

REGULAR CITY COUNCIL MEETING – AGENDA #21

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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 6:00 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 residents. 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 residents 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 21-27, 2023 as "National Public Works Week" in the City of Brooklyn Park

A. PROCLAMATION

3B.2 Presentation by Parents in Community Action (PICA)/Head Start and Overview of a Lease Extension

A. PICA INFORMATIONAL HANDOUT

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

4. CONSENT (All items listed under Consent, unless removed from Consent in agenda item 3A, shall be approved by one council motion.) Consent Agenda consists of items delegated to city management or a commission but requires council action by State law, City Charter or city code. These items must conform to a council approved policy, plan, capital improvement project, ordinance or contract. In addition, meeting minutes shall be included.

4.1 Approve the Purchase of Three Single Axle Dump Trucks

A. RESOLUTION

4.2 Consider Approving the 2024 – 2026 Joint Cooperation Agreement for Urban Hennepin County Community Development Block Grant (CDBG) Program

A. RESOLUTION

B. CDBG JOINT COOPERATION AGREEMENT METROPOLITAN ELECT NOTICE

4.3 To Accept a Petition Supporting the Addition of a 6-lane Expressway to MnDOT's Highway 252 Draft SDD

A. PETITION

- B.** EMAIL FROM DAVID MULLA
- 4.4** Development Bond Reductions/Releases
- 4.5** Removal of a Commissioner

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

5. PUBLIC HEARINGS
NONE

6. LAND USE ACTIONS

- 6.1** A Request by The Doran Group to Grant a Waiver from the Development Moratorium for Property Located at 6501 96th Lane North
 - A.** DORAN COMPANIES WAIVER REQUEST LETTER
 - B.** LOCATION MAP
 - C.** VALUE PER ACRE OF RECENT DEVELOPMENT PROJECTS
- 6.2** A Request by Stone Mountain Plaza to Grant a Waiver from the Development Moratorium for Property Located at 9985 Xenia Avenue North
 - A.** STONE MOUNTAIN PLAZA WAIVER REQUEST LETTER
 - B.** ARTURA DENTAL CONCEPT PLAN
 - C.** LOCATION MAP
 - D.** VALUE PER ACRE OF RECENT DEVELOPMENT PROJECTS

7. GENERAL ACTION ITEMS

- 7.1** Public comment on PD drone program/policy
 - A.** DRAFT POLICY 604
- 7.2** Select Provider of Violence Intervention Services and Authorize the City Manager to Enter into an Agreement for These Services
 - A.** RESOLUTION
- 7.3** Appointments to Commissions
- 7.4** Rental Licensing Ordinance Amendment
 - A.** ORDINANCE
 - B.** PRESENTATION

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

- 8.1** Hwy 252 Discussion (Attachments will be sent separately)
 - A.** MEMORANDUM

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:	May 22, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Operations and Maintenance
Resolution:	N/A	Prepared By:	Dan Ruiz, O&M Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Hollies Winston, Mayor
Item:	Mayor's Proclamation Declaring May 21-27, 2023 as "National Public Works Week" in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall proclaim May 21-27, 2023 as "National Public Works Week" in the City of Brooklyn Park by one of the following:

1. "I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 21-27, 2023 as "National Public Works Week" in the City of Brooklyn Park."

OR

2. By reading the proclamation.

Overview:

During "National Public Works Week," communities throughout the United States celebrate the importance of public works services to the everyday lives of our residents. The 2023 theme is "Connecting the World Through Public Works."

Public works is the thread that connects us all, no matter where we live in the world. Every public works professional strives to improve the quality of life for the community they serve, leading to healthier, happier communities.

The "Connecting the World Through Public Works" theme highlights the way public works professionals connect us physically, through infrastructure, and inspirationally, through service to their communities, whether as first responders, or daily workers carrying out their duties with pride.

Public works connectors help keep communities strong by providing an infrastructure of services in transportation, water, wastewater, and stormwater treatment, public buildings and spaces, parks and grounds, emergency management and first response, solid waste, and right-of-way management. They are what make our communities great places to live and work. Join us in celebrating the quiet work these professionals do that makes life better for all of us.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A PROCLAMATION

PROCLAMATION

DECLARING MAY 21-27, 2023 AS “NATIONAL PUBLIC WORKS WEEK” IN THE CITY OF BROOKLYN PARK

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Brooklyn Park; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the residents, civic leaders and children in the City of Brooklyn Park to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW THEREFORE, BE IT RESOLVED, I, Hollies Winston, Mayor of the City of Brooklyn Park, do hereby designate the week May 21–27, 2023 as National Public Works Week; I urge all residents to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.



5200 85th Avenue North
Brooklyn Park, MN 55443

Hollies Winston, Mayor

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.2	Meeting Date:	May 22, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Operations and Maintenance
Resolution:	N/A	Prepared By:	Dan Ruiz, O&M Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Rico Alexander, PICA Executive Director Monshari Chandler, Head Start Director
Item:	Presentation by Parents in Community Action (PICA)/Head Start and Overview of a Lease Extension		

City Manager's Proposed Action:

Presentation by Parents In Community Action (PICA) and overview of a lease extension.

Overview:

Parents in Community Action (PICA) has been operating a Head Start program at the former city hall building on the corner of 85th Avenue and Zane Avenue since 1993. The program serves pre-school-aged children and their families whose income level is below poverty standards.

The original lease had a ten-year term at \$10.00, or \$1.00 per year. PICA had the option to extend the lease twice for ten years each time. They extended the lease in 2003 through June 30, 2013, and again in 2013 through June 30, 2023.

PICA is now interested in extending the lease for up to another 10 years.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A PICA INFORMATIONAL HANDOUT



Town Hall

Early Childhood Family Development Center

Background and History of PICA

Parents In Community Action, Inc. (PICA) was founded as a private, non-profit agency by a group of concerned parents to provide Head Start services to the poorest and most vulnerable children and families in our community. PICA became the federal Head Start grantee for Hennepin County in 1969, and while our beginnings were humble—with no permanent home and minimal financial resources—PICA grew to be one of the largest and most respected Head Start agencies in the nation, recognized multiple times as a Head Start Program of Excellence. Today PICA is the largest Head Start agency in the state of Minnesota, operating 13 state-of-the-art early childhood facilities located throughout Hennepin County and serving over 2,500 low-income children and their families living at or below the federal poverty level, including homeless families residing in area homeless shelters.

Our Mission

Our ultimate goal is to help low-income children and families achieve success—in school, in the workplace, and in the community. It is PICA's mission:

- To provide comprehensive early childhood and family development services that empower children and families to reach their full potential;
- To support parents and their communities in defining their needs and programs;
- To promote community change that values children and their families; and
- To develop partnerships with parents and the public, private and corporate sectors to assist in achieving our goal of healthy, happy, productive children and families.

Town Hall and PICA's Collaborative Relationship With Brooklyn Park

PICA has collaborated with the City of Brooklyn Park for 27+ years in operating our Town Hall Early Childhood Development Center. Former Minnesota Governor Jesse Ventura was Mayor of Brooklyn Park when the city's former City Hall building was renovated in 1994 to serve as an additional location for PICA's Head Start program. The Town Hall Early Childhood Family Development Center now serves 234 Head Start and Early Head Start children ages birth to five and their families residing in the Brooklyn Park community.



Town Hall Early Childhood Family Development Center

Town Hall serves approximately 260 families annually, and during its 27-year history, Town Hall has served over 7,000 low-income children and families whose lives have been transformed by their participation in Head Start, Early Head Start, and other PICA programs. All PICA programs provide comprehensive services in the areas of early childhood education; health services (medical, dental and mental health); nutrition; transportation; services to children with disabilities; social services and family support; workforce development programs for parents; and parent involvement opportunities to help

parents learn new skills, play an active role in their children’s education, and connect with other parents. Town Hall also provides 40 living-wage jobs for parents and community members and contributes to the local economy by patronizing local businesses.

As stated in our mission, the comprehensive services we provide are designed to empower low-income children and families and help them reach their full potential. While we strive to provide the highest quality services to our children and families, it is important to acknowledge that PICA is unable to “go it alone,” without the help and support of our community partners such as the city of Brooklyn Park. Your ongoing support makes it possible to continue doing what we do best.

Our partnership with Brooklyn Park is a mutually beneficial one that has extended beyond our Town Hall Center and into the community. Throughout the COVID-19 global pandemic, for example, we partnered with the city to keep our children and families and the community healthy by hosting our first community COVID-19 testing event in Brooklyn Park. This highly successful drive-through event allowed PICA staff members, families, and community members to be tested—many of whom otherwise would not have had access to testing. This successful event was the impetus for three additional COVID testing events hosted by PICA to help keep staff members, families, and community members informed and safe during this stressful time.

Despite these positive strides, suburban Hennepin County has seen a dramatic increase in child poverty over the past 15 years. In Brooklyn Park, one out of every three children lives in poverty, underscoring the urgent need to expand Head Start and Early Head Start services in this city. The recent increase in violence and unrest in Brooklyn Park is also a significant concern. Further, the challenges presented by COVID-19 and its variants over the past 18 months have disrupted children’s education and exacerbated the hardships their families already face.

PICA works to address these pressing issues and to ensure that the children and families we serve continue to receive the high quality, comprehensive services they need and deserve—whether they be offered in person or virtually—and that they have access to the support and resources needed to help them overcome the trauma they are experiencing, including enhanced mental health services. By giving young children a healthy start in life and preparing them for success, we are working toward community change that will benefit not only today’s Head Start families and community members, but future generations of Brooklyn Park and Hennepin County residents.

Need for Expansion at Town Hall: Our Project

As noted above, there is an urgent need in the city of Brooklyn Park for the services PICA provides. While we celebrate the racial, ethnic, cultural, and linguistic diversity of the children and families we serve, we acknowledge that they are also among the most vulnerable in our community. Over 50 percent of our families speak a primary language other than English in their homes and many experience language and cultural barriers to accessing services, seeking employment, and succeeding in school. Our families are also faced with multiple challenges, including some of the highest child poverty rates in Minnesota, significant health disparities, mental health concerns, food insecurity, unemployment, and homelessness. The specialized programs and comprehensive services PICA provides are designed to address the unique needs and challenges our families face and to build on their strengths to meet the educational and developmental needs of the children we serve and assist their families in achieving economic self-sufficiency.

At our Town Hall location, we have a long waiting list for services, but we are limited by the current capacity of this facility to serve additional children and families in Brooklyn Park. Given the tremendous need for services and the daunting challenges our children and families face, it is critical that we expand our Town Hall facility to accommodate more young children. The more children we are able to enroll in our programs, the more children we can empower to succeed in school and in life. Their families, too, will benefit from our parent training opportunities, gaining job skills and experience, improving their parenting skills, and becoming more involved in their children's education and in their own communities.

