

# MONTHLY COMMISSION UPDATE

## from the City Manager

### May 2020

## COMMISSION INFORMATION

### *Events/Other Attachments*

- ~~April 2, 2020 Commission Orientation To Be Rescheduled~~
- August 3, 2020 Annual Joint Council/Commission Meeting
- May 2020 Commission Meeting Cancellations Notice Posting

### *City Boards/Commissions Reports*

- **Budget Advisory Commission**  
ATTACHMENTS...
  - Cancellation Notice: May 26, 2020
- **Charter Commission**  
ATTACHMENTS...
  - Cancellation Notice: May 13, 2020
  - Minutes: March 11, 2020 (draft)
- **Community Long-range Improvement Commission**  
ATTACHMENTS...
  - Cancellation Notice: May 14, 2020
- **Human Rights Commission**  
ATTACHMENTS...
  - Cancellation Notice: May 21, 2020
- **Planning Commission**  
ATTACHMENTS...
  - Agenda: May 13, 2020
  - Cancellation Notice: May 27, 2020
- **Recreation and Parks Advisory Commission**  
ATTACHMENTS...
  - Cancellation Notice: May 20, 2020

### *Reports from Joint Commissions/Other Organizations*

- **Shingle Creek and West Mississippi Watershed Management Commissions**  
ATTACHMENTS...
  - Agenda: May 14, 2020 (virtual meeting)
  - Minutes: April 9, 2020 (draft)

**CITY OF BROOKLYN PARK**

**COMMISSION MEETING**

**CANCELLATION NOTICES**

**MAY 2020**

On March 23, 2020, the City Council authorized the Mayor or City Manager to cancel meetings of City Boards, Committees, and Commissions until the Council-Declared Emergency pertaining to the COVID-19 Pandemic is over. The following Commission meetings for the month of May have been cancelled:

**BUDGET ADVISORY COMMISSION (May 26)**

**CHARTER COMMISSION (May 13)**

**COMMUNITY LONG-RANGE IMPROVEMENT  
COMMISSION (May 14)**

**HUMAN RIGHTS COMMISSION (May 21)**

**RECREATION AND PARKS ADVISORY  
COMMISSION (May 20)**

Posted April 28, 2020

**\* \* N O T I C E \* \***

**CITY OF BROOKLYN PARK**

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**THE  
BUDGET ADVISORY COMMISSION**

**MEETING**

**HAS BEEN CANCELLED**

**FOR**

**TUESDAY, MAY 26, 2020**

**AT 7:00 P.M.**

BROOKLYN PARK CITY HALL  
COUNCIL CHAMBERS  
5200 85<sup>TH</sup> AVENUE NORTH  
BROOKLYN PARK, MN 55443

**NEXT MEETING  
TO BE DETERMINED**

# Meeting Cancellation Notice

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The Brooklyn Park Charter Commission meeting scheduled for  
May 13, 2020 has been cancelled.

The next Charter Commission meeting is  
June 10, 2020.

Devin Montero, City Clerk  
Posted: May 1, 2020

**Brooklyn Park Charter Commission Meeting Agenda**  
**Wednesday, March 11, 2020 at 7:00 p.m.**  
**Donnay Room**  
**Village Creek South Precinct**  
**7608 Brooklyn Boulevard**

1. Call to Order/Roll Call

Chair Scott Simmons called the meeting to order. Commissioners present: Gordy Aune, Jr., Mary Ann Bishman, Barbara Bor, Teferi Fufa, John Hultquist, John Irvin, Dennis Secara, Scott Simmons, David Williams, Council Liaison Tonja West-Hafner and Staff Liaison Devin Montero.

Absent: Commissioners; Dennis Secara (excused); Beatrice Otieno (Excused); and Evans Odhiambo

2. Additions/Approval of the Agenda of March 11, 2020

Commissioner Williams asked if it would be a good time to have a preliminary discussion on Ranked Choice Voting so it was still on the horizon and the Commission addressing it sooner or later.

Motion Commissioner Aune, Jr., Seconded Commissioner Bishman to approve the agenda as presented.

Commissioner Irvin asked if he was trying to solve a problem the city had with Ranked Choice Voting.

Commissioner Williams stated if Ranked Choice Voting was to occur, it would have to have a significant change to the Charter.

Commissioner Hultquist suggested that item be put on a future agenda. He stated the item was not on the tonight's meeting agenda and shouldn't be talking about it if it was not on the agenda.

Chair Simmons asked when the Commission should have a discussion on it.

Commissioner Williams suggested having a preliminary discussion at the next Commission meeting.

Commissioner Bor suggested the Commission be provided with background information Commissioner Williams could reference his discussion on.

Chair Simmons stated with that information the Commissioners could have a preliminary discussion in April. He asked who was on the Commission the last time they talked about it. Chair Simmons, Commissioners Bor, Williams, Hultquist, Bishman, Aune, Jr., and Secara were on the Commission when it was discussed. He stated there were four new Commissioners that had not had any exposure to the issue. He stated there was an editorial column after the Primary because it wasn't helpful to ranked choice voting and the Commissioners should review that editorial from the Star Tribune.

**Motion Bishman, Second Aune, Jr., to talk about Ranked Choice Voting in April and to hold**

**all discussions until the April meeting. The motion carried unanimously.**

He stated he would like to add under Old Business, the issue of attendance and absences and what the attendance policy was.

**Motion Hultquist, Second Bishman to approve the agenda as amended. Motion carried unanimously.**

Chair Simmons moved to Agenda item 6.1 ahead of the Approval of the Minutes.

6. New Business

6.1 Youth/Young Adults on Commissions – Presentation by Julie Richards, Brooklyn Bridge Alliance for Youth

Chair Simmons Introduced Julie Richards, Brooklyn Bridge Alliance for Youth. Ms. Richards introduced Catrice O'Neal, Program Manager of Brooklynk.

Ms. Richards provided a background of Brooklyn Bridge Alliance for Youth. She stated it was an intergovernmental organization and had a joint powers board that supported them. They had 9 program partners, Brooklyn Park, Brooklyn Center, 4 area School Districts from Robbinsdale, Osseo, Brooklyn Center, Anoka Hennepin, North Hennepin Community College, Hennepin Technical College and Hennepin County. She stated they supported 50% of their work and they relied on fundraising and grants for the rest.

She stated their role was to serve the partners as it related to pathways for young people within their systems with finishing high school and a career in college. She stated their work was in-depth research, data analysis, program design and evaluation. She stated they didn't run programs through their organization but created them. She stated they helped co-created Brooklynk and had a big hand in creating Rec on the Go. She stated they recently finished a comprehensive stop, drop and roll, program and now working on a blue print model for North Hennepin and Hennepin Technical College. She stated it was how to stop some of the barriers a lot of youth had in schools. She stated they were a team of three with Vista and also convened with the Community Engagement Team and Youth Council of high school students to make recommendations, share opinions, do research for their program partners and create other projects that benefitted youth.

She stated they were rolling out a new pilot project, called Young Adults on Boards and Commissions. She stated it was to establish a pipeline of young adults to support the work of city Commissions. They believed young adults could have an impact by having more civic engagement with both cities and program partners. She stated the shared goal was to cultivate the civic voice for the next generation of leaders to include a broader set of residents for the important work the Commissions. She stated that in keeping with the city's BP 2025 goals and their goals, their shared interest were residents of every age to contribute to the community, the elected officials, Commissions, and city staff reflect the diversity of the community and were culturally competent. She stated they were interested in elevating the youth voice and they were talking about low income youth, young adults, ages 18-25, LatinX, Lao, Black or African Americans, Hmong, renters and people within the immigrant community. She stated those were the ones who had the least access to civic engagement and pathways of giving their voice.

She talked about the 6 core values and handed out information to the Commissioners about those values.

