- An extension of the license deadlines will not have an impact on projected revenues for 2020.
- If the Council wants to reduce license fees by 20% for COVID-19 impacted businesses, the resulting loss of revenue would be about \$52,000 (\$31,000 for massage, pools, and on-sale type liquor and \$21,000 for food, institution, lodging and tobacco-only shops)

Attachments:

- 7.1A BUSINESS LICENSE PROJECTED FEES WITH REDUCTIONS
- 7.1B SURROUNDING CITIES SPREADSHEET

Business License Type	Renewal Fee	# of Licenses	Total Projected	Projected at 80%	Renewal Due	Recommendation
Massage Therapist	\$100	20	\$ 2,000	\$ 1,600	3/31/2020	Prorate 20%
Massage Enterprise	\$200	10	\$ 2,000	\$ 1,600	3/31/2020	Prorate 20%
Gambling Registration	\$250	9	\$ 2,250	\$ 1,800	3/31/2020	Prorate 20%
Indoor Pools	\$380	16	\$ 6,080	\$ 4,864	4/30/2020	Prorate 20%
Additional Indoor Pools	\$345	3	\$ 1,035	\$ 828	4/30/2020	Prorate 20%
Outdoor Pools	\$290	19	\$ 5,510	\$ 4,408	4/30/2020	Prorate 20%
Additional Outdoor Pools	\$235	3	\$ 705	\$ 564	4/30/2020	Prorate 20%
Off-Sale (liquor stores)	\$300	15	\$ 4,500	\$ 4,500	6/30/2020	No change
On-Sale Intoxicating (bars)	\$8,200	15	\$ 123,000	\$ 98,400	6/30/2020	Prorate 20%
On-Sale Wine	\$2,000	4	\$ 8,000	\$ 6,400	6/30/2020	Prorate 20%
Microdistillery on/off sale	\$800	1	\$ 800	\$ 640	6/30/2020	Prorate 20%
Brewer on/off sale	\$800	1	\$ 800	\$ 640	6/30/2020	Prorate 20%
Club on-sale	\$400	2	\$ 800	\$ 640	6/30/2020	Prorate 20%
Garbage Haulers (1st)	\$115	21	\$ 2,415	\$ 2,415	6/30/2020	No change
Garbage Haulers (additional)	\$55	98	\$ 5,390	\$ 5,390	6/30/2020	No change

Total Projected | \$ 165,285 \$ 134,689
Total Projected Loss At 20% \$ 30,596

City	Waive Late Fees	Extend Due Date	Prorate Renewal Fees	Other
Bloomington	Yes	Yes	No	Split fee for liquor renewal half due in June half due in December
Blaine	Yes	Unknown	No	Any prorating will be case by case, not across the board
Maple Grove	Unknown	Unknown	Yes	Discount for 45 day closure on-sale liquor and wine (approximately 12% discount)
Hopkins	Unknown	Unknown	No	Split fee for liquor renewal half due in June half due in December
Ramsey	Unknown	Unknown	Unknown	On agenda for next council meeting
Osseo	Unknown	Unknown	Yes	Refunding based upon length of time of closure after renewals are paid

7.1 Extend Business License Renewal Deadlines due to COVID-19

Kim Berggren, Director of Community Development

April 13, 2020

Background

- The stay at home order related to COVID-19 has been extended until May 4, 2020
- Continued closures have put a strain on many of our local businesses including those with city issued licenses for food, on-sale liquor, tobacco shops, gambling, massage, and the use of public pools
- Other metro cities are considering license deadline changes to help ease the burden of the COVID-19 situation

Request

- Extend the license renewal deadlines until 30 days after the business can reopen to the public for the following license types:
 - Massage Therapists and Enterprises (due 3/31)
 - Gambling (due 3/31)
 - Swimming Pools (due 4/30)
- Liquor/wine/bar (due 6/30) deadlines cannot be extended due to State Statute

Additional Fee Considerations

1. Split the annual liquor license fees for 2020-2021 into two payments
 - Half due at renewal time, the second half due by end of year
2. Reduce license fees for the 2020-2021 licensing period for Massage, Pools, Gambling and various Liquor/Wine/Bar (exclude off-sale)
 - Refer to chart for estimated 20% reduction in fee
3. Reduce license fees for those renewing at the end of the year 2020 that were impacted by the shutdown
 - Food, Institution, Lodging, and Tobacco-only Shops

Budget Impacts

- An extension of the license deadlines or payment timing will not have an impact on projected revenues for 2020.
- A 20% reduction in license fee revenue for all COVID-19 impacted businesses
 - Loss of revenue would be about \$52,000
 - \$31,000 for massage, pools, and on-sale type liquor and
 - \$21,000 for food, institution, lodging and tobacco-only shops

Council Action Requests

- Approve extension of the 2020 deadlines for certain business license renewals until 30 days after the business can reopen to the public
- Discuss modifications to business license fees

City of Brooklyn Park Request for Council Action

Agenda Item:	7.2	Meeting Date:	April 13, 2020
Agenda Section:	General Action Items	Originating Department:	Operations and Maintenance Engineering Services Division
Resolution:	X	Prepared By:	Jesse Struve, P.E., City Engineer
Ordinance:	N/A		
Attachments:	4	Presented By:	Jesse Struve
Item:	Approve Final Layout for 93 rd Avenue Reconstruction, CIP 4054-20		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ APPROVING FINAL LAYOUT FOR 93RD AVENUE RECONSTRUCTION, CIP 4054-20.

Overview:

On December 9, 2019, the City Council authorized staff to reconstruct 93rd Avenue from Zane Avenue to Regent Avenue in 2020. The main goals of the project are to reduce speed along 93rd Avenue, provide a sidewalk between Zane Avenue and Regent Avenue, and provide a multi-use path from Zane Avenue to Noble Parkway. Staff and the consulting engineers analyzed numerous layouts and narrowed these down to two options. Ultimately, on February 10, 2020, the City Council directed staff to move forward with a 6' wide sidewalk along the north side of 93rd Avenue, and to place a 10' multiuse path on the south side.

The City Council had a few questions regarding impacts to properties by having a boulevard and if there is space available to do additional plantings between the back of the trail and residential properties. Bolton & Menk provided two layouts (see attached) where one had the trail behind the back of the curb, and one with a 5' grass boulevard. As you can see in the layouts, there were several trees that would be required to be removed by implementing the 5' boulevard. Also, with only a small boulevard, there was significant concern about maintaining vegetation in this small area without irrigation.