We plan to renovate the lower level of our Town Hall facility to include two additional classrooms, which will meet all state licensing requirements for childcare facilities as well as federal Head Start Program Performance Standards to ensure program quality. This expansion effort will allow us to serve 50 additional children and their families, providing them with comprehensive services and support that will help them reach their full potential, become self-sufficient, and contribute to their communities.

As we pursue our dedicated effort to serve as many eligible children and families as possible and our commitment to expanding much-needed services at our Town Hall facility, we look forward to continuing the mutually beneficial relationship between PICA and the city of Brooklyn Park. By maintaining this positive collaboration, we will be able to provide more opportunities for low-income children and families to reach their full potential and contribute to their community. This expansion effort will also increase job opportunities in the Brooklyn Park community for low-income parents—not only in our Town Hall Center itself, but also through the workforce development programs we offer for parents seeking to acquire job skills and experience that will help them achieve economic self-sufficiency and contribute to the diversity and vitality of the Brooklyn Park business community. The resulting positive impact on the long-term economic health of the Brooklyn Park community will reap benefits for generations to come.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.1	Meeting Date:	May 22, 2023
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Dolly Lee, Assistant Finance Director Dan Ruiz, O&M Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Dan Ruiz
Item:	Approve the Purchase of Three Single Axle Dump Trucks		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ TO AUTHORIZE STAFF TO ENTER INTO A PURCHASE AGREEMENT WITH TOWMASTER TRUCK EQUIPMENT AND NUSS TRUCK AND EQUIPMENT FOR THREE SINGLE AXLE DUMP TRUCKS IN THE AMOUNT NOT TO EXCEED \$892,000 AND TO AMEND THE 2023 CENTRAL GARAGE EQUIPMENT REPLACEMENT BUDGET AND 2023-27 CAPITAL EQUIPMENT PLAN TO MAKE THE PURCHASES.

Overview:

The replacement of three single axle dump trucks was originally included in the 2022-2026 Capital Equipment Plan (CEP) as item #5708 and budgeted for \$615,000. Staff ordered the trucks in early 2022, only to be informed in the spring of 2022 that our order was cancelled due to the factory not fulfilling orders. We were put in line to place orders again when possible.

Staff worked with our vendors to get new cost estimates for 2023. The cost increased significantly to approximately \$297,300 per truck, which for three trucks is just under \$892,000.

The trucks being replaced are 2007 and 2008 model years and have a 15-year replacement cycle. With the supply chain delays, these trucks will be 16 and 17 years old before we get the new trucks and they need to be replaced as soon as possible. Our replacement cycles were established to extend the life of vehicles/equipment as long as possible without running into significant and expensive breakdowns such as transmission failures.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The total cost of the recommended three single axle dump trucks is not to exceed \$892,000. The cost of the trucks can be accommodated in the amended 2023 Central Garage Equipment Replacement Fund.

Attachments:

4.1A RESOLUTION

RESOLUTION #2023-

AUTHORIZE STAFF TO ENTER INTO A PURCHASE AGREEMENT WITH TOWMASTER TRUCK EQUIPMENT AND NUSS TRUCK AND EQUIPMENT FOR THREE SINGLE AXLE DUMP TRUCKS IN THE AMOUNT NOT TO EXCEED \$892,000 AND TO AMEND THE 2023 CENTRAL GARAGE EQUIPMENT REPLACEMENT BUDGET AND 2023-27 CAPITAL EQUIPMENT PLAN TO MAKE THE PURCHASES.

WHEREAS, three single axle dump trucks were originally in the 2022-2026 Capital Equipment Plan as item #5708 and budgeted for \$615,000; and

WHEREAS, due to supply shortages our truck order was cancelled by the manufacturer; and

WHEREAS, staff worked with vendors to develop new cost estimates and attempt to purchase the trucks in 2023; and

WHEREAS, we received price quotes for approximately \$892,000; and

WHEREAS, the \$892,000 can be accommodated by the amended 2023 Central Garage Equipment Replacement Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize staff to enter into a purchase agreement with Towmaster Truck Equipment and Nuss Truck and Equipment for three single axle dump trucks in the amount not to exceed \$892,000 and to amend the 2023 Central Garage Equipment Replacement Budget and 2023-2027 Capital Equipment Plan to make the purchases.

Amendment to the 2023 Budget					
Financing Changes					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
Central Garage	Use of Fund Balance	3 Single Axle Dump Trucks	\$ 2,500,406.00	\$ 892,000.00	\$ 3,392,406.00
					\$ -
		Total	\$ 2,500,406.00	\$ 892,000.00	\$ 3,392,406.00
Spending Changes					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
Central Garage	Capital Outlay	3 Single Axle Dump Trucks	\$ 3,259,775.00	\$ 892,000.00	\$ 4,151,775.00
					\$ -
		Total	\$ 3,259,775.00	\$ 892,000.00	\$ 4,151,775.00
Amendment to the 2023-2027 Capital Equipment Plan					
Financing Changes					
Project Number	Funding Source	Description	Current Budget	Changes	Amended Budget
CEP5708	E.R. - Equipment Replacement	3 Single Axle Dump Trucks	\$ -	\$ 892,000.00	\$ 892,000.00
					\$ -
		Total	\$ -	\$ 892,000.00	\$ 892,000.00
Spending Changes					
Project Number	Expense Category	Description	Current Budget	Changes	Amended Budget
CEP5708	Capital Equipment	3 Single Axle Dump Trucks	\$ -	\$ 892,000.00	\$ 892,000.00
					\$ -
		Total	\$ -	\$ 892,000.00	\$ 892,000.00

City of Brooklyn Park Request for Council Action			
Agenda Item:	4.2	Meeting Date:	May 22, 2023
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	John Kinara, Housing and Redevelopment Coordinator
Ordinance:	N/A		
Attachments:	2	Presented By:	John Kinara
Item:	Consider Approving the 2024 – 2026 Joint Cooperation Agreement for Urban Hennepin County Community Development Block Grant (CDBG) Program		

City Manager’s Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ APPROVING THE 2024 – 2026 JOINT COOPERATION AGREEMENT FOR URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Overview:

Brooklyn Park receives its Community Development Block Grant (CDBG) allocation through a Joint Cooperation Agreement with Hennepin County. This means that Hennepin County receives the funds directly from the Department of Housing and Urban Development (HUD) and then distributes the funds to Brooklyn Park and the other participating jurisdictions.

On behalf of participating jurisdictions, 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.

For this service, Hennepin County currently retains thirteen percent (13%) of the annual basic grant amount for the administration of the program. Included in this administrative cost is funding for annual Urban Hennepin County Fair Housing activities (required of CDBG recipients). 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 13% for administration. The distribution formula is based on population, individuals with incomes at or below the poverty level, and the number of overcrowded housing units.

Brooklyn Park meets HUD’s definition of a metropolitan city, having a population of at least 50,000, and is an eligible CDBG entitlement community. Since the city originally qualified as a metropolitan community, Brooklyn Park has deferred its CDBG entitlement status and elected to participate in the Urban Hennepin County CDBG Program through the Joint Cooperation Agreement which allows the County to administer the grant dollars and ensure federal compliance.

Primary Issues/Alternatives to Consider:

Every three years the City of Brooklyn Park is notified by Hennepin County that it needs to elect if it will participate in the Urban County CDBG Program. The City has three options:

1. Approve 2024 – 2026 Joint Cooperation Agreement with Deferred status (current practice)
2. Elect to exercise the City’s option to be a metropolitan city

3. Become a joint recipient with Hennepin County

Staff Analysis

The question is whether or not it makes sense for Brooklyn Park to pursue entitlement community status (Option 2 & 3) and receive funds directly from HUD. This option presents a set of challenges analyzed in the following context;

- Under option 2 and option 3, Brooklyn Park would receive funding at existing levels, plus the 13% that would no longer go to the County to administer aspects of the program.
- HUD allows up to 20% of the grant amount to be taken for general administration to pay for staff time and other project-related expenses. The city, however, must only spend these funds on CDBG activities.
- Brooklyn Park can make the determination about how to spend its funds within the guidelines set by HUD. Currently, the County must first accept and approve Brooklyn Park's proposed programs. There are two caveats with this scenario:
 1. So far, Hennepin County has approved all the CDBG programs Brooklyn Park has asked to set up for the fiscal year 2023-2024. This process has, on one hand, added time to projects but has, on the other hand, made sure the city does not violate any HUD requirements related to the CDBG Program. In other words, the County provides technical support in navigating the federal regulations.
 2. If Brooklyn Park received a direct allocation (options 2 and 3), the city would still participate under Hennepin County's Five-Year Consolidated Plan which describes the type of projects to be undertaken in the entire county.

What are the budgetary or fiscal Impacts?

As an entitlement community, Brooklyn Park would need to prepare its own Consolidated Plan and assume all the administration currently completed on its behalf by Hennepin County. The County does allow suburban Hennepin County cities to become a "joint" recipient, which allows them to be treated as an entitlement community (i.e., they receive all the funds), but to participate under the county's Consolidated Plan reducing some of the administrative burden. All other administrative activities are still the responsibility of the city. Bloomington and Eden Prairie participate this way.

Some of the dollars would need to be dedicated to Fair Housing activities that are currently handled through the county.

Current staffing levels cannot support the extra work required as under option 2 and option 3. Based on staff review and in speaking with other cities, this would require additional full-time dedicated staff to administer the program effectively. According to Hennepin County, cities that undertake options 2 & 3, ended up spending all the 20% in administration fee allowed by HUD.

Recommendation:

The Brooklyn Park City Manager recommends the approval of 2024 – 2026 Joint Cooperation Agreement with Deferred status (Option 1). The administrative fee to Hennepin County, which is funded with the CDBG funds, is reasonable given the amount of work required by Hennepin County staff and Brooklyn Park receives all of the funding it would (less the 13% admin) if it came directly from HUD.

In addition, the future uncertainty of the CDBG program and associated funding levels make it difficult to recommend staffing up and undertaking this additional responsibility. 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:

4.2A RESOLUTION

4.2B CDBG JOINT COOPERATION AGREEMENT METROPOLITAN ELECT NOTICE

RESOLUTION #2023-

APPROVING THE 2024 -2026 JOINT COOPERATION AGREEMENT FOR URBAN
HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the City of Brooklyn Park, Minnesota and the County of Hennepin have in effect a Joint Cooperation Agreement for the purposes of qualifying as an Urban County under the United States Department of Housing and Urban Development Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and HOME investment partnerships (HOME) programs; and

WHEREAS, the City and County wish to execute a new Joint Cooperation Agreement in order to continue to qualify as an Urban County for purposes of the Community Development Block Grant, ESG, and Home programs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park and Hennepin County that a new Joint Cooperation Agreement be executed effective Fiscal year 2024 through 2026.