Ms. Richards stated once youth were on Commissions, believed there should be two young adults at a minimum. She stated they would be doing a follow up after each meeting to make sure what was happening, if they had a positive experience and fit with the Commission's needs. She stated they would ask each Commission to have an adult mentor they could interact with, and would fill out a survey after each meeting to make sure the youth showed up in a way they needed them to. She stated they would meet individually with the young adult to continue to frame out the work on the Commissions for them, address any concerns and would meet with all of the adults participating on the Commissions as well with the larger training. She stated they might continue training on Roberts Rules, Budgeting or other things they heard from the adult mentors in order to have full participation.

She stated they had a comprehensive onboarding mechanism and tapped into the Brooklyn alumni as well as other program partners to find young adults who would be interested in Commissions. She stated during their interview and screening process they would be able to present solid candidates for appointment to Commissions.

She stated they would have some exposure to what the Commissions looked like and what the workload would be for each specific Commission so they would know which ones they would be interested in. She stated once that was established then they would have other trainings, have focused conversations, Roberts Rules, how to read a budget, other things specific to the Commissions to make them strong to participate with Commission members. She stated they met with CEI Manager Shardlow and knew there was a comprehensive training program already in place for Commissioners. She stated they would partner with her and make some adjustments so it was applicable to people of all ages and not just the ages that were currently on the Commissions.

She stated their steps for implementation this year, she was spending the month of March and April visiting 3 or 4 Commissions and would present the project and gather feedback. In May they would bring that feedback and recommendations to the Council. She stated she would be attending the Commissions training in April to understand how that worked and the Joint Council/Commission meeting in August and begin setting the stage for onboarding and recruitment for those who might join a Commission. She stated she knew the appointments were at the end of March and April.

Council Liaison West-Hafner stated most of the appointments were in April except for the Charter Commission which was June 1. She stated the other Commission interviews were held last month and getting the youth ready at the beginning of the year would be good and then have them apply to be on a Commission.

Ms. Richards stated they would be young adults, ages 18-25 and was different than Northfield's model. She stated the Commissions were open to anyone who was an adult and didn't have to change voting laws around it. When putting 16 and 17 years old on a Commission it was just the nature of their role because they couldn't vote and wanted to honor everyone's time and make it worthwhile.

She asked what would make implementation or buy in on the pilot project feel comfortable and what were the Commissioners initial concerns around the project.

Chair Simmons asked about the "young adults" term.

Ms. Richards stated that when they started the initial pilot, they said youth. As they began conversations with both city partners, they realized they meant young adults in the 18-25 year old range. She stated talked to the City Manager on the failed experience with Commissions that had high school kids

Chair Simmons stated the Commission went through that process with alignment of Commissions to say, it was not working and removed the provisions to have high school students.

Commissioner Williams asked if she was talking about the youth becoming a member of the Commission with voting rights and not just a participant.

Ms. Richards stated she was talking about creating a pilot that supported young adults ages 18-25 participating on Commissions because they were old enough to do it.

Commissioner Williams thought the mentor part might go a long way with the program. He asked if the mentors were other Commissioners or would they be additional adults that would not be a member of the Commission.

Ms. Richards stated they had that discussion earlier today the City Manager and Ms. Shardlow and it would be someone who was on the Commissions. She stated she knew the Commissions had Council and staff liaison and thought the current Council member made the most sense. If it was someone who already had a full plate that might not make the best mentor. She stated they were still having conversations on whose role it should be.

Council Liaison West-Hafner thought most of the Council would be happy to be a mentor. She stated there was one youth under 18 on the Community Long-range Improvement Commission and when they stopped doing it, made sense on one hand but sad on the other because they lost the youth voice. She thought a young adult made sense because they could apply now, but the project was looking further to support the idea there would be a specific spot for them.

Ms. Richards stated what they were concerned about and wanted to focus on was the success of their experience with the Commissions. She stated they could provide the support necessary for someone that age to have success and participate as a Commissioner. She stated that was what they were interested in doing, creating a program that supported the success of having multigenerational Commissions in the city. She stated they wanted to do that by partnering with the mechanisms that were already in place. She stated there was already a comprehensive Commission training and would look at what would be needed to add to it to include a larger multigenerational lens as to opposed to a different training. She stated they wanted to tap into what was already there and also add their layer of expertise to it so someone who was 18 could participate in a Commission and make a difference.

Commissioner Irvin asked if the Commissions were to take one of the young adults through their process to be on a Commission, asked if that changed their memberships because the Commissions had different memberships.

Ms. Richards stated they thought there needed to be 2 young people on each Commission. She stated that was where some bylaws would have to change and would be an area they needed to discuss. She stated it took time and why they were starting early if those changes needed to be made.

Commissioner Aune, Jr., stated the Charter Commission had 11 members and asked if it would

be 9 members with 2 young adults.

Ms. Richards stated it would be 13, 11 Commissioners plus the two spots to welcome the 18-25 year olds.

Chair Simmons asked if she was talking about the CLIC, HRC, RPAC and Charter Commissions.

Ms. Richards stated yes and would be also working with Brooklyn Center with their 3 Commissions.

Chair Simmons stated it looked like it was getting on the idea of heading on two lanes for appointments. One lane for everyone else and the other lane for the young adult program and asked if that could be done fairly.

Ms. Richards stated she was in conversations with the City Manager about what that could look like and realized that the City Attorney needed to look at things too and see what could happen.

Commissioner Irvin stated the Charter Commission appointments were made by the district judge and not by the Council.

Chair Simmons stated the city didn't put its fingerprint on the appointments to the Charter Commission, only appointments to City Commissions. He stated he didn't know enough about her organization other than what he was reading. He stated the appointments to Commissions were done without respect to race, socio-economic status, and all those human rights criteria. He stated they were blind when they made those appointments.

Ms. Richards stated they would be specifically recruiting for 18-25 and paying special attention to the demographics listed earlier. She stated that wasn't to say they wouldn't take young adults who were not within those demographics but they knew that sometimes outreach and community engagement didn't extend as deeply into those communities and they would intentional that the opportunity was put out to everyone.

Chair Simons stated that the word "everyone" was the key word and making appointments without regards to age, gender, socioeconomic status, race religion and all of the human rights factors should apply to every appointment in the city that served on a Commission. He stated that it might be a hurdle since they were going to have two paths to get on a Commission.

He stated he didn't mind youth and how they defined it, because it didn't work last time because there wasn't a program, mentorship and infrastructure behind it to make it succeed.

Commissioner Fufa stated it was the less complicated way for them to go. With youth being recruited, training and have a couple of Commissioners visit and explain what the Commission was about then they could go out and compete and not have to change rules for the other Commissions

Ms. Richards asked if current Commission members competed for Commission vacancies.

Council Liaison West-Hafner stated the applicants applied and were interviewed by the Council.

Ms. Richards stated the youth would still have to apply. She stated they would do the first round of applicant selections and then sent to the Council for the second round with the assistance of

city staff running that process.

Ms. Richards stated April would be too soon for them to have young people already attending the Commissions training just to see what that would look like. She stated she would not finish with the Commission meeting visits until sometime in April. She stated that in terms of the joint Commission meeting, if they knew what Commissions they were moving forward with then they would have young people to attend, even though, they wouldn't have been appointed to anything yet. She stated it would make sense to finish the screening process and was clear to them what was happening and were interested. She stated they would enter Commissions well trained, know the Commission culture, what the role the Commissions played, the historical aspects of the Commission, how the Commission meetings worked, and Roberts rules.

Commissioner Bor stated the phrase civic pathway, assumed it was within their program, staff, culture and people to learn how to be on a Commission, with a set curriculum or criteria. She stated Ms. Richards reference the Wellstone training and that anyone included didn't just become a Commissioner. She wanted that paralleling to bring them to that understanding and continue to pursue and was a tight timeline to get the youth up and ready to be on a Commission.