On March 11, 2020, staff hosted a second neighborhood meeting with the residents along 93rd Avenue where we presented the options. The main concerns we heard from residents were regarding impacts to their properties, maintenance of the boulevard, and one person brought up safety of having the trail on the back of the curb. The majority of the people at this meeting favored placing the trail behind the curb.

Ultimately, based on the feedback from maintenance staff and from the residents, it is staff's recommendation to move forward with the trail located behind the curb.

The proposed project schedule is as follows:

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

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

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

Attachments:

- 7.2A RESOLUTION
- 7.2B OPTION #1 – PREFERRED LAYOUT
- 7.2C OPTION #2
- 7.2D GRAPHIC OF TRAIL EXTENSION FROM REGENT AVE TO NOBLE PKWY

RESOLUTION #2020-

RESOLUTION APPROVING FINAL LAYOUT FOR
93RD AVENUE RECONSTRUCTION, CIP 4054-20

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

CIP 4054-20: 2020 Street Reconstruction Project along 93rd Avenue bounded by Zane Avenue on the west and Regent Avenue on the east; and

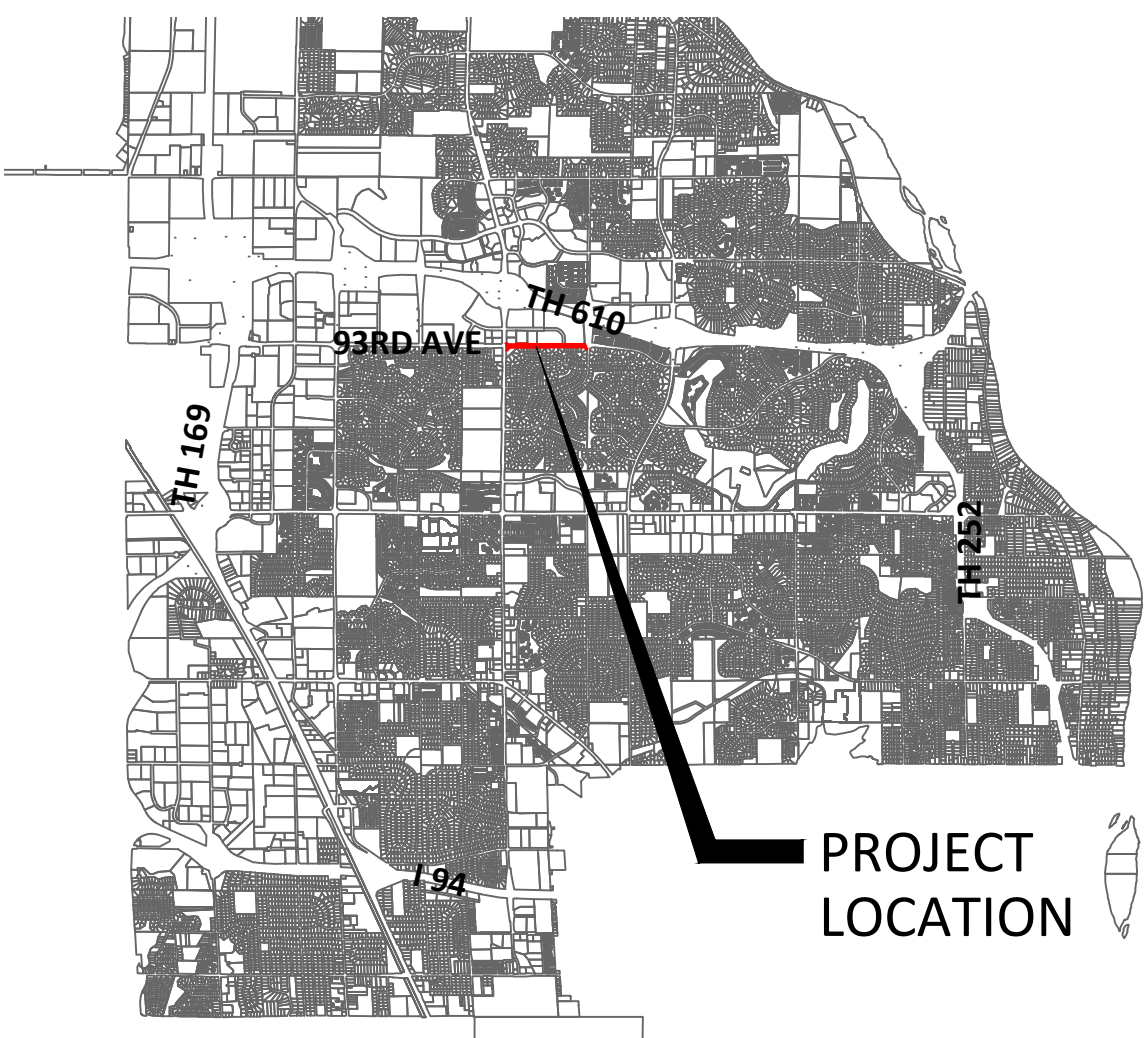
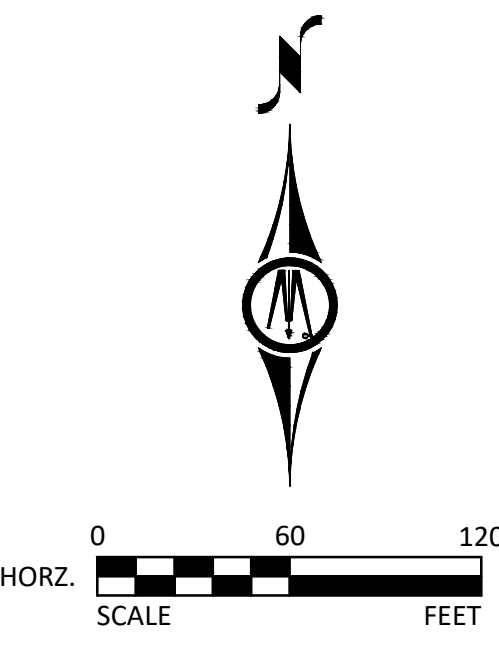
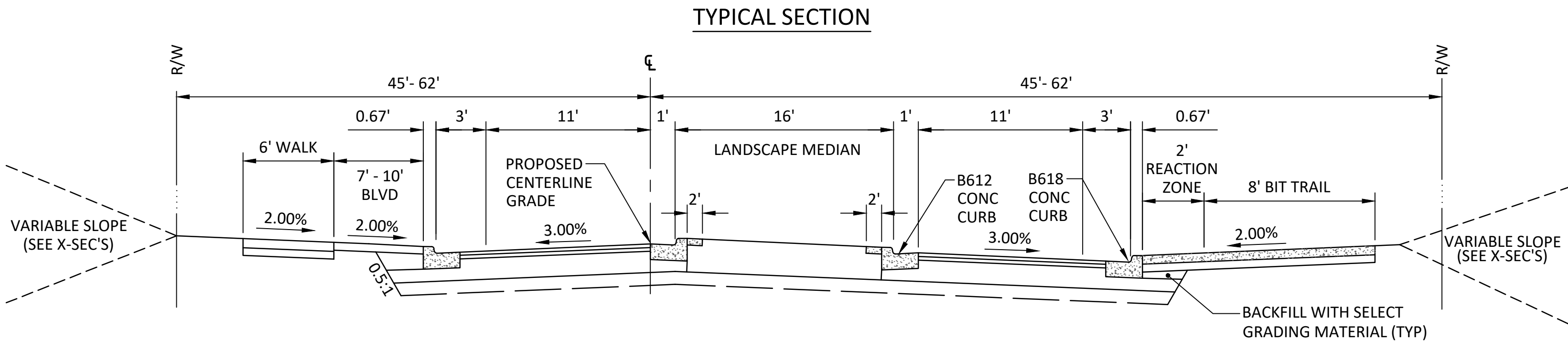
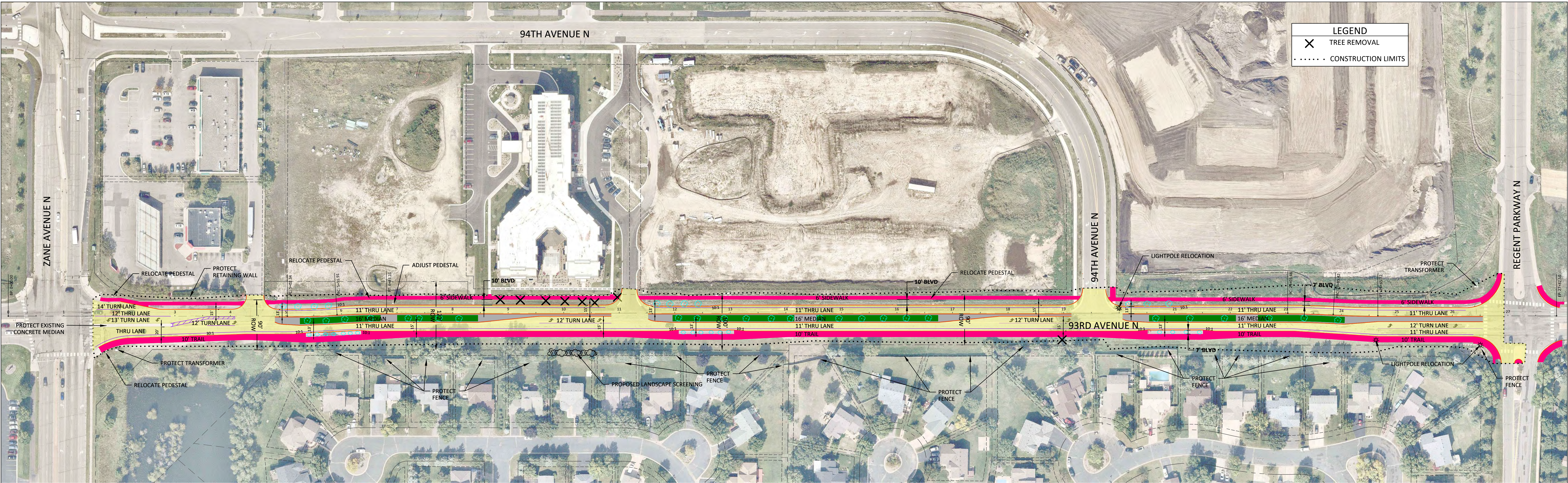
WHEREAS, said project is included in the City's 2020-2024 CIP as CIP 4054-20; and