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the Mayor and its City Manager to execute the Joint Cooperation Agreement.

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

April 26, 2023

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

Subject: Fiscal Year 2024 – 2026 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 2024-2026 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 further requires that your City notify both HUD and the County in writing, via email by **May 27, 2023**, 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: Lori Lindberg
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
lori.lindberg@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 lori.lindberg@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,

4/27/2023

X 

Signed by: Lori Lindberg

Lori Lindberg
Principal Planning Analyst
Housing and Economic Development

cc: Breanne Rothstein and John Kinara

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	May 22, 2023
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	2	Presented By:	Devin Montero
Item:	To Accept a Petition Supporting the Addition of a 6-lane Expressway to MnDOT's Highway 252 Draft SDD		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO ACCEPT AND DISPENSE WITH THE READING OF THE PETITION SUBMITTED BY DAVID MULLA ON MAY 15, 2023, SUPPORTING THE ADDITION OF A 6-LANE EXPRESSWAY TO MNDOT'S HIGHWAY 252 DRAFT SDD.

Overview:

Mr. David Mulla emailed the petition to the city council on May 15, 2023.

Per city code 30.26, "Petitions and other papers addressed to the Council must be in writing and filed with the City Clerk not later than 3:00 p.m. the Wednesday prior to any regular meeting at which it will be presented. At the time of the meeting, such papers must be read by the City Clerk unless the reading is dispensed by unanimous consent of the Council."

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.3A PETITION
- 4.3B EMAIL FROM DAVID MULLA

I oppose MnDOT's recommendation to consider freeway alternatives on Highway 252 that will involve seizure of up to 78 properties and encroachment on frontage land at up to 151 properties in the cities of Brooklyn Center and Brooklyn Park. Instead, I support further consideration of non-freeway alternatives such as a 6-lane expressway with safer turn lanes at intersections because this alternative would have low to no property impacts. (12 May 2023)

Printed Name	Signature	Address (Street, City, State, Zip Code)
Asied Kluhn		6543 102nd Ave N, Brooklyn Park
Mahmoud Saleem		10016 Fallgold Pkwy N, Brooklyn Park MN, 55442
Jenne Salem		10016 Fallgold Pkwy N, Brooklyn Park MN, 55442
Abdiaziz Dahir		3200 34th Ave N Brooklyn Park
Adnan Adam		9013 Rosman Pkwy N Brooklyn Park, 55445
Jama Waiswe		7595 Humboldt Cir N, BP, MN, 55449
Ibrahim Guig		3101 73rd Ln N. BP MN, 55443
JAFFER DEANE		7911 Shadyview Ln N, Maple Grove MN 55311
Jamal Nizar		8071 Edinburg Xing TPP 13, Brooklyn Park, mn. 55443
Fathia mausse		11517 Pineridge Way N Dayton MN 55308
Mohammed Ibrahim		315 U 7th Ave Apt 423 Minneapolis MN 55401
Jeff Hassan		12123 84th Ave N Maple Grove 55329
VABOLU KAMARA		6107 Xerxes Ave N Brooklyn 55430
Abdiaziz Dahir		3200 34th Ave North Brooklyn Park 55443
Khalid Bede		10629 Vera Cruz Dr N, Brooklyn Park, 55443

I oppose MnDOT's recommendation to consider freeway alternatives on Highway 252 that will involve seizure of up to 78 properties and encroachment on frontage land at up to 151 properties in the cities of Brooklyn Center and Brooklyn Park. Instead, I support further consideration of non-freeway alternatives such as a 6-lane expressway with safer turn lanes at intersections because this alternative would have low to no property impacts. (12 May 2023)

Printed Name	Signature	Address (Street, City, State, Zip Code)
MUSTAFA H		5633 102KA WEN B.P. MN 55443
Raheel Qureshi		2801 84 th Ave N B.P. MN
KARENCA WEN		3201 74 th AVE N, B.P. MN 55443
Nathan Al-Kurdi		6665 Edgemont Blvd N B.P. MN 55428
Adel Al-Kurdi		6665 Edgemont Blvd. N B.P. MN 55428
TAZ Khan		384 Nathan Ln N, Champe 55316
Muhammed Uld		1510 88 th Ave N. Brooklyn Park, MN 55444
Syed A Hossain		6317 84 th Ct. N; Brooklyn Park MN 55445
Abdul Dawood		8767 Stratford, Brooklyn Park
HAAMOUN SLAYH		1520 76 th Ct. North, Brooklyn Park 55443
Abdelaziz Alshari		10071 Fallgott PKWY N Brooklyn Park MN 55443
IMRAN QURESHI		2801 84 th AVE N
SYED S. HUSAIN		6206 106 th Ave N, BP





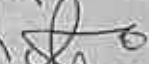

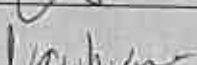
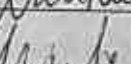


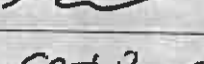

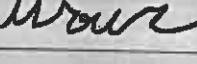
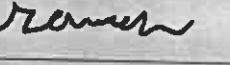
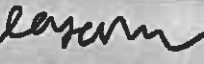
I oppose MnDOT's recommendation to consider freeway alternatives on Highway 252 that will involve seizure of up to 78 properties and encroachment on frontage land at up to 151 properties in the cities of Brooklyn Center and Brooklyn Park. Instead, I support further consideration of non-freeway alternatives such as a 6-lane expressway with safer turn lanes at intersections because this alternative would have low to no property impacts. (12 May 2023)

Printed Name	Signature	Address (Street, City, State, Zip Code)
Pa modou Anna		6103 114 PL N Champlin MN
Ahmed Issa		909 Cambridge Ave Brooklyn Park MN, 55443
Sufian Ali		7824 Arhinger Ave 55443?
Aadil Bede		10629 Vera Cruz Dr N B 55443 Brooklyn Park, MN
EMAR WARSAME		7535 HUMBOLDT CIR. MN
HEHAM MBLAZI		8348 NEWTON AVE N 55444
Salah-Alden Abi		10412 Vera Cruz Dr Brooklyn Park MN
Samer Abu jada		10412 Vera Cruz Dr N Brooklyn Park MN
Hayat Abu jada		10412 Vera Cruz Dr N Brooklyn Park MN
Salah Abu jada		10412 Vera Cruz Dr N Brooklyn Park MN
TAUSIQ SHAH		9944 CHESTNUT AVE, N Brooklyn Park MN
Seada YUSUF		12676 AVCOET ST NW CONROPT
Michael Apel		1943 Lexington Ave W, Roseville
Rabi Abrohim		4209 95th Ave North Brooklyn park
HUSSENI Mbunda		320174th AVE N Brooklyn Park

I oppose MnDOT's recommendation to consider freeway alternatives on Highway 252 that will involve seizure of up to 78 properties and encroachment on frontage land at up to 151 properties in the cities of Brooklyn Center and Brooklyn Park. Instead, I support further consideration of non-freeway alternatives such as a 6-lane expressway with safer turn lanes at intersections because this alternative would have low to no property impacts. (12 May 2023)

Printed Name	Signature	Address (Street, City, State, Zip Code)
Nada Salem		10016 Fallgold PKWY N, MN 55443 ^{Brooklyn Park}
Haneen salem		10016 Fallgold PKWY N, Brooklyn Park,
Maha Ali		10016 Fallgold PKWY N Brooklyn Park MN 55443
Adam Al-Kurdi		6665 Edgemont Blvd N, Brooklyn Park MN 55428
Akram Dostguyr		12116 85th Ave Maple Grove MN 55369
Shameem Khan		10025 Everglade CT ^{Brooklyn Park MN} 55443
Khalid Khalid Salem		10016 Fallgold Parkway, Brooklyn Park, MN 55443
Hamea salem		10016 Fallgold Parkway N, Brooklyn Park, MN 55443
SHAKIB REZA		9987 Cherril Ave N, Brooklyn Park MN
OUSMAN		2641 Oak Ridge Dr. Monticello, MN 55362
Abdikhalig		
CAM LEAVITT		1822 S. THROP ST, CHICAGO, IL
mohamed O		
mohamed Qasim		
Abdusamad nurkhan		4105 103rd AVE. N MN 55443 ^{Brooklyn Park}

I oppose MnDOT's recommendation to consider freeway alternatives on Highway 252 that will involve seizure of up to 78 properties and encroachment on frontage land at up to 151 properties in the cities of Brooklyn Center and Brooklyn Park. Instead, I support further consideration of non-freeway alternatives such as a 6-lane expressway with safer turn lanes at intersections because this alternative would have low to no property impacts. (12 May 2023)

Printed Name	Signature	Address (Street, City, State, Zip Code)
Zak Abumndar		9419 Euclyps Ave
Ahmed Guir		9769 Olive Ave N, Brooklyn Park
Adnan Wazwaz		7523 Holly Lane N, Maple Grove, MN, 55311
Ayska Al		9136 River Road Brooklyn Park, MN 55442
Archa Hussain		" "
Ayaz Hussain		" "
Naushere H		" "
Mohammed H		" "
Hussain Issa		16402 Indiana Ave N
Ayman Issa		10402 Indiana Ave N
Appia Abumustakh		10402 Indiana Ave N
hassan Issa		10402 Indiana Ave N
Rawan Issa		10402 Indiana Ave N
Lujan Issa		10402 Indiana Ave N
Lamees Issa		10402 Indiana Ave N

From: [D.Mulla](#)
To: [Mayor](#); [Xp Lee](#); [Christian Eriksen](#); [Maria Tran](#); [Nichole Klonowski](#); [Boyd Morson](#); [Jay Stroebel](#); [Devin Montero](#); [Jesse Struve](#)
Cc: [Nahid Khan](#); [Tom Kouri](#)
Subject: Hwy 252 Petition from Brooklyn Park residents attending Brooklyn Park Islamic Center
Date: Friday, May 12, 2023 4:01:08 PM
Attachments: [Brooklyn Park Islamic Center Hwy 252 Petition 12 May 2023.pdf](#)

Dear Respected Mayor and City Council Members of Brooklyn Park:

Attached is a petition signed by over 40 Brooklyn Park residents supporting the addition of a 6-lane expressway to MnDOT's Hwy 252 draft SDD.

Results of this petition support the resolution passed by the City of Brooklyn Center on 8 May 2023 requesting that MnDOT add back the 6-lane expressway.

The 6-lane expressway has low to no property impacts on residential houses. The list of properties potentially impacted by seizure or encroachment with MnDOT's recommended 6-lane freeway numbers 134 houses in Brooklyn Park alone. Of course, the final number depends on which interchanges are selected for construction and the local roads selected for widening. If you wish, I can send you the specific addresses potentially impacted, along with the names of their owners.

Please, would you consider altering your previous recommendation to add back a 4-lane low speed freeway by also recommending adding in the 6-lane expressway alternative?

