

REGULAR CITY COUNCIL MEETING – AGENDA #23

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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 of June 17, 2023, as the City of Brooklyn Park Juneteenth Celebration

A. PROCLAMATION

3B.2 Mayor's Proclamation of June 1 – June 30, 2023, as "Pride Month" in the City of Brooklyn Park

A. PROCLAMATION

3B.3 Legislative Session Debrief and Discussion

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 Rental Licensing Ordinance Amendment

A. ORDINANCE

4.2 Set a Public Hearing on November 28, 2022, to Consider the Issuance of an On-Sale Intoxicating Liquor License for Flava of Soul Restaurant and Lounge LLC

A. PUBLIC HEARING NOTICE

4.3 Consider Housing Revenue Bond Preliminary Authorization to Finance Multifamily Housing Development

A. RESOLUTION

B. LOCATION MAP

- 4.4 Request by Council Member Boyd Morson to Travel and Attend the Certificate Program in Public Leadership Cohort Offered by Elected Officials to Protect America on August 12 – 13, 2023
 - A. PUBLIC LEADERSHIP CERTIFICATION DESCRIPTION AND APPLICATION
 - B. 2023 PER DIEM RATES FOR DISTRICT OF COLUMBIA
- 4.5 Authorize the Renewal of Inspection Contracts with the State Fire Marshal
 - A. HOTEL INSPECTION AGREEMENT
 - B. SCHOOL INSPECTION AGREEMENT
- 4.6 Approval of Minutes
 - A. CITY COUNCIL MEETING MINUTES, MARCH 27, 2023
 - B. RECONVENED BOARD OF APPEAL AND EQUALIZATION MINUTES, APRIL 24, 2023
 - C. SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 27, 2023

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 TOD District Text Amendment (First Reading)
 - A. ORDINANCE
 - B. MAPS OF TOD ZONING DISTRICTS
 - C. PLANNING COMMISSION MINUTES

7. GENERAL ACTION ITEMS

- 7.1 Finance Positions and Cadet Supervisor Position Approvals
 - A. RESOLUTION

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

8. DISCUSSION ITEMS

None.

IV. VERBAL REPORTS AND ANNOUNCEMENTS

9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS

V. ADJOURNMENT

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

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.1	Meeting Date:	June 12, 2023
Agenda Section:	Public Presentation/ Proclamation/Receipts of General Communication	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Marcellus Davis, Racial, Equity, Diversity, and Inclusion (REDI) Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Mayor Hollies Winston
Item:	Mayor's Proclamation of June 17, 2023, as the City of Brooklyn Park Juneteenth Celebration		

City Manager's Proposed Action:

The Mayor shall proclaim June 17, 2023, as the City of Brooklyn Park Juneteenth Celebration:

1. "I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota do hereby proclaim June 17, 2023, to be the City of Brooklyn Park Juneteenth Celebration.

OR

2. By reading the proclamation.

Overview:

Juneteenth is the oldest known African/African American celebration dating back to 1866. Juneteenth also referred to as "Freedom Day" recognizes the official ending of the institutionalized system of enslavement. Despite President Abraham Lincoln's Emancipation Proclamation on January 1, 1863, to abolish the system of enslavement throughout America, the ending of the institutionalized system of enslavement did not take place until June 19, 1865, in Galveston, Texas.

Since 1866, Africans/African Americans have celebrated throughout the nation on June 19. Initiatives to push for the recognizing of Juneteenth as a federally recognized holiday have been occurring since the 1970s. On June 17, 2021, President Joe Biden signed Juneteenth into law as a recognized holiday almost 156 years to the day of the first celebration. Today, nationally, and locally, we celebrate and educate our communities about the importance of Juneteenth.

More than 41.1 million people of African/African American descent live in the United States according to the 2020 United States Census Bureau and 29.5% of the Brooklyn Park residents are of African/African American descent. In order to recognize and celebrate the many contributions, diverse cultures, and extensive history of Africans/African Americans to this nation and Brooklyn Park community, the City of Brooklyn Park, in collaboration with a community planning committee and sponsors, is having a Juneteenth celebration on Saturday June 17, 2023, at the North Hennepin Community College.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A PROCLAMATION

PROCLAMATION

Declaring the City of Brooklyn Park Celebrates and Recognizes Juneteenth on June 17, 2023

WHEREAS, more than 41.1 million people of African/African American descent live in the United States according to the 2020 United States Census Bureau; and

WHEREAS, 29.5% of Brooklyn Park residents are of African/African American descent; and

WHEREAS, the history of North America is shaped by the experiences and contributions of Africans/ African Americans and development of the United States of America; and

WHEREAS, since 1619, enslaved Africans arrived at the shores of South Carolina, fought and continue to fight for freedom, and continue to hold the United States accountable for assuring that all Americans, in particular Africans/African Americans, are afforded all the opportunities and human rights stated within the governing artifacts of the United States; and

WHEREAS, Frederick Douglas, once stated “What to the slave is the fourth of July?” articulating that the 4th of July does not speak to all Americans if all Americans were not free. Juneteenth is also known as “Freedom Day,” since all enslaved African Americans were not free until June 19, 1865, two years after the proclamation of emancipation (January 1, 1863); and

WHEREAS, the month of June commemorates the ending of the institution of slavery in the United States of America and Freedom Day for all Americans, in particular Africans/African Americans; and

WHEREAS, the City of Brooklyn Park recognizes the importance of celebrating Juneteenth as a very important marker in the progress of American history; and

WHEREAS, in 2021, President Joe Biden proclaimed Juneteenth a national holiday after years of organized efforts to recognize it as a national holiday on June 17, 2021; and

WHEREAS, the City of Brooklyn Park will have a Juneteenth celebration on Saturday June 17, 2023, at the North Hennepin Community College.

NOW, THEREFORE, I, Hollies Winston, on behalf of the City Council, city staff, residents, and the community at-large, do hereby proclaim that we recognize the historical significance of Juneteenth and declare June 17th, 2023, as the Juneteenth Celebration in Brooklyn Park to recognize and celebrate the many contributions, diverse cultures, and extensive history of Africans/African Americans to this nation and the Brooklyn Park community.



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:	June 12, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Marcellus Davis, Racial, Equity, Diversity, and Inclusion (REDI) Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Mayor Hollies Winston
Item:	Mayor's Proclamation of June 1 – June 30, 2023, as "Pride Month" in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall proclaim June 1 – June 30, 2023, as "Pride Month" by one of the following:

1. "I, Hollies Winston, Mayor of the city of Brooklyn Park, Minnesota do hereby proclaim June 1 – June 30, 2023, to be "Pride Month" in the city of Brooklyn Park.

OR

2. By reading the proclamation.

Overview:

Pride Month takes place June 1 to June 30 every year as a time to commemorate the events of June 1969 and works to achieve equal justice and equal opportunity for LGBTQ Americans. Beginning in 1999, President Bill Clinton issued a declaration for Gay and Lesbian Pride Month. In 2009, President Barack Obama expanded the observance by declaring June Lesbian, Gay, Bisexual, Transgender Pride Month.

The month of June commemorates the courageous group of Americans, led by a Black trans woman by the name of Marsha P. Johnson, who resisted police-orchestrated violence and mistreatment at the Stonewall Inn in New York City. This set in motion a chain of events that would become known as Stonewall Uprising and the birth of modern gay and lesbian civil rights movement. Since then, the month has been celebrated nationwide through festivals, art shows, conferences, community gatherings, and much more.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A PROCLAMATION

PROCLAMATION

PROCLAIMING THE MONTH OF JUNE 2023, AS PRIDE MONTH IN THE CITY OF BROOKLYN PARK, MINNESOTA

WHEREAS, the city of Brooklyn Park supports a diverse community made up of all races, cultures, religions, sexual orientation and gender identities; and

WHEREAS, Minnesota's population is made up of 4.1 percent LGBT+ according to LGBT Demographic Data Interactive; and

WHEREAS, more than 135,000 employed in Minnesota identify as LGBT+ according to LGBT Demographic Data Interactive; and

WHEREAS, the city of Brooklyn Park vehemently denounces all hate and oppression; and

WHEREAS, more than 50 years ago in June, there was a courageous group of Americans, led by a Black trans woman by the name of Marsha P. Johnson, who resisted police-orchestrated violence and mistreatment at the Stonewall Inn in New York City. This set in motion a chain of events that would become known as Stonewall Uprising and the birth of modern gay and lesbian civil rights movement; and

WHEREAS, beginning in 1999, President Bill Clinton issued a declaration for Gay and Lesbian Pride Month; and

WHEREAS, in 2009, President Barack Obama expanded the observance by declaring June Lesbian, Gay, Bisexual, Transgender Pride Month; and

WHEREAS, Brooklyn Park strives to be a United Community that understands and celebrates our unique cultures; and

WHEREAS, the city works to increase equity that empowers residents and neighborhoods to prosper.

NOW, THEREFORE, I, Hollies Winston, on behalf of the City Council, city staff, residents, and the community at-large, do hereby proclaim June as Pride Month in Brooklyn Park to recognize and celebrate the many contributions, diverse cultures, and extensive histories of the LGBT+ community.



5200 85th Avenue North
Brooklyn Park, MN 55443

Hollies Winston, Mayor

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.3	Meeting Date:	June 12, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Melissa Reed, Park Street Public and Troy Olson, North Metro Mayors Association
Item:	Legislative Session Debrief and Discussion		

City Manager's Proposed Action:

Legislative debrief presentation from our state lobbyists Melissa Reed from Park Street Public and Troy Olson from North Metro Mayors Association, with a discussion following. Our state Legislative delegation has been invited to join.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.1	Meeting Date:	June 12, 2023
Agenda Section:	Consent	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:	1	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 SECOND READING ORDINANCE #2023-____ 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:

At its regular meeting on May 22, 2023, the City Council unanimously passed the first reading of this ordinance amendment. 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 following 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:

4.1A ORDINANCE

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.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	June 12, 2023
Agenda Section:	Consent	Originating Department:	Rental and Business Licensing Division
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	1	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Set a Public Hearing on June 26, 2023, to Consider the Issuance of an On-Sale Intoxicating Liquor License for Flava of Soul Restaurant and Lounge LLC, Doing Business as Flava of Soul Restaurant and Lounge, Located at 8578 Edinburgh Centre Drive North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO SET A PUBLIC HEARING ON JUNE 26, 2023, TO CONSIDER THE ISSUANCE OF AN ON-SALE INTOXICATING LIQUOR LICENSE FOR FLAVA OF SOUL RESTAURANT AND LOUNGE LLC, DOING BUSINESS AS FLAVA OF SOUL RESTAURANT AND LOUNGE, LOCATED AT 8578 EDINBURGH CENTRE DRIVE NORTH

Overview:

This is a new On-Sale Intoxicating Liquor License for Flava of Soul Restaurant and Lounge LLC, doing business as Flava of Soul Restaurant and Lounge, located at 8578 Edinburgh Centre Drive North.

Pursuant to state statute, they must comply with state laws, local laws and procedures. To comply with state laws, a public hearing must be held prior to City Council approval of the license required. The results of the inspections and investigations will be available at the public hearing on June 26, 2023.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.2A PUBLIC HEARING NOTICE

**NOTICE OF PUBLIC HEARING
CITY OF BROOKLYN PARK, MINNESOTA**

NOTICE IS HEREBY GIVEN that the Brooklyn Park City Council will hold a public hearing in the City Hall Council Chambers, 5200 85th Avenue North, on Monday, June 26, 2023, at 6:00 p.m. or soon thereafter to consider the issuance of an On-Sale Intoxicating Liquor License for Flava of Soul Restaurant and Lounge LLC doing business as Flava of Soul Restaurant and Lounge, located at 8578 Edinburgh Centre Drive North.

All persons desiring to be heard are invited to attend. Written comments will be received by the Licensing Division prior to the hearing.

Devin Montero
City Clerk

Published in the Brooklyn Park Sun Post on June 15, 2023.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	June 12, 2023
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Sarah Abe, Development Project Coordinator
Ordinance:	N/A		
Attachments:	2	Presented By:	Sarah Abe
Item:	Consider Housing Revenue Bond Preliminary Authorization to Finance Multifamily Housing Development		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ GRANTING PRELIMINARY AUTHORIZATION TO THE ISSUANCE OF REVENUE BONDS OR OTHER OBLIGATIONS UNDER MINNESOTA STATUTES, CHAPTER 462C, AS AMENDED, TO FINANCE THE COSTS OF A MULTIFAMILY HOUSING DEVELOPMENT; APPROVING THE PREPARATION AND SUBMISSION OF A HOUSING PROGRAM WITH RESPECT THERETO; APPROVING THE SUBMISSION OF AN APPLICATION FOR AN ALLOCATION OF BONDING AUTHORITY; ESTABLISHING COMPLIANCE WITH CERTAIN REIMBURSEMENT REGULATIONS UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND TAKING CERTAIN OTHER ACTIONS.

Overview:

In May 2023, the Brooklyn Park Economic Development Authority (EDA) approved an updated term sheet with the George Group North for Village Creek Apartments. The updated term sheet was a result of increased interest rates and construction costs that necessitated a new financing structure for the project, including an application for tax-exempt bonds. Revenue bonds are a common way to fund private development at no risk to the City and have been used in the past by Brooklyn Park several times. Any allocation of bonds would require a subsequent public hearing and City Council approval before issuance.

Village Creek Apartments is a planned five story, 83-unit mixed-use development project on EDA owned land located at 7621 Brooklyn Boulevard in the Village Creek neighborhood. Along with the 83 apartment homes, there is also a 10,000 square foot commercial component that is planned to include pop-up retail incubation space and commercial kitchen. The EDA has supported this project through various actions including previous term sheet, purchase agreement, Tax Increment Financing (TIF) development agreement, and new TIF district approvals.

Primary Issues/Alternatives to Consider:

- **What is the proposed development?**

This is a mixed income project with the number of units and affordability noted in Table 1 below. The mixed-use component of this project includes 10,000 square feet of commercial kitchen space including a restaurant, a small business coworking space, a classroom area, and a small event space. The developer is anticipating that the commercial kitchen and its programming will be managed by LaChelle Cunningham who has experience running commercial kitchens through the organization Appetite for Change. The proposed restaurant, Chelles' Kitchen, will be available to residents and community members and will offer a coffee and juice bar with grab and go pantry and hot breakfast bar during the day. It is anticipated that the kitchen will be available to food entrepreneurs to test-run their concepts and develop their management processes and can also be rented as a

catering kitchen. The kitchen can comfortably be rented by 4-6 food businesses at a given time. Additionally, Healthy Roots Institute, also managed by LaChelle Cunningham, will be hosting workshops and classes meant for both food entrepreneurs and the greater community. The additional commercial space will serve primarily as a coworking space with a small incubator element for businesses to host pop-up shops for short periods of time.

Table 1. Unit mix and affordability

Unit size	Number of units	2023 estimated monthly rent
1-bedroom – 30% AMI	4	\$660
1-bedroom – 50% AMI	4	\$1,100
1-bedroom – 80% AMI	31	\$1,471
2-bedroom – 30% AMI	4	\$792
2-bedroom – 50% AMI	3	\$1,329
2-bedroom – 80% AMI	20	\$1,891
3-bedroom – 30% AMI	2	\$915
3-bedroom – 50% AMI	2	\$1,525
3-bedroom – Market rate	13	\$2,049

- **How would this development be financed?**

George Group North is proposing to finance the development with tax increment financing (TIF), an EDA land write down, an allocation of tax-exempt bonds from Minnesota Department of Management and Budget (MMB), and an allocation of 4% federal Low Income Housing Tax Credits from Minnesota Housing, and several other sources. On May 15, 2023, the EDA approved an updated term sheet with the developer with the following EDA assistance:

- \$370,000 land-write down
- \$900,000 in upfront Tax Increment Financing (TIF) funds (from Housing Set Aside)
- \$830,000 in pay as you go (PAYGO) TIF funds over 15 years from newly created Housing TIF district

- **What are the next steps?**

If the Council approves this action, the City (working with the City attorney from Kennedy & Graven as Bond Counsel) will prepare Applications for Allocation of Bonding Authority to MMB. George Group North anticipates working with the City to submit its application by June 26, 2023. Bond availability is not guaranteed and it is typical for developers to apply multiple times in order to receive approval to issue housing revenue bonds. An outline of this process is as follows:

- June 12: City Council preliminary bond approval
- June 26: Submittal of Bond Applications to Minnesota MMB
- July 3: Determination of Bond Award

If the City is allocated bonding authority, the City would have 180 days from the date of allocation to issue the bonds.

- **How does this project fulfill BP 2025 goals?**

This development is consistent with several of the Brooklyn Park stated community goals including access to healthy and safe housing, contributing to a thriving economy, and quality housing for all incomes integrated throughout the community.

Budgetary/Fiscal Issues:

This action preliminarily approving issuance of housing revenue bonds does not bind the City or the EDA to any level of financial participation (including bond issuance), and a series of additional actions and further analysis

will be required as outlined above. Issuance of the bonds does not constitute any financial obligation of the City, would not impact the City's debt capacity, and the bonds would not be secured by the taxing powers of the City or any assets or property of the City. Furthermore, it does not impact the City's ability to issue Bank Qualified obligations for City projects. The City would collect the following fees:

- \$500 Application Fee
- 0.5% Administrative Fee
- 0.10% Annual Maintenance Fee (avg outstanding balance)

Bond Counsel and City administrative fee and expenses, including any costs for attorneys' fees, are payable by the conduit borrower.