Ms. Richards stated for the Charter Commission, the timeline the City Manager and Ms. Shardlow talked about earlier today would be that appointments were made in March and April and that was a year out. She stated that in terms of the pilot, they would be presenting it to the Council in May. In April, she would attend the Commission training because it made sense to know how that looked. She stated Ms. Shardlow and her could begin to think about what areas could grow, what was already happening and what does she need to plan for the young adults. In August, she would be attending the joint Commission meeting to gather information and if some Commissions were appointed sooner than that then the young adults could be present to get a better understanding of the Commissions before anyone had been appointed. She stated they didn't want to insert someone in middle of a process and it took a while to get a pilot project up and running. She stated they would have a much better sense of what type of onboarding they would need to do ahead of time and what the difference of onboarding for these Commissions were going to be.

Chair Simmons asked if the Council voted on the appointments at Council meeting because he knew the interviews took place.

Council Liaison West-Hafner the applicants were interviewed by the Council in February and after the interviews the Council Members voted on a form and gave it to the Mayor. She stated the appointments were going to be made next Monday.

Chair Simmons stated he was still concerned about the attendance issue and would talk about it later on the agenda.

Council Liaison West-Hafner suggested the Council start asking that question to the applicants, "do you have the time to serve on the Commission" and "can you make a commitment to being at the meetings." She stated the Council should start asking those questions again.

Chair Simmons stated that was the process for the other Commissions, interviewed in February and get appointed at a future meeting. The Charter Commission, the city gathered resumes, applications, and sent them to the chief judge at Hennepin County, by April 15 and the judge had a time period to appoint. He stated that was the process for the Charter Commission.

He stated that was state law for the Charter Commission, Minnesota Statute 410.05 and if they

were talking about expanding it, anyone that had a Charter Commission in the state, they had to be a U.S. citizen, a person eligible to vote in the municipality where they served on a Charter Commission, and a Brooklyn Park resident.

He stated the City Charter itself, Section 14:18; which limited current membership to 11, however, state law said, a range from 7 to 15 members. He stated the City Charter said 11 not 13. If the city wanted to contemplate expanding it to add youth for whatever reason, they would have to go through the Charter Commission and would have to go through the formal process of amending the Charter, which, wasn't necessarily easy.

He stated that in Section 9.04, Community Long-range Improvement Commission was in the Charter too and they reserved space for a non-voting youth because they thought having youth might be beneficial, but it wasn't their proposed model. He stated section 9.04, was discretionary and said "may appoint" one additional non-voting youth and youth was not defined in the Charter. He stated section 2.02; was about Boards and Commissions where the Council could determine by ordinance the method of membership. He asked about the Northfield model and how it was different.

Ms. Richards stated the Northfield model was youth on boards and they worked with young people ages 16 to 21 and been at it for 2 years across several boards and Commissions. She stated the youth did not have voting rights but were appointed from a younger pool. She stated it was working and the city had been open to it but with meeting with both cities, Brooklyn Park and Brooklyn Center, it presented other set of challenges around Commission membership and also buy in from young people to want to continue to attend. She stated they believed that 18 to 25 could participate on a Commission legally was the way to go and for that to really work and needed to be additional support for someone that age.

Commissioner Williams asked about the discussions or thought process to have two young adults rather than one on boards and Commissions.

Ms. Richards stated that because they were of voting age and boards had an odd number and needed to have 2 to keep the number odd for voting. She stated with 2 young people coming in at the same time there was sort of the buddy system. At 18 to 25 could be very overwhelming and could be a barrier to committing to a full term. She stated by having another person similar demographic it would create more consistency and participation.

Commissioner Aune, Jr., stated the Commissioners on different Commissions went through the interview process and were appointed through city Council to get on that Commission. He asked about the young adults if they would go through Council after they went through their process.

Ms. Richards stated they be prescreening and were still having discussions on how that step should look like for the young adults and passing through the ones who were viable candidates and would have that additional system of support. She stated the Charter Commission operated different than other Commissions and would be working with that.

Commissioner Hultquist asked if the decision would be made by the Council for the other Commissions.

Ms. Richards stated that was how they saw it. She stated they would be piloting and implementing a process that complemented what was already happening but providing additional support so the Commissions could reflect the community they were in. She stated they wanted to support

the pieces of that made sense and understood they were not able to appoint the young people, but they could help recruit for Commissions.

Council Liaison West-Hafner asked if the Commissions were, Human Rights, Community Long-range Improvement, Recreation and Parks, and Charter.

Ms. Richards stated those were the once suggested by the City Manager when they began conversations about the program.

Commissioner Williams asked if they had young adult candidates or were still in the planning stages.

Ms. Richards stated they were still in the planning stages. The Brooklyn Alumni was a great place to recruit from, program partners and had the Brooklyn Youth Council. She stated that with the program partners they should be able to have a strong candidate pool. She stated she had other Commissions to present to and in the city of Brooklyn Center.

Commissioner Aune, Jr., stated there was a criteria and qualifications for the Commissions now. He asked if they were duplicating it or enhancing the young adult program.

Council Liaison West-Hafner stated she thought it had to be something different or how they approached it because, they didn't want to create something that someone would say, it was open to everyone and why did they want to bring in more youth. She understood it was to have it more open and have their voice but didn't want to do the other direction either. She stated the young adults would have meet the criteria and fill out the applications and anything else related to it.

Ms. Richards stated those were kind of the issues that she was having conversations with the City Manager and Ms. Shardlow to figure out to word it and who else needed to be involved. She stated her next steps were to discuss the potential pilot, figuring out what the questions and concerns were and do research. She stated they were already thinking about those issues because they needed to be addressed and solved for to make it work.

Council Liaison West-Hafner asked if the City Manager would be presenting the pilot project to the Council at a work session,

Ms. Richards stated the City Manager would present it at the May Council work session.

Commissioner Fufa stated he appreciated their efforts and they also needed to find out what the barriers were on the other Commissions. He stated on the other Boards he was working with was doing his best to recruit youth. He stated they were not able to because they needed a job and they were trying to work on those barriers and hopefully they would want to be available and the Commissions should be known to them. He stated he didn't think a 25 year old knew that about the Commissions and the program was available to them.

Ms. Richards stated that was why they wanted to be intentional about 18-25, they were eligible for this project. She stated some of those barriers were just the knowledge of it, seeing themselves in that position, might not have the experience or understood how it worked. She stated sometimes the barriers were the cultures of the Commissions and what it was like to have multigenerational space. She stated she sat on a number of boards and was intimidating when was the youngest person there, if the youth had a vested interest, they were also thinking about how that impact would be to the community too.

She stated that on having it as paid positions, that was not their end game. She stated none of the Commissions were paid and wouldn't do that either. She stated for their young people, thought, the experience, and the type of young people that wanted to do it led to other things by being connected to their communities. She stated one of the disadvantages for them was being disengaged and would have less networking opportunities.

Commissioner Bor stated there was a boy's state and girl's state program through the Legion and was a template for civic duty. She stated it helped to engage a young person to take a pathway and have an interest in whatever community they belonged to. She stated it was a steppingstone for future grants, scholarships, college; and employment. She stated it was an indicator that the individual had some depth of really wanting to belong to a community to participate.

Commission Williams asked if they had a process to make it happen or were they looking for input.

Ms. Richards stated they had a process and realized there were also details that was unique to each Commission. She stated the Charter Commission was being appointed by a district judge and didn't have a specific model for it. She stated they their process of prescreening and bringing candidates was applicable to the other Commissions.

Commissioner Williams stated he was thinking of the process of their initiative being brought forward to Brooklyn Park or Brooklyn Center. He asked if it had been approved by Brooklyn Park to go forward with it. He stated it sounded like she was looking for input on the guidance and that it would be approved by the Council.

