

## REGULAR CITY COUNCIL MEETING – AGENDA #26

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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** Interview Applicants for Commissions

**A.** ATTENDANCE SHEET AND VOTING FORM

**3B.2** Payengxa Lor Day Proclamation

**A.** PROCLAMATION

**3B.3** Preliminary 2022 Year-End General Fund Financial Results

**A.** PRELIMINARY 2022 GENERAL FUND BUDGET - ACTUAL SUMMARY

## **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** Zoning Code Text Amendment: TOD Districts

**A.** ORDINANCE

**B.** SUMMARY OF ORDINANCE

**C.** MAPS OF TOD ZONING DISTRICTS

**D.** PLANNING COMMISSION MINUTES

**4.2** Approve A Change Order for Corrosion Mitigation and Coating Repairs to Boone Water Tower CIP Project #3010-23

**A.** RESOLUTION

**B.** CHANGE ORDER NO. 4

- 4.3 Approve the Purchase of a Chevy Tahoe for the Fire Department
  - A. RESOLUTION
- 4.4 Approve a Tetrahydrocannabinol (THC) License and a Tobacco License for Boone Tobacco LLC dba Boone Tobacco
- 4.5 Minnesota State Auditor Performance Measurement Program
  - A. RESOLUTION
  - B. 2023 CITY OF BROOKLYN PARK PERFORMANCE MEASUREMENT REPORT
- 4.6 Approve a Temporary On-Sale Liquor License for St. Gerard's Church for their Corn Fest to be held August 19, 2023 at 9600 Regent Avenue North
- 4.7 To Accept a Grant from Hennepin County for the Youth Arts Grant Program, Amend the 2023 Budget for the Grant and Authorize the Recreation and Parks Director to Enter into an Agreement
  - A. RESOLUTION
- 4.8 Approve a Temporary On-Sale Liquor License for the Church of St Vincent de Paul for their Fall Festival to be held September 17, 2023, at 9100 93rd Avenue North
- 4.9 Approve Cooperative Construction Agreement No. 1053216 with the Minnesota Department of Transportation for the TH 169/63rd Avenue Bridge No. 27317 Project
  - A. RESOLUTION
  - B. LOCATION MAP
  - C. BRIDGE PLAN SHEETS
  - D. EMBLEM DETAIL PHOTO FROM CITY OF DAYTON
  - E. ELECTRONIC SIGNATURES
  - F. COOPERATIVE AGREEMENT
- 4.10 Approval of the 2022-2023 Collective Bargaining Agreement with the Law Enforcement Labor Services Union, Local 515
  - A. RESOLUTION

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

**5. PUBLIC HEARINGS**  
NONE

**6. LAND USE ACTIONS**  
NONE

**7. GENERAL ACTION ITEMS**

- 7.1 Amend the Lease Agreement with Parents in Community Action (PICA), Inc./Head Start
  - A. RESOLUTION
  - B. PROPOSED LEASE AMENDMENT

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

**8. DISCUSSION ITEMS**

- 8.1 Preliminary Input for Round 2 of Arpa Community Partnership Funding Awards
  - A. ARPA COMMUNITY PARTNERSHIP EVALUATION SUMMARY
  - B. COMMUNITY PARTNERSHIP PROGRAMS HIGHLIGHT

**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

<b>Agenda Item:</b>	3B.1	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Katrina Doshier Program Assistant III
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Mayor Hollies Winston
<b>Item:</b>	Interview Applicants for Commissions		

## City Manager's Proposed Action:

Interview applicants to fill current and upcoming openings on commissions.

## Overview:

The City has advertised to fill openings on the Community Long-range Improvement Commission, Human Rights Commission (Emerging Leader), and the Recreation and Parks Advisory Commission (Youth Liaison). The appointments are open seats to be effective immediately. Applicants have been contacted; an attendance sheet is attached.

Per Resolution #2019-46, there are district requirements on all of these city commissions. The City Council will make the appointments taking into consideration the representation required by each commission. An applicant who represents outside of his/her residing district and is seeking reappointment to a commission is eligible for reappointment to the same seat even if other individuals who reside in the appropriate district apply for the seat.

I wish to make Council aware of City Code Section 30.39 which states, "Notwithstanding any provisions of this Code to the contrary, if there are no applicants for an appointment to a board or commission residing in the district from which the appointment is required to be made, an applicant residing in any district of the city may be appointed to such board or commission." (Ord. 2000-932, passed 9-11-00.)

The regular openings are for balance of terms, effective immediately. The Community Long-range Improvement Commission openings are effective immediately, for the balance of three-year terms, and to expire April 1, 2025. The Youth Liaison (ages 14-18) and Emerging Leader (18-24) openings are for the balance of one-year terms, effective immediately, and to expire April 1, 2024.

### **Community Long-range Improvement Commission – Two openings**

- City At-large (1) – replacing Amy Meuers
- West District (1) – replacing Gardhoe Cephas

### **Human Rights Commission – One Opening for Emerging Leader**

City At-large (Emerging Leader) – Open seat

### **Recreation and Parks Advisory Commission – One Opening for Youth Liaison**

City At-large (Youth Liaison) – Open seat

In the packet are voting forms to indicate your choices. At the end of the meeting, please pass your voting forms to Mayor Winston with your choices indicated. He will consolidate the votes to determine who will be appointed to the commissions. The appointments will be made during the July 10, 2023 Council meeting.

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

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

**Attachments:**

3B.2A ATTENDANCE SHEET AND VOTING FORM

**Brooklyn Park Commission Interviews**  
**Monday, June 26, 2023 – 6:00 p.m.**  
**Applicant Attendance and City Council Voting Form**

**Council Member \_\_\_\_\_**

Name	Will Be in Attendance	Commission Name
<u>City At-large (Youth Liaison)</u>		<b>Note: Term will be effective immediately and will last until April 1, 2024</b>
Aria Reickard	Yes	<b>Recreation and Parks Advisory Commission – Youth Liaison</b>
<u>City At-large (Emerging Leader)</u>		<b>Note: Term will be effective immediately and will last until April 1, 2024</b>
Jenny Tam	No: Sending Letter	<b>Human Rights Commission – Emerging Leader</b>
<u>City At-large</u>		<b>Note: Term will be effective immediately and will last until April 1, 2025 (Replacing Amy Meuers)</b>
Amy Nop	Yes	<b>Community Long-range Improvement Commission</b>
<u>West District</u>		<b>Note: Term will be effective immediately and will last until April 1, 2025 (Replacing Gardoe Cephas)</b>
Andrea Boyle	Yes	<b>Community Long-range Improvement Commission</b>

*My choices:*

Recreation and Parks Advisory Commission Youth Liaison (City At-large) \_\_\_\_\_

Human Rights Commission Emerging Leader (City At-Large) \_\_\_\_\_

Community Long-range Improvement Commission (City At-Large) \_\_\_\_\_

Community Long-range Improvement Commission (West District) \_\_\_\_\_

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	3B.2	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Public Presentation/ Proclamation/Receipts of General Communication	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Katrina Doshier, Program Assistant
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Mayor Hollies Winston
<b>Item:</b>	Mayor's Proclamation of June 30, 2023 as the Payengxa Lor Day		

## City Manager's Proposed Action:

The Mayor shall proclaim June 30, 2023, as the Payengxa Lor Day:

1. "I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota do hereby proclaim June 30, 2023 to be Payengxa Lor Day in the City of Brooklyn Park.

OR

2. By reading the proclamation.

## Overview:

On October 8, 2022, Payengxa Lor became the first woman of Hmong descent to win Miss Universe Laos, inspiring Hmong, Laotian and ethnic minority communities around the world and was the first woman of Hmong descent to ever compete in a Miss Universe pageant, traveling from Laos to the United States for the 71st Miss Universe competition in New Orleans, Louisiana.

Lor's achievements continue to inspire girls, women and all Hmong, Laotian, and ethnic minority communities around the world including here in Brooklyn Park, Minnesota. The Hmong community is the largest Asian population in the great state of Minnesota and in our city of Brooklyn Park. Lor will be visiting the Twin Cities at the end of this month as part of a U.S. celebration tour.

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

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

## Attachments:

3B.2A PROCLAMATION

**PROCLAMATION**  
**Declaring June 30, 2023 as Payengxa Lor Day in the  
City of Brooklyn Park, Minnesota**

WHEREAS, on October 8, 2022, Payengxa Lor became the first woman of Hmong descent to win Miss Universe Laos, inspiring Hmong, Laotian and ethnic minority communities around the world; and;

WHEREAS, she then qualified as the first woman of Hmong descent to ever compete in a Miss Universe pageant, traveling from Laos to the United States for the 71st Miss Universe competition in New Orleans, Louisiana; and

WHEREAS, Payengxa Lor stood out confidently in the early rounds to dramatically place in the top 16- the first person from Laos to ever make it that far in a Miss Universe pageant; and

WHEREAS, her Miss Universe journey and achievements continue to inspire girls, women and all Hmong, Laotian and ethnic minority communities around the world including here in Brooklyn Park, Minnesota; and

WHEREAS, the Hmong community is the largest Asian population in the great state of Minnesota and in our city of Brooklyn Park; and

WHEREAS, she will be visiting the Twin Cities at the end of this month as part of a U.S. celebration tour.

NOW, THEREFORE, on behalf of the Brooklyn Park City Council, I, Hollies Winston, Mayor of the City of Brooklyn Park, do hereby proclaim Friday, June 30, 2023, as: "PAYENGXA LOR DAY" and members of the Hmong, Laotian, and other Asian and Pacific Islander Communities that reside in our great City.



5200 85<sup>th</sup> Avenue North  
Brooklyn Park, MN 55443

\_\_\_\_\_  
Hollies Winston, Mayor

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	3B.3	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Finance
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Dolly Lee, Assistant Finance Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	LaTonia Green, Finance Director
<b>Item:</b>	Preliminary 2022 Year-End General Fund Financial Results		

## City Manager's Proposed Action:

Presentation of preliminary 2022 year-end general fund financial results.

## Overview:

This update is to provide general information to the Council regarding the year-end results of 2022. The final Audited Financial Statements are planned to be presented to the City Council on July 10, 2022. Results are pending audit adjustments, if any. The preliminary financial results will focus on the general fund.

As of June 21, 2023, the General Fund reports show an anticipated decrease of \$1 million at the end of 2022. The main drivers of the are as follows:

### Revenues:

- General property tax made up 81.2% of total revenue.
- Permits and licenses are about 8% over budget but decreased from 2021. In 2021, there was a larger than normal demand for building permits.
- Investment income is under budget due to poor market conditions. For reporting purposes, the city is required to book an entry for the fair market value of investments held as of December 31, 2022.
- To comply with GASB 87 accounting changes an entry to book Proceeds from Lease was required.
- Did not use of the Use of Fund Balance contingency as budgeted.

### Expenditures:

- Salaries and benefits are 72.3% of total General Fund Expenditures.
  - Savings due to only using 94% of the total salaries and benefits budget.
  - Salaries and benefits expenditures are almost identical to the prior year's expenditures.
  - This may be a result of vacancies in multiple departments and difficulties in replacement hires.
- Increase in contractual services and professional services in several departments, some due to staff vacancies.

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

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

## Attachments:

3B.3A PRELIMINARY 2022 GENERAL FUND BUDGET - ACTUAL SUMMARY



**2022 General Fund Summary Report (Preliminary)**

Summary - through 12/31/2022  
Prior Fiscal Year Activity Included

Account Number	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Transactions	Budget - YTD Transactions*	% Used/ Rec'd	2020 Prior YTD Total
<b>Revenue</b>								
General property taxes	\$47,443,732	\$0	\$47,443,732	\$23,094,217	\$47,320,377	\$123,355	99.7%	\$44,396,658
Other taxes	1,075,066	0	1,075,066	845,698	1,004,078	70,988	93.4%	1,019,075
Special assessments	73,120	0	73,120	28,316	59,920	13,200	81.9%	77,668
Business licenses	830,768	0	830,768	174,142	881,095	(50,327)	106.1%	840,692
Permits	2,050,625	0	2,050,625	233,613	2,191,054	(140,429)	106.8%	3,167,813
Federal grants	9,300	0	9,300	14,321	30,608	(21,308)	329.1%	99,094
State grants	1,382,700	0	1,382,700	31,187	1,490,724	(108,024)	107.8%	1,385,838
Other grants	131,150	0	131,150	22,250	44,108	87,042	33.6%	240,267
Charges for services	2,668,035	0	2,668,035	26,221	2,463,301	204,734	92.3%	2,566,078
Fines and forfeitures	357,000	0	357,000	40,239	241,622	115,378	67.7%	251,937
Investment income	708,892	0	708,892	(2,827,658)	(2,137,872)	2,846,764	-301.6%	(5,905)
Other revenue	63,286	0	63,286	(12,947)	45,083	18,203	71.2%	47,814
Proceeds from Lease	0	0	0	1,583,263	1,583,263	(1,583,263)	-	0
Transfers in	568,240	0	568,240	579,240	637,856	(69,616)	112.3%	440,566
Use of Fund Balance	1,050,000	0	1,050,000	0	0	1,050,000	0.0%	0
<b>Revenue Totals</b>	<b>\$58,411,914</b>	<b>\$0</b>	<b>\$58,411,914</b>	<b>\$23,832,101</b>	<b>\$55,855,218</b>	<b>\$2,556,696</b>	<b>95.6%</b>	<b>\$54,527,593</b>
<b>Expenditures</b>								
Salaries	\$33,326,963	\$0	\$33,326,963	\$3,883,211	\$31,399,679	\$1,927,284	94.2%	\$31,546,916
Benefits	10,334,460	0	10,334,460	1,018,854	9,728,807	605,653	94.1%	9,467,258
Supplies	1,583,918	0	1,583,918	177,769	1,774,167	(190,249)	112.0%	1,355,429
Professional services	585,690	0	585,690	48,170	647,283	(61,593)	110.5%	556,826
Contractual services	2,493,252	0	2,493,252	198,912	1,965,171	528,081	78.8%	2,118,181
Communications	418,845	0	418,845	58,053	476,359	(57,514)	113.7%	377,055
Utilities	204,552	0	204,552	46,201	283,272	(78,720)	138.5%	229,913
Cost of sales	7,700	0	7,700	0	7,070	630	91.8%	5,514
Conferences and schools	336,681	0	336,681	34,575	341,598	(4,917)	101.5%	193,478
Dues and subscriptions	154,973	0	154,973	39,701	157,810	(2,837)	101.8%	145,804
Other charges	523,080	0	523,080	108,143	350,695	172,385	67.0%	303,098
Contingency	200,000	0	200,000	0	0	200,000	0.0%	0
General Fund Charges	(1,704,146)	0	(1,704,146)	0	(1,562,132)	(142,014)	91.7%	(2,667,324)
Central garage	3,481,431	0	3,481,431	290,102	3,481,431	0	100.0%	3,274,331
Central buildings	1,978,323	0	1,978,323	164,843	1,978,323	0	100.0%	1,911,053
Information technology charges	2,812,843	0	2,812,843	234,404	2,812,857	(14)	100.0%	2,702,268
Loss control charges	1,140,950	0	1,140,950	0	1,045,879	95,071	91.7%	1,128,474
Debt service	0	0	0	219,811	219,811	(219,811)	-	0
Transfers out	460,399	0	460,399	130,233	161,955	298,444	35.2%	133,669
Capital outlay	72,000	0	72,000	1,583,263	1,583,263	(1,511,263)	2199.0%	0
<b>Expenditure Totals:</b>	<b>\$58,411,914</b>	<b>\$0</b>	<b>\$58,411,914</b>	<b>\$8,236,245</b>	<b>\$56,853,299</b>	<b>\$1,558,615</b>	<b>97.3%</b>	<b>\$52,781,945</b>
<b>Net Change*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$15,595,856</b>	<b>(\$998,081)</b>	<b>\$998,081</b>		<b>\$1,745,649</b>

\* All General Fund expense over revenue collected is funded by general property taxes.

\*\* Use of fund balance was included in the adopted 2022 budget.

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.1	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Paul Mogush, Planning Director
<b>Ordinance:</b>	SECOND READING		
<b>Attachments:</b>	4	<b>Presented By:</b>	Paul Mogush
<b>Item:</b>	Zoning Code Text Amendment: TOD Districts		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT ON SECOND READING 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.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE TEXT OF THE SUMMARY OF ORDINANCE #2023-\_\_\_\_\_ DETERMINING THAT IT CLEARLY INFORMS THE PUBLIC OF THE INTENT AND EFFECT OF THE ORDINANCE.

## Overview:

### First Reading

The City Council voted unanimously on June 12 to approve the ordinance on first reading.