Attachments:

- 4.3A RESOLUTION
- 4.3B LOCATION MAP

RESOLUTION #2023-

RESOLUTION GRANTING PRELIMINARY AUTHORIZATION TO THE ISSUANCE OF REVENUE BONDS OR OTHER OBLIGATIONS UNDER MINNESOTA STATUTES, CHAPTER 462C, AS AMENDED, TO FINANCE THE COSTS OF A MULTIFAMILY HOUSING DEVELOPMENT; APPROVING THE PREPARATION AND SUBMISSION OF A HOUSING PROGRAM WITH RESPECT THERETO; APPROVING THE SUBMISSION OF AN APPLICATION FOR AN ALLOCATION OF BONDING AUTHORITY; ESTABLISHING COMPLIANCE WITH CERTAIN REIMBURSEMENT REGULATIONS UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND TAKING CERTAIN OTHER ACTIONS

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

Section 1. Recitals.

1.01. The City is a home rule city, municipal corporation, and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota.

1.02. Pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Housing Act"), the City is authorized to carry out the public purposes described in the Housing Act by providing for the issuance of revenue bonds or other obligations to finance or refinance multifamily housing developments located within the City. As a condition to the issuance of revenue bonds or other obligations under the Housing Act, the City must prepare and adopt a housing program providing the information required by Section 462C.03, subdivision 1a of the Housing Act (the "Housing Program") and must conduct a public hearing in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations promulgated thereunder (the "Regulations"), and the requirements of the Housing Act.

1.03. Section 147(f) of the Code requires a duly noticed public hearing to be held by the Council on the proposed issuance of revenue bonds or other obligations and the location and nature of the proposed facilities to be financed. Section 462C.04, subdivision 2 of the Housing Act requires a public hearing to be held on the Housing Program after one publication of notice in a newspaper circulating generally in the City, at least fifteen (15) days before the hearing. Section 462C.04, subdivision 2 of the Housing Act further requires that on or before the day on which the notice of public hearing is published, the City submit the Housing Program to the Metropolitan Council for its review and comment as to whether such Housing Program furthers local and regional housing policies, among other things.

1.04. Under Section 146 of the Code, the Bonds (as hereinafter defined) must receive an allocation of the bonding authority of the State of Minnesota. An application for such an allocation must be made pursuant to the requirements of Minnesota Statutes, Chapter 474A, as amended (the "Allocation Act") and preliminary approval of the issuance of the Bonds by the Council is sufficient to authorize the submission of an application to the State of Minnesota Management and Budget for an allocation of bonding authority with respect to the Bonds to finance the Project (as hereinafter defined).

1.05. Building Blocks, a Minnesota nonprofit organization, its successors and assigns, or affiliates (the "Borrower"), has proposed that the City issue pursuant to the Housing Act its revenue bonds or other obligations in an aggregate principal amount not to exceed \$[20,000,000], in one or more series (the "Bonds"), the proceeds of which will be loaned by the City to the Borrower. The Borrower will apply the proceeds of such loan to: (i) the acquisition, construction, and equipping of an approximately 83-unit multifamily rental housing development and facilities functionally related and subordinate thereto, to be located at or about 7621 Brooklyn Blvd N. in the City and known as Village Creek Apartments or another name selected by the Borrower (the "Project"); (ii) the funding of one or more reserve funds to secure the timely payment of the Bonds, if necessary; (iii) the payment of interest on the Bonds during the construction of the Project, if necessary; and (iv) the payment of the costs of issuing the Bonds. The Borrower has also proposed to undertake the acquisition and construction of approximately 10,000 square feet of ground level commercial space, to be located in the same building as the Project and financed by sources other than tax-exempt obligations, including equity of the Borrower. The Project will be owned and operated by the Borrower.

Section 2. Preliminary Findings, Determinations, and Declarations. Based on representations made by the Borrower to the City to date, the Council hereby makes the following preliminary findings, determinations, and declarations:

2.01. The Project furthers the purposes set forth in the Housing Act and the Project constitutes a "multifamily housing development" within the meaning of Section 462C.02, subdivision 5 of the Housing Act.

2.02. The City hereby grants preliminary approval to the issuance of the Bonds for the purposes referenced in this resolution, in an aggregate principal amount not to exceed \$[20,000,000], subject to the public hearing referred to in Section 1 and subject to final approval by the City of the Bonds and the documents providing for the purchase and sale of the Bonds and the loan of the proceeds of the Bonds to the Borrower. In all events, it is understood, however, that the Bonds shall not constitute a pecuniary liability or charge, lien, or encumbrance, legal or equitable, upon any funds, assets, taxing powers, or any other property of the City except the City's interest in the Loan Agreement (as hereinafter defined); and the Bonds, when, as, and if issued shall recite in substance that the Bonds, including interest thereon, are payable solely from the revenues received from the Loan Agreement and other property pledged to the payment thereof, and shall not constitute a general or moral obligation of the City. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation. The owners of the Bonds shall never have the right to compel any exercise of the taxing powers of the City to pay the outstanding principal of the Bonds, or the interest thereon or to enforce payment thereof against any property of the City.

2.03. The proceeds of the Bonds will be loaned to the Borrower and the proceeds of the loan will be applied to the purposes referenced in this resolution. The City will enter into a loan agreement (or other revenue agreement) with the Borrower (the "Loan Agreement") requiring loan repayments from the Borrower in amounts sufficient to repay the loan when due and requiring the Borrower to pay all costs of maintaining and insuring the Project, including taxes thereon.

2.04. In preliminarily authorizing the issuance of the Bonds and the financing of the acquisition, construction, and equipping of the Project and related costs, the City's purpose is and the effect thereof will be to promote the public welfare of the City and its residents by

retaining and improving multifamily housing developments and otherwise furthering the purposes and policies of the Housing Act.

Section 3. Council to Conduct a Public Hearing. The Council shall conduct a public hearing with respect to the proposal to undertake and finance the Project under the terms of a housing program and the issuance of the Bonds, as requested by the Borrower. The City Manager is hereby authorized and directed to set a date for such public hearing and to cause notice thereof to be published. The notice of public hearing shall be in the form required by Section 147(f) of the Code (and applicable Regulations) and the Housing Act and shall be published once in a newspaper of general circulation in the City at least fifteen (15) days prior to the date of the public hearing. At the public hearing, a reasonable opportunity shall be provided for interested individuals to express their views, both orally and in writing, on the Project and the proposed issuance of the Bonds. Kennedy & Graven, Chartered, bond counsel to the City ("Bond Counsel"), is hereby authorized and directed to publish a notice of the public hearing as provided in this Section 3 as directed by the City Manager.

Section 4. Preparation and Submission of a Housing Program. The Council hereby authorizes the preparation of the Housing Program by Bond Counsel, with respect to the issuance by the City of revenue bonds or other obligations in an amount not to exceed \$[20,000,000] to finance the Project, and to submit such Housing Program to the Metropolitan Council for its review and comment on or before the date of publication of the notice of public hearing in accordance with the requirements of the Housing Act.

Section 5. Submission of an Application for an Allocation of Bonding Authority. The Council hereby authorizes the submission of an application for an allocation of bonding authority pursuant to Section 146 of the Code and in accordance with the requirements of the Allocation Act, in the maximum principal amount of \$[20,000,000]. The Mayor and the Manager of the City and Bond Counsel are hereby authorized and directed to take all actions, in cooperation with the Borrower, as are necessary to submit an application for an allocation of bonding authority to the Minnesota Department of Management and Budget.

Section 6. Costs. The Borrower shall pay to the City any and all costs incurred by the City in connection with the Bonds or the financing of the Project, whether or not the financing of the Project is carried to completion, and whether or not the Bonds or operative instruments are executed and delivered. The Borrower shall also comply with the administrative fee policy of the City respecting conduit revenue bond issues.

Section 7. Reimbursement of Costs under the Code.

7.01 The United States Department of the Treasury promulgated Section 1.150-2 of the Regulations, which governs the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City or the Borrower for project expenditures paid prior to the date of issuance of such bonds. Section 1.150-2 of the Regulations requires that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. Section 1.150-2 of the Regulations also generally requires that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of bonds.

7.02 To the extent any portion of the proceeds of the Bonds will be applied to expenditures with respect to the Project, the City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the Bonds after the date of payment of all or a portion of such expenditures. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and qualifying expenditures under the Housing Act.

7.03 Based on representations by the Borrower, other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2(j)(2)(i)(B) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimis” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures with respect to the Project to be reimbursed with the proceeds of the Bonds have been made by the Borrower more than sixty (60) days before the date of adoption of this resolution of the City.

7.04 Based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long term-basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof.

Section 8. Commitment Conditional.

8.01. The adoption of this resolution does not constitute a guaranty or firm commitment that the City will issue the Bonds as requested by the Borrower. If, as a result of information made available to or obtained by the City during its review of the Project, it appears that the Project or the issuance of the Bonds to finance or refinance the costs thereof is not in the public interest or is inconsistent with the purposes of the Housing Act, the City reserves the right to decline to give final approval to the issuance of the Bonds. The City retains the right in its sole discretion to withdraw from participation and accordingly not to issue the Bonds, or issue the Bonds in an amount less than the amount referred to herein, should the City at any time prior to issuance thereof determine that it is in the best interests of the City not to issue the Bonds, or to issue the Bonds in an amount less than the amount referred to in this resolution, or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents required for this financing transaction.

8.02. The City’s obligation to proceed with the issuance of the Bonds to finance the costs of the Project is conditioned upon the consideration and adoption by the Council of a final resolution granting final approval to the issuance of the Bonds following a duly noticed public hearing in accordance with the Housing Act and Section 147(f) of the Code.

Section 9. Bond Counsel Is Empowered to Take All Necessary Actions. Bond Counsel is hereby designated bond counsel with respect to the Bonds and is hereby authorized to take all actions necessary to prepare required documents to permit the issuance of the Bonds and to submit such documents to the Council for its final approval.

Section 10. Effective Date. This Resolution shall be in full force and effect from and after its passage.

Village Creek Apartments Location

2/14/2022



Map Scale = 1: 1,187

99 ft  1 in

Map provided by the City of Brooklyn Park, MN. This map is for general reference only. It is not for legal, engineering, or surveying use. Please contact the sources of the information if you desire more details. www.brooklynpark.org

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	June 12, 2023
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	2	Presented By:	Jay Stroebel, City Manager
Item:	Request by Council Member Boyd Morson to Travel and Attend the Certificate Program in Public Leadership Cohort Offered by Elected Officials to Protect America on August 12 – 13,		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE COUNCIL MEMBER BOYD MORSON TRAVEL TO WASHINGTON D.C. TO ATTEND THE CERTIFICATE IN PUBLIC LEADERSHIP COHORT AND COMPLETE THE PUBLIC LEADERSHIP CERTIFICATION.

Overview:

Council Member Morson has requested to attend the Certificate Program in Public Leadership Cohort Offered by Elected Officials to Protect America and complete the Public Leadership Certification. The cohort takes place from August 12 – 13, 2023, and follow-up courses are held online every Wednesday at 5-7 p.m. PST thereafter for six weeks. Students will compile everything they have learned into a presentation that includes a summary of the proposed policy impact, communications plan, engagement plan, and finance plan. CM Morson will need to apply to the program; tuition is paid upon acceptance to the program.

Estimated Costs:

Tuition: \$2500

Flight, Hotel, and Car for August 11 – 14, 2023 (combined, Travelocity): \$1000

Meals and Incidentals, August 12 – 13, 2023: \$79

Per diem August 11 and August 14 (first and last day travel): \$59

Supplemental Income August 12 – 13, if requested: \$50

This expenditure would be covered under 2023 budgeted resources in the Mayor and Council conferences and schools expense line. The 2023 budget for that expense line is \$20,566. Resources are still available in that expense line to cover these expenses.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

City Travel Policy for Elected Official Travel (Out-of-State Travel):

The Mayor/Mayor Pro Tem and three Council Members (alternating) have the opportunity to travel out-of-state (domestically) one time annually, pending Council's approval. This approach would allow for the Mayor/Mayor Pro Tem to travel up to four times per term and Council Members to travel two times per term. If necessary, and if approved by Council, additional out-of-state travel could be approved for the Mayor/Mayor Pro Tem or Council Members using unused Council travel budget resources or other funding resources (e.g. EDA, Administration budget, etc.) Expenses for out-of-state travel are encouraged to not exceed \$2500.

Prior Travel in 2023:

Mayor Winston was invited to attend a Summit put on by the Project Equity organization in Oakland, California February 7-9, 2023. Project Equity covered the cost of the conference. The cost to the City was approximately \$700 for airfare, any local transportation costs, and any food not covered by Project Equity. The expenditure was covered under existing 2023 travel and conference budgeted resources for the Mayor and Council.

Council Member Lee attended the 2023 Strong Towns National Gathering on May 30-31, 2023 in Charlotte, NC. The cost to the City was approximately: \$250 for registration and \$300 for airfare.

Mayor Winston attended the U.S. Conference of Mayor's 91st Annual Meeting in Columbus, OH, June 2-5, 2023. The cost to the City was approximately: \$1500 for event registration, \$600 for airfare, \$800 for lodging, and \$190 for transportation costs, and any food not included in the registration fee.

Other members of Council have also attended various in-state League of MN Cities conferences in 2023. Those expenses are estimated to be cumulatively under \$1000 to date.

Attachments:

- 4.4A PUBLIC LEADERSHIP CERTIFICATION INFORMATION AND APPLICATION
- 4.4B PER DIEM RATES FOR DISTRICT OF COLUMBIA

Public Leadership Certification



Empowering Bold Leadership

Apply for the August 12-13, 2023 - Certificate in Public Leadership Cohort

**University of San Francisco
Practicum in Public Leadership & Legislative Strategy**

Instructor: Alex Cornell du Houx

IN-PERSON

Campuses in San Francisco, California and Washington, District of Columbia

ONLINE

Every Wednesday at 5-7 p.m. Pacific Time thereafter for six weeks

Instructor Contact: amcornellduhoux@usfca.edu, 207-319-4511

Office Hours: Wednesdays at 09:00 a.m. Pacific or by appointment

CERTIFICATE OVERVIEW

The University of San Francisco's Certificate in Public Leadership in partnership with Elected Officials to Protect America is designed for a diverse set of officials at the city, county, state and federal levels. Elected official staff and those passionate about civic service - including veterans and military families from across the globe are eligible. The hybrid in-person and online modules will advance participants' ability to further the public good while implementing policy solutions. The seven-week certificate program is designed for professionals with experience in public service. Major themes include modules

in emotional intelligence and public leadership, value-based communications, public speaking, empathy-based fundraising, body language, constituent engagement, public policy procedures, military and veteran engagement, and climate change policy solutions. Participants will leave with the skills to lead, create, resource, advocate, communicate, and implement policy solutions locally and nationally.

LEARNING OBJECTIVES

Upon completion of the Certificate, students will be able to:

1. Understand the basics of emotional intelligence (EQ) associated with leadership and management.
2. Create a strategy for policy objectives to be implemented at the local, state, or federal levels.
3. Apply the latest field engagement tools and techniques to improve constituent outreach.
4. Frame, target, and mobilize an audience using visual, value-based communications.
5. Implement a media campaign that mobilizes an audience through narratives that create emotion to drive action.
6. Deliver an effective and impactful speech, interview, debate, or video.
7. Demonstrate an understanding of the elements needed to fundraise for nonprofits, advocacy programs, and political campaigns.
8. Analyze advanced fundraising tactics to connect through values and build empathy with donors.
9. Understand the myths, organization, and culture of the military to effectively engage with veterans and military families.
10. Gain a clear understanding of how climate change is impacting constituencies and current proven innovative policy solutions.
11. Identify the impact of climate change on constituencies and implement innovative policy solutions.

CERTIFICATE DESCRIPTION

The Certificate in Public Leadership program will expand lawmakers' and civic leaders' knowledge to effectively create, communicate, and implement policy through gaining a deeper understanding of emotional intelligence leadership and management, value-based communications, body language, legislative procedures, and empathy-based fundraising while connecting with elected officials who have had a significant impact on public policy.

This seven-week program will bring civic leaders together at USF for two days of experiential learning, followed by online instruction for two hours each week for six weeks.

Participants will choose a policy objective that impacts their communities. They will focus on this policy objective during each online module to increase their policy and advocacy implementation skills. In the final module, participants will apply each week's lessons to their policy objective and present a plan for fellow lawmakers and community leaders.

On campus modules will include:

- Emotional Intelligence and Public Leadership
- Value-Based Communications
- Public Speaking and Body Language for Civic Leaders

Online modules will include:

- Speaking and Marketing Your Message
- Empathy Based Fundraising
- Body Language for Public Leadership
- Climate Crisis Urgency and Solutions
- Military 101
- Disinformation, Cyber, and Climate Security
- Capstone Policy Presentations

Guest instructors will include highly-qualified field experts and elected officials who have successfully passed significant legislation. This program will coordinate closely with the Master of Arts in Public Leadership to include joint networking events and guest lectures.

CERTIFICATE MODULES

ON CAMPUS

Emotional Intelligence and Public Leadership: Harvard Business Review compiled over 300 studies and found EQ is the single most important factor in career and personal success. The course will increase students' ability to empathize with others, to listen accurately, to communicate authentically, and create a legislative/campaign/office environment that maximizes team performance and creativity. Part one focuses on individual skill-sets and recognizing patterns of behavior. Part two focuses on using EQ to build connections and productivity in their staff and caucus. Part three focuses on bringing EQ skill sets into their team's goals and mission.

Value-Based Communications: In a media environment where we receive five times more information every day than just five years ago, distinguishing oneself from the crowd to make a lasting impact is essential to an organization or campaign. This module will focus on how we communicate through framing, targeting, and implementing a media campaign that connects through stories that create emotion to create action. Through experiential learning, students will create their narrative and apply it to real-life events.