Sincerely,
David Mulla

--

D.J. Mulla
Professor and W.E. Larson Chair for Soil and Water Resources
Dept. Soil, Water & Climate
University of Minnesota
St. Paul, MN 55108

612 625-6721

<https://www.swac.umn.edu/directory/faculty/david-mulla>

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	May 22, 2023
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Erin McDermott, Associate Planner
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Paul Mogush, Planning Director
Item:	Development Bond Reductions/Releases		

City Manager's Proposed Action:

MOTION _____, SECOND _____, FOR A RELEASE OF THE PERFORMANCE BONDS #82C236368-1 (\$4,354,600), #82C235600-2 (\$1,133,100), #82C236371-1 (\$880,500), #82C236369-1 (\$1,076,400), AND #82C236370-1 (\$1,217,700) BY LIBERTY MUTUAL, FOR SUBSTANTIAL COMPLETION OF THE ONSITE IMPROVEMENTS OF THE "NORTHPARK BUSINESS CENTER 7TH ADDITION" PROJECT #21-123 LOCATED AT 10701 WINNETKA AVE, 10750 XYLON AVE, AND 1695 XYLON AVE FOR SCANNELL PROPERTIES, LLC.

MOTION _____, SECOND _____, TO RELEASE THE LANDSCAPING ESCROW BY RIGHT WAY BUILDERS OF WRIGHT CO. INC. (\$4,000) FOR SATISFACTORY COMPLETION OF THE CONSTRUCTION OF SINGLE-FAMILY RESIDENCE LOCATED AT 10594 NOBLE CIRCLE N.

Overview:

City Code requires performance bonds and developer's escrows be established as part of the development process. As projects progress, staff works with developers on the release of financial securities. For many large projects the City requires performance bonding as well as escrows be filed with the City. The performance bonds are established at the time of site plan review, and in the case of NorthPark Business Center were established per building, as well as for on-site and off-site improvements. The City still has escrow on file for the completion of tasks that have yet to be completed, however, they have satisfied the majority of improvements and staff feels it is appropriate to release the performance bonds at this time.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.5	Meeting Date:	May 22, 2023
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Hollies Winston, Mayor
Item:	Removal of a Commissioner		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO REMOVE GARDHOE CEPHAS FROM THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION.

Overview:

A request is being made to remove Gardhoe Cephas as a Commissioner on the Community Long-range Improvement Commission due to lack of attendance. He was appointed to the commission for a term starting in June 2022; he has only attended one meeting in the last 8 months.

Staff attempted to reach him regarding his attendance and received no response.

Once removed, staff will advertise to fill the seat for the balance of a term to expire April 1, 2025.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	6.1	Meeting Date:	May 22, 2023
Agenda Section:	Land Use Items	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Amber Turnquest, Principal Planner
Ordinance:	N/A		
Attachments:	3	Presented By:	Paul Mogush, Planning Director
Item:	A Request by The Doran Group to Grant a Waiver from the Development Moratorium for Property Located at 6501 96 th Lane North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO GRANT/ DENY A WAIVER FROM ORDINANCE 2023-1287 WHICH INSTITUTED A SIX-MONTH DEVELOPMENT MORATORIUM ON THE PROPERTY LOCATED AT 6501 96TH LANE NORTH.

Overview:

The Doran Group requests a waiver from Ordinance 2023-1287 which established a six-month development moratorium that included the property located at 6501 96th Lane North.

The waiver language is quoted below:

Section 5. Waiver. The City Council may grant a waiver to the moratorium established by this Ordinance for a project or development that the City Council determines maximizes the City's tax base for the parcel of land on which the project or development is located.

The waiver is to request permission to apply for Site Plan Review for the construction of a 115-unit multiple family dwelling on a vacant 3.70 acre property at 6501 96th Lane North.

A spreadsheet containing information on the value per acre for recent development projects is included as an attachment.

Primary Issues/Alternatives to Consider:

- Grant the waiver.
- Deny the waiver.

Budgetary/Fiscal Issues: N/A

Attachments:

- 6.1A DORAN COMPANIES WAIVER REQUEST LETTER
- 6.1B LOCATION MAP
- 6.1C VALUE PER ACRE OF RECENT DEVELOPMENT PROJECTS



Evan Doran
President
7803 Glenroy Road, Suite 100
Bloomington, MN 55439

May 4, 2023

VIA EMAIL

Amber Turnquest
Principal Planner, City of Brooklyn Park
City Hall
5200 85th Ave. N.
Brooklyn Park, MN 55443

Re: Proposed 610 West Additional Building

Dear Amber,

The Doran Group (“Doran”) submits this letter of intent and moratorium waiver related to our proposed project at 6501 96th Lane North, Brooklyn Park, MN. Along with our in house architectural and construction teams, our civil engineer Sambatek and structural engineer BKBM Inc, we are excited to work with the City of Brooklyn Park (the “City”) to make this project a reality.

The Project

The planned project will be a welcome addition to our existing 610 West residential apartment community which currently includes 480-rental apartment homes spread across multiple buildings with best-in-class amenities. Located on the current Outlot B of Park Place Promenade 6th Addition, the new building will contain approximately 115 residential units across a mix of studio, alcove, one- and two-bedroom homes (the “Project”).

The Project will also include 222 parking stalls in a mix of exterior-surface and interior-garage parking as well as an exterior amenity patio with grill station and firepit and a lobby, business center, and mail room in the interior amenity area. The provided parking for this Project, while slightly below the 2.0 stalls/unit outlined in the general zoning code, is well above the community standards and requirements at 610 West currently. The current 610 West community has a total of 481 rentable, interior garage stalls and approximately 340 surface parking stalls, for a total of 821 stalls, which equates to a roughly 1.71 stalls/unit ratio. This does not include the added parking on Outlot B. Upon completion of the Project, an added 56 interior and 166 surface stalls will be added to the community, providing a total of 1,043 stalls or 1.75 stalls/unit. This compares favorably to other similar projects in our portfolio, including the Reserve at Arbor Lakes in Maple Grove (at approx. 1.64 stalls/unit) and Triple Crown Residences in Shakopee (at approx. 1.55 stalls/unit). While under the 2.0 stalls/unit in the zoning guidance, the Project will be a net add to overall parking availability in the community and due to the focus on smaller units, should not, on its own, demand as much parking as the community at large.



The proposed unit mix is intended to achieve two complimentary goals: 1) to provide 15% of units at 60% Area Medium Income as identified in the City of Brooklyn Park's Mixed Income Housing Policy ("MIHP") and 2) to increase the available spectrum of home sizes, and therefore rents, within the greater 610 West community. We are doing this by adding studio units of different sizes, additional alcove units of additional sizes, and some smaller one- and two-bedroom unit plans. Currently, for example, 610 West does not have *any* studio floor plans so adding these additional unit types will expand the rental pricing range across the entire community and provide more opportunities for new and existing Brooklyn Park residents to call 610 West home.

As you may know, hundreds of City residents already call 610 West home because of its impressive array of amenities, well maintained buildings and grounds, and high caliber staff. Our intent with this Project is to weave it into the existing 610 West fabric by allowing—and indeed promoting—use of the existing amenity clubhouse and immediately adjacent tot lot playground and dog run amenities. We believe this will continue to set 610 West as a strong community anchor.

The Plan

From a planning standpoint, we intend to accomplish this in a couple steps. First and foremost, the Project will go through the necessary planning approvals, including the CUP review process and preliminary and final plat to create a named lot (assumed to be part of the Park Place Promenade 9th Addition). Second, we will bring the newly platted lot into an existing access and drainage agreement that already exists and will then in turn provide a benefit for the Project lot by allowing access to the drainage (associated document available upon request). Third, we will also bring the Project lot into an existing Declaration of Easements, Covenants and Restrictions which will provide for its use of the neighboring amenities (associated document available upon request). Finally, we will ensure adequate legal access via 96th Lane upon completion of our document review.

With the legal structure in place, we believe this should allow the City to grant the proposed density by using Outlot A (aka the westerly drainage pond)'s 1.98 acres in combination with Proposed project's 3.7 acres. This combined roughly 5.7 acres in total would yield a maximum of 142 units given the existing density cap of 25 units/acre whereas the actual Project is proposing 115 total units.

The Process

It is our understanding that on or around March 27, 2023 the City approved a temporary building moratorium that will allow time for the City and staff to consult and study the highest-and-best uses for undeveloped parcels with the explicit goal of achieving a more secure tax base. While we applaud the foresight of the City to engage in this kind of study, we are requesting a waiver of this moratorium under Section 5 of the applicable ordinance for the Project based on three key criteria:

1. The proposed Project is a natural extension of an existing community that in fact has many legal structures and ties already in place including existing drainage easements with neighboring parcels and existing use adjacencies (parking) for neighboring parcels;
2. The Project is an economic extension of the existing 610 West community that the City has already identified as an exemplar highest-and-best use from a tax generation standpoint and should continue to add tax revenue, along with additional housing options, for City residents and;
3. There is extremely limited alternative use potential for the site given existing adjacent uses, utility and drainage connections, and easements and restrictions in place.



As I hope is clear in this letter, we strongly believe in the potential of this Project and of the increased revenue potential of adding this building to the 610 West community at large. Put simply, we'd love to see the additional spectrum of housing—both market rate and affordable—that this project can bear. We ask that the City consider the Project from a planning perspective and also consider our waiver request so we can proceed despite the moratorium in place.