Ms. Richards stated she was visiting Commissions and gathering feedback and would take it to the Council work session in May with the feedback she heard and working with Ms. Shardlow to show how it would work in Brooklyn Park. She stated they would make recommendations to the city Council at the work session and after that put it to a vote at a Council meeting.

Commissioner Aune, Jr., asked if the colleges had a program for students in college to get involved in political or Commission positions.

Ms. Richards stated her focus had been putting together the pilot project. Their joint powers with the leadership team and strategic team, had members from the colleges and were aware of the project and they would be tapping into their resources they had on campus to get a pool of candidates. She stated there were a couple of school boards that were interested in the project for their school boards and would tapping into the program partners, and other civic groups for strong candidates.

Chair Simmons thanked Ms. Richards for the presentation and stated he looked forward to updates. He stated it if does the Council's blessing they would hear about in August.

### **1.1 Welcome Commissioner**

Chair Simmons welcomed new Commissioner Fufa to the Charter Commission. He stated he wanted to wait until the April meeting to go around and have each Commissioner introduce themselves.

Commissioner Fufa stated he was excited to be on the Charter Commission. He stated he taught

in the Minneapolis public schools for over 23 years and now retired. He stated the Charter Commission was the first Commission he had been on.

#### 4. Old Business

##### 4.1 Attendance and absences

Chair Simmons stated that when the Council members were interviewing applicants for Commissions, they should ask, “do you have the time,” whether they did or not they would yes, since they were making the effort to apply. He stated the requirement said they had to be excused but didn’t what excused meant. He stated the Commission didn’t have the definition of what excused meant. He stated Staff Liaison Montero provided an agenda from the city of Duluth and at the bottom of that agenda, had a footer, that said, *“only absences due to personal emergency or illness, or absence from the city will be excused and only if prior notice is given to the president or secretary.”*

He stated it was a much narrower window than what the Commission had. He stated the Charter Commission mirrored state law, *“failure to attend four consecutive meetings without being excused.”* He stated that was in the bylaws and they didn’t define what excused was. He stated when giving the annual report he said the Commission had an attendance problem and failed to make a quorum in January and couldn’t do their procedural business. He stated some Commissioners repeatedly didn’t notify the staff liaison that they were not attending and assumed the attendance was being tracked. He stated the Commission’s standards were low and could be gone for any reason as long as the staff liaison was notified to get an excused absence.

He asked the Commissioners if the issue was serious enough the Charter Commission define what excused was or just go with what they had. He stated there are some Commissions in other states like in California, had some serious criteria, and if they needed to define what excused was. He stated the Charter Commission with state law had the most lenient absentee policy, where the other Commissions were two consecutive unexcused. He stated he felt strongly about the attendance issue and wanted to see what the temperature of the Commission was on the issue.

Commissioner Aune, Jr., stated the current bylaws, Section 7B had an arbitrary clause, *“If at any time the Commission determines that the Commissioner has failed to attend four consecutive scheduled meetings of the Commission without excuse, the Chief Judge shall be notified of the Commissioner’s failure to perform the duties,”* and was very arbitrary, “if at any times the Commission determines.”

Chair Simmons stated that was state law. He stated the bylaws also said, “if the Commission determines,” and the Commission would be the arbiter of the final word and wouldn’t leave it to staff and the liaison. He stated the Commission would have to deal with it and took that one step further.

Commissioner Williams stated it was not so much what the criteria was, but it was what the Commission said and if they had to change it, they could. He stated he was more interested in trying to get the Commission’s enrollment and participation up. He stated tonight they had a lack of business because they didn’t have people there. He stated they should keep attendance at a the pace than it was now. He stated it was systemic to volunteer boards and Commissions, where people get busy and he also seen it improved by keeping records and passing those out with meeting minutes as to who was absent. He stated if a Commissioner was absent 2 or 3 times they would get a call by the Commission chair to find out what was going on. He stated it might

be there is a illness in the family or a good reason and that usually resulted better participation or the Commissioner could say, they were not doing their job and submit a resignation, but either way it would make things a lot clearer for the Commission.

Chair Simmons stated he felt comfortable calling Commissioners to find out what was going on and if they were still interested being on the Commission because that communication was helpful.

Commissioner Hultquist stated that where it said “the Commission shall determine”, there was a period of time years ago when the city had the mayor and a Council member who were going through cancer. He stated that even if there are 4 absences, if someone was going through cancer treatments, that would be a slap in the face to bring up that they missed 4 meetings and were being removed them from the Commission. He stated that was why they wanted to massage that even if they didn’t let the Commission know. He stated the Charter said they had to inform the chief judge but the Commission could say there were extenuating circumstances and hoped that person wasn’t removed.

He stated that in the art of interviewing, the Council members shouldn’t want to ask yes or no questions, such as “do you have the time” because everyone would say yes. He suggested “how much time do you have to dedicate each month to this Commission that you are applying for” and then let the applicant answer.

Council Liaison West-Hafner stated she would take it back to the Council and City Manager to make sure they were asking more of those questions. She stated she understood that excused in any other Commission was letting someone know ahead of time that they were are not going to be at the meeting. She stated she was also thinking if they needed to create a definition for all the Commissions on what excused meant.

Chair Simmons stated it applied to the Council too about calling ahead of time they were going to be absent when serving on an elected body and getting compensated for it. He stated he felt that excuse always satisfied the person making it but didn’t help anyone else including the Council if they were absent.

Commissioner Bor stated that if there was a public health emergency, they had to have liberalization too and if they were making an effort to attend, it was also nice to know there would be actionable items. She stated they needed to know if they were required to potentially vote on items versus open discussions or informational items. She state if she had to make a choice after working 18 hours that would help her make the decision and show up and be productive. She thought it was hard to define what constituted excused and if a number was exceeded then the check as recommended thought that would be the minimum the Commission could do.

Council Liaison West-Hafner suggested they provide in the application packet an overall attendance policy if there was one and maybe add a checkbox, to understand they had to be at meetings or would be removed. She stated the Council had a lot of applications, over 40, that wanted to be on Commissions. She stated the hardest part was to see all the interest and once they get on they didn’t show up. The people that applied before who wanted to be on a Commission didn’t get the opportunity because that person took that spot and didn’t show up and couldn’t be removed right away.

Chair Simmons stated the Mayor recognized it could an issue because there were a lot of absences. He stated that regarding the 40 applicants, the Charter Commission has a hard time

getting people to apply and was great there were that many applicants. He stated the ones that were absent did take a spot that someone really wanted even if it was a repeated absent that was excused. He stated that if a Charter Commissioner had missed 3 in a row he would call and to ask if they anticipated coming back. He stated the Commission didn't meet more than 8 times a year for the last several years. He stated they didn't have agenda items ahead of time, they could cancel the meetings and didn't want Commissioners to come if they didn't have anything to do just for the sake of having a meeting.

## 6. New Business

### 6.2 Discussion of Pending Charter Commission Legislation

Chair Simmons stated there were a couple of bills in the legislature, regarding Charter Commissions. He stated HF3483 puts some teeth into getting the chief judge to act in a timely manner. He stated he didn't know if it was caused by some delay and not getting the appointments made on time.

Commissioner Hultquist stated they wanted to move it away from the Council making the decision and the decision only being made by the judge and the judge didn't have 30 days to make the decision.

Chair Simmons stated that on the strike out portion, it talks about the fallback that it went to the city if the judge didn't act and were giving the judge more time. He stated HF3483 had had two committee hearings and moved out of the committee. He stated the Senate companion bill was still in the committee.

Commissioner Hultquist stated it was not currently on the schedule and they had until March 27 to pass it. He stated if the Commissioners liked the bill and he did, it might not hurt for the Commission to vote to have the Charter Commission send a letter to the Chair of the Senate Committee.