### 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:

- 63<sup>rd</sup> Avenue & Bottineau Boulevard
- Brooklyn Boulevard and West Broadway
- 85<sup>th</sup> Avenue and West Broadway
- 93<sup>rd</sup> 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 63<sup>rd</sup> Ave, Brooklyn Blvd, and 85<sup>th</sup> 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 63<sup>rd</sup> 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 93<sup>rd</sup> 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 93<sup>rd</sup> 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:**

- 4.1A ORDINANCE
- 4.1B SUMMARY OF ORDINANCE
- 4.1C MAPS OF TOD ZONING DISTRICTS
- 4.1D 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	Sales and service
		P	Office
P	Care facility, convalescent home	P	Medical and dental clinics
INSTITUTIONAL		P	Veterinary and animal services
P	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	Fuel stations
		C	Drive-through 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	Sales and service
P	Multiple dwelling	P	Restaurants and brewpubs
P	Care facility, convalescent home	P	Office
INSTITUTIONAL		P	Lodging
P	Religious assembly	P	Medical clinic
NP	Schools	P	Child care
R	Libraries	P	Adult day care
R	Museums	P	Parking
OTHER		C	Fuel stations
C	Wireless communication facilities	P	Breweries with taprooms and micro-distilleries with cocktail rooms
P	Drive-through windows	C	
		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

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

<b>USES</b>			
<b>RESIDENTIAL</b>		<b>COMMERCIAL</b>	
NP	Townhouse	P	Sales and service
NP	Multiple dwelling	P	Restaurants and brewpubs
NP	Care facility, convalescent home	P	Office
<b>INSTITUTIONAL</b>		P	Lodging
P	Religious assembly	P	Medical clinic
NP	Schools	P	Parking
NP	Libraries		
NP	Museums	P	Warehousing as an accessory use
<b>OTHER</b>		P	Child care
C	Wireless communication facilities	C	Adult day care
P	Drive-through windows	C	Fuel stations
NP	Distribution as a primary use		
P	Distribution or products produced on site	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:

<b>USES</b>			
<b>RESIDENTIAL</b>		<b>COMMERCIAL</b>	
NP	Townhouse	P	Sales and service
NP	Multiple dwelling	P	Restaurants and brewpubs
NP	Care facility, convalescent home		
<b>INSTITUTIONAL</b>		P	Office
P	Adult training facilities	P	Lodging
NP	Schools	P	Medical clinic
P	Religious assembly	P	Parking
NP	Museums	C	Child care
<b>OTHER</b>		C	Adult day care
C	Wireless communication facilities	C	Fuel stations
NP	Distribution as a primary use	P	Warehousing
P	Distribution of products produced on site	P	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. 5.** The “Uses” Portion of Table 15 in Section 152.610 of the City Code is amended to read as follows:

<b>USES</b>			
<b>RESIDENTIAL</b>		<b>COMMERCIAL</b>	
P	Multiple dwelling	P	Retail and service
P	Care facility and convalescent home	P	Restaurants and brewpubs
<b>INSTITUTIONAL</b>		P	Office
P	Religious assembly	P	Medical clinics
NP	Schools	P	Child care
P	Libraries	P	Adult day care
P	Museums	P	Parking
<b>OTHER</b>		C	Breweries and micro-distilleries
C	Wireless communication facilities	C	Taprooms and cocktail rooms
		NP	Drive-through windows
		NP	Fuel stations
		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

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

<b>USES</b>			
<b>RESIDENTIAL</b>		<b>COMMERCIAL</b>	
P	Townhouse	R	Sales and service
P	Multiple dwelling	P	Restaurants and brewpubs
P	Care facility , convalescent home	P	Office
<b>INSTITUTIONAL</b>		P	Lodging, not to exceed 50 rooms
P	Religious assembly	P	Medical clinic
NP	Schools	P	Child care
R	Libraries	P	Adult day care
R	Museums	C	Taprooms and cocktail rooms
<b>OTHER</b>		C	Breweries and micro-distilleries
C	Wireless communication facilities	NP	Parking as primary use
		NP	Fuel stations
		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

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

<b>USES</b>			
<b>RESIDENTIAL</b>		<b>COMMERCIAL</b>	
P	Single-family, two-family	R	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.
<b>INSTITUTIONAL</b>		P	Lodging, not to exceed 12 rooms
P	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
<b>OTHER</b>		NP	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

The City Council has determined that pursuant to its City Charter, Ordinance #2023\_\_\_\_ should be published in summary form.

SUMMARY OF ORDINANCE #2023-

AN ORDINANCE AMENDIING 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:

Ordinance #2023-\_\_\_\_\_, amends Chapter 152, Zoning Code to Title XV, General Regulations of the City Code to clarify uses that are permitted, conditional, and not permitted in the Transit Oriented Development zoning districts. The ordinance also amends the use tables in the Transit Oriented Development zoning districts to improve consistency with language used elsewhere in the code.

This summary of Ordinance #2023-\_\_\_\_\_ has been approved by the City Council on June 26, 2023. A printed copy of the full text of the ordinance and a map are available for public inspection in the office of the city clerk.

ATTEST:

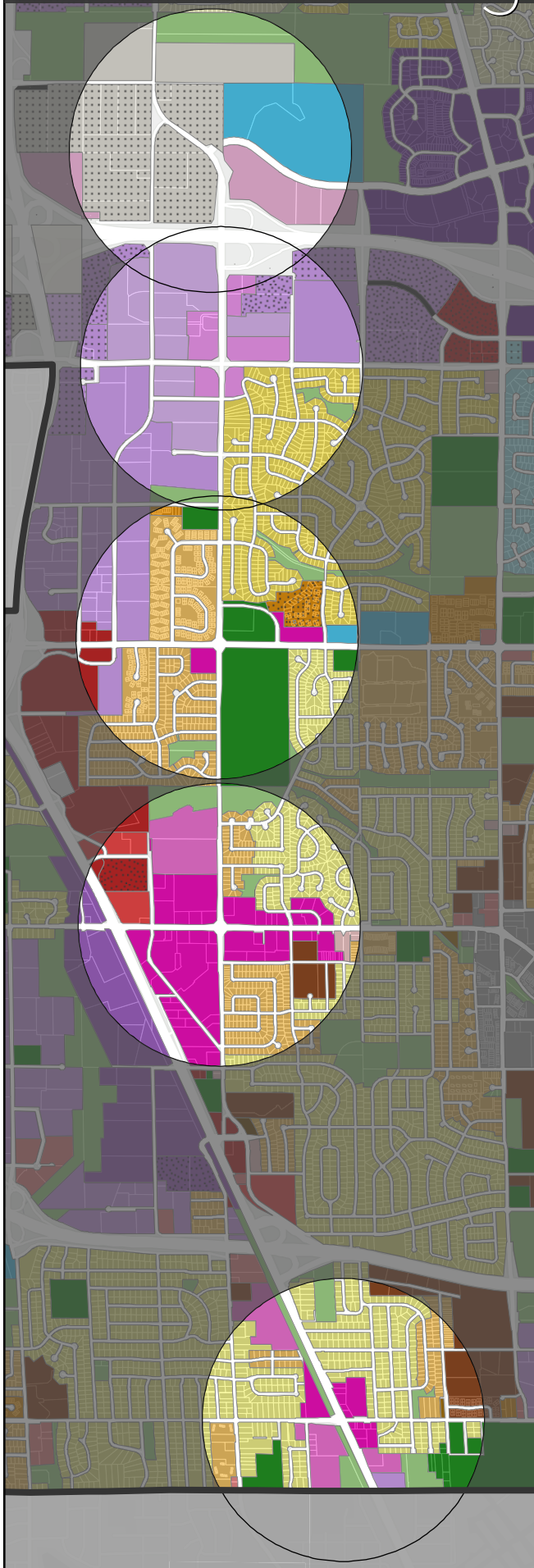
\_\_\_\_\_

HOLLIES WINSTON, MAYOR

\_\_\_\_\_  
DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney  
Passed on First Reading: 6-12-23  
Passed on Second Reading: 6-26-23  
Summary Published in Official Newspaper:

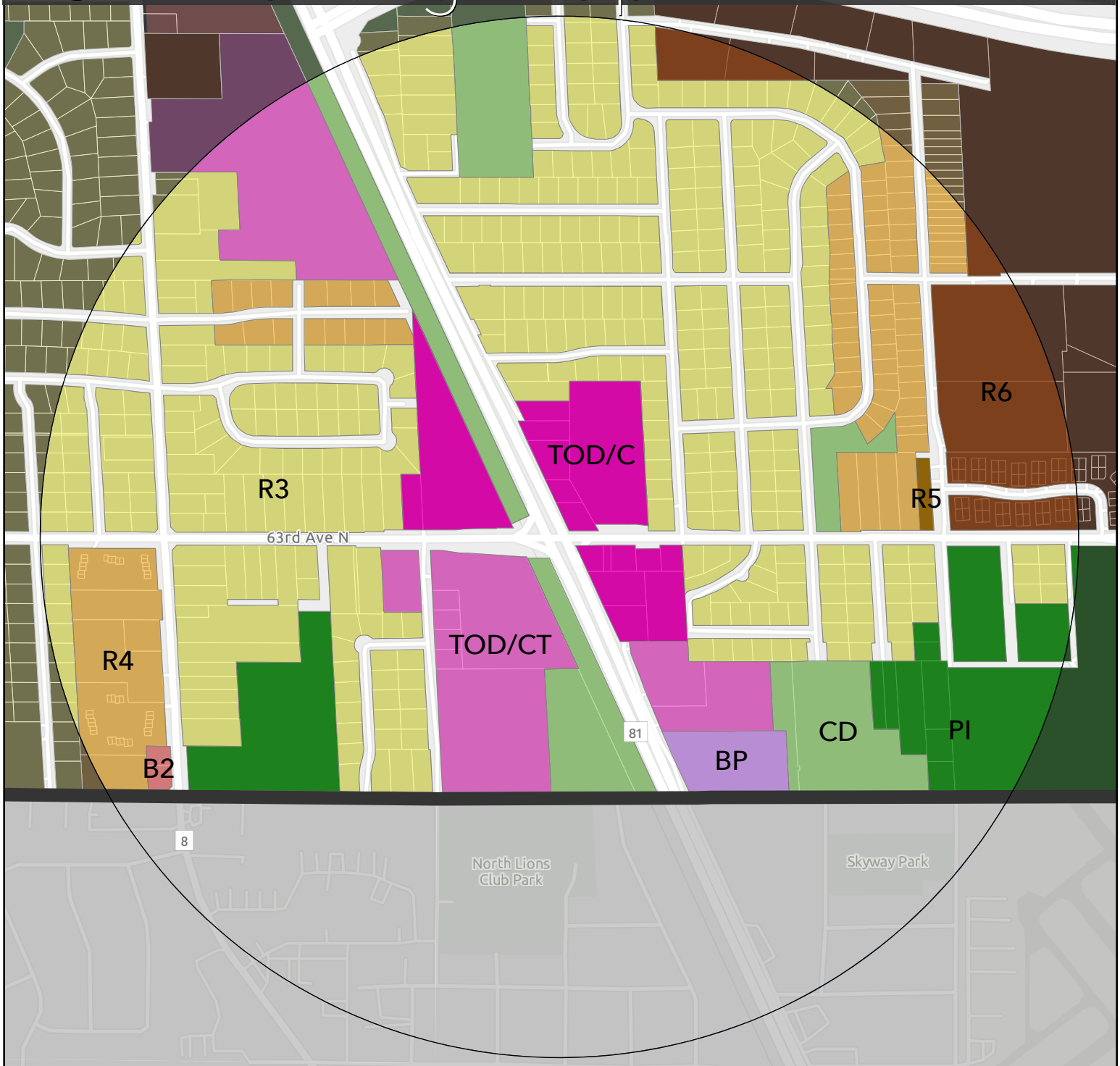
# TOD Zoning Map













## 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

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.

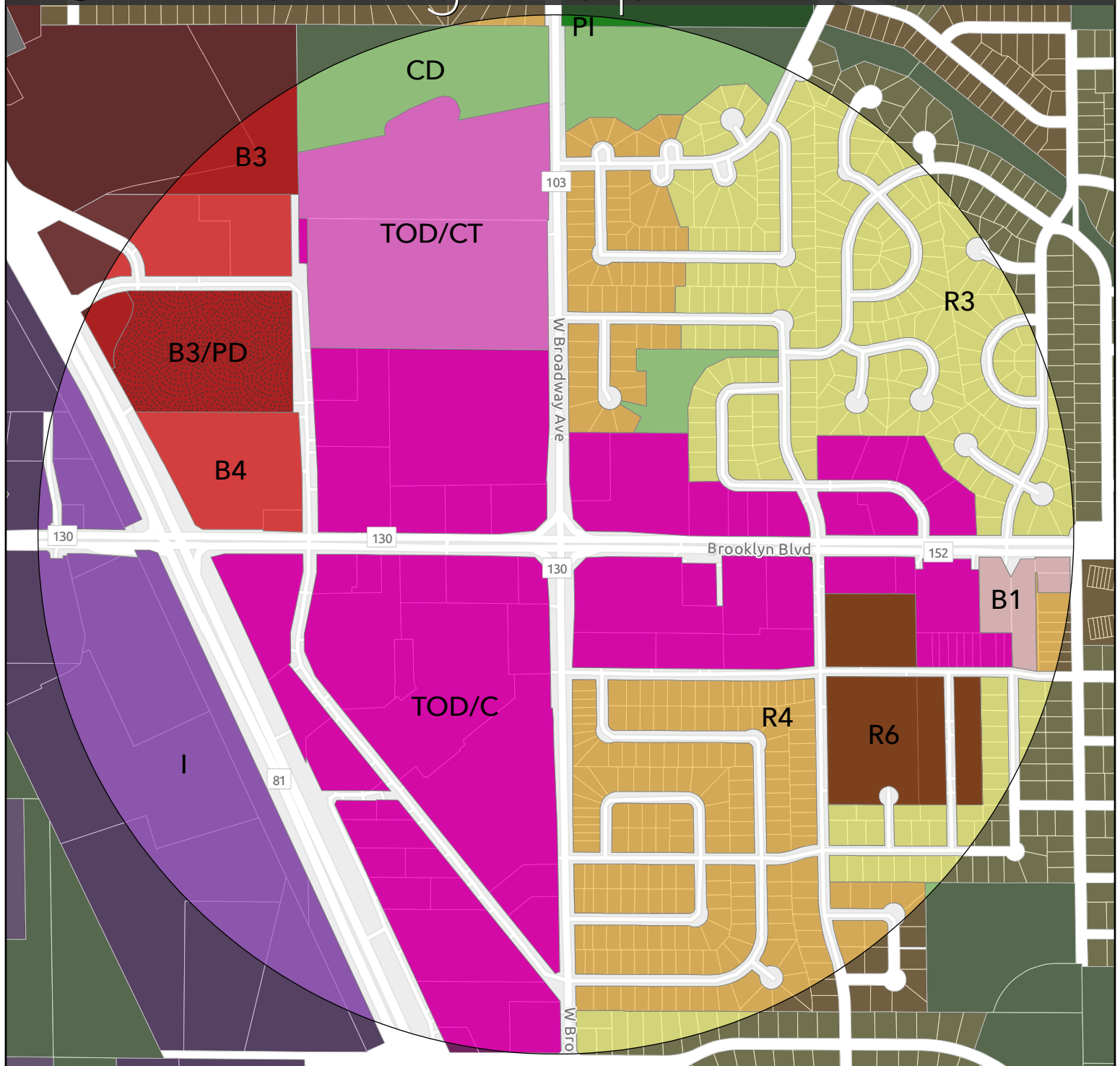


## Brooklyn Park Zoning Code













- |   |  |   |
|---|--|---|
|  R3 - Detached Single-Family Residential (80' Lots)       |  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           |

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# TOD Zoning Map



## 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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Basemap source: ArcGIS Online.