Public Speaking for Civic Leaders: Students will gain tools to deliver effective and impactful speeches, interviews, debates, and video performances both in-person and online. Based on social science and highly experiential, students will learn the importance of eye contact, pauses, structure, body language, public reading, and advanced techniques to engage and motivate their audience.

ONLINE

Speaking and Marketing Your Message with Rep. Paul Evens: Students will implement the lessons introduced in Value-Based Communications to create a communications strategy that utilizes a range of media such as digital and broadcast advertising, op-eds, social media, and film.

Empathy-Based Fundraising with Fmr. Rep. Alex Cornell du Houx: This module introduces students to the elements of fundraising for nonprofits, advocacy programs, and political campaigns. We then expand to advanced fundraising tactics to connect through values and build empathy with the funder. Students will understand what makes a compelling fundraising ask and evaluate the most effective fundraising tactics.

Body Language for Public Leadership with Forensic Psychologist Iryna Andrukh: Body language is a vital part of negotiating and campaigning that is often overlooked but can account for over 55 percent of the message we are conveying. Students will learn the latest non-verbal communication tactics to enhance their communication and leadership skills.

Climate Crisis Urgency and Solutions with Impact Investor Stephan Nicoleau: Students will leave with a clear understanding of climate science and the impact of climate change on frontline communities. We will follow the history of energy development and the policy decisions that created the environment we live in today. Additionally, we will highlight innovative proven climate policies that can be replicated across the U.S.

Military 101 with Representative Eric Brine: Students will be introduced to the mythology, organization, and culture of the military so candidates can connect and work productively with a segment of the population that Pew and Gallup found are the most credible messengers after Doctors and Nurses.

Disinformation, Cyber and Climate Security with Professor Darren Linvill: Nearly 70 percent of American adults turn to social media for the bulk of their news, consuming content in their feeds or searching for specific or trending topics. This makes the integrity of social media information critical. Students will learn how Russia and China use digital media to manipulate populations and lawmakers.

Capstone: Students will compile everything they have learned into a presentation that includes a summary of the proposed policy impact, communications plan, engagement plan, and finance plan.

Tuition: Upon selection, full scholarships, including travel and lodging, are offered or if you have the resources tuition is \$2,500 or \$1,500 with a partial scholarship.

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Contact Information

First Name

Middle Name (Optional)

Last Name

Gender (Optional)

Race (Optional)

Ethnicity (Optional)

Street Address (Optional)

Postal Code

City

State/Province

Email

Home Phone (Optional)



Mobile Phone

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Interests

- Policy Development
- Public Health
- Wind Technology
- Clean Transportation Solutions
- Grid Modernization
- Small Business
- Sustainable Development
- Agriculture
- Plastics Reduction
- Fossil Fuel Subsidies

Additional Information

Please tell us why you would like to attend Public Leadership Certificate program.

Please submit your bio here.



Are you a Military Veteran?

- Select -

Do you require scholarship assistance? (Optional)

- Yes, I will need financial assistance to support my enrollment in this program.
- No I do not need financial assistance. Please allocate scholarship funds to support others who need it the most.

Are you a current or former elected official? (Optional)

- Select -

Elected Officials to Protect America





FY 2023 Per Diem Rates for District of Columbia

Meals & Incidentals (M&IE) Breakdown

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & LastDay of Travel
District of Columbia	Washington DC (also the cities of Alexandria, Falls Church and Fairfax, and the counties of Arlington and Fairfax, in Virginia; and the counties of Montgomery and Prince George's in Maryland)	\$79	\$18	\$20	\$36	\$5	\$59.25

City of Brooklyn Park Request for Council Action

Agenda Item:	4.5	Meeting Date:	June 12, 2023
Agenda Section:	Consent	Originating Department:	Fire Department
Resolution:	N/A	Prepared By:	Daniel Krier, Fire Marshal
Ordinance:	N/A		
Attachments:	2	Presented By:	Shawn Conway, Interim Fire Chief and Daniel Krier
Item:	Authorize the Renewal of Inspection Contracts with the State Fire Marshal		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO AUTHORIZE THE BROOKLYN PARK FIRE DEPARTMENT TO RENEW AN OUTSOURCING AGREEMENT WITH THE MINNESOTA STATE FIRE MARSHAL FOR THE PURPOSE OF CONDUCTING ANNUAL INSPECTIONS OF THE CITY'S SCHOOLS AND HOTELS.

Overview:

For more than two decades, the City of Brooklyn Park Fire Department has inspected our local schools and hotels under a contractual agreement with the State Fire Marshal. Under the terms of the agreement, the city is paid to perform these inspections at a rate established by state statute.

Current statutory language regulating the fees for school inspections:

The State Fire Marshal shall charge school districts \$0.014 per square foot for each school building inspected. These rates shall include two follow-up inspections or on-site consultations. If additional follow-up inspections or consultations are needed, the state fire marshal shall charge \$0.005 per square foot for each additional follow-up inspection to each applicable building in which a follow-up inspection is needed.

Current statutory language regulating the fees for hotel inspections:

For each hotel required to have a fire inspection according to subdivision 1, the commissioner of public safety may charge each hotel a triennial inspection fee of \$435 and a per-room charge of \$5 for one to 18 units, \$6 for 19 to 35 units, \$7 for 36 to 100 units, and \$8 for 100 or more units. The fee includes one follow-up inspection. The commissioner shall charge each resort a triennial inspection fee of \$435 and a per room charge of \$5 for one to ten units, \$6 for 11 to 25 units, and \$7 for 26 or more units. The commissioner shall charge a fee of \$225 for each additional follow-up inspection for hotels and resorts, conducted in each three-year cycle that is necessary to bring the hotel or resort into compliance with State Fire Code.

The agreements allow for the city to bill at the statutory rates and to retain 100 percent of the billing; this revenue will cover the costs associated with the inspections.

The city renews its agreement with the State Fire Marshal every three years. This agenda item is to approve agreements covering the performance periods of January 16, 2023 – June 30, 2026, for hotels, and July 1, 2023 – June 30, 2026, for schools.

Primary Issues/Alternatives to Consider:

The Council could choose to allow the State Fire Marshal to conduct these inspections within the jurisdiction. If that were the case, the Fire Department's inspectors would be free from the responsibility. However, the Fire Department has established strong working relationships with the school districts and hotel operators over the years and these relationships are valuable for the Brooklyn Park Fire Department to maintain.

Budgetary/Fiscal Issues:

The agreement has consistently produced financial results where revenues cover the inspection-related costs.

Properties inspected under these agreements are charged only once during the three-year agreement period. Charges are spread across the three-year agreement period to provide steady revenue of approximately \$12,000/year.

Attachments:

- 4.5A HOTEL INSPECTION AGREEMENT
- 4.5B SCHOOL INSPECTION AGREEMENT



State of Minnesota Joint Powers Agreement Hotel Inspection

SWIFT Contract Number: 227777

This Agreement is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the State Fire Marshal division (“State”), and the City of Brooklyn Park, acting on behalf of the City of Brooklyn Park Fire Department 5700 85th Ave Brooklyn Park, MN 55443 (“Governmental Unit”). The State and Governmental Unit may be referred to jointly as “Parties.”

Recitals

WHEREAS, the State, under Minnesota Statutes §§ 471.59, subdivision 10, and 299F.46, subdivision 2, is empowered to enter into an agreement with any county, two or more contiguous counties, or city or other municipality to perform fire code inspections for hotels; and

WHEREAS, the Fire Chief of the Governmental Unit hereby agrees a representative of the city’s fire department will conduct all hotel inspections within the Governmental Unit’s jurisdiction in accordance with Minnesota Statutes § 299F.46 and to assure uniform enforcement throughout the State of Minnesota; and

WHEREAS, the Governmental Unit represents it is duly qualified and willing to perform the services set forth herein;

NOW, THEREFORE, it is agreed:

Agreement

1 Term of Agreement

- 1.1 Effective Date.** January 16, 2023, or the date the State obtains all required signatures under Minnesota Statutes § 16C.05, subdivision 2, whichever is later.
- 1.2 Expiration Date.** June 30, 2026, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 Agreement Between the Parties

- 2.1** All hotels within the Governmental Unit’s jurisdiction will be inspected by the Governmental Unit no less than once during this Agreement.
- 2.2** All hotels within the Governmental Unit’s jurisdiction will be inspected and enforced in accordance with the requirements of the Minnesota State Fire Code (“MSFC”) and MSFC interpretations of the State Fire Marshal. MSFC interpretations are available to the Governmental Unit on the State’s web page, <https://dps.mn.gov/divisions/sfm/fire-code/Pages/interpretations.aspx>.
- 2.3** All Governmental Unit inspectors employed for the purpose of this Agreement are required to:
 - 2.3.1** Obtain and maintain a “Fire Inspector 1” certification issued by the Minnesota Fire Service Certification Board or similar nationally-recognized certifying organization during the “Term of Agreement.”

- 2.3.2** Attend the State Fire Marshal Hotel Inspection training program prior to conducting hotel inspections and not less than once for every agreement period thereafter.
- 2.3.3** Attend the State Fire Marshal Code update training program following adoption of each new code.
- 2.4** The State Fire Marshal will provide the required and necessary training for the Governmental Unit's fire department personnel to conduct the hotel inspections with the exception of training for inspectors to pass the Fire Inspector Certification test.
- 2.5** Copies of the hotel inspection reports completed by the Governmental Unit, including required follow-up inspection reports, must be submitted to the State Fire Marshal within thirty (30) calendar days following any inspection. Submission of the reports by the Governmental Unit will be made in PDF format to the following State Fire Marshal electronic mailbox: fm.city.inspections@state.mn.us
- 2.6** Any variances to the fire code orders must be approved in writing by the State Fire Marshal.
- 2.7** Provide in writing/email to the State the names and credentials of Governmental Unit inspectors conducting inspections pursuant to this Agreement prior to conducting inspections.

3 Authorized Representatives

The State's Authorized Representative is the person below, or his/her successor:

Name: Ryan Whiting, Supervisor
Address: Department of Public Safety; State Fire Marshal
445 Minnesota Street, Suite 145
Saint Paul, MN 55101-5145
Telephone: 612.219.7125
Email Address: ryan.whiting@state.mn.us

The State's Authorized Representative shall have final authority for acceptance of the Governmental Unit's services and if such services are satisfactory.

The Governmental Unit's Authorized Representative is the person below or his/her successor:

Name: Shawn Conway, Interim Fire Chief, City of Brooklyn Park
Address: 5700 85th Ave
Brooklyn Park, MN 55443
Telephone: 763-493-8026
Email Address: Shawn.Conway@brooklynpark.org

4 Assignment, Amendments, Waiver, and Agreement Complete

- 4.1 Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement without the prior written consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.
- 4.2 Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 4.3 Waiver.** If the State fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- 4.4 Agreement Complete.** This Agreement contains all negotiations and agreements between the State and the Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

5 Liability

The State and Governmental Unit agree each party will be responsible for its own acts and behavior and the results thereof to the extent authorized by law and shall not be responsible or liable for the acts of any others and the results thereof. The State's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes Chapter 466, and other applicable law.

6 State Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

7 Government Data Practices

The State and Governmental Unit must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by the State under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the State.

If the Governmental Unit receives a request to release the data referred to in this Clause, the Governmental Unit must immediately notify the State. The State will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

8 Venue

Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

9 Termination

The State or the Governmental Unit may terminate this Agreement at any time, with or without cause, upon 30 days' written notice to the other party.

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

**APPROVED:
GOVERNMENTAL UNIT**

Governmental Unit certifies that the appropriate persons have executed this Agreement on behalf of the Governmental Unit as required by applicable articles, bylaws, resolutions, or ordinances.

BY: _____

TITLE: _____

DATE: _____

BY: _____

TITLE: _____

DATE: _____

BY: _____

TITLE: _____

DATE: _____

DEPARTMENT OF PUBLIC SAFETY; STATE FIRE MARSHAL

BY: _____
(with delegated authority)

TITLE: _____

DATE: _____

COMMISSIONER OF ADMINISTRATION
As delegated to the Office of State Procurement

BY: _____

DATE: _____

ADMIN ID Number: _____



State of Minnesota Joint Powers Agreement School Inspection

SWIFT Contract Number: 227803

This Agreement is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the State Fire Marshal (“State”), and the **City of Brooklyn Park**, acting on behalf of its City of Brooklyn Park Fire Department, **5700 85th Avenue North Brooklyn Park, MN 55443** (“Governmental Unit”). The State and Governmental Unit may be referred to jointly as “Parties.”

Recitals

WHEREAS, the State, under Minnesota Statutes § 471.59, subdivision 10, is empowered to engage assistance as deemed necessary; and

WHEREAS, the State, under Minnesota Statutes § 299F.47, subdivision 1, is required to develop a plan to inspect once every three years every public school facility used for educational purposes; and

WHEREAS, the Fire Chief of the Governmental Unit hereby agrees a representative of the Governmental Unit’s fire department will conduct all public school and charter school inspections within the Governmental Unit’s jurisdiction in accordance with Minnesota Statutes § 299F.47 and to assure uniform enforcement throughout the State of Minnesota; and

WHEREAS, the Governmental Unit represents it is duly qualified and willing to perform the services set forth herein;

NOW, THEREFORE, it is agreed:

Agreement

1 Term of Agreement

- 1.1 **Effective Date.** **July 1, 2023**, or the date the State obtains all required signatures under Minnesota Statutes § 16C.05, subdivision 2, whichever is later.
- 1.2 **Expiration Date.** **June 30, 2026**, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

2 Agreement Between the Parties

- 2.1 All public school facilities used for educational purposes and charter schools within the Governmental Unit’s jurisdiction will be inspected by the Governmental Unit no less than once during this Agreement.
- 2.2 All public school facilities and charter schools within the Governmental Unit’s jurisdiction will be inspected and enforced in accordance with the requirements of the Minnesota State Fire Code (“MSFC”) and MSFC Code interpretations of the State Fire Marshal. MSFC Code interpretations are available to the Governmental Unit on the State’s web page, <https://dps.mn.gov/divisions/sfm/fire-code/Pages/interpretations.aspx>.

- 2.3 All Governmental Unit inspectors employed for the purpose of this Agreement are required to successfully complete the State Fire Marshal's Fire Code update training, including public school code requirements, and are also required to sustain current knowledge of all State Fire Code requirements for public schools.
- 2.4 The State Fire Marshal will provide the required and necessary training for the Governmental Unit's fire department personnel contracting to conduct public school and charter school inspections.
- 2.5 Copies of the school inspection reports completed by the Governmental Unit must be submitted to the State Fire Marshal and the governing school board(s) within thirty (30) calendar days following inspection. Submission of the reports by the Governmental Unit will be made in PDF format to the following State Fire Marshal electronic mailbox:
fm.city.inspections@state.mn.us.
- 2.6 All variances to the fire code orders must be approved in writing by the State Fire Marshal.

3 Payment

The total obligation of the State to the Governmental Unit under this Agreement will not exceed **Zero Dollars (\$0.00)**.

4 Authorized Representatives

The State's Authorized Representative is the person below, or his/her successor:

Name: Forrest Williams
Address: Department of Public Safety; State Fire Marshal
445 Minnesota Street, Suite 145
Saint Paul, MN 55101-5145
Telephone: **651-769-7784**
Email Address: forrest.williams@state.mn.us

The State's Authorized Representative shall have final authority for acceptance of the Governmental Unit's services and if such services are satisfactory.

The Governmental Unit's Authorized Representative is the person below or his/her successor:

Name: Shawn Conway, Interim Fire Chief
Address: 5700 85th Avenue North
Brooklyn Park, MN 55443
Telephone: **(763) 493-8020**
Email Address: Shawn.Conway@brooklynpark.org

5 Assignment, Amendments, Waiver, and Agreement Complete

- 5.1 Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement without the prior written consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.
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6 Liability

The State and Governmental Unit agree each party will be responsible for its own acts and behavior and the results thereof to the extent authorized by law and shall not be responsible or liable for the acts of any others and the results thereof. The State's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes Chapter 466, and other applicable law.

7 State Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

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If the Governmental Unit receives a request to release the data referred to in this Clause, the Governmental Unit must immediately notify the State. The State will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

9 Venue

Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

10 Termination

The State or the Governmental Unit may terminate this Agreement at any time, with or without cause, upon 30 days' written notice to the other party.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

APPROVED:

GOVERNMENTAL UNIT

Governmental Unit certifies that the appropriate person(s) have executed this Agreement on behalf of the Governmental Unit as required by applicable articles, bylaws, resolutions, or ordinances.

BY: _____

TITLE: _____

DATE: _____

BY: _____

TITLE: _____

DATE: _____

BY: _____

TITLE: _____

DATE: _____

DEPARTMENT OF PUBLIC SAFETY; STATE FIRE MARSHAL

BY: _____
(with delegated authority)

TITLE: _____

DATE: _____

COMMISSIONER OF ADMINISTRATION
As delegated to the Office of State Procurement

BY: _____

DATE: _____

ADMIN ID NUMBER: _____

City of Brooklyn Park Request for Council Action

Agenda Item:	4.6	Meeting Date:	June 12, 2023
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	3	Presented By:	Devin Montero
Item:	Approval of Minutes		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK REGULAR CITY COUNCIL MEETING OF MARCH 27, 2023, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING OF APRIL 24, 2023, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MAY 15, 2023, AS PRESENTED BY THE CITY CLERK.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.6A CITY COUNCIL MEETING MINUTES, MARCH 27, 2023
- 4.6B RECONVENED BOARD OF APPEAL AND EQUALIZATION MINUTES, APRIL 24, 2023
- 4.6C SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 27, 2023

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, March 27, 2023
6:09 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER - Mayor Hollies Winston

PRESENT Mayor Hollies Winston; Council Members Christian Eriksen, Xp Lee, Nichole Klonowski, and Maria Tran; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Finance Director LaTonia Green; Operations and Maintenance Director Dan Ruiz; Recreation and Parks Director Brad Tullberg; Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: Council Member Boyd Morson (excused)

Mayor Winston opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated there was one comment at the last meeting. He stated the question was around the Sun Post newspaper and how much the city compensated for advertisements and got that answered that evening and no additional response was needed.