Chair Simmons asked if it would be the interest of the Charter Commission to send a letter in support of the bill or bills to the respective authors.

He stated bill was HF1513 relating to increasing the amount the city must pay for to communicate a Charter amendment which hadn't increased since 1962 and bringing it into 2020. He stated he was surprised that a city would put a ceiling on the ability of the Charter amendment being able to be communicated to the community. He stated there was a discretion going above a limit if the city wanted to. He stated it put a threshold that the city must at .07 percent of the certified general public tax levy.

He stated that on HF3483, gave the judge more time and should be a judge appointment and not bringing it back. He stated the mayor said the Charter Commission was a check upon the city and Chair Simmons suggested keeping it that way and have the judge make the appointments and not the city.

Commissioner Williams agreed and stated the CLIC could also have influence in the city activities and anything the Charter Commission could do to preserve the separation between city Council and Commissions, he was in favor of it.

Chair Simmons stated he was going to invite someone to talk about the litigation involving

organized garbage collection and the Charter provisions. He stated city Charters had privacy in the governance of organized collection and the supreme court of Minnesota said they had to follow the Charter because it was their constitution. He stated it was about St. Paul and now Bloomington, in both cases the Charter won unfortunately, for St. Paul the contract was still valid and they had to pay. He stated the Charter mattered, the amendments to the Charter, the voting process, the initiative process, what was in the Charters mattered and must be adhered to.

He asked if the Commissioners about both bills and thought a brief letter of support would be timely and if it was something that needed a push to the Senate and say they supported both bills. He stated Brooklyn Park was the 6<sup>th</sup> largest city and was a good idea and was the independence of the Charter Commission to do that.

**Motion Commissioner Hultquist that the Charter Commission support House file 3483 and Senate File 3298 and send a letter to Senator Hall, Chair of the Local Government Committee the bill was in.** He suggested copying the Senate author, Senator Sengem, Senate Majority Leader Gazelka and Speaker of the House, Melissa Hortman who was a resident of Brooklyn Park, and house author and Duane Salk.

Staff liaison Montero stated he would draft the letter that the Commission supported the bills and signed by the chair.

**The motion was seconded by Commissioner Bishman.**

Commissioners Williams asked the reason to send it to a lot of senators and why not to all of the representatives in and around the city.

Commissioner Hultquist stated they were inundated with items from their constituents and if it was something that didn't relate to something they needed to be in the loop on, there was no sense having them copied. He understood Representative Nelson and Senator Eaton, but the letter would specifically get to the floor but once its on the house floor the Commissioners might want to reconsider sending a letter to the delegation asking for their support. He stated this group to get it through the process and gets it moving. He stated he didn't the sense in the Senate it was on their radar screen to move it.

Chair Simmons suggested sending a letter the floor first so it met the deadline and they could follow up on it later to the other delegation if the need to.

**The motion carried unanimously.**

## 7. Correspondence/Communications

Chair Simmons stated everyone got a signed copy of the 2019 annual report. He stated he presented it to the Council on the night of the Commission interviews.

Commissioner Aune, Jr., stated he would not be submitting his application to be reappointed for another term.

Chair Simmons stated they would have discussions about the June, July and August meetings.

Commissioner Aune, Jr. stated April 2, was the Commission Orientation for all Commissioners; and August 3, was the Joint meeting with Council and Commissions.

Chair Simmons stated they needed to make an appointment to the Redistricting Subcommittee at the next meeting. He stated he was going to have a guest speaker come in, even though it was a state issue, Common Cause organization who was doing a Fair Map advocacy and wanted to hear what that was all about. He stated it was more about legislative districts and federal congressional districts. He stated he would try to find someone come in for a presentation in April.

8. Adjournment

Motion Commissioner Aune, Jr., Second Commissioner Bishman to adjourn the meeting at 8:52 p.m. The motion carried unanimously.

# NOTICE

On March 23, 2020, the City Council authorized the Mayor or City Manager to cancel meetings of City Boards, Committees, and Commissions until the Council-Declared Emergency pertaining to the COVID-19 Pandemic is over.

The May 14, 2020  
Community Long-range Improvement  
Commission (CLIC) meeting has  
been cancelled.

**\*\*\* HUMAN RIGHTS COMMISSION MEETING  
CANCELLATION NOTICE \*\*\***

**HUMAN RIGHTS COMMISSION**

The May 21, 2020 Regular Human Rights Commission Meeting has been canceled in order to limit the spread of COVID-19.

# **Planning Commission Regular Meeting Agenda**

**May 13, 2020 – 7:00 pm**

**Council Chambers via Telephone**

**1. CALL TO ORDER/SWEAR IN NEW MEMBERS**

**2. ROLL CALL/PLEDGE OF ALLEGIANCE**

**3. EXPLANATION BY CHAIR**

*Please be advised that the public hearings are recorded and televised live on cable television and web-streamed over the internet at [brooklynpark.org](http://brooklynpark.org). The audio system will not pick up comments from the seating area. If you want to be heard and made a part of the public record, please go to the podium; speak into the microphone, stating your full name and address. Please sign the public hearing log book on the table near the entrance to ensure accuracy of name and address in the public record. Please note that the agenda for tonight's meeting indicates that the Commission Chair has the prerogative to invoke a time limit for speakers during any public hearing in the interest of maintaining focus and the effective use of time. Thank you in advance for your cooperation.*

*The Planning Commission consists of nine resident-volunteer members appointed by the City Council to advise the City Council on planning and land use issues. The Commission discusses and evaluates development proposals based on zoning regulations and comprehensive plan policies. The Planning Commission vote is a recommendation that is forwarded to the City Council for official and final action.*

**4. APPROVAL OF AGENDA**

**5. CONSENT AGENDA**

A. Minutes – March 11, 2020

**6. PUBLIC HEARING**

A. **Edinburgh Festival Centre ATM (Reed Burdine)** –Conditional Use Permit #20-107 for a remote drive-thru ATM at 8549 Edinburgh Centre Drive North.  
*Presented by: Todd Larson*

B. **The Luther Company, LLLP (Linda McGinty)** – Rezoning and Conditional Use Permit #20-105 to redevelop 8100 Brooklyn Boulevard for an expanded parking lot for Luther Brookdale Chrysler dealership at 8100 and 8188 Brooklyn Boulevard with a variance to the Sign Code to allow a second free-standing sign.  
*Presented by: Todd Larson*

- C. **The Luther Company LLLP** – Conditional Use Permit #20-110 for auto repair, vehicle sales, and vehicle staging at 7235-7417 Brooklyn Boulevard.  
*Presented by: Todd Larson*
- D. **Brookdale Convenience Store (Bill McCrum)** – Variance and Conditional Use Permit #20-104 for a redevelopment of the convenience store building of the existing gas station at 1500 Brookdale Drive.  
*Presented by: Todd Larson*
- E. **A-1 Reliable Home Care (Deborah Ojogwu)** – Preliminary Plat, Comprehensive Plan Amendment, Rezoning, and Conditional Use Permit #20-109 for a 32-bed residential care center  
*Presented by: Todd Larson*
- F. **Highview 610 (Sambatek, Inc./Hempel Real Estate)** – Rezone parcel with a Planned Development Overlay and a Site Plan Review #20-108 for a 75,000 square foot business park building at 9501 Louisiana Avenue N.  
*Presented by: Todd Larson*

## **7. OTHER BUSINESS**

- A. **Planning Commission Liaison to the Business Forward Advisory Board**

## **8. DISCUSSION ITEMS (none)**

## **9. INFORMATION ITEMS**

- A. **Council Comments**
- B. **Commission Comments**
- C. **Staff Comments**

## **10. ADJOURNMENT**

All members of the Planning Commission will participate in the meeting by telephone pursuant to Minnesota Statutes, Section 13D.021 rather than in-person at the Planning Commission's regular meeting place at City Hall, 5200 85<sup>th</sup> Avenue North, Brooklyn Park, Minnesota.