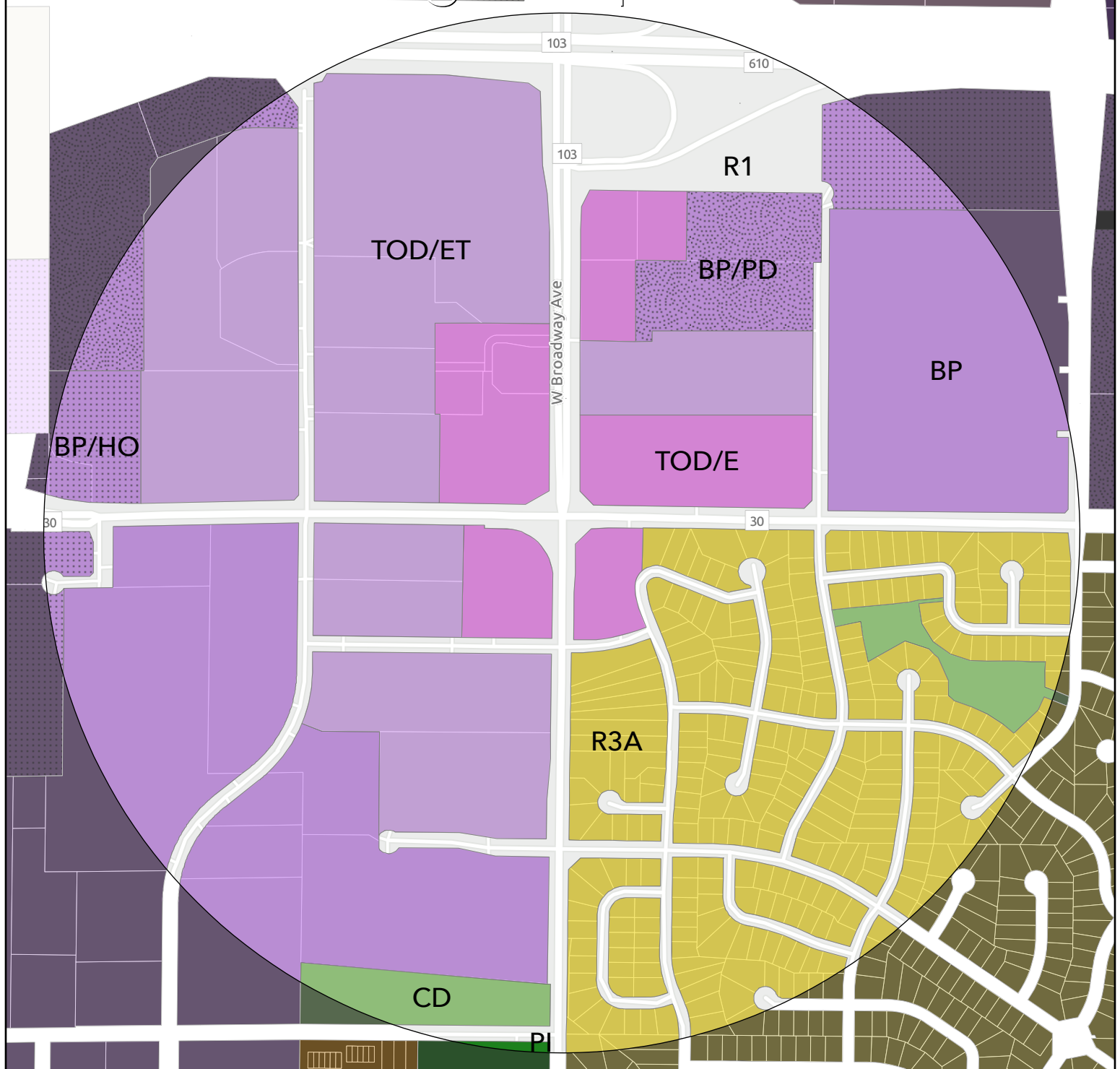


## Brooklyn Park Zoning Code










- |   |  |   |
|---|--|---|
|  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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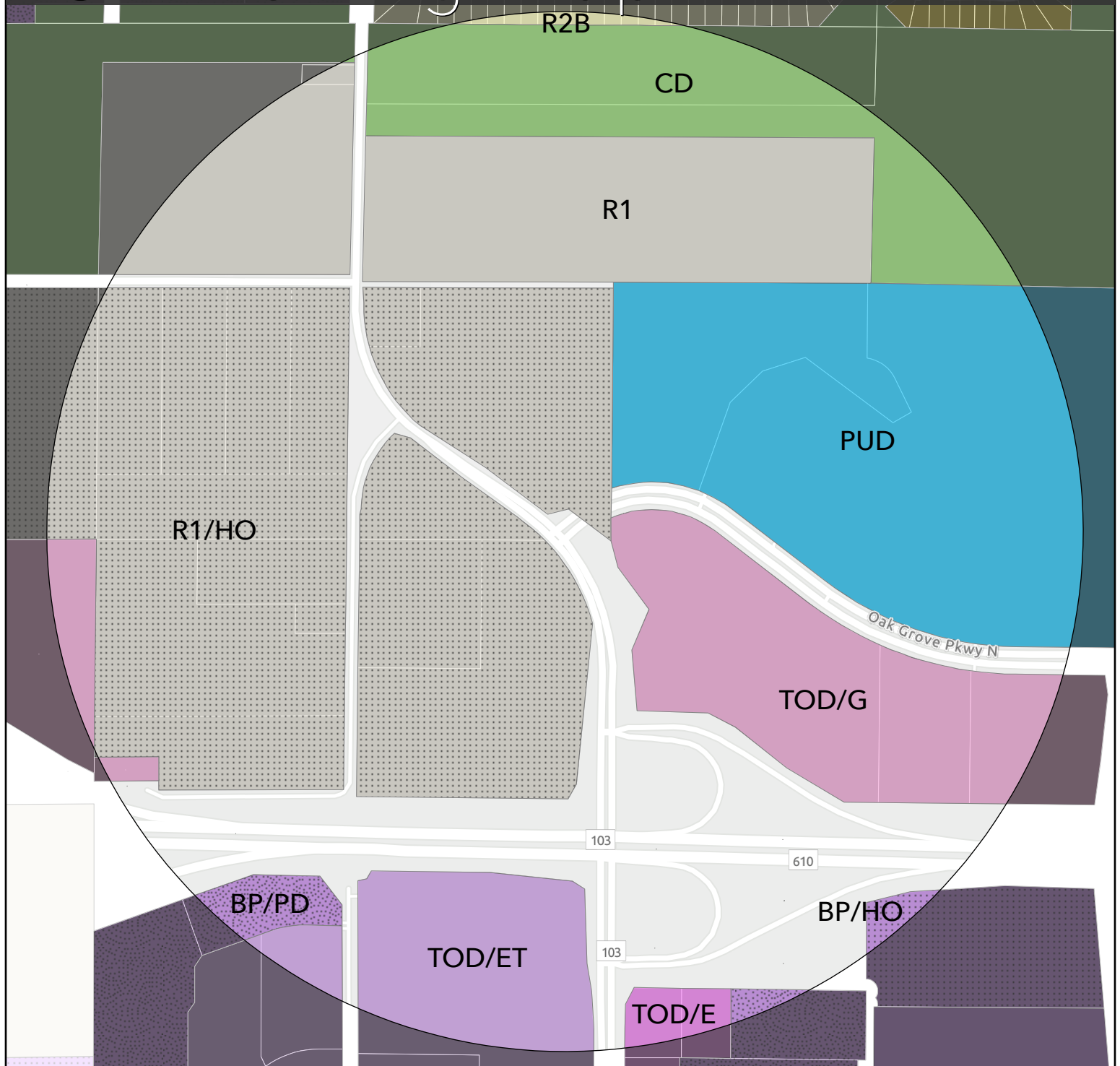










## Brooklyn Park Zoning Code

- |  |  |   |
|--|--|---|
|  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                   |

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

 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	

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**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 73<sup>rd</sup> 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.

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 93<sup>rd</sup> 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

<b>Agenda Item:</b>	4.2	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations & Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Richard Luckow, Utilities Manager
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Richard Luckow
<b>Item:</b>	Approve A Change Order for Corrosion Mitigation and Coating Repairs to Boone Water Tower CIP Project #3010-23		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_ TO APPROVE A CHANGE ORDER FOR BOONE AVE. WATER TOWER PROJECT, CORROSION AND COATING REPAIRS TO SEH INC.

## Overview:

This change order is to authorize for additional corrosion mitigation and coating repairs to Boone Ave. Water Tower. These repairs are necessary for the structural and coating integrity and will provide for many additional years of service life from the Boone Ave. Water Tower. On October 10, 2022, the City Council authorized the Operations and Maintenance Department to enter into a maintenance contract for water tower maintenance with SEH.

## Primary Issues/Alternatives to Consider:

Should the change order be approved as recommended?

The change order is necessary for proper operation of the water system. The additional corrosion and coating repairs will keep the tower in a serviceable condition providing potable water. It is recommended for approval by the Operations & Maintenance Department staff.

## Budgetary/Fiscal Issues:

The cost of the change order will be \$31,855.00. The current cost of the project will be \$1,320,010.00. The contract will be paid out of the 2023 Public Utilities Water Supply Fund CIP #3010-23 expenditure budget of \$1,400,00.00.

## Attachments:

- 4.2A RESOLUTION
- 4.2B CHANGE ORDER NO. 4



RESOLUTION #2023-

RESOLUTION TO APPROVE A CHANGE ORDER FOR BOONE AVE. WATER TOWER PROJECT,  
CORROSION AND COATING REPAIRS TO SEH INC.

WHEREAS, Boone Ave water tower rehabilitation project is under way; and

WHEREAS, a contract for Water Tower Maintenance for West River Road Tower was awarded to SEH on October 10, 2022; and

WHEREAS, during tower rehabilitation additional coating failures and corrosion were found; and

WHEREAS, the cost for the Change Order is necessary for ensuring water quality and structural viability of the storage tank; and

WHEREAS, the project can be accommodated within the 2023 Water Supply & Treatment Fund expenditure budget of \$1,400,000 for major maintenance of water storage facilities; and

WHEREAS, the project expenditures to date are, \$1,288,155.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve a Change Order with SEH in the amount of \$31,855.00.



# CHANGE ORDER

Contract	<u>Distribution</u>	
Project: Water Tank Maintenance Services   Boone Pedestal Tank	ORIGINALS:	COPIES:
	City of Brooklyn Park	Proj. Mgr. ( 1 )
	SEH DJB Files	Information Center
Address: 7724 Boone Avenue North	AGREEMENT NUMBER:	[ 170617 ]
Brooklyn Park, Minnesota 55443	CHANGE ORDER NUMBER:	[ 4 ]
TO	INITIATION DATE:	[ 6/2/23 ]
City of Brooklyn Park	CONTRACTOR'S PROJECT NUMBER:	[ ]
5200 85th Avenue North	CONTRACT FOR:	[ WTMS ]
Brooklyn Park, MN 55443	CONTRACT DATE:	[ 11/9/22 ]

You are directed to make the following changes in this Contract


4.1 Dry Interior Area Upgrade to Full Blast & Recoat (platforms, bowl, access tube) \$31,855.00

---

All work required by this Change Order shall be performed in compliance with the terms and conditions of the original Contract Agreement.

---

The original Contract Sum was .....	\$ 1,257,100.00
Net change by previous authorized Change Order .....	\$ 31,055.00
The Contract Sum prior to this Change Order was .....	\$ 1,288,155.00
The Contract Sum will be increased by this Change Order .....	\$ 31,855.00
The new Contract Sum including this Change Order will be .....	\$ 1,320,010.00
The Contract Time will be increased by	[ 0 ] Days
The Date of Substantial Completion as of the date of this Change Order therefore is	unchanged

Agreed:  
SEH DJB  
3535 Vadnais Center Drive, St. Paul, MN 55110  
Address  
By   
Steven L. Peterson  
Title SEH DJB President Date 06-07-2023

Authorized:  
OWNER  
5200 85<sup>th</sup> Avenue North, Brooklyn Park, MN 55443  
Address  
By \_\_\_\_\_  
Jay Stroebel  
Title City Manager Date \_\_\_\_\_

x:\ae\bl\bropk\170617\additional work\co4\_dry interior upgrades.docx

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.3	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Dolly Lee, Assistant Finance Director Dan Ruiz, O&M Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Dan Ruiz
<b>Item:</b>	Approve the Purchase of a Chevy Tahoe for the Fire Department		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_ TO AUTHORIZE STAFF TO ENTER INTO A PURCHASE AGREEMENT WITH NORTH COUNTRY CHEVROLET GMC OF HIBBING, MN AND EMERGENCY AUTOMOTIVE TECHNOLOGIES, INC. (EATI) FOR A CHEVY TAHOE IN THE AMOUNT NOT TO EXCEED \$50,000 AND TO AMEND THE 2023 CENTRAL GARAGE EQUIPMENT REPLACEMENT BUDGET AND 2023-27 CAPITAL EQUIPMENT PLAN TO MAKE THE PURCHASES.

## Overview:

The replacement of a Chevy Tahoe for the Fire Department was originally included in the 2022-2026 Capital Equipment Plan (CEP) as item #5403 and budgeted for \$50,000. Staff ordered the Tahoe in 2022, only to be informed near the end of 2022 that our order for a 2022 Tahoe was delayed and we would not receive the vehicle until spring of 2023 and it would be a 2023 Tahoe.

Staff worked with our vendors to get new cost estimates for the 2023 model, which cost approximately \$1,500 more. The cost increase can still be accommodated in the original budget estimate of \$50,000, but a 2023 budget and capital equipment plan amendment are necessary to complete the purchase.

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

## Budgetary/Fiscal Issues:

The total cost of the recommended fire vehicle is not to exceed \$50,000. The cost of the vehicle can be accommodated in the amended 2023 Central Garage Equipment Replacement Fund.

## Attachments:

4.3A RESOLUTION

RESOLUTION #2023-

AUTHORIZE STAFF TO ENTER INTO A PURCHASE AGREEMENT WITH NORTH COUNTRY CHEVROLET GMC AND EMERGENCY AUTOMOTIVE TECHNOLOGIES, INC. FOR A CHEVY TAHOE IN THE AMOUNT NOT TO EXCEED \$50,000 AND TO AMEND THE 2023 CENTRAL GARAGE EQUIPMENT REPLACEMENT BUDGET AND 2023-27 CAPITAL EQUIPMENT PLAN TO MAKE THE PURCHASES.

WHEREAS, the purchase of a Chevy Tahoe for the Fire Department was originally in the 2022-2026 Capital Equipment Plan as item #5403 and budgeted for \$50,000; and

WHEREAS, due to supply shortages our Chevy Tahoe order was delayed by the manufacturer; and

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

WHEREAS, we received price quotes for approximately \$50,000; and

WHEREAS, the \$50,000 can be accommodated by the amended 2023 Central Garage Equipment Replacement Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize staff to enter into a purchase agreement with North Country Chevrolet GMC and Emergency Automotive Technologies, Inc. for a Chevy Tahoe in the amount not to exceed \$50,000 and to amend the 2023 Central Garage Equipment Replacement Budget and 2023-2027 Capital Equipment Plan to make the purchases.

Amendment to the 2023 Budget					
<b>Financing Changes</b>					
<b>HIDE column for RFCA</b>					
<u>Fund</u>	<u>Revenue Classification</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
Central Garage	Use of Fund Balance	Chevy Tahoe	\$ 3,392,406.00	\$ 50,000.00	\$ 3,442,406.00
			\$ -	\$ -	\$ -
		Total	\$ 3,392,406.00	\$ 50,000.00	\$ 3,442,406.00
<b>Spending Changes</b>					
<b>HIDE column for RFCA</b>					
<u>Fund</u>	<u>Expense Classification</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
Central Garage	Capital Outlay	Chevy Tahoe	\$ 4,151,774.00	\$ 50,000.00	\$ 4,201,774.00
					\$ -
		Total	\$ 4,151,774.00	\$ 50,000.00	\$ 4,201,774.00
Amendment to the 2023-2027 Capital Equipment Plan					
<b>Financing Changes</b>					
<b>Hide column for RFCA</b>					
<u>Project Number</u>	<u>Funding Source</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
CEP5403	E.R. - Equipment Replacem	Chevy Tahoe	\$ -	\$ 50,000.00	\$ 50,000.00
					\$ -
		Total	\$ -	\$ 50,000.00	\$ 50,000.00
<b>Spending Changes</b>					
<b>Hide column for RFCA</b>					
<u>Project Number</u>	<u>Expense Category</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
CEP5403	Capital Equipment	Chevy Tahoe	\$ -	\$ 50,000.00	\$ 50,000.00
					\$ -
		Total	\$ -	\$ 50,000.00	\$ 50,000.00

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.4	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Megan Bookey, Program Assistant III
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A	<b>Presented By:</b>	Keith Jullie, Rental and Business Licensing Manager
<b>Item:</b>	Approve a Tetrahydrocannabinol (THC) License and a Tobacco License for Boone Tobacco LLC dba Boone Tobacco, 6284 Boone Avenue North, Brooklyn Park, MN 55428		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE A TETRAHYDROCANNABINOL (THC) LICENSE FOR BOONE TOBACCO LLC DBA BOONE TOBACCO, 6284 BOONE AVENUE NORTH, BROOKLYN PARK, MN 55428

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE A TOBACCO LICENSE FOR BOONE TOBACCO LLC DBA BOONE TOBACCO, 6284 BOONE AVENUE NORTH, BROOKLYN PARK, MN 55428

## Overview:

At the December 5, 2022, city council meeting, the city council passed the second and final reading of a new ordinance Chapter 126, which creates licensing requirements and regulations for the sales of THC in Brooklyn Park. The code limits the total number of THC licenses to 15 per city council district and 45 total city-wide. The annual licensing fee is \$1,000 plus a one-time background check fee of \$500. The applicant has completed the application and background process to obtain a license to sell THC products.