2B PUBLIC COMMENT

1. Collette Guyott Hempel, 9277 Trinity Gardens. She congratulated the Park Center High School boys' basketball team for placing 2nd place in the Class 4a tournament. She stated they had a tough year with a loss of a teammate by a ghost gun from last year's state champion team. She stated they realized the pain of violence far more than most adults could imagine. She stated Saturday's game showed integrity, sportsmanship, even though there was a brawl in the concourse and false statements about a gun and it being Park Center fans implied involvement by the media. She stated they had shown the character for the residents they could be proud of as a community.

She thanked Minnesota Acts Now, Bishop Harding Smith and Spike Moss for getting the Governor to double the budget request for public safety to include additional officers and more violence interruption prevention funds. She stated it was their integrity and data records along with the proven success toward making a difference. She stated Mr. Smith's building was not about a church, but a center to support young adults in the community that were no longer in school but desperately needing mentors and people to fill the gap of a family.

She stated the constitution referred to the separation of church and state to mean no one religion was in power like the church of England. She stated in 2010, the Catholic charities spent \$4.7 billion in the United States and of that \$2.9 billion came from federal grants to provide services to the poor and those in need. She stated people of faith had a tendency to donate their time, money and took lower salaries to serve others.

She stated some comments at the last council meeting were divisive and reflected personal attitudes toward people that did not reflect many residents' opinions toward the quality or work Minnesota Acts Now had meant to the community. She stated the community needed to unite and celebrate the diversity in cultures, races, genders, and ages together because that was how to strengthen the city. She stated people should know that the Brooklyn Park township was the first township in Hennepin County to give civil war veterans, whether they were white or African American, 40 acres for homestead. She stated there were many things that Minnesota, including Dred Scott were involved with to make a difference.

2. Steve Marsolek, 7800 Colfax Ave N. He stated the city manager owed him a response because he did not get one from his direct staff for the last 4 four months. He stated the question for him today, on November 2, 2022 at a meeting that was held and hosted by Jason Newby for the demo complaint portal process and public facing reporting, did Jason Newby or a member of the city staff at that meeting state that the program the city

was using was out of date and was not adequate to perform in a user friendly manner. He stated that was a simple straight forward yes or no. Did Jason and the city staff did or did not say that statement. He stated the city manager did promise a response to that and he had that email. He stated for people who filed complaints against the city one might expect to get a letter such as this: (Mr. Marsolek read the letter he got)

"While we recognize your passion and commitment to create a more livable community and with strict adherence to the city codes, we are concerned that your communications toward city staff and approach toward reporting and residential and business code violations could be regarded as harassment. Recognizing that we have limited staff resources and health code correction work, we see a need to prioritize that work on the code violations" (He skipped a portion of the letter), "for the next 60 days while city staff and council review these policies, city staff members have been instructed to stop responding to your direct emails, however, after that 60 day review is completed, should your emails continue their unprofessional, disparaging tone, and unfounded allegations, we will continue to ask staff to no longer responding."

He stated the mayor had refused to answer and follow up on formal complaints filed with him per the city guidelines regarding the dereliction of duty of the city manager. He stated he had 5 separate requests for response to the complaint and failed to provide one single response. He stated with the actions listed in the letter to him, he had taken the approach of sending the mayor the same direct questions the city manager was asked. He stated to date, he had not received responses. He stated this afternoon, he filed a formal complaint with the city manager, and the city attorney, against Mr. Hollies Winston, city mayor, for dereliction of duty, for not following or adhering to established procedures for reporting and addressing possible code of conduct violations. He stated if the mayor and city council attempt to try and paint a picture of him other than that of a concern resident of the city for over 40 years who was attempting to hold the elected officials along with the city manager and staff accountable for upholding the codes, that was harassment and discrimination, against the resident.

3. Renee Brustad, 8325 67th Ave N. She stated there had been an ongoing feral cat issue she had been dealing with for a year. She stated everyone was aware of it, the council, and the clerk as well. She stated previously there was comment when the media had interviewed the city and said by mid-2023 the city would resolve the issue. She stated it was two months from that and wondering what was going to happen in the next few months to resolve the issue. She stated she had sent emails too and had not gotten responses.

3A. MOTION ERIKSEN, SECOND KLONOWSKI TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK WITH REMOVAL OF ITEM 6.2. MOTION PASSED UNANIMOUSLY.

3B PUBLIC PRESENTATIONS/ PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Proclamation Declaring March 30, 2023, as "Marlene Kryder Day" in the City of Brooklyn Park.

City Manager Stroebel briefed the council and presented Marlene with a paver.

Mayor Winston read the proclamation proclaiming March 30, 2023, to be observed as "Marlene Kryder Day" in the City of Brooklyn Park.

3B2 Update on the Highway 252 / I-94 Environmental Impact Statement; CIP 4050-19

Mark Lundeberg and Aaron Tag, MnDOT and Justin Sebens, SRF Consulting Group, Inc. gave an update on Highway 252.

Council Member Lee asked if they had determined where the in person open house would be.

Mr. Lundeberg stated at the Discover Church, 1400 81st Avenue North.

Council Member Lee suggested another organization, Asian American Family Wellness located in Brooklyn Center, close to Shingle Creek, and on the border of Brooklyn Park. He stated they had a great audience, if they could work with them to hold something at their new location as they had some great space that would be beneficial for community engagement purposes.

Mr. Lundeberg stated they would work with him, if that was appropriate, and see what they could do about that.

Council member Lee stated there was a question he had about the preliminary safety work. On the first bullet point, said, "to remove the free right turn in southwest corner of Highway 252/66th Avenue," he asked if the east bound on 66th Avenue making the right turn to highway 252 south, was going to be removed.

Mr. Lundeberg stated it was modified. They would be removing the free right, was still going to be able to make the right-hand turn. Would remove that slip ramp, bring the cars over to the crossing, make them stop. He stated it was better for the pedestrians, the crossing and traffic.

Council Member Lee asked if they were getting rid of the island.

Mr. Lundeberg stated as far as what he understood and heard, with that removal, they were getting rid of the island and pavement.

Council Member Lee stated he appreciated the signal ahead pavement markings northbound on highway 252 for the 66th Avenue signal. He stated it would help a lot too for cars getting into the overpass and through there.

Mayor Winston stated the council heard a lot where people being concerned about some of the displacement, especially around 85th Avenue and around some of the homes on the outer edges. He stated that maybe they had not gotten far in the process to really understand what that would look like. He stated he would want to hear what that process would look like in terms of considering that and didn't mean the project did need to go forward but just to help people to better understand how it was going to affect how the city looked like and potentially some of those businesses and homes.

Mr. Lundeberg stated with the scoping process, they were at the fifty-thousand-foot level or higher and didn't have anything exact. He stated they had a thick marker on a thin map and drew some lines. He stated that every step of process, especially as they got into the DEIS and they start going through their steps there narrowing down the project. He stated as they got to the preferred alternative and 85th Avenue as an example, they would talk about the access types that existed there, whether it was at grade, closure or an interchange. He stated once that determination was made then they started to look at that design and right of way limits started to come into play. He stated that based on grades and typography once they established that, then they would go at a finer look at each of the impacts to see if there were properties that they were touching and find a way to not touch or to certainly minimize the amounts that they were touching. He stated he always liked to use an example, that if they were clipping a corner and taking 5 square feet of a property, there was no reason they were going to do that. He stated they were going to find a way to move it, so they were not taking 5 square feet from a parcel. He stated they would certainly get into those details, and they were not there now or not there today. He stated as they moved forward, the rest of 2023 most likely in 2024 and 2025 before they were getting into a much more detailed level to be looking at that information.

Mayor Winston thanked them for coming out and making a presentation.

Council Member Lee stated he wanted to emphasize to the residents, even if they were not on the east side, to go and look at the information on the website and submit their comments and thoughts. He stated a lot of them did travel on Highway 252, they had a lot of family or friends that traveled on Highway 252. He encouraged the residents to share their thoughts with them with the council during the public comment period and was only the next 60 days.

Syed Husain, Planning Commission Chair, presented the 2022 Annual Report and 2023 Work Plan.

3B3 MOTION ERIKSEN, SECOND KLONOWSKI TO ACCEPT THE PLANNING COMMISSION 2022 ANNUAL REPORT AND 2023 WORK PLAN. MOTION PASSED UNANIMOUSLY.

3B4 Budget Advisory Commission 2023 Workplan

Teshite Wako, Budget Advisory Commission Chair and Akeem Adeniji, Budget Advisory Commission Vice Chair, presented the Budget Advisory Commission annual report and 2023 Workplan

3B4 MOTION TRAN, SECOND ERIKSEN TO ACCEPT THE BUDGET ADVISORY COMMISSION 2023 WORKPLAN. MOTION PASSED UNANIMOUSLY.

3B5 Mayor's Proclamation Declaring May 6, 2023 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park.

Mayor Winton proclaimed May 6, 2023, as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park.

3B6 Applicant Interviews for Brooklyn Park Development Corporation Open Board Of Director Seats

Mayor Winston and council members interviewed applicants for Brooklyn Park Development Corporation Open Board of Director Seats.

4.0 MOTION KLONOWSKI, SECOND LEE TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEM:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-36 APPROVING THE CITY OF BROOKLYN PARK TO PARTICIPATE IN AND ACCEPT OPIOID SETTLEMENT PAYMENTS FROM PHARMACEUTICAL DISTRIBUTORS AND OPIOID MANUFACTURERS AS PART OF THE NATIONAL OPIOID SETTLEMENTS UNDER PROVISIONS OF THE AMENDED MINNESOTA OPIOIDS STATE-SUBDIVISION MEMORANDUM OF AGREEMENT.

4.2, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-37 APPROVING MNDOT CONTRACT NO. 1052122 APPOINTING THE COMMISSIONER OF TRANSPORTATION AS AGENT OF THE CITY OF BROOKLYN PARK TO ACCEPT FEDERAL AID FUNDS WHICH MAY BECOME AVAILABLE FOR ELIGIBLE TRANSPORTATION RELATED PROJECTS.

4.3 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-38 AUTHORIZING STAFF TO ENTER INTO A REPAIR CONTRACT WITH UPPER MIDWEST ATHLETIC CONSTRUCTION FOR THE REPLACEMENT OF STORM DAMAGED SAFETY NETTING AT NORTHWOODS PARK, WITH FUNDING BEING PROVIDED BY AN AMENDMENT TO THE 2023 LOSS CONTROL INTERNAL SERVICE FUND BUDGET.

4.4 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-39 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO PROFESSIONAL SERVICE AGREEMENT WITH DESIGN BY MELO IN THE AMOUNT OF \$165,000 TO PROVIDE PRE-DESIGN AND DESIGN DEVELOPMENT FOR YOUTH AND TEEN RECREATION CENTER.

4.5 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-40 TO AUTHORIZE APPLICATION FOR GRANT FUNDING THROUGH THE HENNEPIN YOUTH SPORTS PLAYGROUND GRANT
BROOKLYN PARK REGULAR COUNCIL MEETING; MARCH 27, 2023...Page 5

PROGRAM.

4.6 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-41 AMENDING RESOLUTION #2022-113 APPROVING PRELIMINARY PLAT FOR "TESSMAN RIDGE" SUBDIVIDING 6.16 ACRES INTO THREE LOTS AND ONE OUTLOT AT 6900 85TH AVENUE NORTH, SUBJECT TO CONDITIONS CONTAINED IN THE RESOLUTION.

4.6 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-42 APPROVING A FINAL PLAT FOR "TESSMAN RIDGE" SUBDIVIDING 6.16 ACRES INTO THREE LOTS AND ONE OUTLOT AT 6900 85TH AVENUE NORTH, SUBJECT TO CONDITIONS CONTAINED IN THE RESOLUTION.

4.6 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-43 AMENDING RESOLUTION #2022-114 APPROVING A SITE PLAN REVIEW AND VARIANCE FOR A 75-UNIT MULTIPLE FAMILY DWELLING AT 6900 85TH AVENUE NORTH, SUBJECT TO CONDITIONS CONTAINED IN THE RESOLUTION.

4.7 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-44 TO AUTHORIZE PARTICIPATION IN A GRANT PROGRAM WITH THE METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES (MCES) FOR REDUCTION OF SANITARY SEWER INFLOW AND INFILTRATION.

4.8 FOR A RELEASE OF THE PERFORMANCE BONDS #82C235037 (\$1,355,00.00) AND 82C235038 (\$735,700.00) BY LIBERTY MUTUAL, FOR SUBSTANTIAL COMPLETION OF THE ONSITE IMPROVEMENTS OF THE "NORTHPARK V AND VI" PROJECT #21-101 LOCATED AT 10501 WINNETKA AVE N FOR SCANNELL PROPERTIES #377, LLC.

4.8 FOR A RELEASE OF THE PERFORMANCE BOND #1117 (\$32,500.00) BY WESTERN BANK, RELEASE OF THE ENGINEERING ESCROW (\$945.92), FOR SUBSTANTIAL COMPLETION OF THE ONSITE IMPROVEMENTS OF THE "EXCELL ACADEMY ADDITION" PROJECT #20-102 LOCATED AT 6510 ZANE AVE N FOR FRIENDS OF EXCELL ACADEMY.

4.8 TO RELEASE PERFORMANCE BOND #30127241 (\$895,800.00) BY WESTERN SURETY COMPANY, RELEASE THE DEVELOPERS BOND (\$27,909.00), AND RELEASE THE CASH BOND (\$47,100) FOR SATISFACTORY COMPLETION OF THE "RASMUSSEN UNIVERSITY" PROJECT #21-107 LOCATED AT 5555 96TH AVE N FOR THE OPUS GROUP.

4.9 TO APPROVE A TOBACCO LICENSE FOR NOBLE GAS INC. DBA NOBLE MOBIL, LOCATED AT 9500 NOBLE PARKWAY NORTH, BROOKLYN PARK, MN 55443.

4.10 TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE CHURCH OF ST VINCENT DE PAUL FOR THEIR AUCTION FOR EDUCATION TO BE HELD APRIL 22, 2023, AT 9100 93RD AVENUE NORTH.

4.11 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-45 APPROVING AMENDMENTS TO THE AMENDED AND RESTATED HEALTHCARE FACILITIES REVENUE NOTE (OXBOW LAKE CARE CENTER, LLC PROJECT), SERIES 2011A, SENIOR HOUSING REVENUE REFUNDING NOTE (OXBOW LAKE CARE CENTER, LLC PROJECT), SERIES 2015A AND SENIOR HOUSING REVENUE REFUNDING NOTE (OXBOW LAKE CARE CENTER, LLC PROJECT), SERIES 2015B; AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ALLONGE TO EACH OF THE SERIES 2011A, 2015A, AND 2015B NOTES.

4.12 TO WAIVE THE READING AND ADOPT RESOLUTION #2023-46 APPROVING SERVICES AGREEMENT WITH MINNEAPOLIS NORTHWEST TOURISM BOARD.

BROOKLYN PARK REGULAR COUNCIL MEETING; MARCH 27, 2023...Page 6

MOTION PASSED UNANIMOUSLY.

5. PUBLIC HEARINGS

5.1 Resolution Approving a Modification to the Development Program for Development District No. 1, Establishing Tax Increment Financing District No. 1-28 (a Housing District) Therein and Approving a Tax Increment Financing Plan Therefor.

Sarah Abe, Development Project Coordinator, briefed the council on the Modification to the Development Program for Development District No. 1, Establishing Tax Increment Financing District No. 1-28 (a Housing District) and approving a Tax Increment Financing Plan.

Mayor Winston opened the public hearing to consider the Modification to the Development Program for Development District No. 1, Establishing Tax Increment Financing District No. 1-28 (a Housing District) and approving a Tax Increment Financing Plan.

The following individuals addressed the council-None.

Mayor Winston closed the public hearing and returned the item back to the table for consideration.

5.1 MOTION ERIKSEN, SECOND LEE TO WAIVE THE READING AND ADOPT RESOLUTION #2023-47 APPROVING A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 1, ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 1-28 (A HOUSING DISTRICT) THEREIN AND APPROVING A TAX INCREMENT FINANCING PLAN THEREFOR. MOTION PASSED UNANIMOUSLY.

6. LAND USE ACTIONS

6.1 Pickle in the Middle – Conditional Use Permit #23-103 for a Commercial Indoor Recreational Facility Over 2,450 Square Feet at 7700 68th Avenue

Paul Mogush, Planning Director, briefed the council on the Conditional Use Permit #23-103 for a Commercial Indoor Recreational Facility Over 2,450 Square Feet at 7700 68th Avenue.

6.1 MOTION ERIKSEN, SECOND KLONOWSKI TO WAIVE THE READING AND ADOPT RESOLUTION #2023-48 APPROVING A CONDITIONAL USE PERMIT FOR A COMMERCIAL INDOOR RECREATIONAL FACILITY OVER 2,450 SQUARE FEET AT 7700 68TH AVENUE NORTH. MOTION PASSED UNANIMOUSLY.

6.2 (REMOVED)

6.3 Interim Ordinance Establishing a Six-Month Moratorium on Development of Property Located North of 93rd Avenue and West of Regent Avenue and Directing that a Planning Study be Conducted.

Paul Mogush, Planning Director, briefed the council on the Interim Ordinance Establishing a Six-Month Moratorium on Development of Property Located North of 93rd Avenue and West of Regent Avenue and Directing that a Planning Study be Conducted.