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

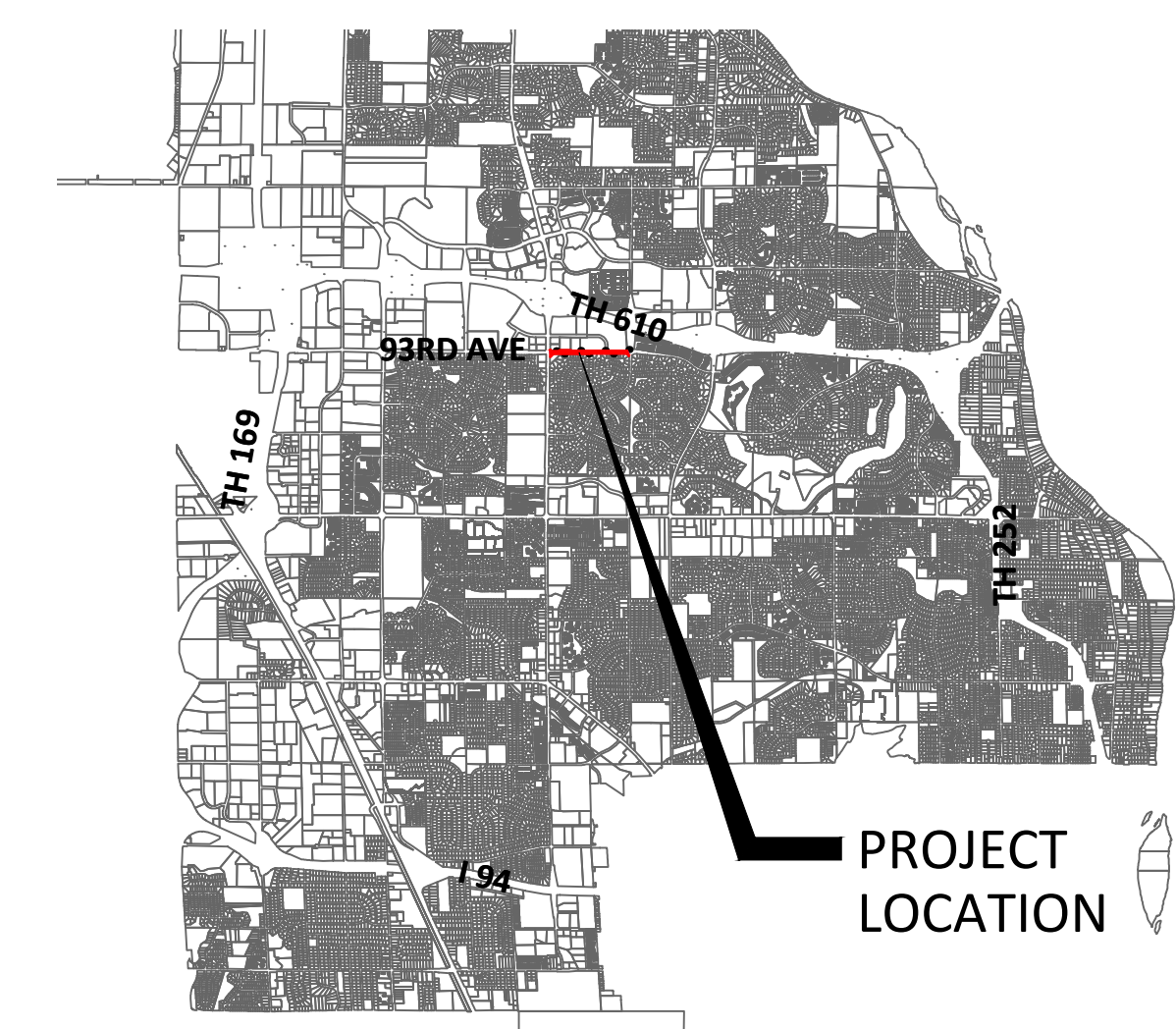
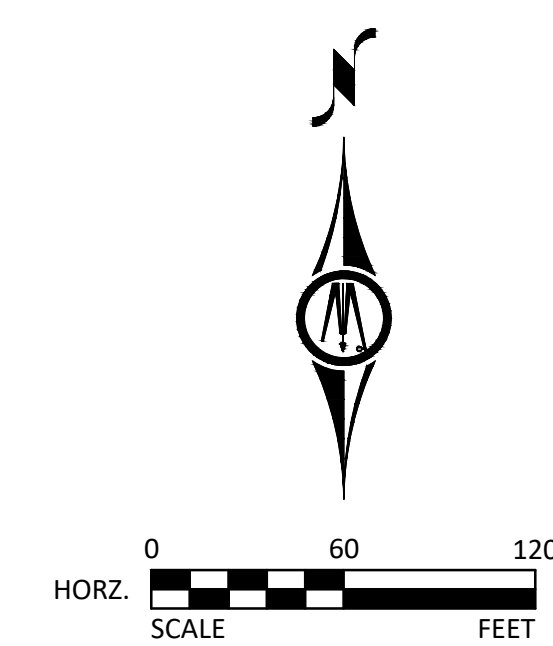
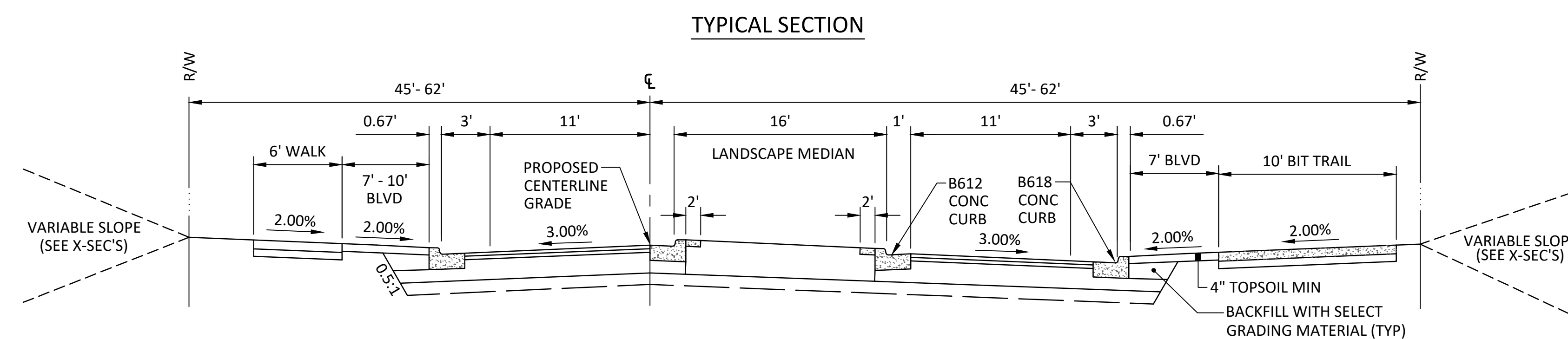
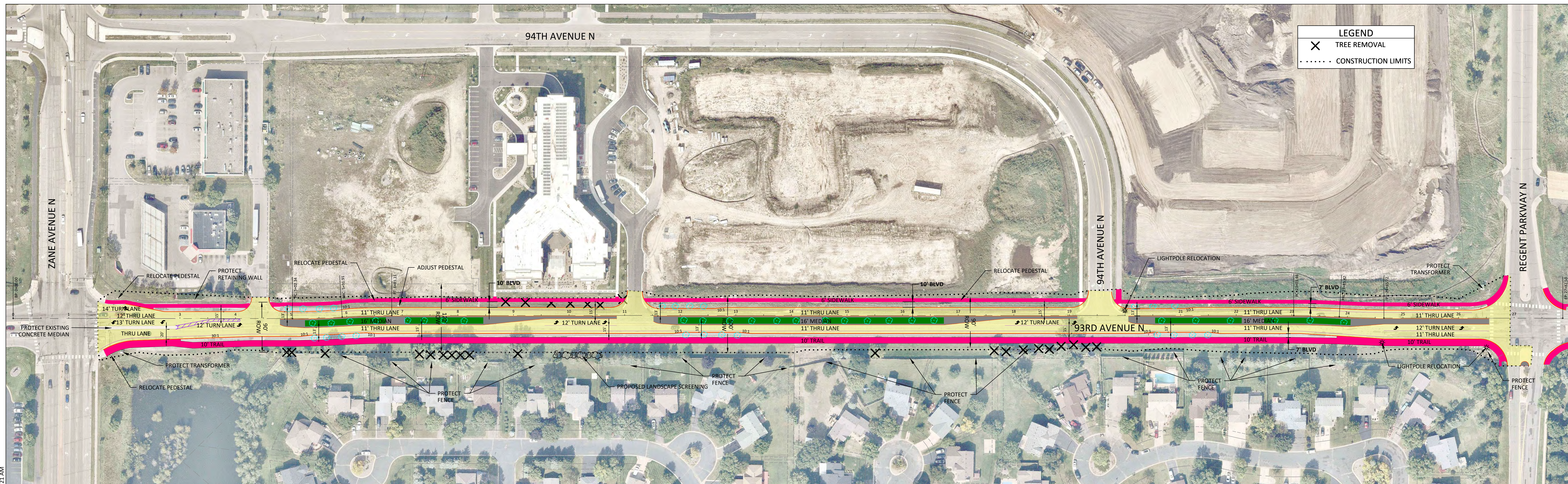
WHEREAS, the final layout provides safe movement of pedestrian and bicycles, reduces pavement and stormwater treatment, and provides the best solution for vehicular speed reduction.