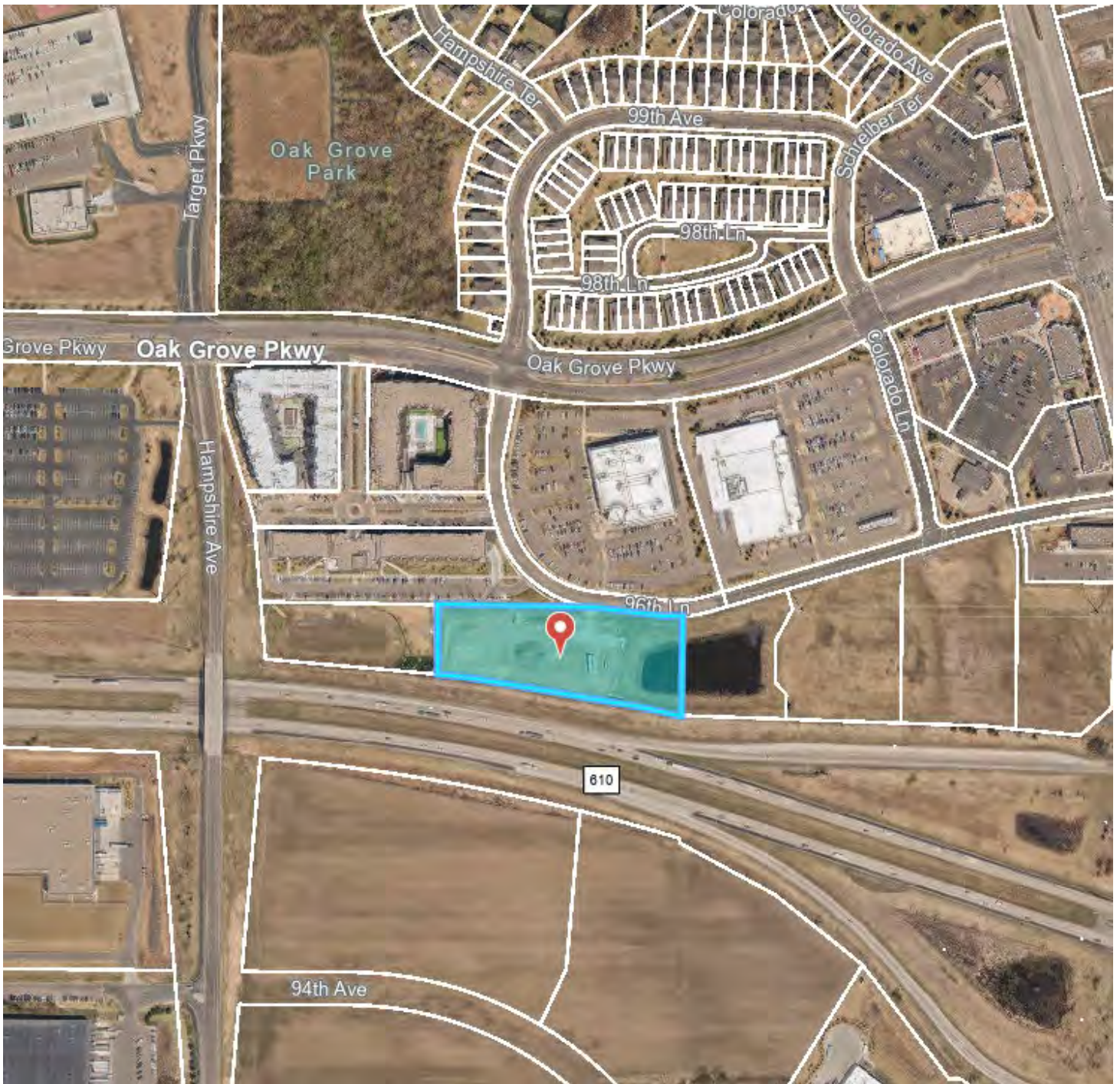
Thank you for your consideration.

Very sincerely,

A handwritten signature in black ink, appearing to read 'Evan Doran', is written over a thin horizontal line.

Evan Doran

**Cc: Kelly Doran, The Doran Group
Sarah Gilbert, The Doran Group
Alexa Deppeler, The Doran Group
Erik Miller, Sambatek**



Waiver From Ordinance
Case #23-106 – 610 West Building 5
Area of Request (Spring 2018 Air Photo)
6501 96th Lane North



Brooklyn Park 

Value per acre of recent development projects				
	Estimated Market Value	Acres	Value/acre	
Mayor goal (high)	\$ 4,000,000,000	800.0	\$ 5,000,000	Mayor's goal to add \$4B in commercial value at high end
Mayor goal (low)	\$ 2,000,000,000	800.0	\$ 2,500,000	Lower end goal of adding \$2B in commercial value
610 West	\$ 110,000,000	11.0	\$ 10,000,000	610 West is the highest value apartment community and one of the newest
Extra Space Storage	\$ 10,383,400	1.6	\$ 6,370,184	
Urbana Place Senior Living	\$ 17,819,000	3.0	\$ 6,040,339	New senior apartments
Urbana Court Apartments	\$ 44,712,000	7.5	\$ 5,961,600	New market rate apartments
Rasmussen College	\$ 10,498,200	3.6	\$ 2,924,290	
Design Ready Controls	\$ 13,254,000	6.1	\$ 2,165,686	Office/industry development (off site stormwater)
M Health/Fairview Clinic	\$ 10,221,300	5.3	\$ 1,939,526	Medical office
10351 Xylon Ave N (Northpark I)	\$ 26,261,800	13.6	\$ 1,926,764	Office/industry development (New)
Star Exhibits	\$ 18,989,400	13.3	\$ 1,426,702	Office/industry development (2016)
Target north	\$ 88,000,000	70.0	\$ 1,257,143	Target is an office building but the campus is fairly sprawling
Olympus	\$ 23,000,000	19.0	\$ 1,210,526	Office/industry development
Acorn Mini Storage	\$ 4,642,800	4.5	\$ 1,036,339	
Cub (Oak Grove Pkwy)	\$ 7,269,000	7.3	\$ 994,391	Grocery Store
Panera	\$ 1,800,000	1.9	\$ 947,368	New commercial development
HyVee	\$ 12,595,000	16.31	\$ 772,226	Grocery Store
		433	Acres of undeveloped parcels north of 93rd (excluding northwest of 169 and 610)	
		416	Acres of northwest area (held for development in 2030-2024)	

City of Brooklyn Park Request for Council Action

Agenda Item:	6.2	Meeting Date:	May 22, 2023
Agenda Section:	Land Use Items	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Erin McDermott, Associate Planner
Ordinance:	N/A		
Attachments:	4	Presented By:	Paul Mogush, Planning Director
Item:	A Request by Stone Mountain Plaza to Grant a Waiver from the Development Moratorium for Property Located at 9985 Xenia Avenue North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO GRANT/ DENY A WAIVER FROM ORDINANCE 2023-1287 WHICH INSTITUTED A SIX-MONTH DEVELOPMENT MORATORIUM ON THE PROPERTY LOCATED AT 9985 XENIA AVENUE NORTH.

Overview:

Stone Mountain Plaza requests a waiver from Ordinance 2023-1287 which established a six-month development moratorium that included the property located at 9985 Xenia Ave North.

The waiver language is quoted below:

Section 5. Waiver. The City Council may grant a waiver to the moratorium established by this Ordinance for a project or development that the City Council determines maximizes the City's tax base for the parcel of land on which the project or development is located.

The waiver is to request permission to apply for Site Plan Review for the construction of a dentist office on a vacant 0.65-acre property in the Stone Mountain Plaza development. This property was approved for a similar development in 2017 as part of the existing development plan on this site. The site plan approvals for this project have since expired.

The value per acre for recent development projects is included as an attachment.

Primary Issues/Alternatives to Consider:

- Grant the waiver.
- Deny the waiver.

Budgetary/Fiscal Issues: N/A

Attachments:

- 6.2A Stone Mountain Plaza Waiver Request Letter
- 6.2B Artura Dental Concept Plan
- 6.2C Location Map
- 6.2D Value Per Acre of Recent Development Projects



Stone Mountain Plaza

Zane Ave & Oak Grove Pkwy
Brooklyn Park, MN 55443

City Council of Brooklyn Park,

It is my understanding that the city has passed a moratorium on all new buildings for the area. This moratorium is set to expire in November. The purpose, as I understand it, is to maximize the tax base for the area in question. I am asking that the council would grant a waiver for our request, as I believe our proposal will sufficiently meet the stated goal of the moratorium.

Our company, Stone Mountain Pet Lodge, purchased a parcel of land about 10 years ago, with the dream of bringing a first rate lodging facility for dogs to the city of Brooklyn Park. We were successful in this endeavor, but as a byproduct of the land purchase, we turned the project into a development.

Several years ago we successfully parceled the land and sold to Chick-fil-A, Freddy's, and Today's Life Childcare. The parcels that we continue to own we are developing ourselves. We first built a 9,352 SF building, "Stone Mountain Center", which is now fully leased with five fantastic businesses. Heavy Rotation Brewery, Spice & Rice, Oh My Swee-Tea!, Galaxy Nails, and Chase Bank are now part of our overall development that we call "Stone Mountain Plaza".

The last remaining piece of this project is a small parcel reserved for a 3,024 SF building. This last building will be built to first-rate standards so it matches the high quality of buildings and tenants we already enjoy. This building has actually been approved by city council before, when we applied several years ago, but due to the uncertainty in our economy over the past few years, and rising construction costs we have not pursued another approval until now.

Currently, we have a very interested family dentist, and our window to build in the 2023 summer season is closing. Our contractor is lined up and ready to go as well. We just need our request for waiver to be approved before we can continue with building permits. This lot would be maximized with a 3,024 SF building, and we would be seeking professional tenants (insurance, financial, clinical, etc.) to lease any left over space that our dentist did not lease.

Thank you for your time and consideration. I am always available to answer any questions you may have.

Sincerely,

Tim Larson
Stone Mountain Plaza
Tim@LarsonSystems.com

Dr. Uchenna Umerah

City of Brooklyn Park

5/3/2023

Request for pre-application

Artura Dental concept plan

A study was done this January on 5 zip codes by EOS healthcare, and the study showed that the 55443 area had a population of 38,090 and 7 general dentist practice. This translates to roughly 5400 patients per dentist in the area, indicating that the area is underserved with regards to general dental care services. Artura Dental was proposed to help the population of this area and surrounding area with general dental services. The goal is to address the oral health of patients who are looking at seeing a general dentist now but cannot because every dentist in the area booked out for the next 4-5 months. The business will also benefit the city of Brooklyn Park in numerous ways and bring diversity to the field dentistry to the city.

Artura Dental will provide general and emergency dental services to underserved patients in the area who are currently faced with either waiting to see a dentist for months or driving to a far location to see one. This will help improve the quality of life for city residents, strengthen community ties, and create a sense of pride and identity within the city through ways like investing in local infrastructure projects, sponsoring community events, supporting local charities and nonprofit organizations.

Artura Dental will benefit the city of Brooklyn Park by positively impacting its economy through its revenue and tax contribution (property taxes and sales taxes), and as result increase the city economic activity. This increased economic activity will stimulate growth (through numerous support services) and can attract further investment to the city, leading to a stronger local economy.

Currently minority patients in the 55443-zip code area of Brooklyn Park face a situation where they cannot choose to see a dentist who share a similar cultural background as them. As an African American doctor, Artura Dental will bring diversity to the city, attract individuals from different backgrounds, cultures, and experiences. In turn this diversity will contribute to the cultural fabric of the community, fostering inclusivity and inspirations, creativity, and a vibrant social environment.

Throughout my research into opening Artura Dental, I learned that local governments, chambers of commerce, and economic development agencies often work to attract and support businesses, creating a conducive environment for their success. Also, by nurturing a healthy business ecosystem, cities can experience sustainable growth and improved quality of life for their residents. Am hoping that the city approves my plan of establishing a dental clinic in time once all the city requirements are met.

Below is the concept plan for the proposed dental clinic that will occupy 1500-2000 square foot. At this point, a visual plan is being developed.