This action is also for approval of a new Tobacco License at the same location of 6284 Boone Avenue N. The Tobacco application has been approved and the Police Department has completed their investigation of the applicants. There are no known code violations currently and staff recommends approval of both the THC and Tobacco licenses.

## Background:

On July 1, 2022, the Minnesota legislature legalized the sale of limited amounts of Tetrahydrocannabinol (THC), which is the intoxicating component within the hemp plant. THC can be extracted from the plant and added to edibles and beverages for consumption. State law requires that these products contain no more than 0.3% of any THC total, no more than five milligrams of THC per serving, and no more than 50 milligrams of THC per package. The law prohibits the sale of edible THC products to anyone under the age of 21 and contains several requirements regarding labeling and packaging.

## Ordinance Requirements:

The THC ordinance and licensing requirements include regulations from State law and City code including:

- Business must have a license approved by the city council to sell THC products effective March 1, 2023.
- Customers must be 21 years old to purchase THC products, and it is a petty misdemeanor violation for anyone under 21 to possess licensed products.
- Customers must provide a valid government issued photo identification for purchase upon request.
- Products must be located behind a counter or in a locked case requiring store employees to access.
- License applicants must pass a background check prior to license approval.

- Compliance checks and business inspections are required to ensure compliance with regulations.
- Annual license fee of \$1,000 and background check fee of \$500
- The total number of THC licenses allowed in the city proposed at 15 per each of three city council districts (east, central, west) and 45 total licenses allowed in the city based on discussion with the city council during the first reading.
- THC licenses are allowed in all retail areas except within 300 feet of a school and exclusive liquor stores are ineligible.
- Penalties for violations and appeal processes are comparable to tobacco compliance processes.

The THC application has been approved and the police department has completed their investigation of the owner and manager. There are no known code violations currently and staff recommend approval of both the THC Sales license and the Tobacco license.

THC Business Locations:

Business Name	Location	Council District	Total in District		
			Central	East	West
E-Vapor and Tobacco	4658 85 <sup>th</sup> Avenue N.	Central	X		
Neighborhood Gas and Tobacco	7416 Brooklyn Blvd N.	East		X	
Winner Gas	1500 Brookdale Drive N.	East		X	
Love is an Ingredient	6276A Boone Avenue N.	West			X
Love is an Ingredient	8505 Jefferson Lane N.	West			X
New Superette	6290 Boone Avenue N.	West			X
A&J Tobacco	8058 Brooklyn Blvd N.				X
Speedy Market	7401 Regent Ave N.			X	
Lifted	8470 Xerxes Ave N.			X	
Boone Tobacco (new)	6284 Boone Ave N				X
		<b>TOTALS</b>	1	4	5

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

**Budgetary/Fiscal Issues:**

THC License fees totaling \$1,000 will be added to the general fund.  
Tobacco License fee of \$200 will be added to the general fund.

**Attachments:** N/A

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.5	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Administration Department
<b>Resolution:</b>	X	<b>Prepared By:</b>	Zach Kramka, Assistant to the City Manager
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Zach Kramka
<b>Item:</b>	Minnesota State Auditor Performance Measurement Program		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_ TO AUTHORIZE STAFF TO SUBMIT TO THE OFFICE OF THE STATE AUDITOR THE ACTUAL RESULTS OF THE PERFORMANCE MEASUREMENT PROGRAM ADOPTED BY THE CITY COUNCIL.

## Overview:

The City of Brooklyn Park on a yearly basis tracks various performance measures and community indicators to gauge progress towards achieving the goals defined in *Brooklyn Park 2025*. These measurements are also valuable components of evaluating the performance of City operations and programming.

In 2012, the State of Minnesota implemented its Local Government Performance Measurement Program to promote continuous improvement and efficiency of local government operations. Many of the standard measures included in this program overlap with data currently being tracked by City staff in Brooklyn Park. Participation in this program will benefit the City financially, and it is one way the organization can be rewarded for work that is already being completed. This is the first year Brooklyn Park has pursued this program.

Requirements of the program include:

- Select at least ten measures from the standard list published by the State
- Submit a formal performance measurement report and supporting resolution from the City Council by July 1st
- Post the report on the City's website for public viewing by the end of the calendar year
- Develop a system to use this information to facilitate optimal future outcomes

Staff's recommended list of performance measures are included in the attached report. Proposed measures were selected based upon data accessibility and a desire for multi-departmental representation.

## Primary Issues/Alternatives to Consider:

Participation in this program is voluntary. Each year moving forward, the City Council will have an opportunity to consider the City of Brooklyn Park's involvement. City staff maintain robust data tracking capabilities independent of this State program, and these activities will continue to inform organizational actions into the future.

## Budgetary/Fiscal Issues:

Participating cities receive an incentive payment equal to \$0.14 per capita. In Brooklyn Park, this equates to roughly \$12,000. There are no restrictions regarding how these funds can be used once received.

## Attachments:

4.5A RESOLUTION

4.5B 2023 CITY OF BROOKLYN PARK PERFORMANCE MEASUREMENT REPORT

RESOLUTION #2023-

AUTHORIZE STAFF TO SUBMIT TO THE OFFICE OF THE STATE AUDITOR THE ACTUAL RESULTS OF THE PERFORMANCE MEASUREMENT PROGRAM ADOPTED BY THE CITY COUNCIL

WHEREAS, In 2010, the Minnesota Legislature created the Council on Local Results and Innovation; and

WHEREAS, The Council on Local Results and Innovation developed a standard set of performance measures that will aid residents, taxpayers, and state and local elected officials in determining the efficacy of cities in providing services and measure residents' opinion of those services; and

WHEREAS, Benefits to the City of Brooklyn Park are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

WHEREAS, any city participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The City Council of Brooklyn Park has adopted and implemented at least ten of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage, and evaluate programs and processes for optimal future outcomes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the City of Brooklyn Park will report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, posting on the City's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

BE IT FURTHER RESOLVED by the City Council of the City of Brooklyn Park that the City of Brooklyn Park will submit to the Office of the State Auditor the actual results of the performance measures adopted by the City.





# Brooklyn Park

2023 Office of the State Auditor Performance Measure Reporting

## General

### 1. Percent change in taxable property market value from prior year

2019	2020	2021	2022
9.1%	6.7%	5.7%	20%

### 2. Bond Rating

Bonds were most recently issued in 2019 and 2021. There will likely be another issuance in 2023. Another bond rating from Standard & Poor's will be pursued during that process.

2019	2021
AA+	AA+

### 3. Citizens' rating of the quality of city recreational programs and facilities

How would you rate maintenance and quality of park and recreation facilities in Brooklyn Park?\*

2019	2021
Excellent: 36% Good: 53% Only Fair: 3% Poor: 0% Don't know/Refused: 8%	Excellent: 29% Good: 68% Only Fair: 3% Poor: 0% Don't Know/Refused: 1%

Do you feel the current mix of recreational programs and facilities in the city sufficiently meets the needs of members of your household?\*

2019	2021
Yes: 93% No: 5% Don't know/Refused: 2%	Yes: 94% No: 2% Don't Know/Refused: 2%

## Police Services

### 4. Citizens' rating of safety in their community

I have an overall feeling of safety in Brooklyn Park.\*

2019	2021
Yes: 89% No: 11% Don't know/Refuse: 0%	Yes: 84% No: 16% Don't know/Refuse: 1%

## Sanitary Sewer

### 5. Citizen's rating of dependability and quality of city sanitary sewer service

Dependability/quality of sanitary sewer service\*

2019	2021
Excellent: 27% Good: 62% Fair: 11% Poor: 0% Don't know: 1%	Excellent: 40% Good: 56% Fair: 2% Poor: 1% Don't know: 2%

# Fire & EMS Services

## 6. Insurance industry rating of fire services

Class 3 ISO rating was last affirmed in 2017.

2017
Class 3 ISO rating

## 7. Fire calls/1,000 population

2019	2020	2021	2022
30.29	25.49	26.83	28.41

## 8. Fire medical calls/1,000 population

2019	2020	2021	2022
92.94	70.05	70.69	70.19

# Streets

## 9. Citizens' rating of quality of snowplowing on city streets

Quality of snow plowing of City streets\*

2019	2021
Excellent: 23% Good: 54% Fair: 21% Poor: 2% Don't know: 0%	Excellent: 32% Good: 51% Fair: 15% Poor: 2% Don't know: 0%

# Water

## 10. Citizens rating of the dependability and quality of city water supply

Quality of city drinking water\*

2019	2021
Excellent: 20% Good: 60% Fair: 16% Poor: 3% Don't know: 1%	Excellent: 9% Good: 55% Fair: 16% Poor: 19% Don't know: 1%

Dependability of city drinking water system\*

2019	2021
Excellent: 32% Good: 56% Fair: 11% Poor: 1% Don't know: 1%	Excellent: 29% Good: 50% Fair: 10% Poor: 10% Don't know: 1%

\*Results are from the biennial Brooklyn Park resident survey.  
The next survey will be commissioned in Fall 2023.

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.6	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Community Development Rental and Business Licensing
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Megan Bookey, Program Assistant III
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A		
<b>Item:</b>	Approve a Temporary On-Sale Liquor License for St. Gerard's Church for their Corn Fest to be held August 19, 2023 at 9600 Regent Avenue North		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR ST. GERARD'S CHURCH FOR THEIR CORN FEST TO BE HELD AUGUST 19, 2023 AT 9600 REGENT AVENUE NORTH

## Overview:

St. Gerard's church is hosting their annual festival on August 19, 2023 on parish grounds, 9600 Regent Avenue N. A special event permit application has been submitted and covers various aspects of the event to ensure that proper procedures are in place for the sale and consumption of alcohol on the premises.

The Community Development Department approved the application on June 16, 2023, and the Police Department has completed their investigation of the applicant. There are no known code violations at the property and staff finds no reason that would preclude the issuance of this Temporary On-Sale Liquor license.

The license must be approved by the State of Minnesota Alcohol and Gambling Enforcement Division once the City of Brooklyn Park has approved the license.

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

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

**Attachments:** N/A

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.7	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Recreation and Parks
<b>Resolution:</b>	X	<b>Prepared By:</b>	Brad Tullberg, Director of Recreation and Parks
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Brad Tullberg
<b>Item:</b>	To Accept a Grant from Hennepin County for the Youth Arts Grant Program, Amend the 2023 Budget for the Grant and Authorize the Recreation and Parks Director to Enter into an Agreement		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_\_ TO ACCEPT A GRANT FROM HENNEPIN COUNTY FOR THE YOUTH ARTS GRANT PROGRAM, AMEND THE 2023 BUDGET FOR THE GRANT AND AUTHORIZE THE RECREATION AND PARKS DIRECTOR TO ENTER INTO AN AGREEMENT

## Overview:

The Twins Ballpark sales tax, approved by the Minnesota Legislature in 2006, funds the Hennepin Youth Sports Program. In 2021, the Hennepin County Board of Commissioners expanded funding opportunities to include lifeguard services as well as arts and music programming. Up to \$4 million annually is dedicated between the programs. A total of \$250,000 annually has been made available for arts and music grants.

Recreation & Parks staff reviewed the grant requirements, submitted an application, and has been awarded a Hennepin Youth Arts & Music grant in the amount of \$24,150 for a two-year contract term.

Grant funds may only be used to reimburse arts equipment and supplies; music equipment and supplies; materials needed for programming, educational purposes, and performances; and advertisement and/or outreach materials.

Recreation and Parks staff are recommending acceptance of the grant and amending the 2023 grant fund for the 2023 activity under this grant program.

Changes to the GENERAL LEDGER Budget					
Financing Changes					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
203	County Grants	2022 Youth Art and Music Grant	\$ -	\$ 10,000.00	\$ 10,000.00
			\$ -	\$ -	\$ -
					\$ -
					\$ -
					\$ -
		Total	\$ -	\$ 10,000.00	\$ 10,000.00
Spending Changes					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
203	Contractual Services	Instructors/Internships	\$ -	\$ 6,500.00	\$ 6,500.00
203	Supplies	Program Supplies	\$ -	\$ 3,500.00	\$ 3,500.00
					\$ -
					\$ -
					\$ -
		Total	\$ -	\$ 10,000.00	\$ 10,000.00

**Budgetary/Fiscal Issues:**

The \$24,150 Hennepin Youth Arts and Music grant would be utilized over a two-year period. The budget amendment amount for the 2023 grant fund is expected to be \$10,000.

**Attachments:**

4.7A RESOLUTION

RESOLUTION #2023-

RESOLUTION TO ACCEPT A GRANT FROM HENNEPIN COUNTY  
FOR THE YOUTH ACTIVITIES GRANT PROGRAM, AMEND THE 2023 BUDGET FOR THE GRANT AND  
AUTHORIZE THE RECREATION AND PARKS DIRECTOR TO ENTER INTO AN AGREEMENT

WHEREAS, the Minnesota Statutes Section 473.757, subd. 2 authorized the county to make grants for youth activities and youth amateur sports within Hennepin County; and

WHEREAS, Recreation and Parks responded to the application for the 2022 Youth Art and Music Grants program and received the award of \$24,150 for a two-year contract term; and

WHEREAS, the funds will be used for materials and supplies for the Recreation and Park's Wellness Through Arts program, and

WHEREAS, Recreation and Parks is needing to amend the 2023 grant fund for the 2023 activity under this grant program; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to accept the grant and Recreation & Parks Director to execute the grant agreement with Hennepin County and amend the 2023 Grant Budget for 2023 grant activity.

Changes to the GENERAL LEDGER Budget					
<b>Financing Changes</b>					
<u>Fund</u>	<u>Revenue Classification</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
203	County Grants	2022 Youth Art and Music Grant	\$ -	\$ 10,000.00	\$ 10,000.00
			\$ -	\$ -	\$ -
					\$ -
					\$ -
		Total	\$ -	\$ 10,000.00	\$ 10,000.00
<b>Spending Changes</b>					
<u>Fund</u>	<u>Expense Classification</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
203	Contractual Services	Instructors/Internships	\$ -	\$ 6,500.00	\$ 6,500.00
203	Supplies	Program Supplies	\$ -	\$ 3,500.00	\$ 3,500.00
					\$ -
					\$ -
					\$ -
		Total	\$ -	\$ 10,000.00	\$ 10,000.00

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.8	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Community Development Rental and Business Licensing
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Megan Bookey, Program Assistant III
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A		
<b>Item:</b>	Approve a Temporary On-Sale Liquor License for the Church of St Vincent de Paul for their Fall Festival to be held September 17, 2023, at 9100 93 <sup>rd</sup> Avenue North		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE CHURCH OF ST VINCENT DE PAUL FOR THEIR FALL FESTIVAL TO BE HELD SEPTEMBER 17, 2023, AT 9100 93<sup>RD</sup> AVENUE NORTH

## Overview:

St Vincent de Paul is hosting their Fall Festival on September 17, 2023, on parish grounds, 9100 93rd Avenue North. The hours of the event are 11:00am to 6:30 p.m. in the parish parking lot. A special event permit application has been submitted and covers various aspects of the event to ensure that proper procedures are in place for the sale and consumption of alcohol on the premises.

The Community Development Department has approved the application and the Police Department has completed their investigation of the applicant. There are no known code violations at the property and staff recommend approval of the Temporary On-Sale Liquor license.

The license must be approved by the State of Minnesota Alcohol and Gambling Enforcement Division once the City of Brooklyn Park has approved the license.

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

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

**Attachments:** N/A

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.9	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	General Action	<b>Originating Department:</b>	Operations and Maintenance - Engineering Services Division
<b>Resolution:</b>	X	<b>Prepared By:</b>	Craig Runnako, Construction Engineer
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	5	<b>Presented By:</b>	Jesse Struve, City Engineer
<b>Item:</b>	Approve Cooperative Construction Agreement No. 1053216 with the Minnesota Department of Transportation for the TH 169/63rd Avenue Bridge No. 27317 Project		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_ APPROVING COOPERATIVE CONSTRUCTION AGREEMENT NO. 1053216 WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE TH 169/63<sup>RD</sup> AVENUE BRIDGE NO. 27317 PROJECT.

## Overview:

The city has been working with MNDOT to upgrade the TH169/63<sup>RD</sup> Ave bridge to provide pedestrian accommodations for improved pedestrian/bike connections to / from Maple Grove. MNDOT decided to replace the current bridge because it is nearing its lifespan and agrees to include a trail along the south side of the bridge and between Mendelssohn Avenue and Magda Drive. This project is programmed for 2024.