Members of the public can monitor the Commission meeting by watching it on CCX Media Channel 16 or by livestreaming it at

[https://nwsgcc-brooklynpark.granicus.com/ViewPublisher.php?view\\_id=5](https://nwsgcc-brooklynpark.granicus.com/ViewPublisher.php?view_id=5)

Property owners who want to address the Commission regarding an agenda item may do so by calling 763-290-0134 or emailing [natalie.davis@brooklynpark.org](mailto:natalie.davis@brooklynpark.org) by 4:30 PM on May 11, 2020.

You will be asked to provide your name, address, email and phone number. You will then receive the call-in number and meeting ID. Public comments can also be submitted in advance in an email to Senior City Planner Larson at [todd.larson@brooklynpark.org](mailto:todd.larson@brooklynpark.org).

If you need these materials in an alternative format or need reasonable accommodations for a Planning Commission meeting, please provide the City with 72-hour notice by calling 763-424-8000 or emailing Josie Shardlow at [josie.shardlow@brooklynpark.org](mailto:josie.shardlow@brooklynpark.org).

Para asistencia, 763-424-8000

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## **PLANNING COMMISSION**

### **Work Session Meeting Agenda**

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5200 85TH AVENUE NORTH  
PHONE (763) 424-8000

BROOKLYN PARK MN 55443  
FAX (763) 493-8391

**Wednesday, May 27, 2020 – 7:00 P.M.  
Council Chambers**

**If due to a disability, you need auxiliary aids or services during a Public Hearing Meeting, please provide the City with 48-hour notice by calling 763-493-8012.**

***THERE WILL BE NO MEETING ON  
WEDNESDAY, MAY 27, 2020***

If you need these materials in an alternative format or need reasonable accommodations for a Planning Commission meeting, please provide the City with 72-hour notice by calling 763-424-8000 or emailing Josie Shardlow at [josie.shardlow@brooklynpark.org](mailto:josie.shardlow@brooklynpark.org).

Para asistencia, 763-424-8000

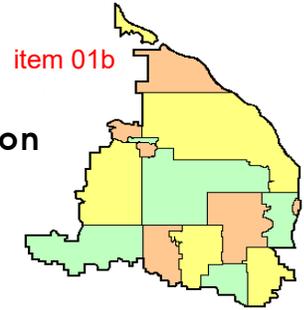
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**\*\*\* RECREATION AND PARKS COMMISSION  
MEETING CANCELLATION NOTICE \*\*\***

**RECREATION AND PARKS COMMISSION**

The May 20, 2020–Recreation and Parks  
Commission Meeting has been canceled.

The June Recreation and Parks Commission Meeting  
will be held on June 17, 2020 from 6:30 – 8:30 p.m.  
in the Grand 1 Meeting Room at the Community  
Activity Center.



3235 Fernbrook Lane N • Plymouth, MN 55447  
 Tel: 763.553.1144 • Fax: 763.553.9326  
 Email: judie@jass.biz • Website: www.shinglecreek.org

A combined regular meeting of the Shingle Creek and West Mississippi Watershed Management Commissions will be convened Thursday, May 14, 2020, at 12:45 p.m. Agenda items are available at <http://www.shinglecreek.org/minutes--meeting-packets.html>.

Until further notice, all meetings will be held online to reduce the spread of COVID-19. To join a meeting, click <https://zoom.us/j/834887565> or go to [www.zoom.us](http://www.zoom.us) and click Join A Meeting. The meeting ID is 834-887-565.

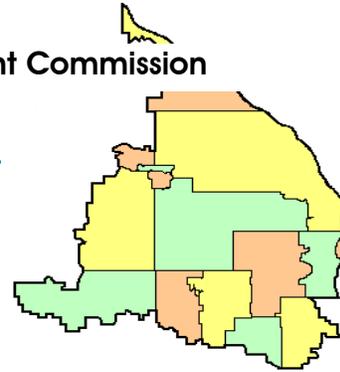
If your computer is not equipped with audio capability, you need to dial into one of these numbers:

- +1 929 205 6099 US (New York)    +1 312 626 6799 US (Chicago)    +1 253 215 8782 US
- +1 669 900 6833 US (San Jose)    +1 346 248 7799 US (Houston)    +1 301 715 8592 US

1. Call to Order.
  - SCWM a. Roll Call.
  - ✓ SCWM b. Approve Agenda.\*
  - ✓ SCWM c. Approve Minutes of Last Meeting.\*
2. Reports.
  - ✓ SC a. Treasurer’s Report.\*    ✓ SC b. Approve Claims\* - voice vote.
  - ✓ WM c. Treasurer’s Report.\*    ✓ WM d. Approve Claims\* - voice vote.
3. Open forum.
4. Project Reviews.
  - ✓ WM a. WM2020-005 94th Avenue Extension, Brooklyn Park.\*
5. Watershed Management Plan.
6. Water Quality.
  - ✓ SC a. West Broadway Stormwater Infiltration Cost Share Project.\*
  - SC b. Bass Creek Restoration Project.\*
  - SC c. Meadow Lake Management Plan Funding.\*
  - ✓ SC d. Quotes Bass and Upper Twin CLP Treatment.\*\*
  - SCWM e. April 30, 2020 TAC Meeting Minutes\* – *informational*.
7. 2021 Operating Budgets.
  - ✓ SC a. Shingle Creek.\*
  - ✓ WM b. West Mississippi.\*
8. Education and Public Outreach.
  - SCWM a. Education and Outreach – update.\*\*
  - b. Next WMWA meeting – 8:30 a.m., Tuesday, June 9, 2020. *Virtual meeting*.
9. Staff Report.\*
  - a. Lake Pepin TMDL.    b. Watershed-based funding.\*
  - c. MPCA Cycle 2 Assessment.    d. Maintenance Levy.
  - e. Project Updates.
10. Communications.
  - SCWM a. Communications Log.\*
11. Other Business.
- ✓ SCWM a. Approve non-waiver of monetary limits on tort liability.\*
- SCWM 12. Adjournment.

Z:\Shingle Creek\Meetings\Meetings 2020\05 Agenda Regular meeting.docx

\* In meeting packet or emailed    \*\* Available at meeting    \*\*\*Previously transmitted    \*\*\*\* Available on website    ✓ Item requires action



3235 Fernbrook Lane N • Plymouth, MN 55447  
 Tel: 763.553.1144 • Fax: 763.553.9326  
 Email: judie@jass.biz • Website: www.shinglecreek.org

**MINUTES**  
**Regular Meeting**  
**April 9, 2020**

(Action by the SCWMC appears in blue, by the WMWMC in green and shared information in black.  
 \*indicates items included in the meeting packet.)

I. A joint virtual meeting of the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission was called to order by Shingle Creek Chairman Andy Polzin at 12:46 p.m. on Thursday, April 9, 2020.

Present for Shingle Creek were: David Vlasin, Brooklyn Center; Adam Quinn, Brooklyn Park; Burton Orred, Jr., Crystal; Karen Jaeger, Maple Grove; Ray Schoch, Minneapolis; Bill Wills, New Hope; Harold E. Johnson, Osseo; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Ed Matthiesen, Diane Spector, Erik Megow, and Katie Kemmitt, Wenck Associates, Inc.; Troy Gilchrist, Kennedy & Graven; and Amy Juntunen and Judie Anderson, JASS.