1. Reception Area:

- This will create a welcoming and comfortable reception area for patients.
- The reception area will have a reception desk with a computer system for managing appointments and patient records.
- Goal of the reception area is to provide comfortable seating for patients and their companions.
- The reception area will have a water cooler or beverage station for patients.

2. Treatment Rooms:

- The dental clinic will have 5 treatment rooms equipped with dental chairs, overhead lights, and necessary dental equipment.
- Each treatment room will ensure sufficient space for dentists and dental assistants to work efficiently.
- Each of the treatment room will have x-ray machine and equipment for radiography.
- Each treatment room will have cabinets and storage spaces for dental supplies and equipment.
- Each treatment room will have a handwashing stations and necessary dental tools.

3. Sterilization Area:

- The dental clinic will have designated area for sterilizing dental instruments and equipment.
- The sterilization area will have an autoclave and sterilization equipment following industry standards.
- The sterilization area will have a designated space for proper storage of sterilized equipment.

4. Consultation Room:

- This is a private room for dentists to consult with patients.
- The room will be furnished with a desk, chairs, and a computer for discussing treatment options and explaining procedures, include educational materials and visuals to aid in patient understanding.

5. Staff Facilities:

- A space will be allocated for staff members to take breaks and rest.

- The space will also serve as a staff lounge with a comfortable seating area and a small pantry or kitchenette.

6. Laboratory:

- The dental clinic will have an on-site dental laboratory for fabricating dental prosthetics, such as crowns or dentures.
- The dental clinic will have workbenches, sinks, and appropriate equipment for dental technicians.

7. Accessibility:

- Ensure the clinic will be designed to comply with American Dental association and state of Minnesota disability guidelines to make the clinic easily accessible for patients with disabilities.
- The clinic will include spacious corridors and doorways for easy movement.

8. Waiting Area:

- This will be a comfortable waiting area for patients before their appointments.
- The waiting area will have reading materials, a TV, or other forms of entertainment.
- The waiting area will have adequate seating arrangements for patients of all ages.

9. Hygiene and Safety Measures:

- The clinic will incorporate proper ventilation systems to maintain a clean and fresh environment.
- The clinic will have suitable dental suction units to control aerosols during dental procedures.
- The clinic will have strict infection control protocols and ensure compliance with sterilization standards.
- There will be laundry machine for laundering soiled lab coats in the clinic.

10. Aesthetics:

- The clinic will have a color scheme and interior design that promotes a calm and relaxing atmosphere.
- The clinic will utilize natural light where possible to create a welcoming environment and incorporate artwork or other elements to enhance the aesthetic appeal.

The general concept plan will comply with local regulations, and we are actively consulting with professionals, such as architects and dental equipment suppliers, to ensure the design meets all necessary standards.



Waiver From Ordinance
Case #23-107 – Artura Dental
Area of Request (Spring 2018 Air Photo)
9985 Xenia Ave N

Brooklyn Park 



Value per acre of recent development projects				
	Estimated Market Value	Acres	Value/acre	
Mayor goal (high)	\$ 4,000,000,000	800.0	\$ 5,000,000	Mayor's goal to add \$4B in commercial value at high end
Mayor goal (low)	\$ 2,000,000,000	800.0	\$ 2,500,000	Lower end goal of adding \$2B in commercial value
610 West	\$ 110,000,000	11.0	\$ 10,000,000	610 West is the highest value apartment community and one of the newest
Extra Space Storage	\$ 10,383,400	1.6	\$ 6,370,184	
Urbana Place Senior Living	\$ 17,819,000	3.0	\$ 6,040,339	New senior apartments
Urbana Court Apartments	\$ 44,712,000	7.5	\$ 5,961,600	New market rate apartments
Rasmussen College	\$ 10,498,200	3.6	\$ 2,924,290	
Design Ready Controls	\$ 13,254,000	6.1	\$ 2,165,686	Office/industry development (off site stormwater)
M Health/Fairview Clinic	\$ 10,221,300	5.3	\$ 1,939,526	Medical office
10351 Xylon Ave N (Northpark I)	\$ 26,261,800	13.6	\$ 1,926,764	Office/industry development (New)
Star Exhibits	\$ 18,989,400	13.3	\$ 1,426,702	Office/industry development (2016)
Target north	\$ 88,000,000	70.0	\$ 1,257,143	Target is an office building but the campus is fairly sprawling
Olympus	\$ 23,000,000	19.0	\$ 1,210,526	Office/industry development
Acorn Mini Storage	\$ 4,642,800	4.5	\$ 1,036,339	
Cub (Oak Grove Pkwy)	\$ 7,269,000	7.3	\$ 994,391	Grocery Store
Panera	\$ 1,800,000	1.9	\$ 947,368	New commercial development
HyVee	\$ 12,595,000	16.31	\$ 772,226	Grocery Store
		433	Acres of undeveloped parcels north of 93rd (excluding northwest of 169 and 610)	
		416	Acres of northwest area (held for development in 2030-2024)	

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	May 22, 2023
Agenda Section:	General Action Items	Originating Department:	Police
Resolution:	N/A	Prepared By:	Stephanie Heiberger, Administrative Assistant
Ordinance:	N/A		
Attachments:	2	Presented By:	Mark Bruley, Police Chief
Item:	Unmanned Aircraft Systems Presentation and Public Comment		

City Manager's Proposed Action:

To present the Unmanned Aircraft Systems (UAS) program, draft policy and receive public comment.

Overview:

The Brooklyn Park Police Department will present its Unmanned Aircraft Systems (UAS) program and draft policy. The Department is seeking public comment per MN State Statute 626.19 on implementing a UAS (Drone) program.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: Acquisition for drones was approved as a part of the 2023 budget process.

Attachments:

7.1A DRAFT POLICY 604

Unmanned Aerial System

604.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS (Minn. Stat. § 626.19).

604.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled without the possibility of direct human intervention from within or on the aircraft (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means (Minn. Stat. § 626.19).

604.2 POLICY

A UAS may be utilized to enhance the Department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

604.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

604.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.

Brooklyn Park Police Department

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Unmanned Aerial System

- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.
- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing operational protocols governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.
- Developing protocols for reviewing and approving requests for use of the Department UAS by government entities (Minn. Stat. § 626.19).
- Preparing and submitting the required annual report to the Commissioner of Public Safety (Minn. Stat. § 626.19).
- Posting the Department policies and procedures regarding the use of UAV on the department website, as applicable (Minn. Stat. § 626.19).
- Reviewing the program and UAS use for compliance with Minn. Stat. § 626.19.

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604.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

The use of a UAS shall be authorized by an on duty Sergeant or higher before being deployed.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

Members shall not use a UAS without a search warrant, except (Minn. Stat. § 626.19):

- (a) During or in the aftermath of an emergency situation or disaster that involves the risk of death or bodily harm to a person.
- (b) Over a public event where there is a heightened risk to the safety of participants or bystanders.
- (c) To counter the risk of a terrorist attack by a specific individual or organization if the agency determines that credible intelligence indicates a risk.
- (d) To prevent the loss of life or property in natural or man-made disasters and to facilitate operation planning, rescue, and recovery operations.
- (e) To conduct a threat assessment in anticipation of a specific event.
- (f) To collect information from a public area if there is reasonable suspicion of criminal activity.
- (g) To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road.
- (h) Over a public area for officer training or public relations purposes.
- (i) For purposes unrelated to law enforcement at the request of a government entity, provided the request is in writing and specifies the reason for the request and a proposed period of use.

604.5.1 DOCUMENTATION REQUIRED

Each use of a UAS should be properly documented by providing the following (Minn. Stat. § 626.19):

- (a) A unique case number
- (b) A factual basis for the use of a UAS
- (c) The applicable exception, unless a warrant was obtained

604.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.

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Unmanned Aerial System

- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized (Minn. Stat. § 626.19).

604.6.1 ADDITIONAL PROHIBITIONS

Unless authorized by a warrant, a UAS shall not be deployed with facial recognition or biometric-matching technology (Minn. Stat. § 626.19).

Unless authorized by a warrant or for purposes of a permitted use outlined in this policy, a UAS shall not be used to collect data on public protests or demonstrations (Minn. Stat. § 626.19).

604.7 RETENTION OF UAS DATA

The [UAS Program Coordinator](#) supervisor shall ensure that data collected by the UAS is disclosed or deleted as required by Minn. Stat. § 626.19, including the deletion of collected data as soon as possible, and in no event later than seven days after collection, unless the data is part of an active criminal investigation (Minn. Stat. § 626.19).

City of Brooklyn Park Request for Council Action

Agenda Item:	7.2	Meeting Date:	May 22, 2023
Agenda Section:	General Action Items	Originating Department:	Police
Resolution:	X	Prepared By:	Stephanie Heiberger, Police
Ordinance:	N/A		
Attachments:	1	Presented By:	Mark Bruley, Police Chief
Item:	Select Provider of Violence Intervention Services and Authorize the City Manager to Enter into an Agreement for These Services		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ SELECTING _____ AS THE PROVIDER OF VIOLENCE INTERVENTION SERVICES AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE SELECTED PROVIDER THROUGH DECEMBER 31, 2023, CONSISTENT WITH THE SELECTED PROPOSAL.

Overview:

The purpose of this agenda item is for the City Council to identify their preferred service provider for violence intervention services for the remainder of the 2023 calendar year and to authorize the City Manager to enter into a professional services agreement with the identified provider.

Tekoa Cochran, President of The Village BP, will provide a brief presentation on her proposal to provide violence intervention services. City Council will consider this proposal, along with the three proposals they heard at the March 13, 2023 council meeting.

Primary Issues/Alternatives to Consider:

The current, short-term contract in place with The Village BP expires May 21, 2023. The period of services for the agreement approved here will be dependent on who is selected as the service provider and how quickly a contract can be executed. The contract will extend through December 31, 2023.

Budgetary/Fiscal Issues:

The not-to-exceed amount of this agreement is \$600,000.

Attachments:

7.2A RESOLUTION

RESOLUTION #2023-

RESOLUTION SELECTING _____ AS THE PROVIDER OF VIOLENCE INTERVENTION SERVICES AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE SELECTED PROVIDER THROUGH DECEMBER 31, 2023, Consistent With The Selected Proposal.

WHEREAS, the City Council has heard proposals from multiple organizations to provide violence intervention services; and

WHEREAS, City Council identified their preferred provider for violence intervention services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to select _____ as the provider of violence intervention services and authorize the city manager to enter into a professional services agreement with the selected provider through December 31, 2023, consistent with the selected proposal.

City of Brooklyn Park Request for Council Action

Agenda Item:	7.3	Meeting Date:	May 22, 2023
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Mayor Hollies Winston
Item:	Appointments to Commissions		

City Manager's Proposed Action:

Appoint commissioners to serve on the Budget Advisory Commission, Planning Commission, and the Recreation and Parks Advisory Commission.