6.3 MOTION ERIKSEN, SECOND TRAN TO WAIVE THE READING AND ADOPT ON SECOND READING INTERIM ORDINANCE #2023-1287 ESTABLISHING A SIX-MONTH MORATORIUM ON DEVELOPMENT OF PROPERTY LOCATED NORTH OF 93RD AVENUE AND WEST OF REGENT AVENUE AND DIRECTING THAT A PLANNING STUDY BE CONDUCTED. MOTION PASSED UNANIMOUSLY.

7. GENERAL ACTION ITEMS

BROOKLYN PARK REGULAR COUNCIL MEETING; MARCH 27, 2023...Page 7

7.1 Authorize Up To \$3,517,865 In Project Expenditures for The Construction of The West Unit of Mississippi Gateway Regional Park.

Brad Tullberg, Director of Recreation and Parks, briefed the council on the Project Expenditures for The Construction of The West Unit of Mississippi Gateway Regional Park.

7.1 MOTION LEE, SECOND ERIKSEN TO WAIVE THE READING AND ADOPT RESOLUTION #2023-49 TO AUTHORIZE UP TO \$3,517,865 IN PROJECT EXPENDITURES FOR THE CONSTRUCTION OF THE WEST UNIT OF MISSISSIPPI GATEWAY REGIONAL PARK. MOTION PASSED UNANIMOUSLY.

8. DISCUSSION ITEMS

8.1 Brooklyn Park Reimagining Public Safety

Mark Bruley, Police Chief and Brad Tullberg, Recreation and Parks Director briefed the council on the Brooklyn Park Reimagining Public Safety Plan.

Mayor Winston stated they had the strategy of growing our own when it came to diversifying the department or just having active officers. He wanted to know why it was successful and if there were any barriers the council could help with or barriers, they were encountering in terms of the program growing our own.

Police Chief Bruley stated they took CSO program, abolished and created a cadet program with the idea they were going to have the cadets doing community service type work, unlocking car doors, assisting officers, towing vehicles. He stated then they would offer those part time position cadets to pay for their education, send to law enforcement school and when completed they would be moved into their academy and then moved into police officer positions. He stated it was intended to diversify the department. He stated they marketed and targeted those nontraditional candidates to law enforcement. He stated they spent the first 7 years lumbering along and did not have success in attracting the talent they were looking for. He stated the tide had turned and now had a lot of very diverse candidates that looked at it and got hired. He stated it had been successful over the last 3 to 4 years. He stated the most successful was using the mentorship model, assigning the cadets as they came into a police officer as a mentor. He stated they would ride with the officer, building relationships, acclimating them to law enforcement, the work and what it looked like. He stated the officer also helped them through school, talking about their life, managing their jobs, their education process and helped them with the schoolwork and as very successful.

He stated he sees it as the future of hiring police officers. He stated the current process that closed today or tomorrow, they had 5 people put in for the police officers' job and currently had 10 openings for police officers and had 5 applicants. He stated that the model was not going to be sustainable. He stated the cadets who would be joining their academy in July didn't know if they would be able to keep up with tradition if they didn't start to grow our own and more resources in keeping more cadets and hiring more cadets.

Mayor Winston asked for an update to the council in a few weeks on how the council could help to make sure they had that pipeline and keep that momentum going. He stated the more they could grow within specific cultures, the better it was for the city in terms of not having to waste a lot of time retraining people in how we do things in the city.

He stated he knew about plans for a youth infrastructure especially below 85th and on tonight's Consent agenda, there was a Design by Melo and they would be looking into the cost of creating youth infrastructure and asked about the plans for that so the residents would have a better understanding.

Recreation and Parks Director Tullberg stated Design by Melo would be evaluating a new teen recreation center for additional space for teen recreation. He stated it would be at the Zanewood Recreation Center, either a renovation or new construction or combination of the two and those were the first steps. He stated the
BROOKLYN PARK REGULAR COUNCIL MEETING; MARCH 27, 2023...Page 8

Community Engagement division would be working with the community, council, recreation and parks commissions and the young people who used the recreation center to find out what the need is for the additional space.

Council Member Lee stated the general calendar on the website had mostly commission meetings, Toastmasters, and other events. He stated in April, there was the Conversation on Race event and listening to what park and recreation and community engagement events with the police department, had to do a better job of putting those events on the calendar. He stated that was the go-to calendar for people and if they don't see it then they would go to the Rec and Parks webpage or go Facebook. He stated the calendar needed to be kept busy with events and not mostly commission meetings.

He stated his comment was for community development. He had meetings with organizations on existing red lining policies that were still affecting the city, whether it was financial institutions, businesses, or real estate. He suggested putting some focus on that to continue that work and make sure the city was cleared of any of it might still exist and not currently being practiced but if it was still in the books, it could be a loop hole for people to use.

He stated on the Violence prevention manager title, that it didn't because the person would do more than that and asked if they could modify it.

City Manager Stroebel stated that was the actual title and might have an option to have HR name in terms of some of the administrative pieces and thought it was the appropriate name for the relative work being done.

Council Member Lee stated it was reinforcing the fact there was violence in the city and needed to reframe it was not just public safety. He stated there were other crimes than violent crimes, such as mental health and youth. He stated it was the system's position to coordinate all that public safety work.

He stated the repeat offenders was a big issue with the previous county attorney and asked if the police chief had an opportunity to sit down with new county attorney Moriarty.

Police Chief Bruley stated he had met with the county attorney along with other police chiefs prior to her election and met again with the group on her philosophies and the way she would set up her office. Her staff said she wanted to set up quarterly meetings with different area chiefs.

Mayor Winston stated they had something set up with meetings with her office and more around the juvenile's aspect of it. He stated part of the issue police chief Bruley had made clear, especially for juveniles, for those who were repeat offending and some of the offenses were more egregious than others, there was not always a location to put them because some of the locations they had were taken down in the past because they were offending in their own way and not rehabilitating youth.

His understanding from talking to the Hennepin County attorney's office they were interested in establishing something with best practices and was figuring out the will of the County to do that. He stated the county had expressed interest but needed to make sure that interest turned into actual facilities that were addressing the larger issues.

He stated at the state capitol there were differing streams of legislation and trying to work that out. He stated one level of people were putting together some dollars and asking for a study; around juvenile facilities and what that should look like. He stated that the study would run for 10 to 11 months and would come up with their suggestions in February. He stated there was other legislation that Ramsey County has put forward for those facilities but nothing from the Hennepin County side. He stated in that same bill there was some language around violence interruption and getting upstream of children dealing with truancy and other issues.

He asked the residents to follow some of the legislation coming down from the state and let the Governor other
BROOKLYN PARK REGULAR COUNCIL MEETING; MARCH 27, 2023...Page 9

legislators knew their concerns because there were opportunities to get funding to establish best practice facilities to deal with some of the issues the city was seeing with juveniles.

Council Member Lee stated he hoped the police chief would continue to communicate and engage with MN Acts Now to continue to glean from them and maybe be part of the advisory group on their experiences they

learned previously would be valuable.

He stated he mentioned geography based on policing and was not sure if it was ready or they were looking at integrating it. He stated it was an approach of looking at certain geographies, for example, Detroit, they all knew buildings that were worn down or torn down and create an environment for crime, those types of things. He stated there were groups looking at those types of geographies, like the city parks could use more lighting in certain areas or on streets to help deter crime.

Police Chief Bruley stated it was like CPTED, Crime Prevention Through Environmental design, and was looking at a lot of different factors, such as the design of the buildings, light of the building, the area. He stated the did that and did premise surveys. He stated they continuously did that on their own buildings and do CPTED reporting. He stated he had specialist trained, crime prevention officers were trained in CPTED analysis and attended certification trainings and would go out to the buildings and talk about the weak points and strong points, where there are opportunities for more lighting, what doors should be locked if the buildings were vacant. He stated every burglary that happened in the city they give that person a letter and offer them the opportunity to have one done on their home. He stated they had a standing practice that anyone calls and asked for one they would get them on the list and get a CPTED evaluation, either home or business. He stated he would send information on CPTED to the council.

Mayor Winston asked about the Art program and knew people were comparing it to cope and were some differences. He asked the police chief to speak about those differences.

Chief Bruley stated art, was Alternative Response Team, and stemmed from an art team that developed in Denver CO. He stated they did it around a homeless problem and created that team that involved a social worker and paramedic and would triage for mental illness, would care and overdoses; We sent a team with the county to look at that program; really liked it but also see how it matched, not necessarily with the homeless problem but matched up well with their group home issues the community was having. He stated that research, developed with Hennepin County, dispatch to come up with criteria to be able to dispatch the group, a social worker and paramedic on their own vehicles. How does this match up with COPE, was a social worker line where peopled could call, they would respond out to their homes but did not always respond to their homes. He stated a lot of times it was for someone that was depressed and feeling suicidal and help triage opportunities to go to a hospital, get resources or talk to them. He stated what they didn't do, they didn't respond if there were mentions of weapons, mention of a crime, or any type of hostility. He stated they had a 24-hour line they answered.

He stated the Alternative Response Team was stationed out of the police department and did not ride with a police officer but on the same police radio. At times will get a call from dispatch that doesn't involve the police. The officer will hear them go to a call but would be a situation clearly not a crime or any type of hostility or safety concern. He stated a lot of times there is safety concerns and maybe obtained some type of weapon and felt suicidal or committed some sort of assault and having some mental issues. The police officers would respond, and a lot of times the officer's presence would deescalate the situation, take away any weapons, calm the person down and bring in the Alternative Response Team in, second later and not hours later when it is determined to be safe. He stated they brought in a lot of tools and resources that the police officers don't have available to them.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Klonowski stated the council recognized Arbor Day and didn't do anything for Women's
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History Month and acknowledging the month of March. She stated Friday, March 8, 2024, was Women's International day.

Council Member Lee stated there was the Highway 252/94 comment period and if all council members could help spread the word about the comment period. He stated there was a tool kit they got from the Metropolitan Council and had put it out over the next few weeks. He stated it showed the distinction between the 4 lane and

6 lane options, the types of intersections being available, and the 5 or 6 combinations would have an impact on the environment, traffic and properties. He stated there was a lot of information to focus on and best serve the residents.

He stated it was Ramadan Mubarak for the residents of Islamic faith and there would be some events over the next few weeks.

Council Member Tran suggested the Highway 252 project public comment period be put in in the Park Pages for the public to get involved.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Strobel congratulated the Park Center High School Boys basketball team as they came second place in the state tournament.

He stated there were a lot of concerns about the mail delivery and City Clerk Montero for a second time had gone over to the post office, 6 months ago and today and spoke with the supervisor who was there and they were dealing with staffing issues. City Manager Stroebel stated the level of service was not satisfactory and gave. He gave a phone number to the council members to call if they got calls from the residents with concerns and having mail issues.

Mayor Winston stated he would also discuss the post office concerns with Congressman Phillips. He also said it was Ramadan Mubarak and the Park Center basketball team, the city was proud of them and thanked them for bringing that pride to the city.

10. ADJOURNMENT

10.1 MOTION WINSTON, SECOND KLONOWSKI TO ADJOURN THIS MEETING OF THE BROOKLYN PARK CITY COUNCIL IN RECOGNITION OF AND RESPECT FOR THE LIFE AND CONTRIBUTIONS OF PATRICK DESBONNET AND RESPECTFULLY ASK THE SUPPORT OF FELLOW COUNCIL MEMBERS.

PATRICK SERVED AS AN ELECTION JUDGE, HEAD JUDGE AND ABSENTEE VOTING JUDGE FOR MANY ELECTIONS FOR THE CITY. HE WAS VERY DEDICATED AND PROUDLY SERVED THE CITY OF BROOKLYN PARK COMMUNITY. HIS CONTRIBUTIONS TOUCHED MANY LIVES THROUGHOUT THE CITY AND THE SURROUNDING COMMUNITIES.

I FURTHER REQUEST THE MOTION BE MADE A PART OF THE PERMANENT RECORDS OF THIS BODY AND THAT A LETTER BEARING THE CITY SEAL AND THE SIGNATURE OF THE MAYOR BE SENT TO THE FAMILY ADVISING THEM OF THIS ACTION.

MOTION PASSED UNANIMOUSLY.

ADJOURNMENT - With consensus of the Council, Mayor Winston adjourned the meeting at 9:01 p.m.

HOLLIES WINSTON, MAYOR

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DEVIN MONTERO, CITY CLERK

RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING

Monday, April 24, 2023
6:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Chair Hollies Winston

PRESENT: Chair Hollies Winston, Board Members Christian Eriksen, Xp Lee, Maria Tran, Nichole Klonowski; City Manager Jay Stroebel; Finance Director LaTonia Green; City Assessor Tracy Bauer-Anderson; County Assessor Janene Hebert and City Clerk Devin Montero

ABSENT: Board Member Boyd Morson (excused)

B. ASSESSORS REPORT

Chair Winston stated the Board Members were given an assessors recommendation book to review. He stated the purpose of tonight's meeting was to discuss those recommendations and also give those that have appealed to address the Board again.

C. PUBLIC PRESENTATIONS

C.1 Appeals received between April 10, 2023 and April 19, 2023

Chair Winston stated on April 10, 2023 the Local Board of Appeal and Equalization meeting was held and Thirty owners contested their valuations. She stated the property owners who contested their valuation could readdress the Board.

The following individuals addressed the Board:

1. Bill Feist, 8878 Zealand Avenue North. Stated he purchased the property for \$542,000. The value conclusion on the property was not worth what the assessor came to at \$725,000. Stated since 2018, the valuation had increased to 81%. Stated he needed to do upgrades to the property at \$236,000 and asking the value dropped to \$542,000. He stated no improvements had been made to the property.

2. Robin Koser, LA Property Management, representing an appeal for the property owners at 4600 85th Avenue, Stated the strip mall was central to a lot of people in the neighborhood. It was assessed at \$3.398 million which was a huge increase. Stated they valued a property that just sold at 84th/Broadway, valued at \$73 per square foot and if they were to raise their price to \$80 square foot, in the price valuation; that would put them at \$2,500,090. She stated they would have an evaluation and the property was central and had a nail salon, papa johns, an adult daycare and a small childcare facility. She stated there were things everyone needed, the parking lots this year and the concrete was also an upgrade they would like to take care of and the roof. She stated with those considerations they would not have money to do those upgrades. She stated their concerns, especially with some of the tenants they had, was that they were able to make those improvements to the property. She stated they wanted the safety not just for the tenants but of the people that came to see them.

C.2 Appeals received between the Local Board and Reconvened Meeting.

City Assessor Bauer-Anderson stated Assessor's office continued to receive requests for appeals. The property owners who contested their valuation between April 19, 2023, and April 24, 2023 could also address the Board.

The following individuals addressed the Board-None.

D. BOARD ACTION

D.1 City Assessors Valuation Recommendation

RECONVENED BOARD OF APPEAL AND EQUALIZATION MEETING; MARCH 27, 2023...Page 2

City Assessor Bauer-Anderson briefed stated on April 10, 2023, the Local Board of Appeal and Equalization meeting was held and twenty-five owners contested their valuations. An additional 9 appeals were received between the Local Board and April 19, 2023. She stated those had been reviewed and recommendations were included in the Assessor's Recommendation Booklet. She stated of the total appeals (34), 15 appeals had not been resolved, 14 appeals had reached agreements (see Item D.2), and 5 appeals were withdrawn.

She presented the Board with value recommendations on the properties which were reviewed, and no agreements were reached and read them into the record.

1. 8878 Zealand Avenue North, valued at \$664,700 and recommended no change.
2. 9749 Thomas Avenue North, valued at \$307,000 and recommended no change.
3. 3927 Globeflower Circle North, valued at \$327,800 and recommended no change.
4. 6409 88th Avenue North, valued at \$344,700 and recommended no change.
5. 7200 90th Avenue North, valued at \$338,000 and recommended no change.
6. 10460 Vera Cruz Drive North, valued at \$546,000 and recommended no change.
7. 8501 Wyoming Avenue North, valued at \$1,185,900 and recommended no change.
8. 9401 Zane Avenue North, valued at \$14,231,600 and recommended no change.
9. 7601 Zane Avenue North, valued at \$9,948,600 and recommended no change.
10. 4700 Oxborough Gardens North, valued at \$414,300 and recommended no change.
11. 4600 85th Avenue North, valued at \$3,398,000 and recommended no change.
12. 7924 Mississippi Lane North, valued at \$398,400 and recommended no change.
13. 3100 Brookdale Drive North, valued at \$1,132,400 and recommended no change.
14. 10335 Orchard Trail North, valued at \$561,000 and recommended no change.
15. 7701 Zealand Avenue North, valued at \$120,000 and recommended no change.

Board Member Lee stated he wanted to help local businesses who were struggling and coming out of COVID and wanted to make an improvement to the community. He stated for the Feist Towing on Zealand and Creekside Plaza, stated they came and spoke to the Board and suggested lowering 8878 Zealand Avenue North to \$600,000 and Creekside Plaza, 4600 85th Avenue North to \$3,000,000.

Chair Winston stated he was not opposed to it and asked what effect it would have on property taxes and the actual taxes paid if they lowered the valuations.

City Assessor Bauer-Anderson stated it was important to base it on fact. She stated they based it on the market to create a uniform assessment for all. She stated if not use the market and evidence, it could create inequity.

City Attorney Thomson suggested getting the motion on the table and if accepted, they could change them line by line than adopting different motions.

D.1 MOTION ERIKSEN, SECOND LEE TO ACCEPT THE CITY ASSESSOR'S VALUATION RECOMMENDATIONS WITH THE EXCEPTION OF APPEAL #1 AND APPEAL #16. THE MOTION PASSED UNANIMOUSLY.