The construction of the TH 169 / 63rd Avenue Interchange Project and Bridge No 27317 is estimated to cost approximately \$5.3 million which will be fully funded by the State. The City has requested an architectural concrete emblem to be added to the plans in the form of a Brooklyn Park name sign on the south side of the bridge for Northbound TH 169 traffic. The city has been approved for Municipal State Aid Funding to pay the estimated \$5,940.00 cost for the sign.

MnDOT has prepared Agreement No. 1053216 documenting the responsibilities of the City and MnDOT relative to the interchange construction, operations, maintenance, right of way, and construction engineering. Staff reviewed the agreement and find it to be reasonable and acceptable. Staff recommends City Council approval of Cooperative Construction Agreement No. 1053216 with the Minnesota Department of Transportation for the TH 169 / 63<sup>RD</sup> Avenue Bridge Project.

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

## Budgetary/Fiscal Issues:

Funding is planned to come from Municipal State Aid

## Attachments:

- 4.9A RESOLUTION
- 4.9B LOCATION MAP
- 4.9C BRIDGE PLAN SHEETS
- 4.9D EMBLEM DETAIL PHOTO FROM CITY OF DAYTON
- 4.9E ELECTRONIC SIGNATURES
- 4.9F COOPERATIVE AGREEMENT



RESOLUTION #2023 –

RESOLUTION APPROVING COOPERATIVE CONSTRUCTION AGREEMENT NO. 1053216 WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR THE TH 169/63<sup>RD</sup> AVENUE BRIDGE PROJECT

WHEREAS, the City of Brooklyn Park (City) is working towards the construction of a new partial access interchange at the TH 169 / 63<sup>rd</sup> Avenue North junction (Project) with the Minnesota Department of Transportation (MnDOT); and

WHEREAS, the City has applied for Municipal State Aid funding to help construct the Project; and

WHEREAS, MnDOT has prepared Agreement No. 1053216 (Agreement) with the City outlining the responsibilities (including construction, operations, maintenance, right of way and construction engineering) for the Project; and

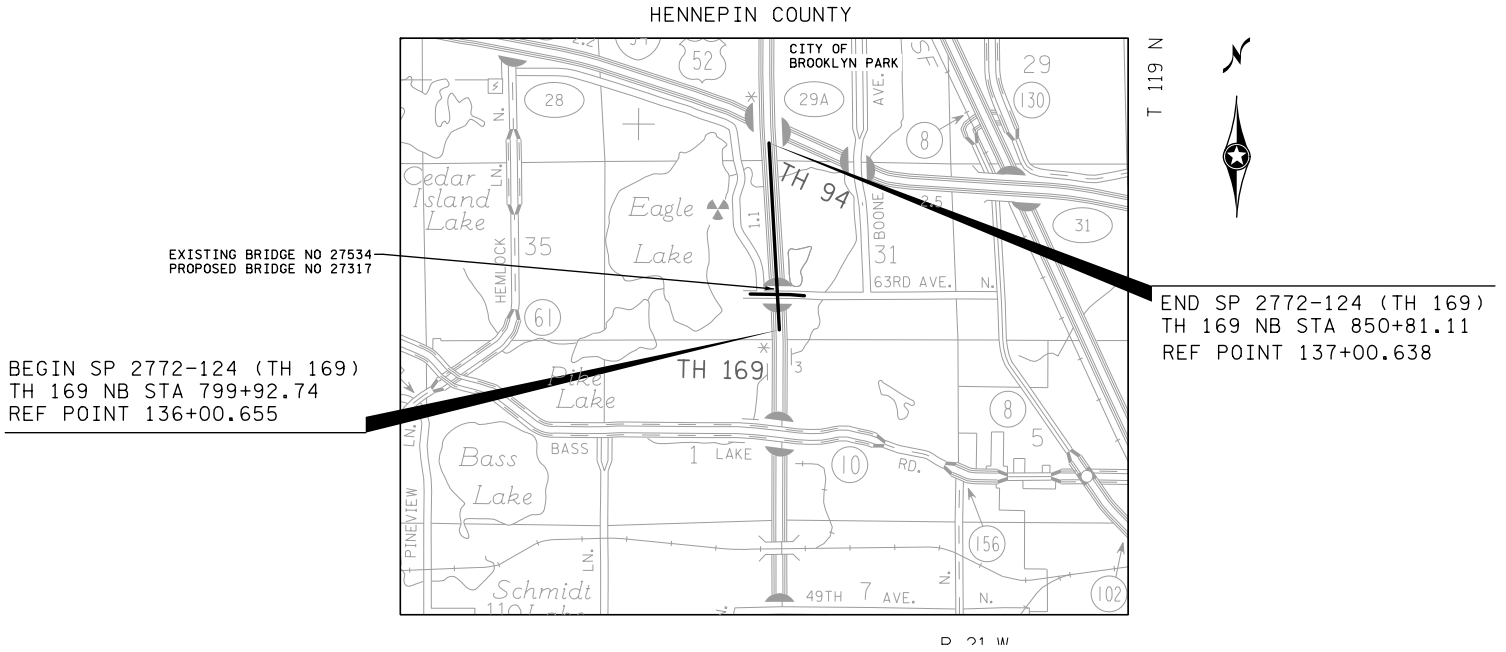
WHEREAS, City staff have reviewed the Agreement and find it to be acceptable.

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

1. The City of Brooklyn Park approves Cooperative Construction Agreement No. 1053216 with the State of Minnesota, Department of Transportation for payment by the City to State for the City's share of the costs of the Bridge No. 27317 architectural concrete emblem construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 169 from 1,250 south of 63<sup>rd</sup> Ave North to Trunk Highway No. 94 within the corporate City limits under State Project No. 2772-124.
2. The Mayor and City Manager are hereby authorized and directed to execute said Agreement on behalf of the City of Brooklyn Park.
3. The City Clerk is directed to forward an electronically signed Cooperative Agreement and a certified copy of the resolution to Malaki Ruranika, malaki.ruranika@state.mn.us.

# LOCATION MAP

TH169/63RD AVE BRIDGE NO. 27317



STATE FUNDS

DESIGN DATA

DESIGNED IN ACCORDANCE WITH 2020 AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS

HL-93 LIVE LOAD

DEAD LOAD INCLUDES 20 POUNDS PER SQUARE FOOT ALLOWANCE FOR FUTURE WEARING COURSE MODIFICATIONS

MATERIAL DESIGN PROPERTIES:

REINFORCED CONCRETE:  
 f'c = 4 KSI CONCRETE  
 fy = 60 KSI PLAIN AND EPOXY COATED BARS  
 fy = 75 KSI STAINLESS STEEL BARS  
 n = 8 FOR REINFORCEMENT BARS

PRETENSIONED CONCRETE:  
 f'c = 9.5 KSI CONCRETE (MAX)  
 fpu = 300 KSI LOW RELAXATION STRANDS  
 n = 1 FOR PRESTRESSING STRANDS  
 0.75 fpu FOR INITIAL PRESTRESS

DESIGN SPEED:  
 OVER = 30 MPH  
 UNDER = 60 MPH

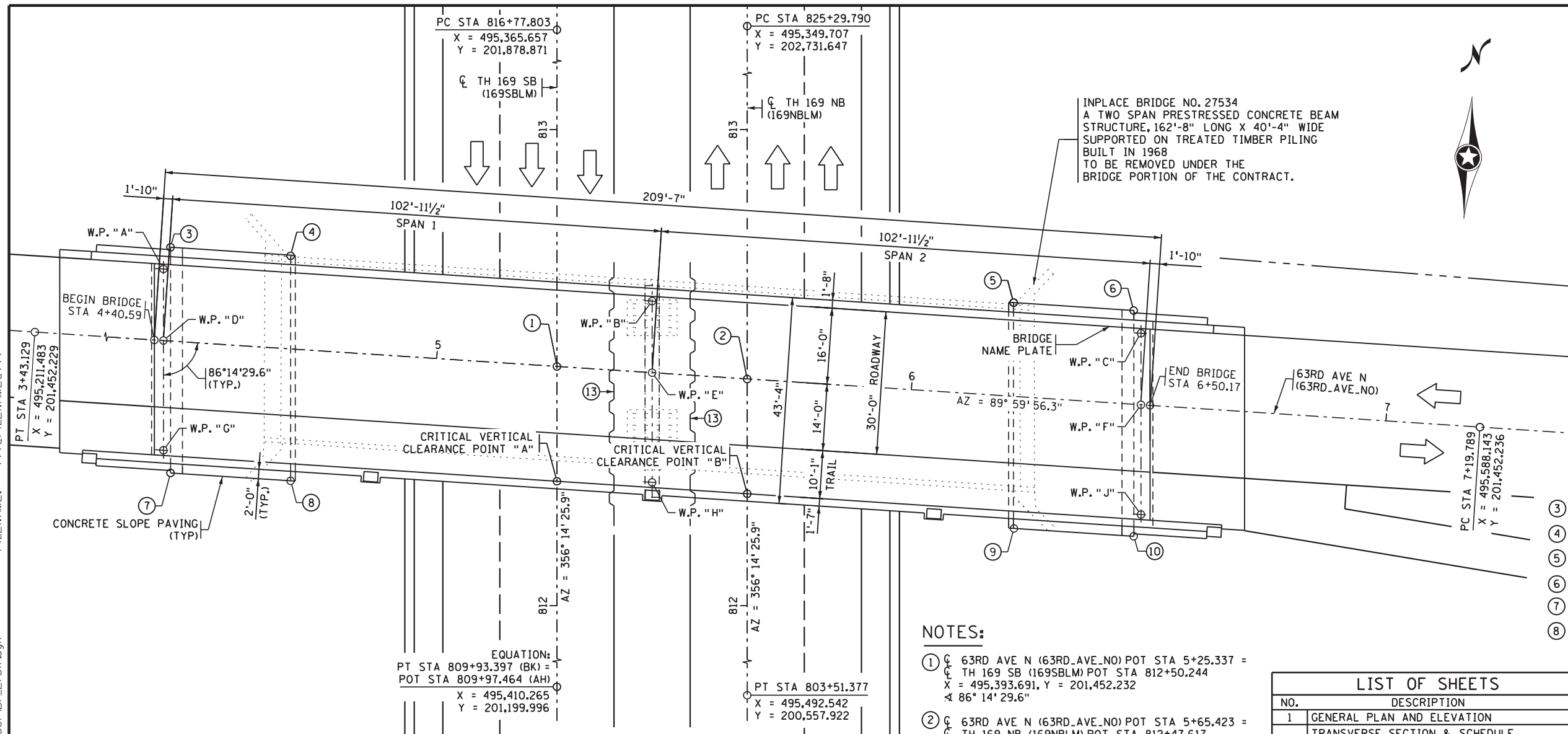
DECK AREA = 9097 SQUARE FEET

2043 PROJECTED TRAFFIC VOLUMES	
ROADWAY OVER	ROADWAY UNDER
7000 AADT	49000
800 DHV	4400
300 HCAADT	5100

HL-93 LRFD BRIDGE OPERATING RATING FACTOR RF = 1.73



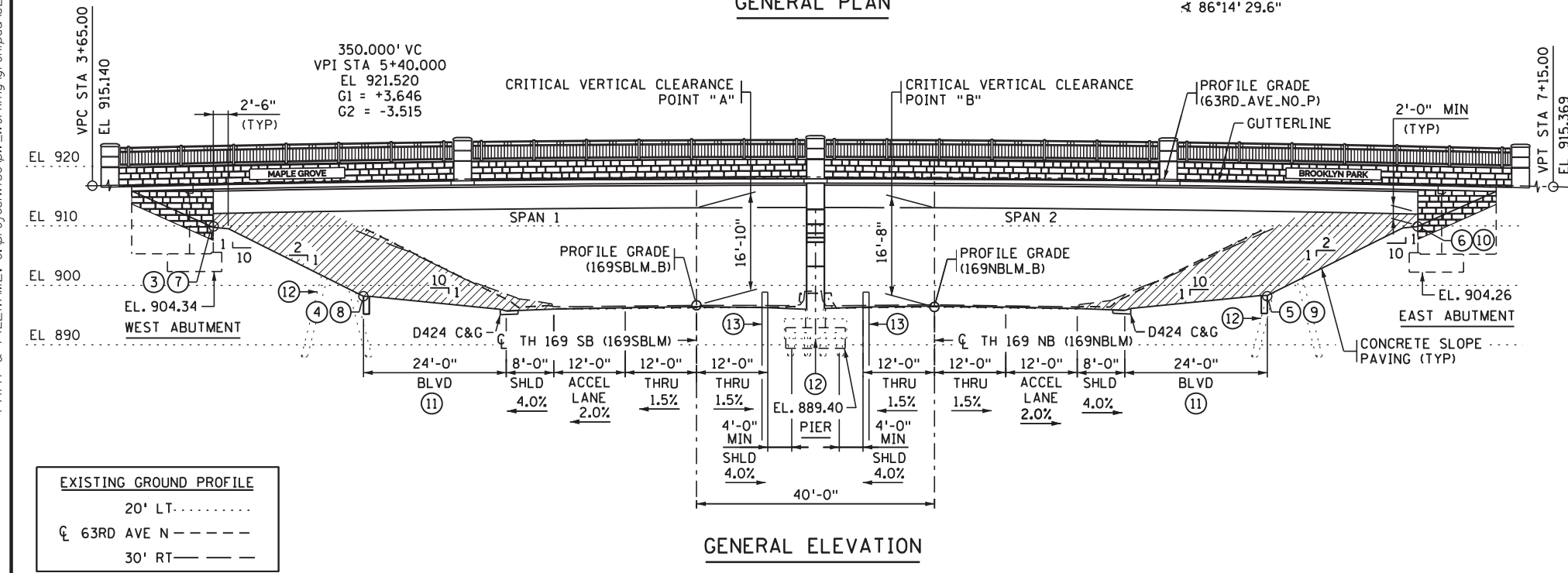
INPLACE BRIDGE NO. 27534  
 A TWO SPAN PRESTRESSED CONCRETE BEAM STRUCTURE, 162'-8" LONG X 40'-4" WIDE SUPPORTED ON TREATED TIMBER PILING BUILT IN 1968 TO BE REMOVED UNDER THE BRIDGE PORTION OF THE CONTRACT.



NOTES:

- ① C 63RD AVE N (63RD.AVE.NO) POT STA 5+25.337 = TH 169 SB (169SBLM) POT STA 812+50.244  
 X = 495,393,691, Y = 201,452,232  
 Δ 86° 14' 29.6"
- ② C 63RD AVE N (63RD.AVE.NO) POT STA 5+65.423 = TH 169 NB (169NBLM) POT STA 812+47.617  
 X = 495,433,777, Y = 201,452,233  
 Δ 86° 14' 29.6"

GENERAL PLAN



GENERAL ELEVATION

LIST OF SHEETS	
NO.	DESCRIPTION
1	GENERAL PLAN AND ELEVATION
2	TRANSVERSE SECTION & SCHEDULE OF QUANTITIES
3	BRIDGE LAYOUT
4	CORNER DETAILS
5-9	WEST ABUTMENT DETAILS
10-15	WEST ABUTMENT REINFORCEMENT
16-20	EAST ABUTMENT DETAILS
21-26	EAST ABUTMENT REINFORCEMENT
27-29	PIER DETAILS
30-34	PIER REINFORCEMENT
35	FRAMING PLAN
36	MN45 PRESTRESSED CONCRETE BEAMS
37	PRESTRESSED CONCRETE BEAM DIAPHRAGM CONNECTION DETAILS
38	TRANSVERSE DECK SECTION
39	DECK REINFORCEMENT PLAN
40-41	DECK REINFORCEMENT DETAILS
42	CONCRETE BARRIER 36" (TYPE S, TL-4)
43	ORNAMENTAL METAL RAILING (DESIGN T-5 PARAPET MOUNT)
44	CONCRETE PARAPET (TYPE P-1, TL-2)
45	MISCELLANEOUS CONCRETE BARRIER AND PARAPET DETAILS
46-47	CONCRETE PARAPET & METAL RAILING ELEV.
48	ORNAMENTAL METAL RAILING & CONCRETE EMBLEM DETAILS
49-50	CONCRETE PILASTER DETAILS
51	CONCRETE SLOPE PAVING UNDER BRIDGES
52-55	BRIDGE DETAILS
56	AS-BUILT BRIDGE DATA
57	BRIDGE SURVEY
58	TH 169 PROFILES
59	BORINGS