BUDGET ADVISORY COMMISSION (BAC) One appointment (Balance of Three-year term)

Central District (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2026. (Replacing Nancy Omondi)

PLANNING COMMISSION Two appointments (Balance of Three-year terms)

East District (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2026. (Replacing Rich Xiong)

West District (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE PLANNING COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2024. (Replacing James Turnham)

RECREATION AND PARKS ADVISORY COMMISSION (RPAC) One appointment (Balance of One-year term)

Youth Liaison – City At-large (Ages 14-17 – One-year terms) (One appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE RECREATION AND PARKS ADVISORY COMMISSION AS EMERGING LEADERS REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A ONE-YEAR TERM TO EXPIRE APRIL 1, 2024. (Open Seat)

Overview:

On May 8, 2023, the City Council interviewed applicants to fill commission openings. If there are openings left unfilled after the appointments are made at tonight's Council meeting, City staff will re-advertise to fill the positions that are still vacant.

Primary Issues/Alternatives to Consider:

Selection and appointment of commissioners.

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	7.4	Meeting Date:	May 22, 2023
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Keith Jullie, Rental and Business Licensing Manager
Ordinance:	X		Jason Newby, Inspections and Environmental Health Manager
Attachments:	2	Presented By:	Keith Jullie and Jason Newby
Item:	Rental Licensing Ordinance Amendment		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING SECTION 117.52, PARAGRAPH (C) (1) AND ADDING SECTION 117.54 TO THE BROOLYN PARK CITY CODE PERTAINING TO ENFORCEMENT, RENTAL DWELLING SELF-ASSESSMENT, AND GOOD MANAGEMENT PRACTICES RESPONSIBILITY

Overview:

The redesign of the City's Rental Inspections and Licensing program has been under development for over a year. Some of the changes have already been piloted and implemented, such as a new door knocking program that is a collaboration between Rental Inspectors and Community Engagement staff. Other elements of the redesign require City Council action, including the addition of a Rental Inspector that happened in early 2023 as well as the ordinance change proposed with this request for action. The program redesign is a result of numerous and continuous engagement of community members and rental property owners and managers as well as experience and recommendations from staff across the organization.

Background:

The Brooklyn Park Economic Development Authority invested in a study to examine experiences in the city's large apartment communities. The study was conducted by the University of Minnesota's Center for Urban and Regional Affairs (CURA) using a participatory design and found that affordability, safety, and dignity in housing are fundamental concerns among those who were interviewed including renters and property managers. The recommendations from the report suggest that the City should play a more proactive role in collaboration with community members to establish and enforce expectations for property management activities within rental housing. The complete study can be found at <https://www.cura.umn.edu/research/brooklyn-park-housing-project>.

In 2022, many concerns about living conditions at the Huntington Place apartments, the second largest apartment community in the State of Minnesota, were elevated to the City Council. After a series of meetings and discussions, it became clear that adjustments were needed to the City's regulatory framework to improve the City's ability to influence living conditions in some apartment communities.

Purpose / Goals of Redesign

After considering the CURA report recommendations and the input gathered from numerous meetings about Huntington Place with renters, City Council Members, Human Rights Commissioners, city staff from across the organization, and other interested community leaders, staff developed the proposed changes as described below. The changes were also informed by years of experience among city staff inspecting rental housing. For well-run apartment communities, staff believes the proposed changes will align with current practices.

The goals of the redesign include:

- To improve the quality of life for residents living in rental housing in Brooklyn Park
- To ensure rental housing is maintained safe, livable, healthy, and code compliant
- To improve communication between all parties involved with rental housing including the City, landlords/managers, and rental property residents
- To incorporate recommendations from the CURA report
 - Informed by renters and property managers
 - Note- not all elements within the study are covered in this redesign

Rental Program Redesign Elements

- 1) Maintain current routine code compliance inspection program and follow-up on all complaints.
- 2) Continue renter-centered door knocking to increase inspection frequency beyond the routine inspection program and to proactively evaluate living conditions to determine properties requiring special intervention. Door knocking was piloted at Huntington Place in mid-2022 and was also completed at Kensington Place and Villa Del Coronado at the end of 2022. The purpose of door knocking is to connect with residents, document problems, ensure residents know how to connect with both the City and with property management and maintenance staff, ensure maintenance items identified by residents get corrected, and connect residents with resources.
- 3) Implement standards for Property Management Practices in code
 - Add requirements to city code related to education, policies and procedures that must be in place at rental housing (see details below)
 - Self-assessment required; staff to verify annually or on an as needed basis
 - Adopt updated International Property Maintenance Code to align with State codes
- 4) Enhanced enforcement strategies will be applied whenever a property:
 - Requires enforcement actions, abatement, and/or fines
 - Demonstrates lack of management oversight and response, which might be identified during door knocking or due to increased complaints to the City
- 5) Collaborate with other city divisions on expanded outreach and education
 - Continue and improve Property Managers Coalition (quarterly, led by Police Dept)
 - Continue Crime Free Housing trainings (periodic, led by Police Dept)
 - Explore creating renter workshops
 - Gather and share best practices and model policies
- 6) Hire an additional rental inspector
 - Increase inspection capacity to enforce new code standards at apartments
 - Continue with door knocking efforts

What has been done so far?

- 1) Engagement with the follow groups and partners:
 - Human Rights Commission
 - Community Long-Range Improvements Committee (CLIC)
 - MN Multi-Family Association
 - Advocacy groups and renters
 - Property managers and owners

- City inspectors and community engagement staff
 - Apartment Action Plan team (city staff)
- 2) Piloted renter-centered door knocks
 - 3) Hired additional rental inspector
 - 4) Completed first draft of proposed code amendments

Next steps:

If approved by the City Council, over the next few months staff will create internal processes and procedures to deploy the new ordinance requirements. Staff anticipates it will be a multi-year process to work with the property owners and managers to come into compliance with the ordinance. This process will include collecting best practices from among the well-run properties and assisting challenged properties with improving their property management systems. Staff plans to monitor the deployment of these requirements and anticipates adjustments may be needed. There also might be a desire to consider additional requirements such as applying these or similar rules to single-family rentals and grading or tiering apartments based on management's performance.

Primary Issues/Alternatives to Consider:

- Approve the ordinance as presented
- Amend and approve the ordinance
- Make no changes to the ordinance

Budgetary/Fiscal Issues:

Attachments:

- 7.4A ORDINANCE
- 7.4B PRESENTATION

ORDINANCE 2023-

AN ORDINANCE AMENDING SECTION 117.52, PARAGRAPH (C)(1) AND ADDING SECTION 117.54 TO THE BROOKLYN PARK CITY CODE PERTAINING TO ENFORCEMENT, RENTAL DWELLING SELF-ASSESSMENT, AND GOOD MANAGEMENT PRACTICES RESPONSIBILITY

~~Text with strikeout is proposed for deletion~~

Underlined text is proposed for insertion

The City of Brooklyn Park does ordain:

Section 1. Section 117.52, Paragraph (C)(1) of the City Code is amended to read as follows:

§ 117.52 ENFORCEMENT.

(C) *Inspections and investigations.*

- (1) The City Manager is authorized to make inspections and to take any other action reasonably necessary to enforce this subchapter.

Sec. 2. Chapter 117 of the City Code is amended by adding Section 117.54 to read as follows:

§ 117.54 RENTAL DWELLING SELF-ASSESSMENT AND GOOD MANAGEMENT PRACTICES RESPONSIBILITY

(A) Every licensee, operator, and manager of an Apartment or Small Apartment must establish a written self-assessment program that includes policies and procedures related to:

- (1) Tenant and landlord responsibilities;
- (2) Routine maintenance and response to requests for service, including a plan for relocating renters if major repairs are needed;
- (3) A capital reinvestment plan that includes the restoration or replacement of major systems;
- (4) Emergency response to life safety and security issues (i.e. heat loss, power outages, and gas leaks);
- (5) Treatment and proper remediation of environmental contaminants (i.e. asbestos, lead, mold and radon);
- (6) Water and moisture events, pest infestations and unsanitary conditions; employee training procedures; and

- (7) Employee training procedures.
- (B) Every licensee, operator, and manager of an Apartment or Small Apartment must utilize best management practices, including but not limited to:
 - (1) Communication with occupants on a regular basis using multiple forms of communication such as a website, flyers, texts, and emails;
 - (2) Providing mandatory 24-hour on call service for emergencies;
 - (3) Transparency and fair treatment in its guest parking and towing practices;
 - (4) Implementing a waste management program that includes adequate and regularly scheduled pickups to prevent accumulation of waste in common spaces and on the property; and
 - (5) Utilizing management and maintenance staff who routinely and regularly walk the site to identify and correct maintenance and cleanliness issues.
- (C) Upon request by City staff, a licensee, operator, or manager must provide evidence that implementation of the self-assessment program occurs on a regular basis and that the best management practices are being followed.
- (D) Apartments with 100 or more dwelling units must have on-site a person knowledgeable about the management of the property and the maintenance program. The person must be available for regular in-person office hours a minimum of 20 hours per week, including at least 4 hours after 5 pm on weekdays or 4 hours on Saturday. The office hours must be posted in a conspicuous location on the property. The City may approve alternative arrangements that provide adequate in-person availability.
- (E) The City may require a live-in caretaker to reside in an Apartment complex in situations where the City identifies significant deficiencies in property management or maintenance affecting the life, health, and safety of occupants.

Rental Program Redesign

City Council Meeting May 22, 2023

Jason Newby, Inspections and Env. Health Manager
Keith Jullie, Rental & Business Licensing Manager

Program Redesign Goals

To improve the quality of life for residents living in rental housing in Brooklyn Park.

To ensure rental housing is maintained safe, livable, healthy, and code compliant.

To improve communication between all parties involved with rental housing including the City, landlords/managers, and rental property residents

Incorporate recommendations from the recent CURA Report

- Informed by renters and property managers
- Note, not all elements within the study are covered in this redesign



Apartment community ecosystem & relationships

An apartment community is an ecosystem. Residents and management sit at its core, informing day-to-day interactions. City government, corporate management, and advocacy groups are arteries.



What have we done so far?