D.1 MOTION ERIKSEN, SECOND LEE TO MODIFY APPEAL #1, FOR 8878 ZEALAND AVENUE NORTH TO \$600,000 AND APPEAL #16. 4600 85TH AVENUE NORTH TO \$3,000,000. THE MOTION PASSED. (4 TO 1) KLONOWSKI VOTED NO.

D.2 Approval Of Valuation Agreements Between April 10, 2023 And April 24, 2023.

Chair Winston stated the properties were valuation agreements between April 10 April 19, 2022. She stated they inspected the property and reached an agreement with the property owners. She stated the council was

able to read the properties all at once for one vote. She read the list to the Board by PID#, Original Value and Assessor's Recommendation.

PID #	Total Original Value	Total Assessor's Recommendation
07-119-21-44-0010	14,612,600	13,000,000
30-119-21-32-0011	6,211,400	6,000,000
28-119-21-21-0101	1,287,300	1,150,000
16-119-21-24-0067	347,900	340,000
16-119-21-24-0066	401,200	384,500
25-119-21-11-0069	594,200	555,000
11-119-21-42-0053	271,600	255,000
14-119-21-34-0022	442,800	420,000
29-119-21-24-0123	336,100	314,000
14-119-21-24-0054	652,400	608,000
31-119-21-13-0070	309,200	297,000
08-119-21-11-0029	542,400	443,400
14-119-21-34-0106	544,200	502,400
18-119-21-44-0019	10,173,600	9,000,000

D.2 MOTION ERIKSEN, SECOND KLONOWSKI TO APPROVE THE VALUATION AGREEMENTS BETWEEN APRIL 10, 2023, AND APRIL 24, 2023. MOTION PASSED UNANIMOUSLY.

D.3 Approval Of Additional Appeals Received Between April 19, 2023 And April 24, 2023.

City Assessor Bauer-Anderson read into the record the following additional appeals received between April 19 and April 24, 2023. She stated they could proceed to the County Board of Appeal and Equalization.

1. 8570 Aspen Lane North, valued at \$10,988,800 and recommended no change.

E. ADJOURNMENT

At 6:52 p.m., Chair Winston adjourned the Reconvened Board of Appeal and Equalization meeting.

HOLLIES WINSTON, CHAIR

DEVIN MONTERO, CITY CLERK

SPECIAL BROOKLYN PARK CITY COUNCIL MEETING

Monday, May 15, 2023
6:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Hollies Winston

PRESENT Mayor Hollies Winston; Council Members Xp Lee, Christian Eriksen, and Nicole Klonowski; City Manager Jay Stroebel; City Attorney Jim Thomson; Deputy Police Chief Bill Barritt and City Clerk Devin Montero.

ABSENT: Council Members Boyd Morson (excused) and Maria Tran (excused)

7. GENERAL ACTION ITEMS

7.1 Resolution Canvassing the City Special Primary Election Held on May 9, 2023

City Clerk Montero briefed the council on the special primary election held on May 9, 2023.

7.1 MOTION LEE, SECOND KLONOWSKI TO WAIVE THE READING AND ADOPT RESOLUTION #2023-68 CANVASSING THE CITY SPECIAL PRIMARY ELECTION HELD ON MAY 9, 2023. MOTION PASSED UNANIMOUSLY.

ADJOURNMENT - With consensus of the Council, Mayor Winston adjourned the meeting at 6:11 p.m.

HOLLIES WINSTON, MAYOR

DEVIN MONTERO, CITY CLERK

City of Brooklyn Park Request for Council Action

Agenda Item:	6.1	Meeting Date:	June 12, 2023
Agenda Section:	Land Use Items	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Paul Mogush, Planning Director
Ordinance:	FIRST READING		
Attachments:	3	Presented By:	Paul Mogush
Item:	Zoning Code Text Amendment: TOD Districts		

City Manager's Proposed Action:

MOTION _____ SECOND _____ TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 152 OF THE BROOKLYN PARK CODE OF ORDINANCES PERTAINING TO ALLOWED USES IN THE TRANSIT ORIENTED DEVELOPMENT DISTRICTS.

Overview:

Planning Commission

At the May 24 Planning Commission meeting, the commission voted 4-3 to recommend approval of the proposed changes to allowed uses in the Transit Oriented Development Districts. The successful motion to recommend approval followed a failed motion (3-4) to amend the staff-recommended ordinance. The failed amendment would have changed the recommendation to allow auto repair, fuel stations, and car washes as conditional uses rather than prohibiting them in certain districts.

Summary

Brooklyn Park will have five stations on the planned METRO Blue Line Light Rail Transit extension located at:

- 63rd Avenue & Bottineau Boulevard
- Brooklyn Boulevard and West Broadway
- 85th Avenue and West Broadway
- 93rd Avenue and West Broadway
- Oak Grove and West Broadway

In 2015 and 2016, community members and policy makers participated in developing station area plans that detailed the future development visions for each of the five station areas. The station area plans in conjunction with the Comprehensive Plan envision new development that takes advantage of the major regional investment in public transit coming to Brooklyn Park.

In 2018 the City Council adopted Transit Oriented Development (TOD) zoning districts for each of the five Brooklyn Park station areas that implement the vision outlined in the station area plans. TOD zoning regulates the design of buildings, sidewalks, parking, and other infrastructure in a manner that promotes walkability and a mixture of uses, such as office, retail, and residential. There are five TOD districts:

TOD-C Transit Oriented Development Center District

The TOD-C TOD Center is intended to provide the most intensive mixed-use, transit-oriented zoning district. The district is applied to properties near the future 63rd Ave, Brooklyn Blvd, and 85th Ave stations.

TOD-CT Transit Oriented Development Center Transition District

The TOD-C.T TOD Center Transition is intended to provide a transition from-the higher intensity transit-oriented mixed use to other zoning districts. The district is applied on the outskirts of the 63rd Ave and Brooklyn Blvd station areas.

TOD-E Transit Oriented Employment

The TOD-E TOD Employment is intended to provide walkable urbanism with complementary uses in industrial, warehousing, and office park areas. The district is applied to properties near the future 93rd Ave station.

TOD-ET Transit Oriented Development Employment Transition District

The TOD-E.T TOD Employment Transition is intended to provide large format industrial, warehousing, and office park areas complementary to walkable urbanism, with office and showrooms facing the street. The district is applied on the outskirts of the 93rd Ave station area.

TOD-G Transit Oriented Greenfield

The TOD-G TOD Greenfield - High, Medium, and Low Intensity is intended to provide standards for new walkable, mixed use communities. The district is applied to the area around the future Oak Grove Station.

The TOD zoning districts are very different from the rest of the Zoning Code, which has been updated many times but is still based on the City's original ordinance from 1972. The differences between the TOD portion of the ordinance and the rest of the zoning code can make it difficult to administer the TOD regulations. Staff are working on a substantial update to the entire Zoning Ordinance to be reviewed by the Planning Commission and City Council later this year. This will include changes that better integrate the TOD zoning with the rest of the code. In the meantime, staff are proposing a few changes that will be helpful to address now rather than waiting for the larger code update.

Car Washes and Auto Repair

The current TOD ordinance prohibits certain auto-oriented uses, with some variation by district. The reason for this is to prioritize uses that contribute to a walkable environment served by high-value regional transit. While personal vehicles will always be part of the mix of transportation options in the station areas, uses like gas stations and car dealers (vehicle sales) detract from a pedestrian-friendly environment because they inherently draw vehicular traffic and create conflicts between cars and pedestrians.

Staff recently received an inquiry from a car wash operator looking to locate in the TOD-C district. The ordinance is not clear about whether car washes and auto repair are allowed in the TOD districts. The proposed text amendment provides clarity by specifically listing car washes and auto repair as "Not Permitted" (NP) in all TOD districts for the reasons outlined above. Car washes and auto repair would remain allowed uses outside the TOD districts, in certain Business districts across the city.

Religious Assembly

Religious Assembly is currently prohibited in all TOD districts. To comply with the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), the proposed text amendment changes Religious Assembly to a permitted use in all TOD districts.

Technical Changes

The text amendment includes the following changes to increase the consistency of terminology between the TOD ordinance and the rest of the zoning code:

- Changing "Retail and service" to "Sales and service"
- Changing "Gasoline sales" to "Fuel stations"
- Changing "Drive-through facilities" to "Drive-through windows"

Primary Issues/Alternatives to Consider:

1. Approve the text amendment as presented.

2. Approve the text amendment with modifications.
3. Decline to approve the text amendment.

Budgetary/Fiscal Issues: N/A

Attachments:

- 6.1A ORDINANCE
- 6.1B MAPS OF TOD ZONING DISTRICTS
- 6.1C PLANNING COMMISSION MINUTES

ORDINANCE 2023-

AN ORDINANCE AMENDING SECTIONS 152.606 THROUGH 152.610 OF THE BROOKLYN PARK CITY CODE PERTAINING TO USES ALLOWED IN TRANSIT ORIENTED ZONING DISTRICTS

The City of Brooklyn Park does ordain:

Section 1. The “Uses” Portion of Table 5 in Section 152.606 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
P	Multiple dwelling	P	Retail Sales and service
		P	Office
P	Care facility, convalescent home	P	Medical and dental clinics
INSTITUTIONAL		P	Veterinary and animal services
NP	Religious assembly	P	Child and adult day care
NP	Schools	P	Restaurants, brewpubs, breweries with taprooms, micro-distilleries with cocktail rooms and theatres
OTHER		C	Parking as a principal use
P	Wireless communication facilities as accessory uses located on a building	NP	Gasoline sales Fuel stations
		C	Drive-through facilities windows
		C	Entertainment
		NP	Auto oriented repair services; Carwashes; Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like; Self-storage facilities; sexually oriented businesses; impound lots; vehicle sales

Sec. 2. The “Uses” Portion of Table 6 in Section 152.607 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
P	Townhouse	R	Retail Sales and service
P	Multiple dwelling	P	Restaurants and brewpubs
P	Care facility, convalescent home	P	Office
INSTITUTIONAL		P	Lodging
NP	Religious assembly	P	Medical clinic
NP	Schools	P	Child care
R	Libraries	P	Adult day care
R	Museums	P	Parking
OTHER		C	Gasoline sales <u>Fuel stations</u>
C	Wireless communication facilities	P	Breweries with taprooms and micro-distilleries with cocktail rooms
P	Drive-through as an accessory use <u>windows</u>	C	
		NP	<u>Auto oriented repair services; Carwashes; Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like; Self-storage facilities; adult entertainment and retail; impound lots; vehicle sales</u>

Sec. 3. The “Uses” Portion of Table 7 in Section 152.608 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
NP	Townhouse	P	Retail Sales and service
NP	Multiple dwelling	P	Restaurants and brewpubs
NP	Care facility, convalescent home	P	Office
INSTITUTIONAL		P	Lodging
NP	Religious assembly	P	Medical clinic
NP	Schools	P	Parking
NP	Libraries		
NP	Museums	P	Warehousing as an accessory use
OTHER		P	Child care
C	Wireless communication facilities	C	Adult day care
P	Drive-through as an accessory use windows	C	Gasoline sales Fuel stations
NP	Distribution as a primary use		
P	Distribution or products produced on site	C	Taprooms and cocktail rooms
		C	Taprooms and cocktail rooms
		NP	Auto oriented repair services; Carwashes; Heavy equipment, machinery and farm vehicle sales; contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like; Self-storage facilities; adult entertainment and retail; impound lots; vehicle sales
		P	Manufacturing, assembly, processing, fabricating, brewing, distilling and accessory sale of the product produced on site

Sec. 4. The “Uses” Portion of Table 8 in Section 152.609 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
NP	Townhouse	P	Retail Sales and service
NP	Multiple dwelling	P	Restaurants and brewpubs
NP	Care facility, convalescent home	P	
INSTITUTIONAL		P	Office
P	Adult training facilities	P	Lodging
NP	Schools	P	Medical clinic
NP	Religious assembly	P	Parking
NP	Museums	C	Child care
OTHER		C	Adult day care
C	Wireless communication facilities	C	Gasoline sales <u>Fuel stations</u>
NP	Distribution as a primary use	P	Warehousing
P	Distribution of products produced on site	P	Taprooms and cocktail rooms
		NP	<u>Auto oriented repair services; Carwashes;; Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like;</u> Self-storage facilities, adult entertainment and retail, impound lots, vehicle sales
		P	Manufacturing, assembly, processing, fabricating, brewing, distilling and accessory sale of the product produced on site

Sec. 5. The “Uses” Portion of Table 15 in Section 152.610 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
P	Multiple dwelling	P	Retail and service
P	Care facility and convalescent home	P	Restaurants and brewpubs
INSTITUTIONAL		P	Office
NP	Religious assembly	P	Medical clinics
NP	Schools	P	Child care
P	Libraries	P	Adult day care
P	Museums	P	Parking
OTHER		C	Breweries and micro-distilleries
C	Wireless communication facilities	C	Taprooms and cocktail rooms
		NP	Drive-through facilities <u>windows</u>
		NP	Gasoline sales <u>Fuel stations</u>
		NP	<u>Auto oriented repair services; Carwashes; Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like; Self-storage facilities; adult entertainment and retail; impound lots; vehicle sales</u>

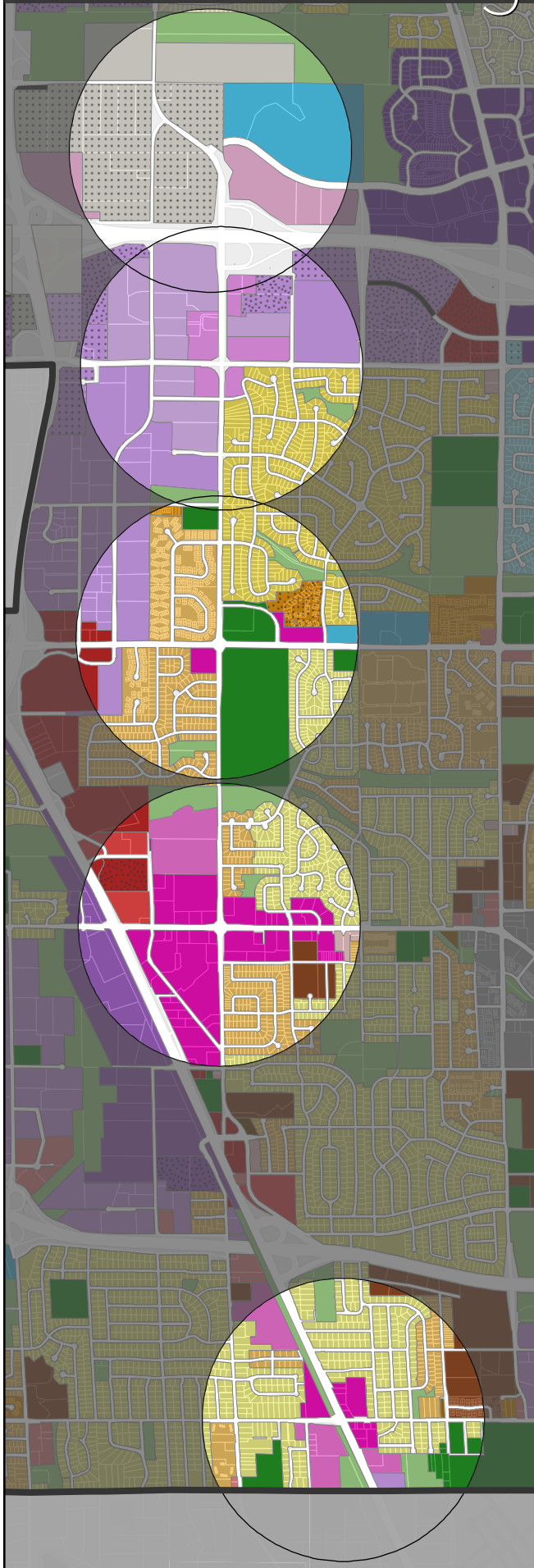
Sec. 6. The “Uses” Portion of Table 16 in Section 152.610 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
P	Townhouse	R	Retail Sales and service
P	Multiple dwelling	P	Restaurants and brewpubs
P	Care facility , convalescent home	P	Office
INSTITUTIONAL		P	Lodging, not to exceed 50 rooms
NP	Religious assembly	P	Medical clinic
NP	Schools	P	Child care
R	Libraries	P	Adult day care
R	Museums	C	Taprooms and cocktail rooms
OTHER		C	Breweries and micro-distilleries
C	Wireless communication facilities	NP	Parking as primary use
		NP	Gasoline sales <u>Fuel stations</u>
		NP	<u>Auto oriented repair services; Carwashes; Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like; Self-storage facilities; adult entertainment and retail; impound lots; vehicle sales</u>

Sec. 7. The “Uses” Portion of Table 17 in Section 152.610 of the City Code is amended to read as follows:

USES			
RESIDENTIAL		COMMERCIAL	
P	Single-family, two-family	R	Retail Sales and service
P	Townhouse	P	Restaurants, not to exceed 40 seats
P	Multiple dwelling	P	Brewpubs, not to exceed 40 seats
P	Care facility, convalescent home	P	Office, not to exceed 5,000 sq. ft.
INSTITUTIONAL		P	Lodging, not to exceed 12 rooms
NP	Religious assembly	P	Child care
NP	Schools	C	Medical clinic, not to exceed 5,000 sq. ft.
R	Libraries	C	Adult day care
R	Museums	NP	Parking as primary use
OTHER		NP	Gasoline sales Fuel stations
C	Wireless communication facilities	NP	Breweries and micro-distilleries
		NP	Taprooms and cocktail rooms
		NP	Auto oriented repair services; Carwashes; Heavy equipment, machinery and farm vehicle sales, contractors yards, bulk firewood sales, and gravel and rock sales; Indoor sales of automobiles, trucks and recreational vehicles and the like; Self-storage facilities; adult entertainment and retail; impound lots; vehicle sales