- ③ TH 169 SB (169SBLM) STA 812+75.3±, 81.2' LT, EL 909.5±
- ④ TH 169 SB (169SBLM) STA 812+73.6±, 56.0' LT, EL 897.9±
- ⑤ TH 169 NB (169NBLM) STA 812+63.6±, 56.0' RT, EL 898.2±
- ⑥ TH 169 NB (169NBLM) STA 812+62.0±, 81.2' RT, EL 909.8±
- ⑦ TH 169 SB (169SBLM) STA 812+27.9±, 81.2' LT, EL 909.9±
- ⑧ TH 169 SB (169SBLM) STA 812+26.2±, 56.0' LT, EL 898.3±
- ⑨ TH 169 NB (169NBLM) STA 812+16.2±, 56.0' RT, EL 898.5±
- ⑩ TH 169 NB (169NBLM) STA 812+14.6±, 81.2' RT, EL 910.1±
- ⑪ BOULEVARD WIDTH TO ACCOMMODATE ADDITION OF POSSIBLE FUTURE MNPASS LANE.
- ⑫ INPLACE SUBSTRUCTURE
- ⑬ EARTH RETENTION SYSTEM (PERMANENT). SEE SPECIAL PROVISIONS.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNED *Paul D. Gronvall* DATE 05/01/2023  
 LICENSED PROFESSIONAL ENGINEER  
 NAME: PAUL D. GRONVALL LIC NO. 51273

TRUNK HIGHWAY NO. 169  
 MINNESOTA  
 DEPARTMENT OF TRANSPORTATION

**BRIDGE NO. 27317**

T.H. 169 UNDER 63RD AVE N  
 0.9 MILES SOUTH OF THE JUNCTION OF T.H. 94  
 IN MAPLE GROVE & BROOKLYN PARK

IDENTIFICATION NO. 501

**GENERAL PLAN AND ELEVATION**

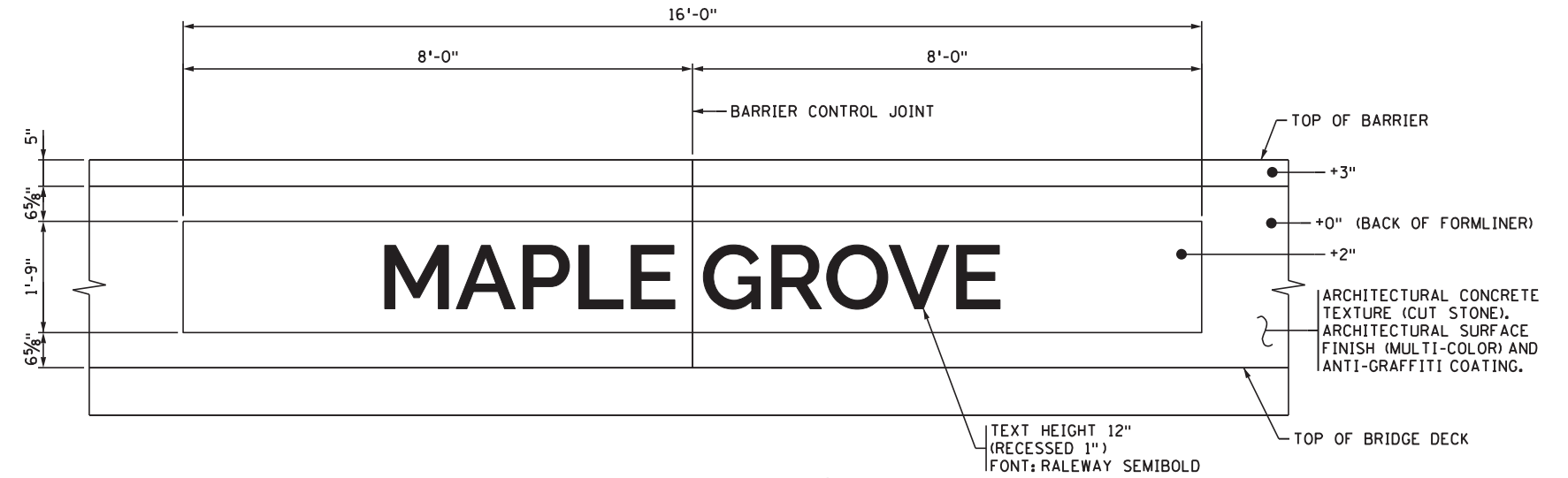
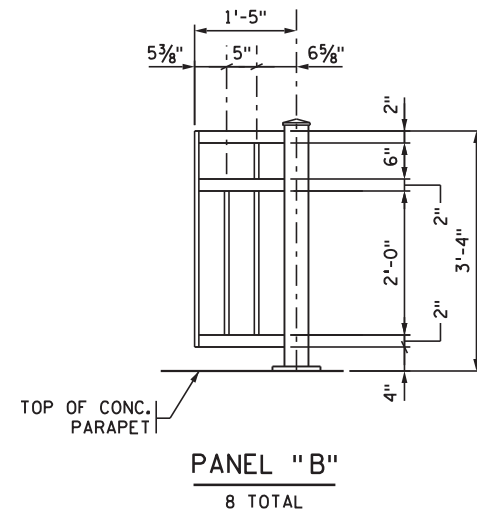
SEC. 31 T 119 N R 21 W  
 CITY OF MAPLE GROVE & BROOKLYN PARK HENNEPIN COUNTY

APPROVED *Edward A. Satgen* Digitally signed by Edward Lutgen  
 Date: 2023.05.01 10:21:23 -0500  
 STATE BRIDGE ENGINEER

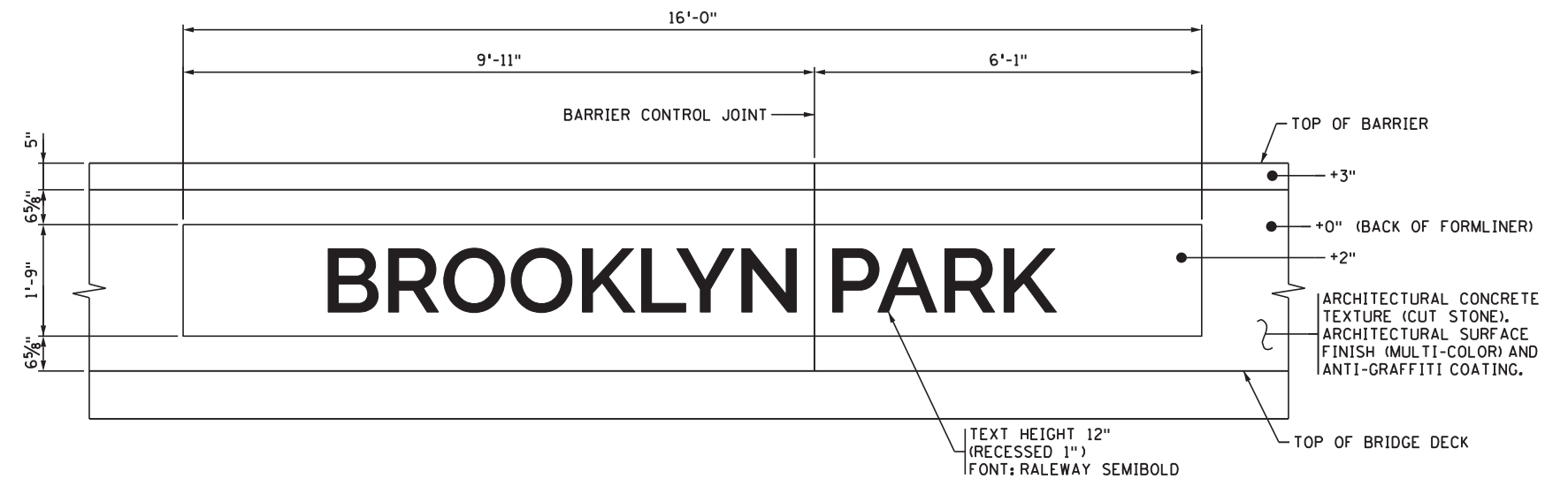
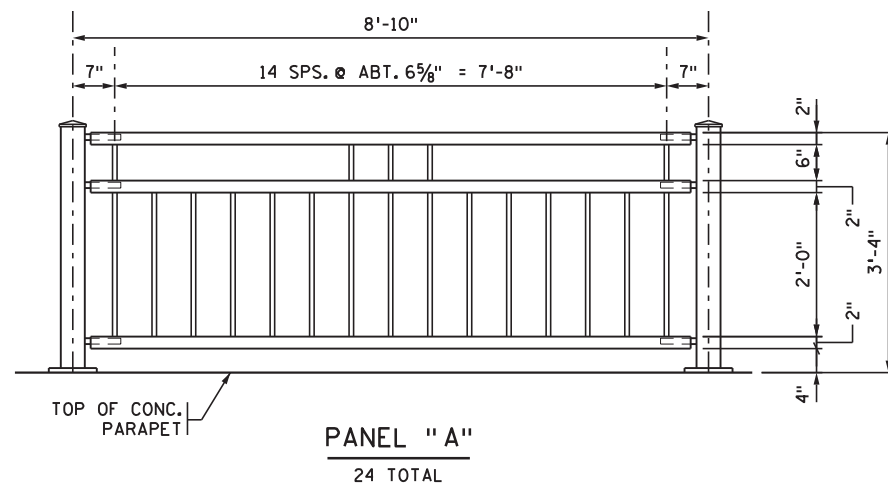
DATE \_\_\_\_\_

DES. KAH	DR. BEP	27317
CHK. DJS	CHK. KGS	

TIME : 10:09:30 AM  
 PLOTTED : 5/11/2023  
 PATH & FILENAME: c:\projects\ise\low\_working\gronpau\d241867\Br\_27317.dgn



**CITY SIGN DETAILS ①**



**CITY SIGN DETAILS ①**

**NOTES:**

- SEE SHEET NO.S 46-47 FOR PANEL LOCATIONS.
- ① PAID FOR UNDER ITEM "ARCHITECTURAL CONCRETE EMBLEM". SEE SHEET NO.2 FOR BREAKDOWN OF COST PARTICIPATIONS AND BARRIER ELEVATIONS FOR LOCATION.

TIME : 10:00:04 AM  
PLOTTED : 5/11/2023  
PATH & FILENAME: c:\project\wise\dw\_working\gron\pau\2441867\Br\_27317.dgn

FILENAME: \$\$\$@FILENAME@\$\$\$

REV. NO.	DATE	REVISION DESCRIPTION	APPROVED

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

CERTIFIED BY *Paul D. Gronvall* 05/01/2023  
LICENSED PROFESSIONAL ENGINEER DATE  
NAME: PAUL D. GRONVALL LIC. NO. 51273

TITLE: ORNAMENTAL METAL RAILING & CONCRETE EMBLEM DETAILS

DES: KAH	DR: BEP	APPROVED: 5/1/2023
CHK: DJS	CHK: KGS	

SHEET NO. 48 OF 59 SHEETS

BRIDGE NO. 27317





## Craig Runnakko

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**From:** Stromgren, Nicole (DOT) <nicole.stromgren@state.mn.us>  
**Sent:** Friday, June 2, 2023 4:16 PM  
**To:** hnelson@maplegrovern.gov; Web-CityManagerDL  
**Cc:** Jupe Hale; jhagen@maplegrovern.gov; Craig Runnakko; Jeff Holstein; Keyes, Elliot (DOT); Ruranika, Malaki (DOT)  
**Subject:** Cooperative Construction Agreement 1053216 for SP 2772-124 (TH 169 & 63rd Ave)  
**Attachments:** 1053216 Agr Maple Grove Brooklyn Park.pdf; 1053216 P Maple Grove Brooklyn Park.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon,

Transmitted herewith is a **proposed** agreement with the Cities of Maple Grove and Brooklyn Park. This agreement provides for payment of the Cities' share of the costs of utility adjustment and Bridge No. 27317 architectural concrete emblem construction to be performed on TH 169. Also required is a resolution passed by the each City's Council authorizing the City to enter into the agreement and naming the officers authorized to sign the agreement on its behalf. A suggested form of such resolution is included with this transmittal. The Cities are encouraged to pass the your resolutions. This must be done prior to signature of this cooperative construction agreement, so doing it sooner can help expedite the process down the road.

During the next couple of weeks we will be preparing the final agreement. Once we provide the final agreement and resolutions are passed please present this agreement to your City's Council for their approval and signatures of the Council-authorized officers. Electronic signatures are encouraged. When using electronic signatures, the signatories must not lock the document and all parties must sign the same document. The Council's resolution must be attached to the end of the pdf prior to any electronic signatures. Please remove the sample resolution if the Cities are providing their own resolution.

Please let me know if you have any questions.

Thanks,

**Nicole Stromgren, P.E .**

*Project Manager  
Metro District Program Delivery  
1500 County Road B2 West  
Roseville, MN 55113  
Cell: 651-775-3203  
[nicole.stromgren@state.mn.us](mailto:nicole.stromgren@state.mn.us)*



MnDOT Contract No.: 1053216

**STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION  
AND  
CITY OF MAPLE GROVE  
AND  
CITY OF BROOKLYN PARK  
COOPERATIVE CONSTRUCTION  
AGREEMENT**

<b>State Project Number (SP):</b>	<u>2772-124</u>	<b>Maple Grove Estimated Amount</b>
<b>Trunk Highway Number (TH):</b>	<u>169=383</u>	<b>Receivable</b>
<b>State Project Number (SP):</b>	<u>2772-27316</u>	<b><u>\$6,712.20</u></b>
<b>State Aid Project Number (SAP):</b>	<u>110-103-018</u>	
<b>Bridge Number:</b>	<u>27317</u>	<b>Brooklyn Park Estimated Amount</b>
		<b>Receivable</b>
		<b><u>\$5,940.00</u></b>

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation (State), the City of Maple Grove acting through its City Council (Maple Grove), and the City of Brooklyn Park, acting through its City Council (Brooklyn Park).

**Recitals**

1. The State will perform grading, bituminous surfacing, lighting, ADA improvements, and Bridge No. 27317 construction and other associated construction upon, along, and adjacent to Trunk Highway No. 169 from 1,250 feet south of 63<sup>rd</sup> Avenue to Trunk Highway No. 94 according to State-prepared plans, specifications, and special provisions designated by the State as State Project No. 2772-124 (TH 169=383) (Project); and
2. Maple Grove has requested the State include in its Project utility adjustment and Bridge No. 27317 architectural concrete emblem construction; and
3. Maple Grove wishes to participate in the costs of the utility adjustment and Bridge No. 27317 architectural concrete emblem construction and associated construction engineering; and
4. Brooklyn Park has requested the State include in its Project Bridge No. 27317 architectural concrete emblem construction; and
5. Brooklyn Park wishes to participate in the costs of the Bridge No. 27317 architectural concrete emblem construction and associated construction engineering; and
6. Minnesota Statutes § 161.45, subdivision 2, allows for Maple Grove-owned utility relocation to be included in a State construction contract, and payment by Maple Grove for such relocation according to applicable statutes and rules for utilities on trunk highways; and
7. Minnesota Statutes § 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining, and improving the trunk highway system.

## Agreement

### 1. Term of Agreement; Survival of Terms; Plans; Incorporation of Exhibits

- 1.1. **Effective Date.** This Agreement will be effective on the date the State obtains all signatures required by Minnesota Statutes § 16C.05, subdivision 2.
- 1.2. **Expiration Date.** This Agreement will expire when all obligations have been satisfactorily fulfilled.
- 1.3. **Survival of Terms.** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this Agreement, including, without limitation, the following clauses: 3. Maintenance by Maple Grove and Brooklyn Park; 10. Liability; Worker Compensation Claims; 12. State Audits; 13. Government Data Practices; 14. Governing Law; Jurisdiction; Venue; and 16. Force Majeure.
- 1.4. **Plans, Specifications, and Special Provisions.** Plans, specifications, and special provisions designated by the State as State Project No. 2772-124 (TH 169=383) are on file in the office of the Commissioner of Transportation at Saint Paul, Minnesota, and incorporated into this Agreement by reference (Project Plans).
- 1.5. **Exhibits.** Preliminary Schedule "I" is on file in the office of Maple Grove's City Administrator, in the office of Brooklyn Park's City Manager, and attached and incorporated into this Agreement.

### 2. Construction by the State

- 2.1. **Contract Award.** The State will advertise for bids and award a construction contract to the lowest responsible bidder according to the Project Plans.
- 2.2. **Direction, Supervision, and Inspection of Construction**
  - A. **Supervision and Inspection by the State.** The State will direct and supervise all construction activities performed under the construction contract, and perform all construction engineering and inspection functions in connection with the contract construction. All contract construction will be performed according to the Project Plans.
  - B. **Inspection by Maple Grove and Brooklyn Park.** Maple Grove and Brooklyn Park participation construction covered under this Agreement will be open to inspection by Maple Grove and Brooklyn Park. If Maple Grove or Brooklyn Park believes Maple Grove or Brooklyn Park participation construction covered under this Agreement has not been properly performed or that the construction is defective, Maple Grove or Brooklyn Park will inform the State District Engineer's authorized representative in writing of those defects. Any recommendations made by Maple Grove or Brooklyn Park are not binding on the State. The State will have the exclusive right to determine whether the State's contractor has satisfactorily performed Maple Grove and Brooklyn Park participation construction covered under this Agreement.
- 2.3. **Plan Changes, Additional Construction, Etc.**
  - A. The State will make changes in the Project Plans and contract construction, which may include Maple Grove and Brooklyn Park participation construction covered under this Agreement, and will enter into any necessary addenda and change orders with the State's contractor that are necessary to cause the contract construction to be performed and completed in a satisfactory manner. The State District Engineer's authorized representative will inform the appropriate Maple Grove and Brooklyn Park officials of any proposed addenda and change orders to the construction contract that will affect Maple Grove and Brooklyn Park participation construction covered under this Agreement.