Present for West Mississippi were: David Vlasin, Brooklyn Center; Steve Chesney, Brooklyn Park; Gerry Butcher, Champlin; Karen Jaeger, Maple Grove; Harold E. Johnson, Osseo; Ed Matthiesen, Diane Spector, Erik Megow, and Katie Kemmitt, Wenck Associates, Inc.; Troy Gilchrist, Kennedy & Graven; and Amy Juntunen and Judie Anderson, JASS.

Also present were: Andrew Hogg, Brooklyn Center; Mitch Robinson, Brooklyn Park; Mark Ray, Crystal; Derek Ashe, Maple Grove; Liz Stout, Minneapolis; Bob Grant and Megan Hedstrom, New Hope; John Roach, Osseo; Leah Gifford, Ben Scharenbroich and Amy Riegel, Plymouth; Richard McCoy and Marta Roser, Robbinsdale; and Aaron Feldberg, Sambatek, for project WM2020-004.

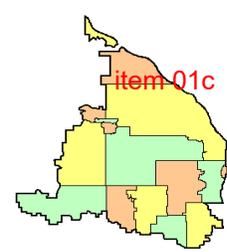
II. **Agendas and Minutes.**

Motion by Orred, second by Sicora to approve the **Shingle Creek agenda**.\* *Motion carried unanimously.*

Motion by Butcher, second by Johnson to approve the **West Mississippi agenda**.\* *Motion carried unanimously.*

Motion by Schoch, second by Sicora to approve the **minutes of the March 12, 2020 regular meeting**.\* *Motion carried unanimously.*

Motion by Butcher, second by Chesney to approve the **minutes of the March 12, 2020 regular meeting**.\* *Motion carried unanimously.*



**III. Finances and Reports.**

**A.** Motion by Schoch, second by Johnson to approve the Shingle Creek **April Treasurer's Report.**\* *Motion carried unanimously.*

Motion by Orred, second by Schoch to approve the **Shingle Creek April claims.**\* Claims totaling \$50,394.22 were *approved by roll call vote: ayes – Vlasin, Wills, Orred, Jaeger, Schoch Grant, Johnson, Polzin, and Sicora; nays – none.*

**B.** Motion by Chesney, second by Butcher to approve the **West Mississippi April Treasurer's Report.**\* *Motion carried unanimously.*

Motion by Chesney, second by Johnson to approve the **West Mississippi April claims.**\* Claims totaling \$19,016.26 were *approved by roll call vote: ayes – Vlasin, Chesney, Butcher, Jaeger, and Johnson; nays – none.*

**IV. Open Forum.**

**V. Project Review.**

**WM2020-004 610 Junction Building 2A, Brooklyn Park.**\* Construction of 6.8 acres of impervious surface on 8.46 acres located in the northeast corner of Decatur Drive and 94th Avenue North. The proposed project is the construction of a new building, drive aisles, parking lot, and sidewalks on currently vacant agricultural and wooded land. Following development, the site will be 80 percent impervious with 6.8 acres of impervious surface, an increase of 6.8 acres. A complete project review application was received on March 23, 2020.

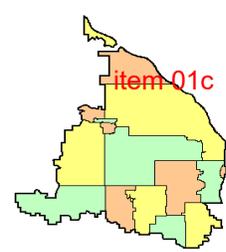
To comply with the Commission's water quality treatment requirement, the site must provide ponding designed to NURP standards with dead storage volume equal to or greater than the volume of runoff from a 2.5" storm event, or BMPs providing a similar level of treatment - 85% TSS removal and 60% TP removal. Infiltrating 1.3-inches of runoff, for example, is considered sufficient to provide a similar level of treatment. If a sump is used the MnDOT Road Sand particle size distribution is acceptable for 80% capture.

Runoff from the site is proposed to be routed through an infiltration basin. The applicant states that the basin has the capacity to infiltrate 1.3 inches of runoff from new impervious surfaces in 48 hours. The basin has been sized for Building 2A and a future Building 1. An infiltration rate of 0.8 inches per hour must be verified, or silt in the basin must be removed and replaced with clean sand in order for the applicant to meet Commission water quality requirements.

Commission rules require that site runoff is limited to predevelopment rates for the 2-, 10-, and 100-year storm events. Runoff from the site will be routed through a new infiltration basin in the northeast corner of the property into the MnDOT ROW and to an existing infiltration basin in the southwest corner of the property. The applicant meets Commission rate control requirements.

Commission rules require the site to infiltrate 1.0 inch of runoff from new impervious area within 48 hours. The new impervious area on this site is 6.8 acres, requiring infiltration of 0.56 acre-feet within 48 hours. The applicant proposes that the new infiltration basin has the capacity to infiltrate 1.3 inches from new impervious surfaces within 48 hours. The applicant meets Commission volume control requirements.

The erosion control plan includes a rock construction entrance, rip rap at the basin inlet, silt fence surrounding the infiltration basin bottom and slopes, and native seed specified on the infiltration basin slopes. The erosion control plan meets Commission requirements.



The National Wetlands Inventory does not identify any wetlands on site. There are no Public Waters on this site. The applicant meets Commission wetland and Public Waters requirements.

There is no FEMA-regulated floodplain on this site. The low floor elevations of the buildings are at least two feet higher than the high water elevation of the detention ponds/infiltration basins according to Atlas 14 precipitation. The applicant meets Commission floodplain requirements.

The site is not located in a Drinking Water Management Area (DWSMA). The applicant meets Commission drinking water protection requirements.

A public hearing on the project was conducted on February 12, 2020 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

A draft Operations & Maintenance (O&M) agreement between the applicant and the City of Brooklyn Park was provided.

Motion by Johnson, second by Chesney to advise the City of Brooklyn Park that approval of Project WM2020-004 is granted conditioned that the applicant can demonstrate by double ring infiltrometer that the site can meet the design infiltration rate of 0.80 inches/hour or amend the infiltration bottom soils by removing silt and replacing with clean sand. *Motion carried unanimously.*

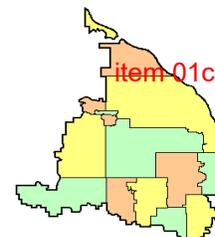
#### **VI. Watershed Management Plan.**

Every year the Commissions work together with the member cities to consider capital projects proposed for watershed funding on their Capital Improvement Program (CIP). Typically, the Technical Advisory Committee (TAC) hears feasibility studies for proposed projects and makes a recommendation to the Commissions in April of each year as to which projects to consider for that year's CIP and whether any minor plan amendments are necessary. The TAC recommendations are forwarded to the Commissions which, in May, set the maximum levies and acts on any necessary plan amendments. The proposed plan amendments and the proposed maximum capital levies are forwarded to Hennepin County. The County goes through its public hearing and maximum levy setting process that is usually done by the end of June. The process then goes back to the Commissions to hold public hearings on proposed projects and set final levies. Projects ordered and levied in one year are collected with property taxes in the following year. This levy is included in the "Other Special Taxing Districts" line item of property tax statements.

Included in Staff's April 2, 2020 memo\* are the current draft CIPs for each Commission. They reflect the Minor Plan Amendments approved in 2019 and the rescheduling of some projects to future years. Shown are the potential projects for consideration in 2020 and the associated estimated levies.

In 2019 the Commissions amended their Management Plan to raise the annual voluntary maximum levy to \$750,000. As proposed, Shingle Creek would exceed that \$750,000 voluntary cap. Both the Cost-Share program and the Partnership Cost Share program have balances, currently about \$120,000 (plus an additional \$100,000 to be received this year) and \$150,000 (plus \$50,000), respectively. The Commission could get by without certifying levy for either of these programs in 2020 if need be. The Shingle Creek Commission would also expect to submit grant applications for the Meadow Lake and two stream projects, and there will be another round of Watershed-Based Funding from BWSR that could also provide funding for these projects.