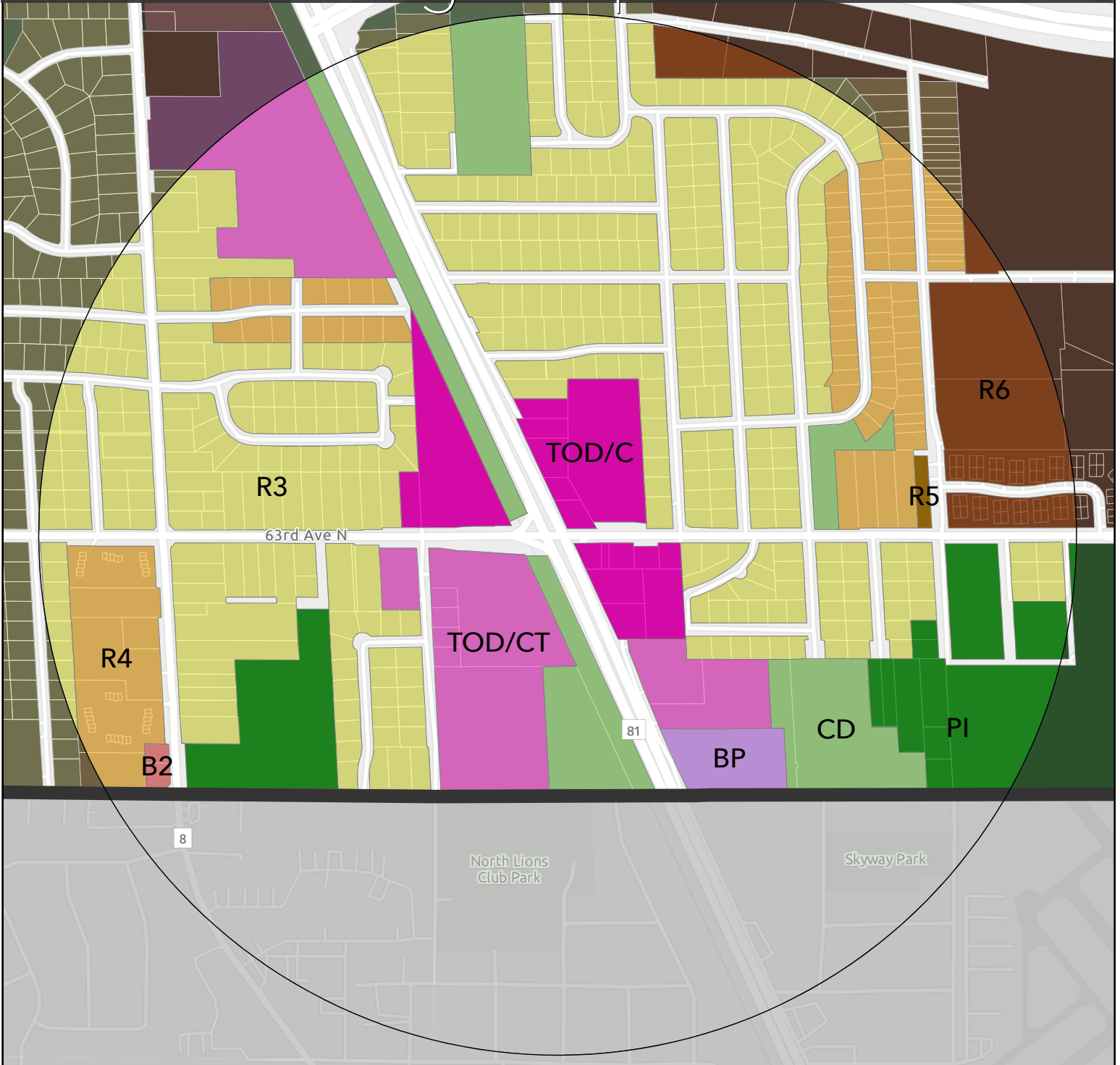
TOD Zoning Map













Brooklyn Park Zoning Code

R1 - Urban Reserve	B1 - Office Park
R1/HO - Urban Reserve/Highway	B2 - Neighborhood Retail Business
R2 - Detached Single-Family Estate (100' Lots)	B2/PD - Neighborhood Retail Business/Planned Development
R2A - Detached Single-Family Residential (95' Lots)	B3 - General Business
R2B - Detached Single-Family Residential (85' Lots)	B3/PD - General Business/Planned Development
R3 - Detached Single-Family Residential (80' Lots)	B4 - Vehicle Sales and Showroom
R3/PD - Detached Single-Family Residential (80' Lots)/Planned Development	BP - Business Park
R3A - Detached Single-Family Residential (75' Lots)	BP/HO - Business Park/Highway
R4 - Detached Single and Attached Two-Family Residential	BP/PD - Business Park/Planned Development
R4A - Townhouse	I - General Industrial
R4A/PD - Townhouse/Planned Development	I/PD - General Industrial/Planned Development
R4B - Detached Single-Family Residential (45' Lots)	CD - Conservancy District
R4B/PD - Detached Single-Family Residential (45' Lots)/Planned Development	PCDD - Planned Community Development District
R5 - Multiple Family Residential (1.5 and 2 Story)	PCDD/HO - Planned Community Development District/Highway
R6 - Multiple Family Residential (2.5 and 3 Story)	PI - Public Institution
R7 - Multiple Family Residential (Large)	PUD - Planned Unit Development Zone
R7/PD - Multiple Family Residential (Large)/Planned Development	PUD/HO Planned Unit Development Zone/Highway
TOD/G - Greenfield	PUD/PD - Planned Unit Development Zone/Planned Development
TOD/C - Center	TC - Town Center
TOD/CT - Center Transition	TC/HO - Town Center/Highway
TOD/E - Employment	VR - Village Redevelopment
TOD/ET - Employment Transition	CA - Mississippi River Critical Area Overlay
	HO - Highway Overlay
	PD - Planned Development Overlay
	NA - Not Available

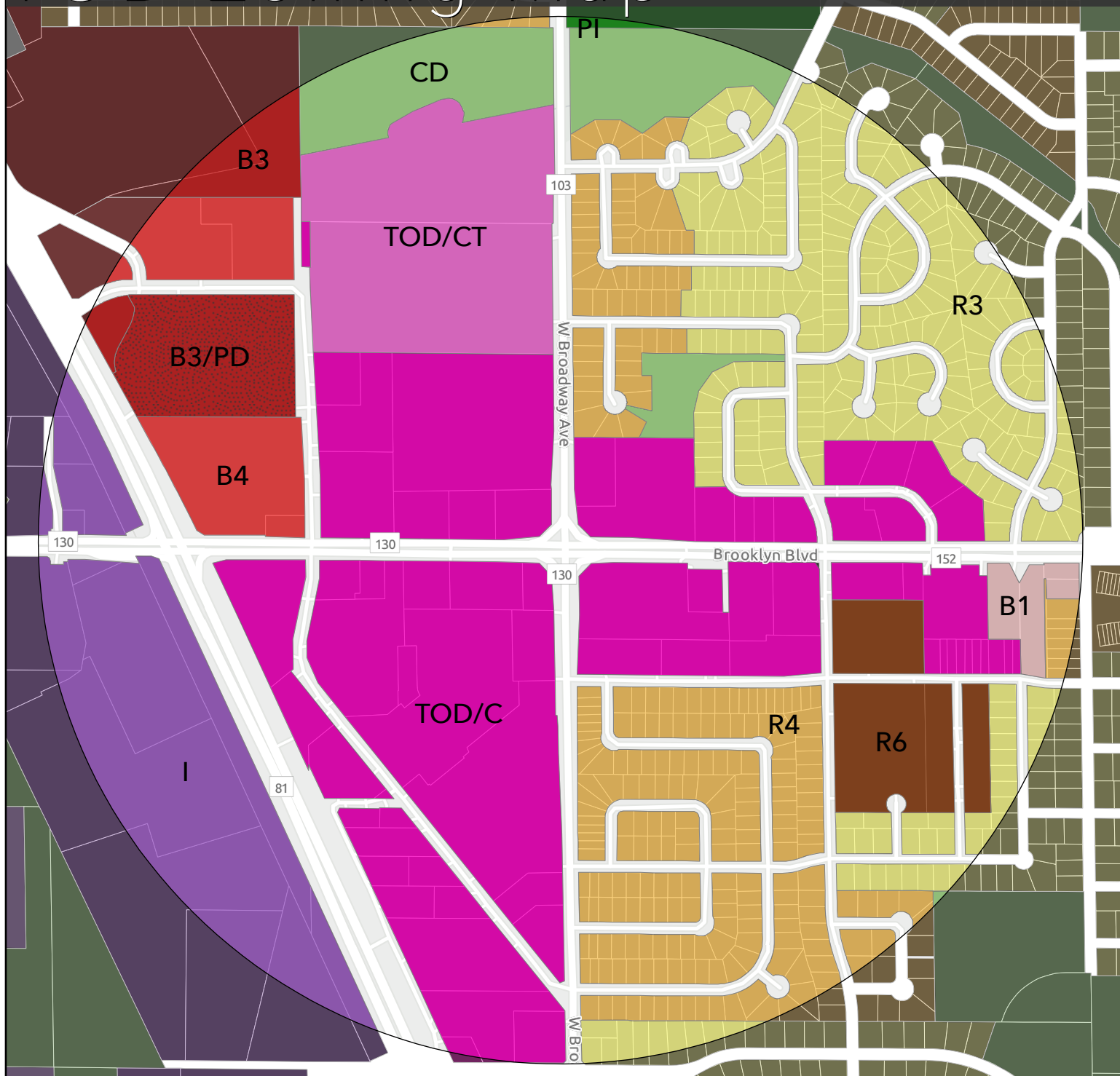
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Basemap source: ArcGIS Online.















Brooklyn Park Zoning Code

- | | | |
|---|--|---|
|  R3 - Detached Single-Family Residential (80' Lots) |  R6 - Multiple Family Residential (2.5 and 3 Story) |  B2 - Neighborhood Retail Business |
|  R4 - Detached Single and Attached Two-Family Residential |  TOD/C - Center |  BP - Business Park |
|  R5 - Multiple Family Residential (1.5 and 2 Story) |  TOD/CT - Center Transition |  CD - Conservancy District |
| | |  PI - Public Institution |

This map is for general reference only. It is not for legal, engineering, or surveying use. Please contact the sources of the information if you desire more details. Basemap source: ArcGIS Online.














Brooklyn Park Zoning Code

- | | | |
|---|--|---|
|  R3 - Detached Single-Family Residential (80' Lots) |  TOD/CT - Center Transition |  B4 - Vehicle Sales and Showroom |
|  R4 - Detached Single and Attached Two-Family Residential |  B1 - Office Park |  I - General Industrial |
|  R6 - Multiple Family Residential (2.5 and 3 Story) |  B3 - General Business |  CD - Conservancy District |
|  TOD/C - Center |  B3/PD - General Business/Planned Development |  PI - Public Institution |

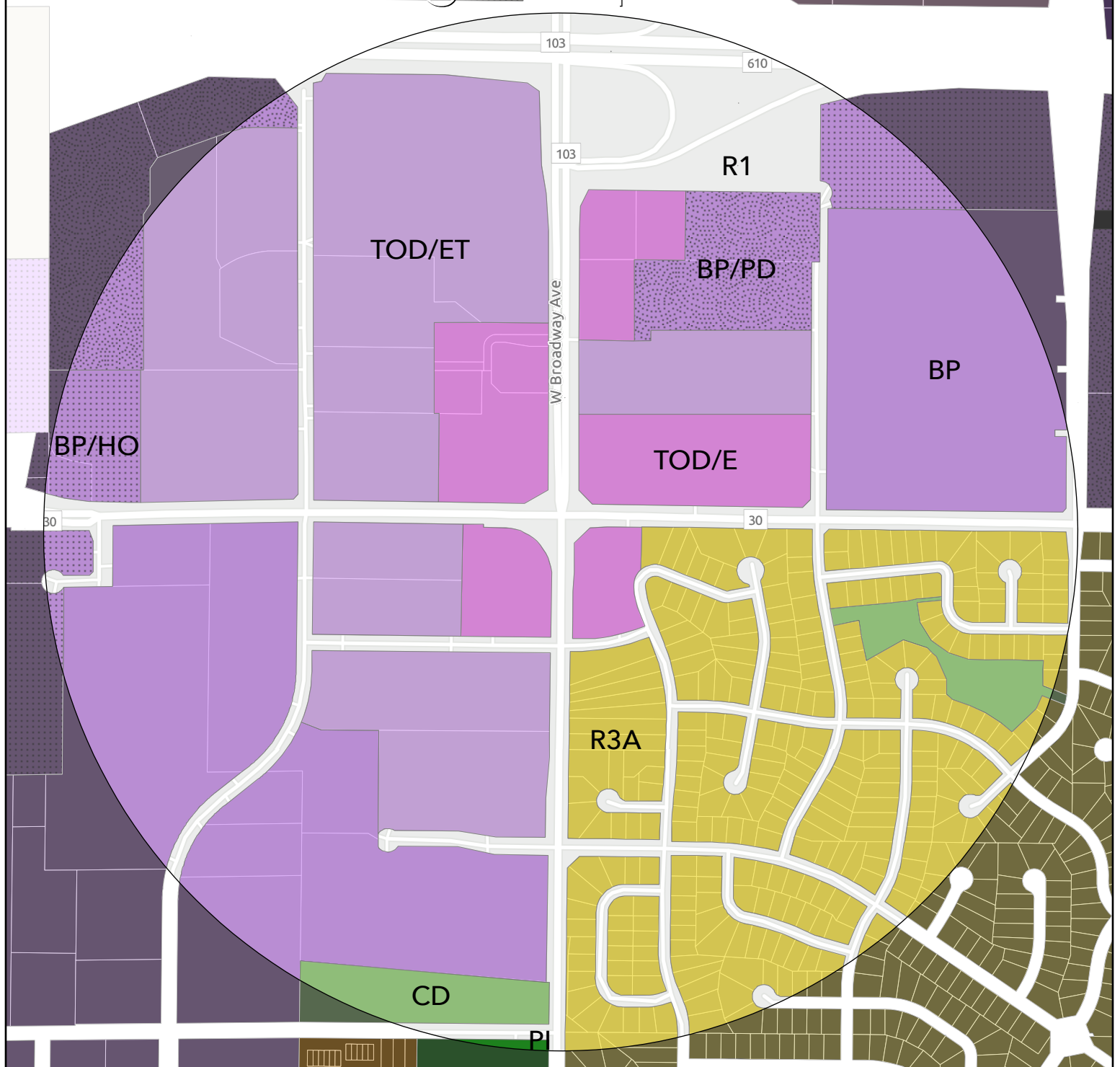
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


Brooklyn Park Zoning Code

- | | | |
|---|--|---|
|  R3 - Detached Single-Family Residential (80' Lots) |  R4A - Townhouse |  BP - Business Park |
|  R3A - Detached Single-Family Residential (75' Lots) |  R4A/PD - Townhouse/Planned Development |  CD - Conservancy District |
|  R4 - Detached Single and Attached Two-Family Residential |  TOD/C - Center |  PI - Public Institution |
|  B3 - General Business | |  PUD - Planned Unit Development Zone |

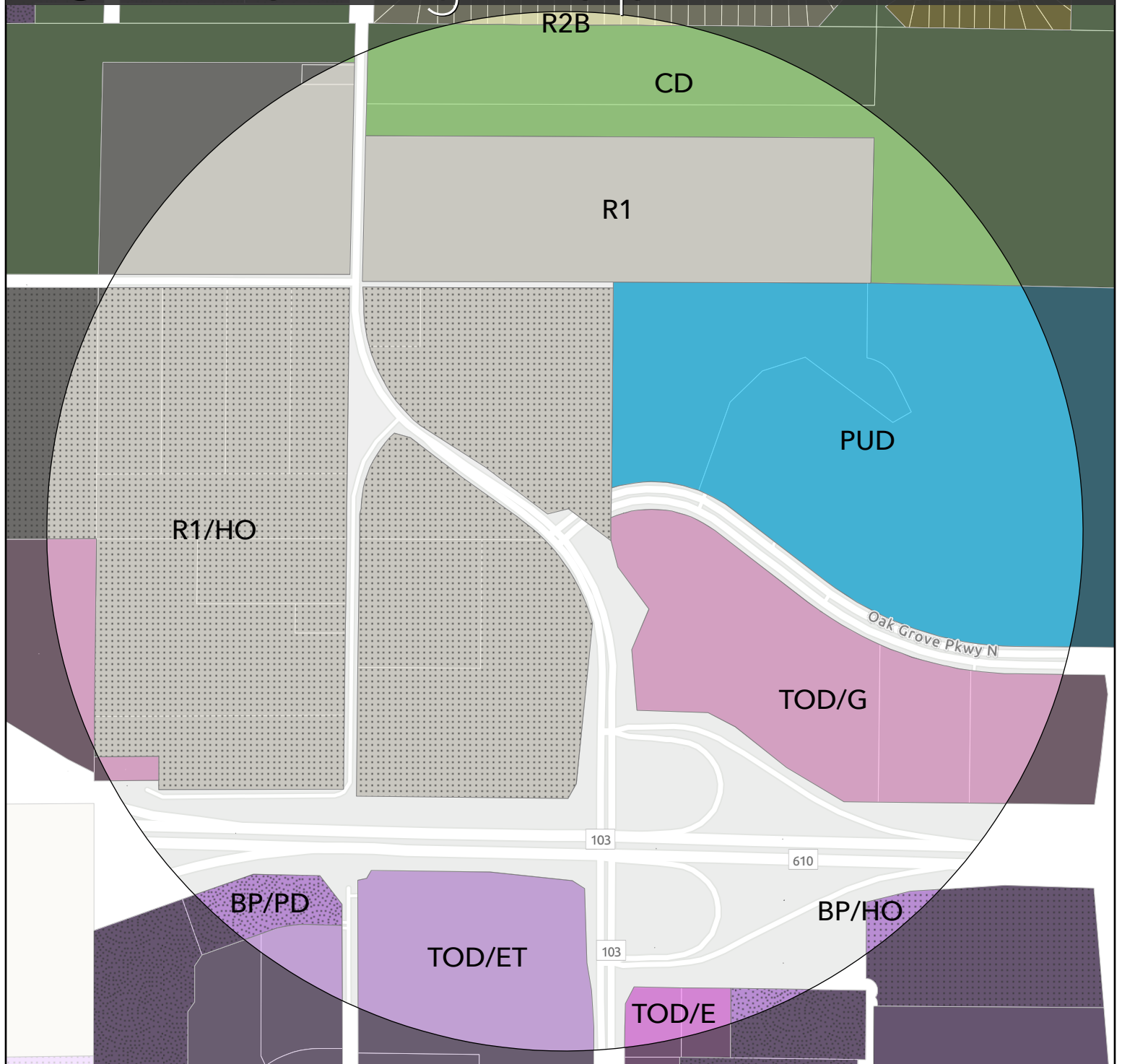
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Brooklyn Park Zoning Code

- | | | |
|--|--|---|
|  R1 - Urban Reserve |  TOD/ET - Employment Transition |  BP/PD - Business Park/Planned Development |
|  R3A - Detached Single-Family Residential (75' Lots) |  BP - Business Park |  CD - Conservancy District |
|  TOD/E - Employment |  BP/HO - Business Park/Highway |  PI - Public Institution |

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Brooklyn Park Zoning Code

R1 - Urban Reserve	TOD/G - Greenfield	BP/PD - Business Park/Planned Development
R1/HO - Urban Reserve/Highway	TOD/E - Employment	CD - Conservancy District
R2B - Detached Single-Family Residential (85' Lots)	TOD/ET - Employment Transition	PUD - Planned Unit Development Zone
	BP/HO - Business Park/Highway	

This map is for general reference only. It is not for legal, engineering, or surveying use. Please contact the sources of the information if you desire more details. Basemap source: ArcGIS Online.