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

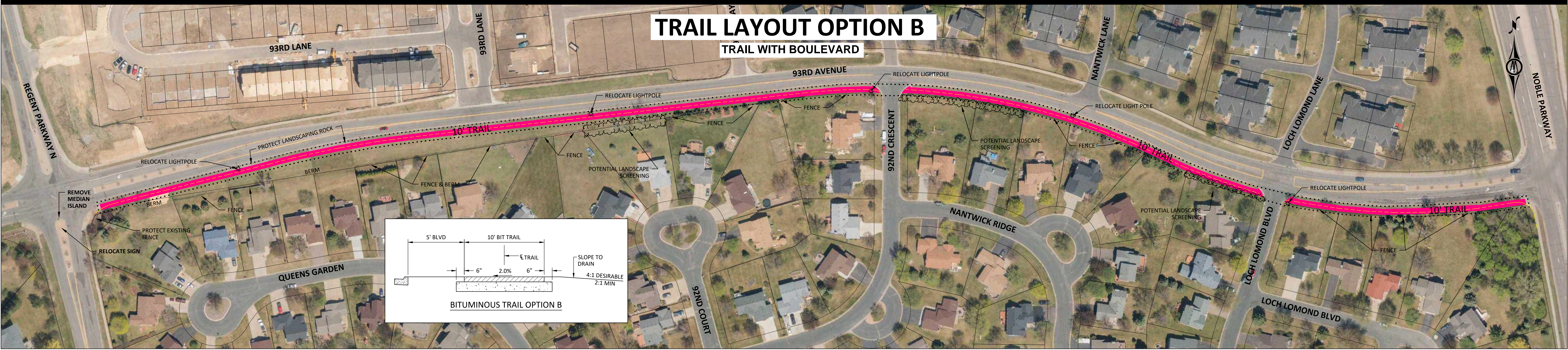
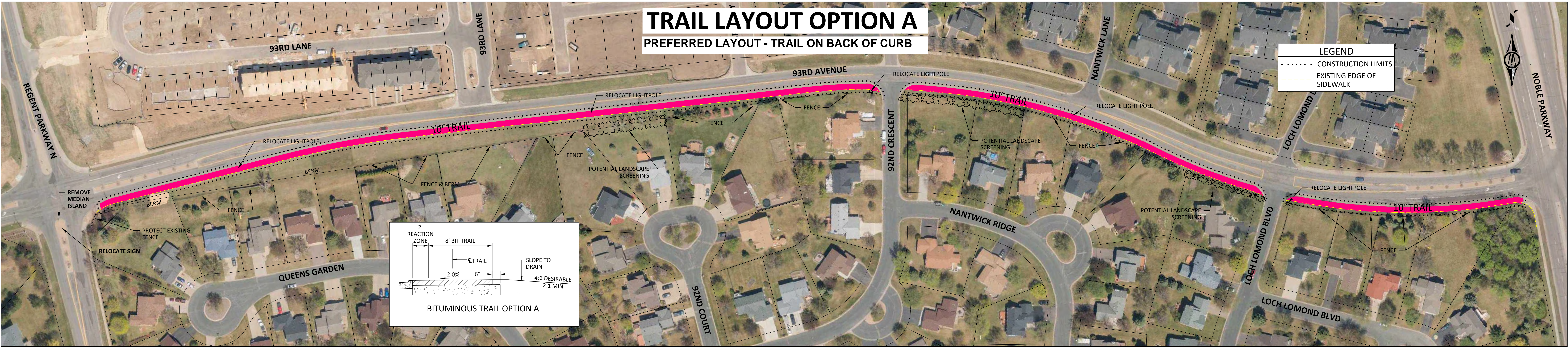
1. The City of Brooklyn Park approves the preferred layout for 93rd Avenue reconstruction, CIP 4054-20, as shown in the preferred layout.



PROPOSED PROJECT LOCATION MAP



PROPOSED PROJECT LOCATION MAP



City of Brooklyn Park

Request for Council Action

Agenda Item:	7.3	Meeting Date:	April 13, 2020
Agenda Section:	General Action Items	Originating Department:	Operations and Maintenance, Engineering Services Division
Resolution:	X	Prepared By:	Craig Runnakko, Construction Engineer
Ordinance:	N/A		
Attachments:	3	Presented By:	Jesse Struve, City Engineer
Item:	Approve Change Order 1 for TH 169 / 101 st Avenue N Interchange; CIP 4042-19		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ APPROVING CHANGE ORDER 1 TO NEW LOOK CONTRACTING, INC. OF ROGERS, MN IN THE AMOUNT OF \$245,223.60 FOR A TOTAL CONTRACT AMOUNT OF \$13,384,658.50 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 improve the safety along this portion of TH 169.

Extra work was required per the contract to dispose of the hazardous and municipal solid waste encountered in the buildings on parcels 5, 7, 8, 9 (8832, 8824, 8808 and 8000 101st Avenue N respectively). This change order addresses hazardous materials found in the houses that were unknown until after the project was awarded and the houses could be inspected. There were also significant amounts of personal items that were left on the parcels from the previous homeowners; this change order addresses that as well. The total amount of the first change order is \$196,224.60. A significant portion of this change order will be covered by existing grants and bonding already secured for the project.

The second item of change on this project is the rental of a larger backhoe to install the sanitary sewer connections to the Metropolitan Council Environmental Services (MCES) sewer in three separate locations along 101st Avenue N. The reason this was needed is that there is a buried fiber optic Century Link utility line that runs directly to the Target Campus and provides internet to the western part of Brooklyn Park. This line is buried underneath the overhead Xcel Energy power lines. Century Link was unable to relocate in the timeframe needed by the contractor. To prevent delay to the schedule, and additional costs, a larger machine is required to get the reach needed to install the pipe and stay below the Century Link line. This will prevent breaking the line and causing an internet outage to the Target Campus and many residents that are also served by that line. The cost for this change is \$49,000.00. The City will try to recover much of this additional cost from Century Link.

It is not unusual for projects of this type to require additional items due to circumstances or conditions that were not expected at the time of plan preparation or during construction. The hazardous waste was anticipated but couldn't be determined while the properties were occupied.