B. Maple Grove or Brooklyn Park may request additional work or changes to the work in the plans as part of the construction contract. Such request will be made by an exchange of letter(s) with the State. If the State determines that the requested additional work or plan changes are necessary or desirable and can be accommodated without undue disruption to the Project, the State will cause the additional work or plan changes to be made.

**2.4. Satisfactory Completion of Contract.** The State will perform all other acts and functions necessary to cause the construction contract to be completed in a satisfactory manner.

**2.5. Permits.** Maple Grove and Brooklyn Park will submit to the State's Utility Engineer an original permit application for all utilities owned by Maple Grove and Brooklyn Park to be constructed hereunder that are upon and within the Trunk Highway Right of Way. Applications for permits will be made on State form "Application For Utility Permit On Trunk Highway Right of Way" (Form 2525).

**2.6. Utility Adjustments.** Adjustments to certain Maple Grove and Brooklyn Park-owned facilities, including but not limited to, valve boxes and frame and ring castings, may be performed by the State's contractor under the construction contract. Maple Grove and Brooklyn Park will furnish the contractor with new units and/or parts for those in place Maple Grove and Brooklyn Park-owned facilities when replacements are required and not covered by a contract pay item, without cost or expense to the State or the contractor, except for replacement of units and/or parts broken or damaged by the contractor.

### 3. Maintenance by Maple Grove and Brooklyn Park

Upon completion of the Project, Maple Grove and Brooklyn Park will provide the following within their respective City limits without cost or expense to the State:

**3.1. Roadways.** Maintenance of 63<sup>rd</sup> Avenue. Maintenance includes, but is not limited to, snow, ice and debris removal, resurfacing, seal coating, and any other maintenance activities according to accepted Maple Grove and Brooklyn Park maintenance practices.

**3.2. Municipal Utilities.** Maintenance of any municipal-owned utilities construction, without cost or expense to the State.

**3.3. Sidewalks.** Maintenance of any sidewalk construction, including stamped and colored concrete sidewalk (if any), pedestrian ramps, and any sidewalk on Bridge No. 27317. Maintenance includes, but is not limited to, snow, ice and debris removal, patching, crack repair, panel replacement, cross-street pedestrian crosswalk markings, vegetation control of boulevards (if any), and any other maintenance activities necessary to perpetuate the sidewalks in a safe, useable, and aesthetically acceptable condition.

**3.4. Bridge No. 27317 (63<sup>rd</sup> Avenue over Trunk Highway No. 169).** The State will share ownership responsibilities with Maple Grove and Brooklyn Park. The State will be listed as the owner in the NBIS (National Bridge Inspection Standards) database. The State, Maple Grove, and Brooklyn Park responsibilities are as follows:

**A. Maple Grove and Brooklyn Park Responsibilities.** Maple Grove and Brooklyn Park, within their respective City limits, will be responsible for minor maintenance and repair, which includes all non-structural maintenance activities on the bridge without any cost to the State. Minor maintenance and repair includes, but is not limited to, keeping the roadway, bridge deck, shoulders, medians, gutters, sidewalks, bikeways, and shared use paths clear of ice, snow, litter, and debris, appropriate disposal of such material, pavement markings, guardrail, non-structurally supported signing, and any other maintenance activities necessary to perpetuate the bridge in a safe, usable, and aesthetically acceptable condition. Maple Grove and Brooklyn Park will be responsible for oversize, overweight and special use permits within their respective City limits.

MnDOT Contract No.: 1053216

Maple Grove and Brooklyn Park will own and perform maintenance and repair of aesthetic elements on Bridge No. 27317 within their respective City limits: anti-graffiti coating, architectural surface finish, architectural concrete emblems, and any elements later added to the bridge as a plan change by Article 2.3. Maintenance and repair includes, but is not limited to, painting, graffiti removal, panel replacement, and any other maintenance activity necessary to perpetuate the aesthetic elements in a safe, usable, and aesthetically acceptable condition.

Future replacement of the bridge will be in accordance with MnDOT's Cost Participation Policy

- B. *State Responsibilities.*** The State will perform structural inspections and major maintenance of the bridge without any cost to Maple Grove or Brooklyn Park. Major maintenance includes all structural related maintenance, including expansion joint flushing, deck crack sealing, painting, overlays, re-decking and rehabilitation of the bridge, concrete bridge approach panels, and structurally-supported signing on the bridge.

The State is responsible for maintenance of all guardrails on TH 169 below the Bridge, roadway signing that is attached to the bridge for the purpose of the TH 169 traffic, non-ornamental fencing on the Trunk Highway Right-Of-Way, and graffiti removal within the control of access below the bridge. The State will determine the safe load rating for the bridge. The State will provide emergency response for traffic hits and restitution from insurance companies or private parties who have damaged the bridge.

- 3.5. *Additional Drainage.*** No party to this Agreement will drain any additional drainage volume into the storm sewer facilities constructed under the construction contract that was not included in the drainage for which the storm sewer facilities were designed, without first obtaining written permission to do so from the owner of the storm sewer facilities.

#### **4. Basis of Maple Grove Cost**

- 4.1. *Schedule "I".*** The Preliminary Schedule "I" includes anticipated Maple Grove participation construction items and the construction engineering cost share covered under this Agreement, and is based on engineer's estimated unit prices.
- 4.2. *Maple Grove Participation Construction.*** Maple Grove will participate in the following at the percentages indicated.
- A.** 100 Percent will be Maple Grove's rate of cost participation in all of the casting adjustment construction. The construction includes, but is not limited to, those construction items tabulated on Sheet No. 2 of the Preliminary Schedule "I."
- B.** 50 Percent will be Maple Grove's rate of cost participation in all of the Bridge No. 27317 architectural concrete emblem construction. The construction includes, but is not limited to, those construction items tabulated on Sheet No. 2 of the Preliminary Schedule "I".
- 4.3. *Construction Engineering Costs.*** Maple Grove will pay a construction engineering charge equal to 8 percent of the total Maple Grove participation construction covered under this Agreement.
- 4.4. *Plan Changes, Additional Construction, Etc.*** Maple Grove will share in the costs of construction contract addenda and change orders that are necessary to complete Maple Grove participation construction covered under this Agreement, including any Maple Grove requested additional work and plan changes.

The State reserves the right to invoice Maple Grove for the cost of any additional Maple Grove requested work and plan changes, construction contract addenda, change orders, and associated construction engineering before the completion of the contract construction.

**4.5. Liquidated Damages.** All liquidated damages assessed the State's contractor in connection with the construction contract will result in a credit shared by each party in the same proportion as their total construction cost share covered under this Agreement is to the total contract construction cost before any deduction for liquidated damages.

## 5. Maple Grove Cost and Payment by Maple Grove

- 5.1. Maple Grove Cost. \$6,712.20** is Maple Grove's estimated share of the costs of the contract construction and the construction engineering cost share as shown in the Preliminary Schedule "I." The Preliminary Schedule "I" was prepared using anticipated construction items and estimated quantities and unit prices and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised Schedule "I" based on construction contract construction items, quantities, and unit prices, which will replace and supersede the Preliminary Schedule "I" as part of this Agreement.
- 5.2. Conditions of Payment.** Maple Grove will pay the State Maple Grove's total estimated construction and construction engineering cost share, as shown in the Revised Schedule "I," after the following conditions have been met:
- A. Execution of this Agreement and transmittal to Maple Grove, including a copy of the Revised Schedule "I."
  - B. Maple Grove's receipt of a written request from the State for the advancement of funds.
- 5.3. Acceptance of Maple Grove's Cost and Completed Construction.** The computation by the State of the amount due from Maple Grove will be final, binding and conclusive. Acceptance by the State of the completed contract construction will be final, binding, and conclusive upon Maple Grove as to the satisfactory completion of the contract construction.
- 5.4. Final Payment by Maple Grove.** Upon completion of all contract construction and upon computation of the final amount due the State's contractor, the State will prepare a Final Schedule "I" and submit a copy to Maple Grove. The Final Schedule "I" will be based on final quantities, and include all Maple Grove participation construction items and the construction engineering cost share covered under this Agreement. If the final cost of Maple Grove participation construction exceeds the amount of funds advanced by Maple Grove, Maple Grove will pay the difference to the State without interest. If the final cost of Maple Grove participation construction is less than the amount of funds advanced by Maple Grove, the State will refund the difference to Maple Grove without interest.

The State and Maple Grove waive claims for any payments or refunds less than \$5.00 according to Minnesota Statutes § 15.415.

## 6. Basis of Brooklyn Park Cost

- 6.1. Schedule "I".** The Preliminary Schedule "I" includes anticipated Brooklyn Park participation construction items and the construction engineering cost share covered under this Agreement, and is based on engineer's estimated unit prices.
- 6.2. Brooklyn Park Participation Construction.** Brooklyn Park will participate in the following at the percentages indicated.
- A. 50 Percent will be Brooklyn Park's rate of cost participation in all of the Bridge No. 27317 architectural concrete emblem construction. The construction includes, but is not limited to, those construction items tabulated on Sheet No. 2 of the Preliminary Schedule "I."
- 6.3. Construction Engineering Costs.** Brooklyn Park will pay a construction engineering charge equal to 8 percent of the total Brooklyn Park participation construction covered under this Agreement.

**6.4. Plan Changes, Additional Construction, Etc.** Brooklyn Park will share in the costs of construction contract addenda and change orders that are necessary to complete Brooklyn Park participation construction covered under this Agreement, including any Brooklyn Park requested additional work and plan changes.

The State reserves the right to invoice Brooklyn Park for the cost of any additional Brooklyn Park requested work and plan changes, construction contract addenda, change orders, and associated construction engineering before the completion of the contract construction.

**6.5. Liquidated Damages.** All liquidated damages assessed the State's contractor in connection with the construction contract will result in a credit shared by each party in the same proportion as their total construction cost share covered under this Agreement is to the total contract construction cost before any deduction for liquidated damages.

## **7. Brooklyn Park Cost and Payment by Brooklyn Park**

**7.1. Brooklyn Park Cost. \$5,940.00** is Brooklyn Park's estimated share of the costs of the contract construction and the construction engineering cost share as shown in the Preliminary Schedule "I." The Preliminary Schedule "I" was prepared using anticipated construction items and estimated quantities and unit prices and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised Schedule "I" based on construction contract construction items, quantities, and unit prices, which will replace and supersede the Preliminary Schedule "I" as part of this Agreement.

**7.2. Conditions of Payment.** Brooklyn Park will pay the State Brooklyn Park's total estimated construction and construction engineering cost share, as shown in the Revised Schedule "I," after the following conditions have been met:

- A.** Execution of this Agreement and transmittal to Brooklyn Park, including a copy of the Revised Schedule "I."
- B.** Brooklyn Park's receipt of a written request from the State for the advancement of funds.

**7.3. Acceptance of Brooklyn Park's Cost and Completed Construction.** The computation by the State of the amount due from Brooklyn Park will be final, binding and conclusive. Acceptance by the State of the completed contract construction will be final, binding, and conclusive upon Brooklyn Park as to the satisfactory completion of the contract construction.

**7.4. Final Payment by Brooklyn Park.** Upon completion of all contract construction and upon computation of the final amount due the State's contractor, the State will prepare a Final Schedule "I" and submit a copy to Brooklyn Park. The Final Schedule "I" will be based on final quantities, and include all Brooklyn Park participation construction items and the construction engineering cost share covered under this Agreement. If the final cost of Brooklyn Park participation construction exceeds the amount of funds advanced by Brooklyn Park, Brooklyn Park will pay the difference to the State without interest. If the final cost of Brooklyn Park participation construction is less than the amount of funds advanced by Brooklyn Park, the State will refund the difference to Brooklyn Park without interest.

The State and Brooklyn Park waive claims for any payments or refunds less than \$5.00 according to Minnesota Statutes § 15.415.

## **8. Authorized Representatives**

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required or permitted by this Agreement.

**8.1.** The State's Authorized Representative will be:

Name, Title: Malaki Ruranika, Cooperative Agreements Engineer (or successor)  
 Address: 395 John Ireland Boulevard, Mailstop 682, Saint Paul, MN 55155  
 Telephone: (651) 366-4634  
 Email: malaki.ruranika@state.mn.us

**8.2.** Maple Grove's Authorized Representative will be:

Name, Title: Heidi Nelson, City Administrator (or successor)  
 Address: 9030 Forestview Lane, Maple Grove, MN 55369  
 Telephone: (763) 494-6370  
 Email: hnelson@maplegrovern.gov

**8.3.** Brooklyn Park's Authorized Representative will be:

Name, Title: Jay Stroebel, City Manager (or successor)  
 Address: 5200 85<sup>th</sup> Avenue North, Brooklyn Park, MN 55443  
 Telephone: (763) 493-8007  
 Email: web-citymanagerdl@brooklynpark.org

**9. Assignment; Amendments; Waiver; Contract Complete**

- 9.1. *Assignment.*** No party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office. The foregoing does not prohibit Maple Grove or Brooklyn Park from contracting with a third-party to perform Maple Grove or Brooklyn Park maintenance responsibilities covered under this Agreement.
- 9.2. *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.
- 9.3. *Waiver.*** If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.
- 9.4. *Contract Complete.*** This Agreement contains all prior negotiations and agreements between the State, Maple Grove, and Brooklyn Park. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

**10. Liability; Worker Compensation Claims**

- 10.1.** Each party is responsible for its own acts, omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others and the results thereof. Minnesota Statutes § 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of Maple Grove and Brooklyn Park.
- 10.2.** Each party is responsible for its own employees for any claims arising under the Workers Compensation Act.

**11. Nondiscrimination**

Provisions of Minnesota Statutes § 181.59 and of any applicable law relating to civil rights and discrimination are considered part of this Agreement.

**12. State Audits**

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

**13. Government Data Practices**

Maple Grove, Brooklyn Park, and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by Maple Grove and Brooklyn Park 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 Maple Grove, Brooklyn Park, or the State.

**14. Governing Law; Jurisdiction; Venue**

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

**15. Termination; Suspension**

**15.1. *By Mutual Agreement.*** This Agreement may be terminated by mutual agreement of the parties.

**15.2. *Termination for Insufficient Funding.*** The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the performance of contract construction under the Project. Termination must be by written or fax notice to Maple Grove and Brooklyn Park.

**15.3. *Suspension.*** In the event of a total or partial government shutdown, the State may suspend this Agreement and all work, activities, and performance of work authorized through this Agreement.

**16. Force Majeure**

No party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance) if such failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

(The remainder of this page has been intentionally left blank.)

MnDOT Contract No.: 1053216

**CITY OF BROOKLYN PARK**

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions, or ordinances.