- Engaged the following groups and partners:
 - MN Multi-Family Association
 - Advocacy groups and renters
 - Property managers and owners
 - City inspectors and community engagement staff
 - Human Rights Commission (HRC)
 - Community Long-range Improvement Commission (CLIC)
- Piloted renter-centered door knocks
 - Huntington Place, Kensington Place, Villa Del Coronado, Eden Park
- Hired 5th rental inspector
- Completed first draft of proposed code amendments

Redesign elements

Current Code Standards

- 4 Rental Inspectors
- Routine inspections focus on 1 floor and common areas
- Renter-centered door knocks voluntary
- Best management practices voluntary
- 2012 International Property Maintenance Code
- Outreach and education

Redesign Code Standards

- **5 Rental Inspectors**
- Routine inspections focus on 1 floor and common areas
- Renter-centered door knocks **required**
- Best management practices **required**
- Adopt **2018** International Property Maintenance Code
- Outreach and education **expanded**
- **Enhanced enforcement, when needed**

Door knocking

Piloted with Huntington Place, Kensington Place, Villa Del Coronado and Eden Park Apartments in 2022-2023

○ Purpose

- Connect with residents (without management present)
- Document problems
- Ensure residents know how to connect with both the City and with property management and maintenance staff
- Ensure maintenance items identified by residents get corrected
- Connect residents with other resources

○ Process

- Proactive, renter-centered approach
- Occurs outside the annual routine inspection process
- Inspectors and Community Engagement Staff go out in teams
- Inspection reports sent to property managers, follow up inspections occur until all maintenance issues are resolved

Proposed Ordinance Changes

117.54 Rental Dwelling Self-Assessment and Good Management Practices Responsibility

Every licensee, operator, and manager of an Apartment or Small Apartment must establish a written self-assessment program that includes policies and procedures related to:

- Tenant and landlord responsibilities
- Routine maintenance and response to requests for service, including a plan for relocating renters if major repairs are needed
- A capital re-investment plan that includes restoration or replacement of major systems
- Emergency response to life safety and security issues (i.e. heat loss, power outages, and gas leaks)
- Treatment and remediation of environmental contaminants (i.e. asbestos, lead, mold and radon)
- Water and moisture events, pest infestations and unsanitary conditions
- Employee training procedures.

Property Management Oversight details

- **Frequent Communications with Renters**
 - Must include multiple forms of regular communication to residents such as a website, flyers, texts, and emails
 - Mandatory 24-hour on call service for emergencies
- **Parking and Towing Transparency & Fair Treatment**
 - Provision of guest parking
 - Written policy and procedures on towing practices shared annually with renters and the City upon request
- **Waste Removal Services**
 - Must have a waste management program that includes adequate and regularly scheduled pickups to prevent accumulation of waste in common spaces and on the property. Waste containers must be properly stored before and after pick up

Property Management Oversight details

Expectations of licensed rental properties also includes:

On Site Staff (100+ units only)

- Apartments with 100 or more dwelling units must have on-site a person knowledgeable about the management of the property and the maintenance program. The person must be available for regular in-person office hours a minimum of 20 hours per week, including at least 4 hours after 5 pm on weekdays or 4 hours on Saturday. The office hours must be posted in a conspicuous location on the property.
- An alternative arrangement that adequately meets the in-person needs of the apartment residents may be approved by the city.

On Site Live-in Staff (caretakers)

- A designated caretaker may be required in situations where the City identifies significant deficiencies in property management or maintenance affecting the life, health, and safety of the occupants.
- Utilize maintenance staff to routinely walk the property to identify and correct maintenance issues (pro active)

What happens if violations?

What would happen if an apartment community violated the ordinance?

- For all city codes, the City attempts to gain voluntary compliance through collaboration and education.
- If violations are identified, the City would issue correction orders with reasonable deadlines. If corrections are not made, fines would be issued. The City also has the ability, in situations of ongoing non-compliance, to initiate a Tenant Remedy Act on behalf of a renter and/or to revoke a rental license for non-compliance.
- City will use best practices approach - what is working in other apartment communities?

Next Steps

- City Council consideration tonight, May 22, 2023
 - Second reading June 12, 2023
- Create internal processes and procedures to deploy the new ordinance requirements
 - Anticipated to be a multi-year process
 - Will work with and provide support to property managers/owners
 - Seeking voluntary compliance
- Evaluate new requirements and adjust as needed
 - Consider applying to single-family rental dwellings.
 - Consider grading or tiering system based on management performance.
 - Consider adding additional requirements as best practices are learned

Questions?



City of Brooklyn Park Request for Council Action

Agenda Item:	8.1	Meeting Date:	May 22, 2023
Agenda Section:	Public Presentations	Originating Department:	Operations and Maintenance, Engineering Division
Resolution:	N/A	Prepared By:	Jesse Struve, City Engineer
Ordinance:	N/A		
Attachments:	N/A		
Item:	Hwy 252 Discussion Regarding MNDOT's Recommendations for the Draft Scoping Decision Document		

City Manager's Proposed Action:

Discuss with the council MNDOT's recommendations associated with the Highway 252/I-94 Draft Scoping Decision Document and collect feedback from the council.

Overview:

The city is partnering with MnDOT, Hennepin County, the City of Minneapolis, and the City of Brooklyn Center on an Environmental Impact Statement (EIS) for the Highway 252/I-94 corridor from Highway 610 to 4th Street in Minneapolis. The EIS will identify a preferred design concept to equitably improve the traffic operations, safety, multi-modal connections, health, and environmental issues along the corridor. The agencies have retained the SRF Consulting Group, Inc. (SRF) to provide transportation planning, engineering, and environmental expertise and to manage the project.

This project started in 2017 as a corridor study, expanded to include I-94 as a designated Environmental Assessment (EA) in 2018 and was recently expanded again in 2020 to an EIS to determine a preferred alternative for the corridor. The change to an EIS has resulted in repeating some of the earlier work, but the study analyzed and vetted in even greater detail. The EIS is expected to be completed in 2026. The EIS work is expected to be immediately followed by the preparation of design plans. Estimated construction start is approximately 2028.

The EIS process includes four components (Purpose and Need, Scoping, the DRAFT EIS (DEIS) and the Final EIS / Record of Decision (ROD)). The project is currently in the Scoping phase. The purpose of this presentation is to provide the Council with information relative to the study process and to have a discussion regarding the recommendations associated with the Draft Scoping Decision Document.

The Scoping Document was released to the public on March 21st. The official public comment period will run through May 26, 2023 (MNDOT extended by 1 week). The comments will be addressed, and a Final Scoping Decision Document (SDD) prepared and completed in August 2023. The project will then move into the DEIS phase where each of the remaining alternatives will be studied and vetted in even greater detail with significant opportunity for additional public engagement.

Due to the size of the document, I am not including it in the packet, but you can download and review the document at:

<https://www.dot.state.mn.us/metro/projects/hwy252study/>

Primary Issues/Alternatives to Consider:

- 1) MnDOT is recommending carrying four alternatives through the environmental review process including:

- a. 4-lane Freeway with bus shoulders
 - b. 6-lane Freeway with bus shoulders
 - c. 6-lane Freeway with managed lanes
 - d. No-build (existing conditions)
- 2) Does the Council want to keep the 4-Lane Low Speed Freeway as a comment moving forward?
- 3) Does the council want to provide additional comments associated with the Draft Scoping Decision Document
- a. Staff is finalizing our comments and will distribute to the council prior to the meeting. We will also have our comments linked to the packet available on the City's website.

Budgetary/Fiscal Issues: N/A

Attachments:

8.1A MEMORANDUM

MEMORANDUM

DATE: May 19, 2023

TO: Jay Stroebel, City Manager

FROM: Jesse Struve, City Engineer
Jeff Holstein, City Transportation Engineer

SUBJECT: Staff Comment's for 252 / I-94 Draft Scoping Decision Document

The purpose of this memo is to provide staff's recommended comments for the 252 Draft Scoping Decision Document. Staff reviewed the 252 / I-94 Draft Scoping Decision Document and have the following comments:

- Glossary – Add sentence to “Mainline” to state it does not include the intersections along 252.
- Glossary - If “Network” always refers to the same area, then define the area boundaries.
- Glossary - Add definitions for “Segment”, “Element”, and “Corridor”. Terms/Words that mean the same shouldn't be intermixed in the document. Be consistent and use the same term / work throughout.
- Pg 111 – Make Fig 7-8 inter separate Figs 7.8A-7.8F as it is difficult to see at small scale.
- Pg 161 – 2nd bullet down needs to specify the ADT's, crash costs, and expected property / facility impacts on the adjacent local roadways associated with each of the alternatives that increase 252 capacity. Show in separate figures or tables. These local roadways include Humboldt Ave, Xerxes Ave, Brookdale Dr., 73rd Ave, 85th Ave, Noble Ave, Zane Ave, Brooklyn Blvd, West Broadway, Dupont Ave, and West River Road in Brooklyn Park (BP). Similar should also include local roads in Brooklyn Center (BC).
- Pg 203 – Add River Park as a semi-regional destination.
- Pg 225 – What are the impacts of constructing a 2-way frontage road on east side with access combinations 1&4? BP has repeatedly requested this be evaluated as an option instead of reconnecting West River Road.
- Pg 252 – Table 7-25 shows a tight diamond with 252 going over top of the local road as having 1 residential relocation and the split diamond to have 8 relocations. Thus, page 252 should state the Tight Diamond has less property impacts.
- Pg 823 – Table 2.4 add a column for annual average crash cost.
- Pg 824 – Need a table showing ALL CRASHES ON TH 252 (intersection + segment) by severity and include annual crash cost total.
- Pg 824 – Show average crash costs by severity, provide source, and discuss what “cost” includes (repair cost, medical cost, economic loss, etc....).
- Pg 818 – The crash data is dated. Supplement with a cursory look at 252 total crashes, crash costs/yr., rates (lower volume?) over the 2020-2022 period. Maybe include a sensitivity analysis.
- Pg 1105 – Table 5.12 should include the 4-Lane Low Speed Freeway and 6-Lane Freeway with managed lanes. Need a separate table for each access combination, then does it change the cross-section of each roadway?
- General – Need to include some text and graphics describing how each potential TH 252 alternative will impact traffic on TH 610 and vice versa with and without a 6-lane TH 610.
- General – Incorporate the recently developed safety bar charts for each alternative vs crash costs (mainline and intersections, network, and % reduction) to improve explanation of safety differences between 252 corridor alternatives.
- General – While we realize the Draft Scoping Decision doesn't consider effects on business. Staff would like MNDOT to incorporate strategies to help businesses maintain visibility along the corridor and would request MNDOT incorporate signage and other methods to help direct people to businesses along 252. Also, if MNDOT has methods to help businesses during construction, we would like MNDOT to incorporate that into future construction methods as well.

- General - We know MNDOT analyzed the volume increases / decreases for our local roads with each option. There should be a section outlining how the impacts would need to be mitigated and estimated costs to upgrade local roads. This will allow communities to evaluate other costs that may need to happen because of different intersection scenarios. Will MNDOT assist in upgrading these local roads since impacts are due to changes on 252?
- General – If an intersection is eliminated, MNDOT should provide a bike and pedestrian overpass at all those locations.
- General – Brooklyn Park City Council requested MNDOT include the evaluation of the 4-Lane Low Speed Freeway.

After the May 22, 2023, City Council meeting, staff will make any revisions to the list as directed by the Council and formally submit them to MNDOT next week.