Staff recommends that the City Council approve Change Order No. 1.

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:

- 7.3A RESOLUTION
- 7.3B LOCATION MAP
- 7.3C CHANGE ORDER NO. 1

RESOLUTION #2020-

RESOLUTION APPROVING CHANGE ORDER NO. 1
TO NEW LOOK CONTRACTING, INC. OF ROGERS, MN
IN THE AMOUNT OF \$245,224.60 FOR A TOTAL CONTRACT AMOUNT OF \$13,384,658.50
FOR TH169/101ST AVE INTERCHANGE, CIP 4042-19

WHEREAS, the City of Brooklyn Park has an existing contract with New Look Contracting, Inc. dated February 24, 2020, said being let pursuant to statute and after advertising for bids; and

WHEREAS, said contract was awarded on a unit price basis; and

WHEREAS, in the proper performance of the contract, unforeseen conditions were encountered requiring construction units exceeding the original bid; and

WHEREAS, it is now the desire of the Council to include additional units at the same unit price and units for which no item in the contract is provided to complete the following improvements:

CHANGE ORDER #1

CIP PROJECT 4042-19 Total Additions: \$245,224.60

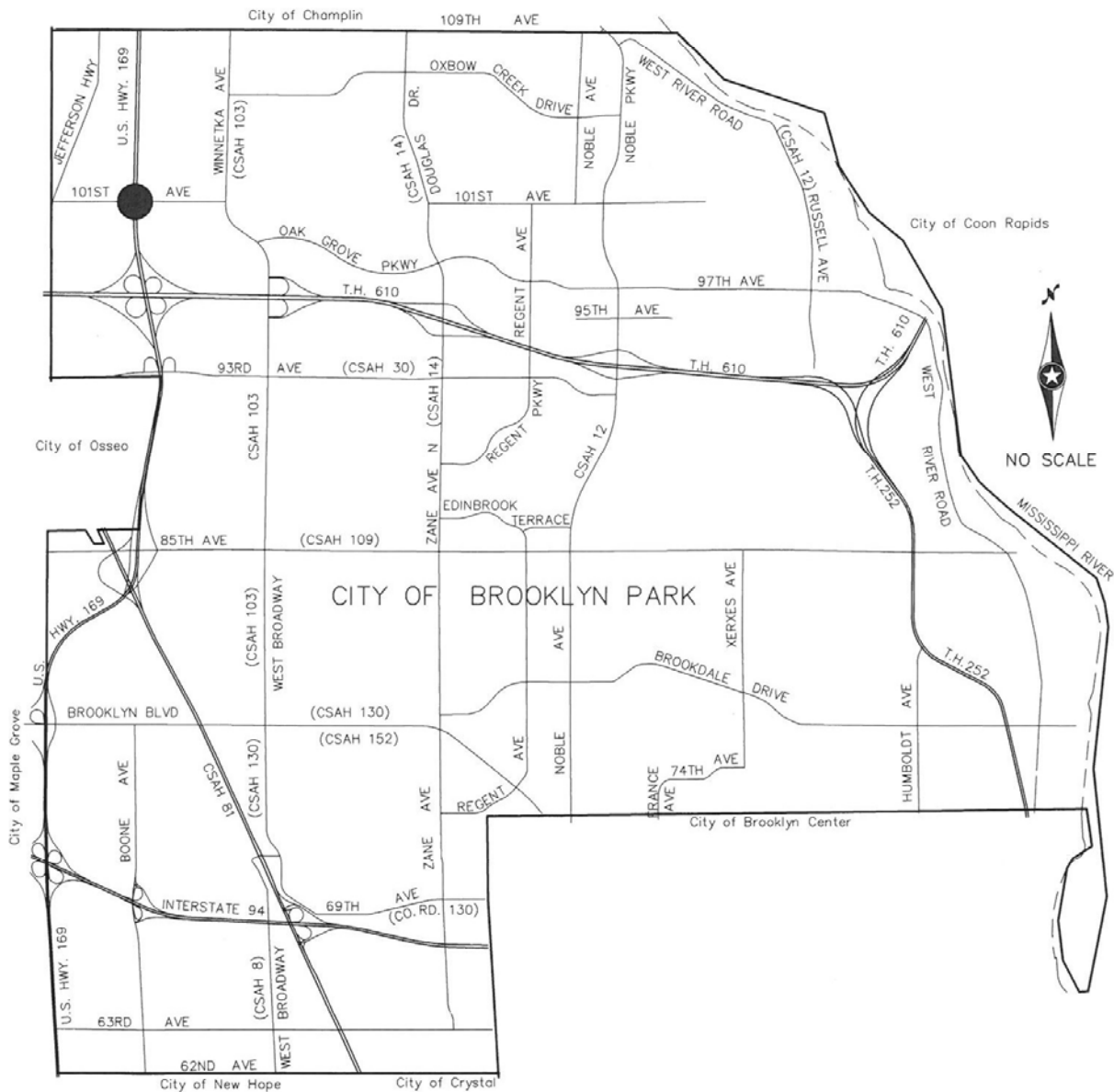
WHEREAS, the additional units do not exceed 25% of the original contract price; and

WHEREAS, the contractor, New Look Contracting, Inc. has agreed to add such additional units at the same unit price in accordance with the mutually agreed upon compensation in accordance with the General Conditions Section of the Contract Specifications Paragraphs GC 4.3, 4.4 and 7.4 and all in accordance with Chapter 429.041 Subd. 7 of the Minnesota Laws.

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

1. That the original contract dated February 24, 2020 for CIP 4042-19 be amended to include said additional units of work, at a cost of \$245,224.60, for a new contract value of \$13,384,658.50.
2. The Contractor shall file an increased bond to cover \$13,684,658.50, the full contractual amount, and the contractor's written agreement to add to the existing contract shall be placed on file with the Clerk and made a part of the original contract, all in accordance with Chapter 429.041, Subd. 7 of Minnesota Laws.