UNAPPROVED MINUTES

**MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting – May 24, 2023**

1. CALL TO ORDER

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

2. ROLL CALL/PLEDGE OF ALLEGIANCE

Those present were: Commissioners Cavin, Borer, Fraser, Gaye-Bai, Kiekow, Udomah, and Wako; and Planning Director Mogush.

Those arrived late: None

Those not present were: None

3. EXPLANATION BY CHAIR

4. APPROVAL OF AGENDA

MOTION WAKO, SECOND UDOMAH, TO APPROVE THE MAY 24, 2023 AGENDA.

MOTION CARRIED UNANIMOUSLY.

5. ORGANIZATIONAL MEETING

A. Election of General Officer

Planning Director Mogush commented that with the recent resignation of Commissioner Turnham, the Vice Chair became vacant. He explained that the General Officer then becomes the Vice Chair, which leaves a vacancy in the General Officer position. He stated that someone will need to be elected to serve in that role.

Commissioner Fraser nominated Commissioner Kiekow for the position of General Officer.

There were no other nominations.

MOTION CARRIED UNANIMOUSLY.

6. CONSENT AGENDA

B. Minutes – April 12, 2023

MOTION WAKO, SECOND KIEKOW TO APPROVE THE MAY 24, 2023, CONSENT AGENDA.

Commission Chair Cavin noted that at the end of the meeting it should state, “Commission Chair Cavin adjourned...”

MOTION CARRIED UNANIMOUSLY.

7. PUBLIC HEARING

A. Zoning Code Text Amendment – TOD Districts.

Planning Director Mogush introduced a proposed amendment to the zoning code related to allowed uses within the transit, or TOD, districts. He provided an overview of the plans for the blue line light rail within Brooklyn Park and the station plans for the five stations within the city. He explained that every transit ride begins with a walk, whether that is from a parked vehicle or a home, therefore when considering transit plans there must also be consideration of pedestrian traffic and safety. He reviewed some of the streetscape concepts. He stated that they must also ensure that the buildings near the stations help to contribute to a comfortable walking environment, which is planned through zoning. He explained that following the station planning, the City developed zoning districts which are different than the zoning of the remainder of the city. He explained that while this will be new to Brooklyn Park, the use of transit districts is becoming common use to create a walkable transit development. He stated that the TOD standards would include design standards as well as the uses that would be allowed or not allowed. He provided some examples of businesses that may not be appropriate within a TOD district. He reviewed the proposed list of uses highlighting those that would be permitted, not permitted, or conditionally permitted.

Commission Chair Cavin opened the public hearing.

Seeing no one approach the podium, Commission Chair Cavin closed the public hearing.

Commissioner Kiekow referenced Brooklyn Boulevard noting the car dealers that already exist at 73rd and asked what would happen to those businesses.

Planning Director Mogush replied that those businesses would become legal conforming and provided additional explanation on the regulations that would apply. He stated that currently, there would not be an allowance for an expansion of a nonconforming use but there has been discussion about creating a process that would allow those uses to request an expansion. He confirmed that the businesses were made aware of the changes in 2018 and this would be more of a technical correction to ensure that the language is clear.

Commissioner Kiekow stated that this would seem to be an orchestrated plan to move away from automobile use, using the example of not allowing fuel stations.

Planning Director Mogush confirmed that is the intent in these select areas, explaining that they do not want to introduce new uses that would conflict with the pedestrian friendly areas. He noted that these would be small areas within the city and the remainder of the city would remain open for those uses.

6.1C PLANNING COMMISSION MINUTES

Commissioner Kiekow asked if a property owner could create a parking lot within this area.

Planning Director Mogush confirmed that parking as a principal use would be allowed through conditional use permit. He provided details on the planned park and ride facilities.

Commissioner Wako asked if a change in ownership of a legal nonconforming use would change the status of the property.

Planning Director Mogush replied that ownership does not change the status of the property, with the exception of a situation where the use has stopped for one year or more. He stated that at that point any new use would need to conform with the rules.

Commissioner Wako asked the area that is encompassed within the TOD boundaries.

Planning Director Mogush replied that the TOD typically surrounds the station in a radius of one-half mile.

Commissioner Fraser asked if it is common practice to not allow fuel stations within a TOD district.

Planning Director Mogush confirmed that is common practice and noted that if there are such stations in existence near light rail, they were most likely in place prior to the station. He stated that a fuel station would be allowed in the TOD-E district, but it would look very different than a typical station as it would need to meet the design standards.

Commissioner Udomah asked for details on extra security that may be needed in these areas.

Planning Director Mogush recognized the comments that have come forward about safety on transit and Metro Transit has developed an extensive plan to address those concerns. He stated that the recent legislative session provided funding for that plan to increase security and implement the plan of Metro Transit. He stated that the TOD design standards also help to promote safety for those walking about.

Commission Chair Cavin asked the impact these stations have had on existing businesses, using the example where a vehicle parks in a business lot to participate in transit.

Planning Director Mogush commented that if there is a business with a large parking lot near a station, people sometimes park in those lots to ride transit. He stated that it would be up to those businesses as to whether that is an issue for them.

Commission Chair Cavin recognized the legislative action that would legalize recreational marijuana and asked if those businesses would be allowed.

Planning Director Mogush replied that act was just passed and staff have signed up for a training session to learn more. He stated that it will be the decision of the City as to how that is allowed through land use.

Commissioner Gaye-Bai asked for details on the responsibility for the cost of development.

Planning Director Mogush replied that building the train would be funded primarily from the federal government, Hennepin County, the State of Minnesota, and some participation from the cities along the line. He stated that the City took the lead on the streetscape plan and will be working to fund its construction. He stated that all levels are involved in the planning, implementation, and funding.

Commissioner Gaye-Bai referenced the 93rd station plans, noting a gas station near that area. He stated that in order to make these concepts a reality there would need to be a lot of change as there are already businesses along the roadways.

Planning Director Mogush stated that although there are cases where there are investments on City or EDA owned properties, most of this development would occur on privately owned property which would be guided through those development standards.

Commissioner Borer asked the first step and proposed timeline.

Planning Director Mogush stated that the current estimate is that the line would be functioning between 2028 and 2030. He stated that there would be incremental steps towards the other concepts and progress. He estimated that it would take decades to fully build out some of these concepts.

MOTION UDOMAH, SECOND FRASER, TO RECOMMEND APPROVAL OF AN ORDINANCE AMENDING CHAPTER 152 OF THE BROOKLYN PARK CODE OF ORDINANCES PERTAINING TO ALLOWED USES IN THE TRANSIT ORIENTED DEVELOPMENT DISTRICTS.

FURTHER DISCUSSION: COMMISSIONER KIEKOW REQUESTED TO CHANGE THE AUTO REPAIR SHOP, FUEL STATIONS, AND CARWASH USES TO CONDITIONAL TO SUPPORT THOSE THAT CONTINUE TO DRIVE VEHICLE.

COMMISSIONER UDOMAH NOTED THAT WOULD DEFEAT THE PURPOSE OF THE TOD, WHICH IS GEARED TO PROMOTE PEDESTRIAN TRAFFIC. HE DID NOT ACCEPT THE AMENDMENT.

COMMISSIONER BORER COMMENTED THAT THOSE HIGH VEHICLE BUSINESSES WOULD SIMPLY NOT BE ALLOWED WITHIN THE TOD IN ORDER TO PROTECT PEDESTRIAN TRAFFIC AND THEREFORE AGREES WITH THE LANGUAGE AS PROPOSED BY STAFF. SHE NOTED THAT THE BUSINESSES WOULD STILL BE ALLOWED IN OTHER AREAS OF THE CITY.

COMMISSION CHAIR CAVIN STATED THAT HE WOULD SUPPORT THE AMENDMENT AS THE USES WOULD BE CONDITIONAL AND STILL WOULD BE REVIEWED BEFORE MAKING A DECISION ON THE USE.

COMMISSIONER GAYE-BAI STATED THAT HE WOULD SUPPORT THOSE USES AS MOST USERS OF THE TRAIN WOULD MOST LIKELY BE DRIVING TO THE STATION.

COMMISSIONER UDOMAH STATED THAT HE WOULD ACCEPT THE AMENDMENT AS PROPOSED BY KIEKOW.

COMMISSIONER WAKO COMMENTED THAT IT WOULD SEEM THE AMENDMENT IS IN DISAGREEMENT WITH THE PURPOSE OF THE TOD DISTRICT.

COMMISSION CHAIR CAVIN RESTATED THE MOTION WITH THE AMENDMENT.

MOTION FAILED 3 AYES (CAVIN, KIEKOW, GAYE-BAI) - 4 NAYS.

MOTION WAKO, SECOND UDOMAH, TO RECOMMEND APPROVAL OF AN ORDINANCE AMENDING CHAPTER 152 OF THE BROOKLYN PARK CODE OF ORDINANCES PERTAINING TO ALLOWED USES IN THE TRANSIT ORIENTED DEVELOPMENT DISTRICTS.

MOTION CARRIED 4 AYES – 3 NAYS (CAVIN, KIEKOW, GAYE-BAI) .

8. OTHER BUSINESS

None.

9. DISCUSSION ITEMS

None.

10. INFORMATION ITEMS

A. Council Comments

None.

B. Commission comments

None.

C. Staff Comments

Planning Director Mogush provided a recap of recent City Council activity.

11. ADJOURNMENT

Commission Chair Cavin adjourned the meeting at 8:08 PM.

Respectfully submitted,

Paul Mogush
Planning Director

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	June 12, 2023
Agenda Section:	General Action Items	Originating Department:	Finance / Police / Fire
Resolution:	X	Prepared By:	Dolly Lee, Assistant Finance Director
Ordinance:	N/A		Stephanie Heiberger, Program Assistant III
Attachments:	1	Presented By:	LaTonia Green, Finance Director Mark Bruley, Police Chief
Item:	Finance Positions and Cadet Supervisor Position Approvals		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ APPROVING THE ADDITIONS TO THE FINANCIAL SERVICES DEPARTMENT AND POLICE DEPARTMENT AND AMEND THE 2023 BUDGET.

Overview:

Finance:

The financial services division of the Finance Department has seen significant staff turnover in the past several years. The division has 9 positions specifically devoted to accounting and finance functions; yet, in the last five years, 11 accounting and finance professionals have left the department, making the employee turnover rate 122%. Nearly 55% of the staff that left spent less than one year with the organization. One of the reasons for this turnover has been that staff are overwhelmed with the amount of work that is being asked of them.

Over the course of the last five years, the city has substantially increased the amount of grants it receives. The complexities of each transaction have increased. Additional work also comes from many City initiatives that include the addition of additional TIF districts, the purchase of Northwinds, the implementation of the Small Business Center, as well as work associated with the exponential growth of EDA loans. The City has also increased its use of merchant service providers, further adding to the complexity of financial reconciliations.

While the city has annually received unmodified opinions that our financial statements are in conformity with appropriate standards (GAAP), the City has received audit findings regarding bank reconciliations, capital assets record-keeping, and other finance tasks that require additional staffing to fully address and resolve. Finance tries its best to maintain appropriate levels of internal controls and separation of duties with existing staff but struggles to meet optimal levels due to staffing constraints. Additionally, there continues to be formal accounting pronouncements that need to be implemented for financial reporting purposes. Changes in accounting laws/standards require already strained staff to devote time to understanding and implementing mandatory financial changes properly. To keep up to date with accounting changes and to stay in front of increasing risks of financial fraud, additional financial services staffing is needed to ensure all finance staff have the ability to attend training courses to increase their competencies.

Police:

In 2019, responding to Council direction to reduce the budget, the Police Department eliminated the position of Cadet Coordinator. We now request Council approval to use contingency funding to bring back this position. In the short term, the Cadet Coordinator will allow us to hire more Police Cadets and provide them with more direct supervision and development. We believe that this will lead to a higher success rate with our non-traditional officer candidates, ultimately bringing greater diversity to the rank of Police Officer.

This is critically important to increase our cadet program to “grow our own” police officers. The current pool of available police officers to hire is at historically low levels and there is no reason to believe that this will change in the future. Optimizing and expanding our cadet program appears to be the best opportunity to fill police officer vacancies.

The long-term goal of the Cadet Coordinator position is to bring our police officer staffing back up to its authorized strength and to bring greater diversity to our sworn ranks.

Primary Issues/Alternatives to Consider:

Finance:

To keep up with current demands and improve budget and financial reporting, it is crucial to add staff to the division. Adding staff to the division will bring relief to existing staff and allow for the division to put in place additional best accounting and financial practices. The City is at increased financial risk when there are not enough finance staff in place to have appropriate levels of internal controls, separation of duties and financial reporting.

Police:

Without a Cadet Coordinator we cannot expand our cadet program. Without planning for the future by having numerous cadets who are training to become police officers we will remain on a path to continue to lose police officers faster than we can replace them. This ultimately will force us to reduce police services.

Budgetary/Fiscal Issues:

Finance:

Financial Services is asking for the addition of four staff. The budget impact for 2023 is \$270,000. The positions would be ongoing and exist in subsequent years.

Police:

The Police Department is asking for one additional staff. The budget impact for 2023 is \$60,000. This position will be ongoing and exist in subsequent years.

Attachments:

7.1A RESOLUTION

RESOLUTION #2023-

RESOLUTION APPROVING THE ADDITIONS TO THE FINANCIAL SERVICES DEPARTMENT AND POLICE DEPARTMENT AND AMEND THE 2023 BUDGET

WHEREAS, the Finance Department has seen significant turnover in the past several years; and

WHEREAS, the City has substantially increased the amount of grants it receives with increasing complexities of each transaction; and

WHEREAS, there are increasing demands on Finance Department staff to implement accounting pronouncements; and


WHEREAS, the Police Department has seen significant turnover in the past several years; and

WHEREAS, it is critically important to the Police Department’s staffing levels to “grow our own” police officers through our cadet program; and

WHEREAS, a Cadet Coordinator will allow the Police Department to provide increased support to non-traditional officer candidates and allow the program to be expanded to address long-term staffing concerns.

WHEREAS, the amendment is accomplished by decreasing the General Fund Contingency by \$330,000 and increasing \$270,000 to the General Fund Finance Department and \$60,000 to General Fund Police Department and increase the city’s Full-time equivalency by five (5) positions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to amend the 2023 budget as stated below.

City of Brooklyn Park Financial Analysis					
City Council Meeting Date: June 12, 2023					
RFCA Title:		Finance Positions and Cadet Supervisor Position Approvals			
Agenda Section/Number:		7.1			
Fiscal Analysis/Explanation for Budget Amendment:					
Addition of Financial Positions and Cadet Supervisor Position					
Changes to the GENERAL LEDGER Budget					
Financing Changes					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
			\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ -
Spending Changes					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
General Fund	Contingency	Contingency	\$ 920,000.00	\$ (330,000.00)	\$ 590,000.00
General Fund	Salaries	Finance Positions	\$ 2,351,451.00	\$ 173,000.00	\$ 2,524,451.00
General Fund	Benefits	Finance Positions	\$ 655,811.00	\$ 60,000.00	\$ 715,811.00
General Fund	Supplies	Finance Positions Workstations	\$ 34,070.00	\$ 37,000.00	\$ 71,070.00
General Fund	Salaries	Cadet Supervisor Position	\$ 421,674.00	\$ 52,000.00	\$ 473,674.00
General Fund	Benefits	Cadet Supervisor Position	\$ 78,454.00	\$ 8,000.00	\$ 86,454.00
		Total	\$ 4,461,460.00	\$ -	\$ 4,461,460.00