The TAC members discussed options for proceeding with a proposed levy that exceeds the voluntary cap of \$750,000. The cost share of Plymouth's enhanced street sweeper and the three capital projects are all TMDL implementation projects that will be of benefit to the lakes/streams and make re-



quired phosphorus and sediment load reductions. Grant applications for two of the three projects were pursued in the past but were not funded. Additional grant funding can be pursued for all three of the projects in 2020. The cities also expect to continue to make use of both public and private cost share funds. The TAC recommended to the Commissions that the 2020 maximum levies be approved as shown below:

| Shingle Creek Project                      | Total Estimated Cost | City/Private     | Grant      | Commission Share   | Total Levy         |
|--|----------------------|------------------|------------|--------------------|--------------------|
| Cost share (city projects)                 | \$200,000            | \$100,000        | 0          | \$100,000          | \$106,050          |
| Connections II Stream Restoration          | 400,000              | 0                | 0          | 400,000            | 424,200            |
| Plymouth Street Sweeper                    | 350,000              | 275,000          | 0          | 75,000             | 79,540             |
| Meadow Lake Management Plan                | 300,000              | 0                | 0          | 300,000            | 318,150            |
| Bass Creek Restoration                     | 400,000              | 0                | 0          | 400,000            | 424,200            |
| Partnership cost share (private projects)  | 100,000              | 50,000           | 0          | 50,000             | \$53,025           |
| <b>Subtotal</b>                            | <b>\$1,750,000</b>   | <b>\$425,000</b> | <b>\$0</b> | <b>\$1,325,000</b> |                    |
| <b>5% additional for legal/admin costs</b> |                      |                  |            | <b>66,250</b>      |                    |
| <b>Subtotal</b>                            |                      |                  |            | <b>1,391,250</b>   |                    |
| <b>TOTAL LEVY (101% for uncollectable)</b> |                      |                  |            | <b>\$1,405,165</b> | <b>\$1,405,165</b> |

| West Mississippi Project                   | Total Estimated  | City/Private     | Grant      | Commission Share | Total Levy       |
|--|------------------|------------------|------------|------------------|------------------|
| Cost share (city projects)                 | \$100,000        | \$50,000         | 0          | \$50,000         | \$53,025         |
| River Park Stormwater Improvements         | 485,000          | 363,750          |            | 121,250          | 128,585          |
| <b>Subtotal</b>                            | <b>\$585,000</b> | <b>\$413,750</b> | <b>\$0</b> | <b>\$171,250</b> |                  |
| <b>5% additional for legal/admin costs</b> |                  |                  |            | <b>8,560</b>     |                  |
| <b>Subtotal</b>                            |                  |                  |            | <b>179,810</b>   |                  |
| <b>TOTAL LEVY (101% for uncollectable)</b> |                  |                  |            | <b>\$181,610</b> | <b>\$181,610</b> |

Staff’s memo also described how the proposed levy would impact property owners. For example, the Shingle Creek 2018/2019 levy of \$479,900 resulted in a one-time levy of \$9.74 on Spector’s house in Minneapolis. The \$1.4 million levy under consideration, if levied in 2019, would have resulted in a one-time levy of about \$28.52.

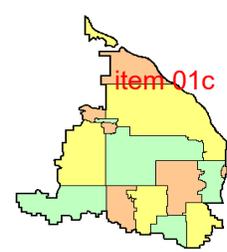
Staff’s memo also showed the proposed CIPs for each Commission for the years 2020-2021-2022.

Following discussion, motion by Schoch, second by Johnson to approve the maximum levy as recommended by the TAC. *Motion carried unanimously.*

Following discussion, motion by Chesney, second by Butcher to approve the maximum levy as recommended by the TAC. *Motion carried unanimously.*

## VII. Water Quality.

Included in the meeting packet is the **2019 Water Quality Report**.\* Kemmitt presented the findings and answered member questions about the monitoring that occurred in the watersheds in 2019. The report has been reformatted to be more user-friendly and presents conditions in the lakes and streams at a glance. The technical appendices are presented in a separate document and may be found at [shinglecreek.org/water-quality.html](http://shinglecreek.org/water-quality.html). Staff are seeking feedback on the new format and infographics.



**VIII. Education and Public Outreach.**

**A. WMWA.** The **West Metro Water Alliance** will meet Tuesday, April 14, 2020 at 8:30 a.m. This will be virtual meeting.

**B. Website/Social Media.** Catherine Cesnik, the WMWA Coordinator, is refreshing the WMWA website and updating content. Any input is appreciated. [westmetrowateralliance.org/](http://westmetrowateralliance.org/). Cesnik has also taken over social media posting duties.

**C.** Cesnik will be reaching out to member cities over the next few months, starting with the TAC representatives, to better understand **how WMWA can be a resource** and to help fill education and outreach gaps. The WMWA steering committee particularly discussed options to collaborate on the new or enhanced education and outreach requirements in the draft MN NPDES General Permit.

**IX. Grant Opportunities and Updates.**

**A.** In 2018 the Board of Water and Soil Resources (BWSR) allocated \$5.59 million of Clean Water Funds to the Metro area in support of Clean Water projects. For the initial round of funding, this Pilot **Watershed-Based Funding (WBF)** was distributed to each of the seven metro counties, and eligible entities (WMOs and Soil and Water Conservation Districts) worked together to determine how best to distribute the funds. The 11 WMOs in Hennepin County and the county agreed to reserve 10 percent of the county’s \$1,018,000 allocation for joint chloride education and outreach activities, and to distribute the balance to the 11 WMOs based on area and tax base. West Mississippi received an allocation of \$35,422 and Shingle Creek \$68,129. In 2018 each Commission decided to allocate those funds through the City Cost Share Program. Funds must be expended by December 31, 2021.

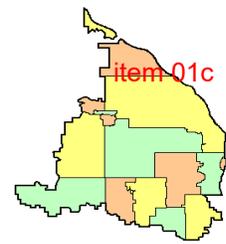
The City of Brooklyn Park has submitted a Cost Share Program application in the amount of \$50,000 to assist in the cost of designing the upcoming **River Park Stormwater Improvements**. This project will provide treatment for 250 acres of land that currently discharge untreated into the Mississippi River. This project is on the 2020 CIP. The Cost Share Program Guidelines were amended last year to limit projects from receiving both Cost Share and CIP funding.

The Technical Advisory Committee (TAC) discussed the project at its March 30, 2020 meeting, It was noted that the WBF resources were allocated by the Commission to the Cost Share Program as a convenience for disbursement, and are really just pass-through grant funds similar to other grants the Commission receives that are then passed-through to the cities.

The TAC felt comfortable that allocating the WBF funds currently residing in the Cost Share Program account to the River Park project would not violate the limitation on receiving both Cost Share and CIP funds from the county levy. It is the TAC and staff recommendation that the Commission authorize the allocation of the \$35,422 Watershed Based Funding to Brooklyn Park’s River Park Stormwater Improvements Project.

Motion by Chesney, second by Butcher to approve this allocation. *Motion carried unanimously.*

**B.** Motion by Schoch, second by Orred to approve **Amendment #1 of the Floodplain Modeling Grant Contract** with the DNR. The amendment extends the contract from April 30, 2020 to March 31, 2021. *Motion carried unanimously.*



**X. Communications.**

**March Communications Log.\*** No items required action.

**XI. Other Business.**

**A.** Motion by Schoch, second by Jaeger to accept the draft **2019 Annual Activity Report** with revisions as provided later and as provided through member review by April 17. *Motion carried unanimously.*

**B.** Motion by Butcher, second by Jaeger to accept the draft **2019 Annual Activity Report** with revisions as provided later and as provided through member review by April 17. *Motion carried unanimously.*

**XII. Adjournment.** There being no further business before the Commissions, the joint meeting was adjourned at 2:21 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads 'Judie A. Anderson'.

Judie A. Anderson  
Recording Secretary  
JAA:tim

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