TH 169/101ST AVE INTERCHANGE PROJECT DESIGN SERVICES AND RIGHT OF WAY ACQUISITION SERVICES CIP #4042



● PROPOSED PROJECT

Brooklyn Park

Minnesota Department Of Transportation

Report Printed Date: 4/6/2020

Contract: 200501**Change Order No.: 0001****Net Change Order Amount: \$49,000.00****Prime Contractor:** NEW LOOK CONTRACTING, INC., 0000342303**Spec Book Year:** 18**CO Type:** COLevel2**Awarded Contract Amount:** \$13,137,833.90**Funding Source:** SA**State Proj. No.:** 2750-92**Resident Engineer:** Dan Penn**Fed. Proj. No.:** 2750-92 / STPF 2720(012)**Admin Office:** MC-Golden Valley North West**District:** M Metro**County:** C027 HENNEPIN**Route:****Reason:** 1402.2 Diff Site Con**Location:** LOCATED AT T.H. 169 AND 101ST AVE INTERCHANGE.**Description:** Specialty machine rental due to unforeseen utility conflict.**Explanation:**

Issue	The Contractor's excavation activity has revealed a conflict; an existing CenturyLink fiber optic cable. The Engineer has determined that a larger (long reach) excavator is needed. A Caterpillar model 374F will facilitate the proper depth of excavation (beneath the in-place fiber optic cable).
Entitlement	The Engineer has determined the Contract needs to be revised in accordance with specification 1402.2 Differing Site Condition.
Resolution	The Contractor will lease an excavator capable of reaching the proper cut depth beneath the existing fiber optic cable (in three locations) as directed by the Engineer.
Impact	This CO does not change Contract Time.
Cost	Cost per Engineer verified Force Account.
Payment	Payment will be made on a Force Account basis, as shown in the Estimate of Cost.

Increases/Decreases

Item Description	Item ID	Project Line	Contract Line	Project	Category	Item Source	Quantity Inc/Dec	Unit	Unit Price	Dollar Amount
										Total:
										\$0.00

New Items

Item Description	Item ID	Item Reason	Project Line	Cont. Line	Project	Category	Funding	Quantity	Unit	Unit Price	Dollar Amount
Excavation Rental by Invoice - CHANGE ORDER DOLLAR	1402621/00010	FA	3960	1375	124766	0001 - SP 2750-92 / SP110-129-006	0001 - SP 2750-92 / SP110-129-006	49,000.000	DOL	\$1.00	\$49,000.00
										Total:	\$49,000.00

Time Adjustments

Time ID	Time Description	Time Type	Original	Current	Adjustment	New
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Project/Category Summary

Project	Project Description	Federal	Category	Category Description	Dollar Amount
124766	GRADING, CONCRETE AND BITUMINOUS PAVING, SIGNALS, LIGHTING, UTILITIES, TMS, AND BRIDGE #27W46.	YES	0001	SP 2750-92 / SP110-129-006	\$49,000.00
Net Change Order Amount:					\$49,000.00

Minnesota Department Of Transportation

Report Printed Date: 4/6/2020

	Signature & Date
Project Engineer/Project Supervisor	
Contractor	
Commissioner of Transportation Pursuant to Delegation	
Commissioner of Administration Pursuant to Delegation	
Consultant Contract Administrator (recommendation for Approval only)	
Local Agency (if funded wholly or in part by Local Agency)	

ATTACHMENTS: By signing this agreement, the Contractor acknowledges receipt of the specified attachments (if applicable)

Pre-Demolition Hazardous Building Materials Inspection Report Additional Work Items Summary

Description	Specialty Contractor	New Look Contracting				Contract Markup	Total Price
		Name	Price	Labor	Equipment	Material	
Hazardous Materials Removal	J&J Contracting		\$ 72,550.00	\$ 2,982.00	\$ 1,650.00	10%	\$ 84,900.20
MSW Removal	J&J Contracting		\$ 21,900.00	\$ 5,638.00	\$ 4,238.00	10%	\$ 34,953.60
Asbestos Abatement & Hygienist	Twell Environmental		\$ 53,223.00	\$ 2,463.00	\$ 750.00	10%	\$ 62,079.60
Well Abatement	E.H. Rennie		\$ 10,380.00	\$ 1,869.00	\$ 980.00	10%	\$ 14,551.90
Possible Additions							
Fuel Tank Removal (EACH)	Dean's Tanks		\$ 2,500.00	\$ 1,376.00	\$ 845.00	10%	\$ 5,193.10
Removal of Septic System (EACH)	New Look Contracting			\$ 3,850.00	\$ 1,192.00	10%	\$ 5,546.20

~~Total - \$207,224.40~~

Reduce by \$10,000.00 as no Hygienist Oversight is required.

REVISED TOTAL \$196,224.60

City of Brooklyn Park Request for Council Action

Agenda Item:	7.4	Meeting Date:	April 13, 2020
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	X	Prepared By:	John T. Kinara, Housing and Redevelopment Specialist
Ordinance:	N/A		
Attachments:	2	Presented By:	Breanne Rothstein, Economic Development and Housing Director
Item:	Authorize the City of Brooklyn Park to Defer its Metropolitan City Status and Participate in the Urban Hennepin County Community Development Block Grant (CDBG) Program		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2020-_____ AUTHORIZING THE CITY OF BROOKLYN PARK TO DEFER ITS METROPOLITAN CITY STATUS AND PARTICIPATE IN THE URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT(CDBG) PROGRAM.

Overview:

Brooklyn Park, as an entitlement city, under the Department of Housing and Urban Development (HUD) and the Community Development Block Grant Program (CDBG), is entitled to a direct allocation of federal funds for the purposes of housing and community development. The city has the option to defer its direct allocation as a "Metropolitan City" and instead participate in the "Urban County" program whereby Hennepin County receives the allocation, administers the funds and the program, ensures federal compliance, and in turn, takes an administrative fee to do so.

Currently (for the three-year cycle from 2017 to 2020), the City of Brooklyn Park is part of Urban Hennepin County for its CDBG federal block grant allocation. This means that Hennepin County receives the funds directly from the Department of Housing and Urban Development (HUD), and then distributes them to Brooklyn Park and the other participating jurisdictions. The relationship is solidified in a Joint Cooperation Agreement adopted between the County and the City.

Historically, the City has deferred its CDBG entitlement status and elected to participate in the Urban County CDBG Program. By continuing to participate in the Urban County CDBG Program, Brooklyn Park is also automatically eligible under the terms of the Joint Cooperation Agreement for participation in the HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) programs administered by the County.

Each year, the City receives Community Development Block Grant (CDBG) funds as determined by the (HUD) agency's formula based on three city factors: population; number of persons with incomes at or below poverty level; and, overcrowded housing units. Poverty data is a double-weighted factor in the formula.

The Council action authorizes the City of Brooklyn Park to continue to defer its Metropolitan City status and participate in the Urban Hennepin County CDBG Program for the term of the fiscal year 2021 through 2023.

Primary Issues/Alternatives to Consider:

- **What's the role of Hennepin County?**

On behalf of participating jurisdictions under the Joint Cooperation Agreement (JCA), the County prepares and submits to HUD and appropriate reviewing agencies, on an annual basis, all plans, statements and program documents necessary for receipt of a basic grant amount under Title I of the Housing and Community Development Act of 1974, as amended.

The County also works closely with participating jurisdictions to develop a Consolidated Plan, which is designed as a collaborative process whereby a community establishes a unified vision for community development actions. It offers local jurisdictions the opportunity to shape the various housing and community development programs into effective, coordinated neighborhood and community development strategies. It also creates the opportunity for strategic planning and citizen participation to take place in a comprehensive context, and to reduce duplication of effort at the local level. In turn, the County collects an administrative fee for provision of these services.

Should the City decide to change its status and receive a direct allocation as a "Metropolitan City," Brooklyn Park staff would need to complete these tasks. In previous years, the city has completed a full analysis of the needs associated with administering its own program, and determine that the County is best suited, and more efficient at providing these services due to volume and subject matter expertise.

Budgetary/Fiscal Issues:

Per the Joint Cooperation Agreement, the County can retain up to fifteen percent (15%) of the annual basic grant amount for the administration of the program (HUD allows up to 20 percent). The balance of the basic grant amount is allocated to participating cities in accordance with the formula stated in the Joint Cooperation Agreement. Through this formula, Brooklyn Park receives the same amount of funding as it would if it received funds directly, less the 15% for administration.

Staff Recommendation:

Staff recommends continuing to receive CDBG funds through the Joint Cooperation Agreement with Hennepin County. The administrative fee is reasonable given the amount of work required to administer this federal program.

In addition, Brooklyn Park has been able to meet its CDBG goals working with Hennepin County, and the relationship established through the CDBG program strengthens this partnership for current and future projects and funding.

Attachments:

- 7.4A RESOLUTION
- 7.4B LETTER OF NOTICE FROM HENNEPIN COUNTY

RESOLUTION #2020-

RESOLUTION AUTHORIZING THE CITY OF BROOKLYN PARK TO DEFER
ITS METROPOLITAN CITY STATUS AND PARTICIPATE IN THE URBAN HENNEPIN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the City of Brooklyn Park, Minnesota (the "City") is part of Urban Hennepin County for its CDBG federal block grant allocation, which means that Hennepin County (the "County") receives the funds directly from the Department of Housing and Urban Development ("HUD"), and then distributes them to the City and the other participating jurisdictions; and

WHEREAS, this relationship allows the County to administer the grant and ensure federal compliance through a Joint Cooperation Agreement adopted between the County and the City; and

WHEREAS, in the past, the City has deferred its CDBG Metropolitan City entitlement status and elected to participate in the County CDBG Program; and

WHEREAS, the City proposes to continue to defer its Metropolitan City status and participate in the Urban Hennepin County CDBG Program for the term of the fiscal years 2021 through 2023.

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

1. The Council hereby elects to defer its Metropolitan City status and participate in the Urban Hennepin County CDBG Program for the term of the fiscal years 2021 through 2023 and authorizes the Mayor and City Manager of the City to negotiate and execute, if necessary, a Joint Cooperation Agreement or an amendment to the existing Joint Cooperation Agreement with the County consistent with this resolution and not detrimental to the City's interests and approved by the City Attorney and the Director of Community Development.
2. The execution of any instrument by the appropriate officers of the City herein authorized shall be conclusive evidence of the approval of such document in accordance with the terms hereof. In the event of absence or disability of the officers, any of the documents authorized by this Resolution to be executed may be executed without further act or authorization of the Council by any duly designated acting official, or by such other officer or officers of the Council as, in the opinion of legal counsel to the City, may act in their behalf.
3. City staff, officials, consultants and legal counsel for the City are further directed and authorized to take all actions necessary to implement this Resolution and to carry out, on behalf of the City, the City's obligations under this Resolution and the Joint Cooperation Agreement when all conditions precedent thereto have been satisfied and the City's Director of Community Development is authorized to execute such consents and instruments as are necessary in connection therewith including without limitation any actions required by the Joint Cooperation Agreement.

HENNEPIN COUNTY
MINNESOTA

March 30, 2020

Mr. Jay Stroebel
City Manager
City of Brooklyn Park
5200 85th Avenue North
Brooklyn Park, MN 55443

Subject: Fiscal Year 2021 – 2023 Community Development Block Grant (CDBG) Program

Dear Mr. Stroebel:

As you know, Hennepin County is the lead agency for the Urban Hennepin County Community Development Block Grant (CDBG) Program (Urban County CDBG Program), which consists of Hennepin County and 39 suburban communities. The U.S. Department of Housing and Urban Development (HUD), which is the agency that administers CDBG funding, requires that the county complete a “requalification” process every three years in order to continue to receive CDBG funds. One requirement of this requalification process is that cities be notified of their options with regard to participation in the county CDBG program.

Brooklyn Park currently meets HUD’s definition of a “metropolitan city” by having a population of at least 50,000 and/or having previously elected to be a CDBG direct entitlement community. HUD requires that the County notify the City of its options and that the City elect one of the following options for CDBG funding during the 2021-2023 program years:

1. Defer the City’s metropolitan city status and participate in the Urban County CDBG Program. **[Current election]**
2. Exercise the City’s option to be a metropolitan city.
3. Become a joint recipient with Hennepin County.

HUD requires that your City notify both HUD and the County in writing, via email by **April 30, 2020**, as to which option the City elects to pursue. Please direct your election notification letters to the following addresses:



Hennepin County
Housing and Economic Development
Attn: Tyler Moroles
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
tyler.moroles@hennepin.us

HUD Minneapolis Field Office
Attn: Dawn Horgan
212 3rd Avenue South, Suite 150
Minneapolis, MN 55401
Dawn.M.Horgan@hud.gov

Historically, the City has deferred its CDBG entitlement status and elected to participate in the Urban County CDBG Program. By continuing to participate in the Urban County CDBG Program, your City is eligible to receive CDBG funds under the terms of the Joint Cooperation Agreement and will automatically be included in the HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) programs administered by the County.

Your partnership is very important to the County. If you are considering changing your election with regard to the Urban County CDBG Program, the County would appreciate the opportunity to meet before a notification letter is sent.

Please contact me at 612-348-2670 or tyler.moroles@hennepin.us if you have any questions regarding your election options. I look forward to continuing our cooperative efforts in addressing suburban Hennepin County housing and community development needs.

Sincerely,

A handwritten signature in black ink that reads "Tyler Moroles". The signature is written in a cursive, flowing style.

Tyler Moroles
Senior Planning Analyst

cc: Breanne Rothstein and John Kinara