By: \_\_\_\_\_

Title: Mayor

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: City Manager

Date: \_\_\_\_\_

**DEPARTMENT OF TRANSPORTATION**

Recommended for Approval:

By: \_\_\_\_\_  
(District Engineer)

Date: \_\_\_\_\_

Approved:

By: \_\_\_\_\_  
(State Design Engineer)

Date: \_\_\_\_\_

**COMMISSIONER OF ADMINISTRATION**

By: \_\_\_\_\_  
(With Delegated Authority)

Date: \_\_\_\_\_

**INCLUDE COPY OF RESOLUTION APPROVING THE AGREEMENT AND AUTHORIZING ITS EXECUTION.**

**PRELIMINARY SCHEDULE "I"**  
**Agreement No. 1053216**  
**Cities of Maple Grove and Brooklyn Park**

SP 2772-124 (TH 169=383) Preliminary: May 31, 2023  
 SP 2772-27316  
 SAP 110-103-018  
 Bridge No. 27316  
 State Funds

Grading, bituminous surfacing, lighting, ADA improvements, and Bridge No. 27317 construction to start approximately March 25, 2024 under  
 State Contract No. \_\_\_\_\_ with \_\_\_\_\_  
 located on TH 169 from 1,250 feet south of 63rd Ave. to TH 94

<b>MAPLE GROVE COST PARTICIPATION</b>	
Utility Adjustment Work Items (From Sheet No. 2)	715.00
Bridge No. 27316 Architectural Concrete Emblem Work Item (From Sheet No. 2)	5,500.00
Subtotal	<b>\$6,215.00</b>
Construction Engineering (8%)	497.20
<b>(1) Total Maple Grove Cost</b>	<b>\$6,712.20</b>

<b>BROOKLYN PARK COST PARTICIPATION</b>	
Bridge No. 27316 Architectural Concrete Emblem Work Item (From Sheet No. 2)	5,500.00
Construction Engineering (8%)	440.00
<b>(2) Total Brooklyn Park Cost</b>	<b>\$5,940.00</b>

(1) Amount of advance payment as described in Article 5 of the Agreement (estimated amount)

(2) Amount of advance payment as described in Article 7 of the Agreement (estimated amount)



(1) 100% MAPLE GROVE

ITEM NUMBER	SP 2772-124 UTILITY ADJUSTMENT WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (1)
2506.502	ADJUST FRAME & RING CASTING	EACH	1.00	715.00	715.00
				TOTAL	\$715.00
	(1) 100% MAPLE GROVE		\$715.00		

(2) 50% MAPLE GROVE, 50% BROOKLYN PARK

ITEM NUMBER	SP 2772-27316 AND SAP 110-103-018 BRIDGE NO. 27316 ARCHITECTURAL CONCRETE EMBLEM WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (2)
2411.602	ARCHITECTURAL CONCRETE EMBLEM	EACH	2.00	5,500.00	11,000.00
				TOTAL	\$11,000.00
	(2) 50% MAPLE GROVE		\$5,500.00		
	50% BROOKLYN PARK (STATE AID)		\$5,500.00		

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.10	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	X	<b>Prepared By:</b>	Mike Freske, Employment Attorney
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Jay Stroebel, City Manager
<b>Item:</b>	Approval of the 2022-2023 Collective Bargaining Agreement with the Law Enforcement Labor Services Union, Local 515		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_ TO APPROVE STAFF TO ENTER INTO A TWO-YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE LAW ENFORCEMENT LABOR SERVICES UNION, LOCAL NO. 515 (POLICE NON-SWORN) FOR 2022-2023.

## Overview:

City staff and union representatives from the Law Enforcement Labor Services Union, Local 515, were able to come to a tentative agreement on a collective bargaining agreement for the period of January 1, 2022, through December 31, 2023. Terms of the contract were included under separate cover with Council packet materials for the June 26, 2023 Council meeting. Union membership voted to approve the agreement on or around April 11, 2023.

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

## Budgetary/Fiscal Issues:

Funds are available in the 2022 general fund budget.

## Attachments:

4.10A RESOLUTION

RESOLUTION #2023-

RESOLUTION TO APPROVE STAFF TO ENTER INTO A TWO-YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE LAW ENFORCEMENT LABOR SERVICES UNION, LOCAL NO. 515 (POLICE NON-SWORN) FOR 2022-2023.

WHEREAS, the City of Brooklyn Park has reached a negotiated agreement with the Law Enforcement Labor Services Union, Local No. 515 (Non-Sworn); and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the labor agreement between the City of Brooklyn Park and the Law Enforcement Labor Services Union, Local No. 515 (Police Non-Sworn) is hereby approved for the years 2022-2023, and the City Manager is hereby authorized to execute the same on behalf of the City.

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	7.1	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	General Action	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Dan Ruiz, O&M Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Dan Ruiz and Jay Stroebe, City Manager
<b>Item:</b>	Amend the Lease Agreement with Parents in Community Action (PICA), Inc./Head Start		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-\_\_\_\_\_ APPROVING AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF BROOKLYN PARK AND PARENTS IN COMMUNITY ACTION/HEAD START.

## Overview:

Parents in Community Action (PICA) has been operating a Head Start program at the former city hall building on the corner of 85<sup>th</sup> Avenue and Zane Avenue since 1993. The program serves 220+ pre-school-aged children and their families whose income level is below poverty standards. The program is at capacity for the space and has a waiting list of approximately 285 children.

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

The City of Brooklyn Park received a request from PICA to extend the lease again for ten years beginning July 1, 2023 through June 30, 2033 with an option of a second ten year lease beginning July 1, 2033 through June 30, 2043. PICA also expressed interest in purchasing the building.

PICA gave a presentation to the city council on May 22, 2023 outlining the programs and services they provide. The City Council was appreciative about the relationship between the City and PICA and the desire to continue this relationship. PICA serves a valuable role within the community. The council also inquired about PICA's interest in purchasing the building.

Staff requested the value of the former city hall building from the City Assessor and the current assessed value as of 1/2/2023 is \$3,578,900 (land \$1,363,400 + building \$2,215,500 = \$3,578,900). This information was shared with PICA.

## Primary Issues/Alternatives to Consider:

The City Council asked for options to consider in moving forward with PICA. Several options are outlined below:

### Option 1 – Lease Extension

PICA has requested at least a 10-year lease with an option for another 10-year extension. This is consistent with the current lease agreement.

**Option 2 – Ownership**

PICA has expressed interest in purchasing the old city hall building. They currently own 5 of the 13 buildings where they run their programming. The 2023 assessed value of the land and building is \$3,578,900.

**Option 3 - Other**

Other variations of lease terms and conditions, ownership, or partnerships could be considered. PICA and city staff also discussed options to work together for state funding to expand the facility and/or to build a new facility somewhere in Brooklyn Park that could better fit their needs and demand for a larger facility. This is something that could be done while under a new lease agreement.

**Recommendation**

City staff recommend Option 1, a 10-year lease with an option for a second 10-year extension as a good way to continue the partnership with PICA and maintain long term ownership of the land and building. It is difficult to predict what changing needs the city may have on this property and the entire government campus in 20, 30, or 40 years, but maintaining ownership gives the city flexibility to adapt in the future and keep the entire government campus intact. For example, the city recently purchased the old Hennepin County library site and may build a new fire station on that property.

**Budgetary/Fiscal Issues:**

The 10-year lease payment for PICA at the former city hall is \$10.00. The assessed value of the old city hall property is \$3,578,900.

**Attachments:**

- 7.1A RESOLUTION
- 7.1B PROPOSED LEASE AMENDMENT

RESOLUTION #2023-

RESOLUTION APPROVING AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF  
BROOKLYN PARK AND PARENTS IN COMMUNITY ACTION/HEAD START

WHEREAS, the City of Brooklyn Park values its role in serving youth of all ages through city-sponsored programs and services and through partnerships with other youth-serving agencies; and

WHEREAS, the City of Brooklyn Park has provided space at the former city hall since 1993 for the Parents In Community Action (PICA)/Head Start program serving infants through school-aged children; and

WHEREAS, the need for the Head Start program is evident from the waiting list of almost 300 children; and

WHEREAS, the City of Brooklyn Park and PICA / Head Start approve the following Principles of Agreement:

1. Preserve Existing Partnership
  - PICA / Head Start commits to providing infant, toddler and pre-school services at its current location at the current level
  - The City of Brooklyn Park agrees to extend lease at current rate for additional 10-year period with an option of a second 10-year extension
2. Enhance Joint Partnership Opportunities
  - PICA / Head Start and City of Brooklyn Park agree to seek opportunities for expanded service agreements and alignment
3. Actively Partner to Create Sustainable Funding Sources
  - PICA / Head Start and City of Brooklyn Park agree to jointly research and identify external funding sources and revenue streams to develop and sustain youth activities across multiple age ranges
4. Develop Long-Term Solution to Youth Services Campus
  - PICA / Head Start and City of Brooklyn Park agree to develop plans to maximize and possibly create a permanent space to meet the recreation and educational needs of youth in our community
5. Develop Innovative Service Delivery Pilots/Models
  - PICA / Head Start and City of Brooklyn Park agree to test and evaluate innovative service projects in an effort to develop the next generation model of service delivery for youth
6. Develop Seamless Transitions for Youth
  - PICA / Head Start and City of Brooklyn Park agree to engage in conversations and planning to ensure that all youth are connected to appropriate systems as they age (Infant, Toddler, Pre-K, K-Elementary, Youth, and Teen)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the Mayor and City Manager be authorized to execute an amendment to the lease agreement between the City of Brooklyn Park and Parents In Community Action/Head Start.

**Amendment to Lease Agreement**

This Agreement is made and entered into as of the \_\_\_ day of \_\_\_\_\_, 2023, by and between the City of Brooklyn Park (City), a Minnesota municipal corporation, and Parents In Community Action, Inc. (PICA), a Minnesota Non-Profit Corporation.

**Recitals**

- A. In 1993 the City and PICA entered into a Lease Option Agreement ("Lease") pursuant to which PICA leased from the City the former City Hall Building located on Lot 2, Block 1, City of Brooklyn Park Addition.
- B. The initial term of the Lease was for a 10-year period commencing on July 1, 1993, and the Lease granted to PICA the option to extend the term of the Lease two times for a period of 10 years each. The Lease required PICA to provide the City with written notice of PICA's exercise of its extension option no less than 4 months and no more than 8 months before the expiration of the initial term of the Lease or the first extended term, as applicable.
- C. In early 2023, PICA reached out again to the City about extending their lease agreement.

The City and PICA agree as follows:

- 1. The City agrees to extend the term of the Lease for ten years commencing on July 1, 2023 and ending on June 30, 2033 with an option for a second ten year extension from July 1, 2033 through June 30, 2043.
- 2. Either the City or PICA may initiate early termination of the Lease by providing the other party with at least one year written notice before the early termination date.
- 3. If the City initiates early termination, PICA shall not be obligated to vacate the leased premises until a suitable location in Brooklyn Park is found to locate PICA's programs. For purposes of this agreement, 'suitable' means that the new location meets all applicable federal Head Start standards regarding space, and all local and state fire, health, and licensing standards for early childhood programs.
- 4. Except as otherwise set forth in this Agreement, all other terms and provisions in the Lease remain in effect.

CITY OF BROOKLYN PARK

PARENTS IN COMMUNITY ACTION, INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Its Mayor

Its \_\_\_\_\_

By: \_\_\_\_\_

Its City Manager

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	8.1	<b>Meeting Date:</b>	June 26, 2023
<b>Agenda Section:</b>	Discussion Items	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Felicia Jappah, Project Coordinator, Pandemic Response Sarah Abe, Development Project Coordinator, Breanne Rothstein, Economic Development & Housing Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Felicia Jappah
<b>Item:</b>	Preliminary Input for Round 2 of Arpa Community Partnership Funding Awards		

## City Manager's Proposed Action:

Provide update and seek preliminary input from Council for Round 2 of ARPA community partnership awards.

## Overview:

President Biden signed the American Rescue Plan Act (ARPA) of 2021 (H.R. 1319) into law in March 2021. The ARPA provides \$1.9 trillion in additional relief to respond to the novel coronavirus (COVID-19) including funds directly to local governments to respond to COVID-19 under the State and Local Fiscal Recovery Funds (SLFRF). The City of Brooklyn Park received a total allocation of \$11,052,580 from the SLFRF.

In 2021 and 2022, the City allocated \$1,204,700 of its federal funds to support proposals from community-based organizations proposing programs in response to the COVID pandemic. The Economic Development Authority (EDA) also approved \$202,500 to support its Community Partnership Program (CPP) Initiative. The ARPA and CPP funds were combined in 2021-2022 to fund the ARPA/CPP Community Funding Opportunity and awarded funding to 41 community-based organizations. On December 5, 2022, the Council approved \$350,000 to continue this work in 2023.

Staff is seeking direction from Council on the strategy for Round 2 of the community-based funding. Based on the input from the council, staff will develop the Request for Proposal (RFP) process and community engagement strategy if needed. The total community partnership funding allocated for Round 2 is therefore \$550,000 in new funds. Additionally, any remaining unspent 2023 funds can be rolled forward to be spent in 2024.

## Background

In 2021, staff completed a series of community engagement activities to seek input from community leaders and residents on what they supported as funding priorities for the use of the ARPA funds. As a result of that process, a framework and guiding principles were developed to invest the ARPA funds, which focused on the following activities:

- Violence interrupters and support services
- Mental health services
- Interventions to stabilize the community
- ARPA administration



As part of prior budget approvals, City Council and EDA allocated the below funding to community partnership work:

Categories	2021 - 2023	2023
Community partnership funds: community response proposals and workforce development (ARPA funds)	\$1,169,700	\$250,000
Financial Consultancy for partners/CapaCity Building funding (ARPA funds)	\$35,000	\$100,000
Economic Development Authority (CPP) Initiative for Workforce Development (EDA funds)	\$202,500	\$200,000

#### Primary Issues/Alternatives to Consider:

- **What has been funded under this allocation?**

In 2022, after an extensive review process, the City awarded ARPA funding of \$10,000 - \$82,500 each to 36 community organizations and businesses to complete programs to serve Brooklyn Park residents. Additionally, \$202,500 in EDA/CPP funds were awarded to five organizations for a total of 41 partnership awards. The services provided by the organizations are in the following areas: violence prevention and community safety activities, mental health outreach services, job/skill training, service navigation, food distribution, business training, and services to youth, mothers, and seniors. The organizations are executing the programs and are expected to complete their contracts in late Summer 2023. Staff estimates about two organizations will be unable to utilize their awarded funds by the contract deadlines.

- **What were the results of the mid-program evaluation?**

Earlier this year, the City evaluated the current programs with the community organizations and City staff managing the contracts. Results indicate that community partners appreciate working with the City – 93% of respondents said the City was good or excellent to work with and noted staff flexibility, good communication, engagement, technical support, and collaboration. Community members shared challenges and learnings from this funding opportunity and had some recommendations for the City:

Challenges/lessons learned	Reporting requirements, contract administration is time consuming, identified stigma in cultural communities around mental health, communications challenges with staff, no clearly defined program expectations, the need for flexibility during contracting and implementation, and the need to have organization staff trained around program implementation.
Recommendation to the City	Allow flexibility in program implementation – not one size fits all approach and be open to work with organizations when there are changes, look at other strategies for payments for work that is not the current process – smaller nonprofits do not have cash to front, involve partner organization in the design of the award because of their experience with community and to align with need.

Staff managing community partnership relationships reported that at the time of the evaluation, most partners had met their outcomes and were providing services to residents in various areas identified as priorities in our community outreach and engagement. Additionally, staff responded that they would recommend future work with 83% of organizations. Some of the challenges identified by staff included:

- Organizations' ability to meet the compliance and reporting requirements of the awards.
- Lack of organizational structure and systems especially related to financial management and program reporting.
- Organizations are unresponsive to City staff communication.

Overall, the collaboration between the City and community-based organizations is positive. The summary report is attached.

• **How was the proposed Round 2 designed?**

The Round 2 approach is informed by the feedback from community members through outreach, the success of the work currently in progress, and the evaluation of Round 1 completed by current community partners and feedback from City staff around the overall management of the current program.

In the previous round of funding, organizations proposed programs and worked with staff to scope the program to match the funding approved. The current programs have proven successful but based on evaluation of the programs from both community partners and staff, staff is proposing the below strategy for Round 2. The below funding categories are recommended because the federal fund compliance burden is high from a financial and legal perspective for community organizations, and it has been extremely challenging for many organizations to meet those requirements. We are recommending narrowing the next round of community funding to allow a continuation of the good work already in process and allow the City to manage the compliance requirements without creating a burden for partner organizations.

- Category 1 is a continuation of the current work for organizations that have proven successful in implementation and delivery.
- Category 2 offers a new Request for Proposal (RFP) for organizations not previously funded. It would require a narrower scope and attempt to reduce reporting requirements as much as possible.

• **What is recommended for Round 2?**

Based on the evaluation, and lessons learned as part of implementation of this current round of funding, staff is recommending the below for funding in Round 2:

Funding Categories	Purpose/Process	Eligibility
<p><b>Category 1:</b> Contract extensions (\$250K budget allocation plus additional funds, from unspent funds from 2023)</p>	<p>This allocation would be for successful Round 1 applicants, would be processed as an amendment to existing scope and contracts, and will include the opportunity to implement one program per proposal.</p>	<p>Criteria used to determine eligibility would be:</p> <ul style="list-style-type: none"> <li>○ Organizations that are performing well and have met or are meeting their deliverables.</li> <li>○ Organizations that have expended all their funding from Round 1.</li> <li>○ Rescoped programs that are allowable uses under the ARPA guidelines and meet demonstrated community need.</li> </ul>
<p><b>Category 2:</b> Another round of RFP for new organizations (up to \$200k)</p>	<p>This would be a new RFP process like Round 1 RFP process and provide an opportunity to solicit proposals from new partner organizations. We will seek Council and community partner input on the draft RFP. However, staff are recommending slight changes to the process to streamline reporting and program implementation. Specifically, staff recommend narrowing the scope around the program. We are making this recommendation because during the implementation of the ARPA Round 1, we found the compliance burden high from a legal and finance</p>	<p>Organizations that qualify would be:</p> <ul style="list-style-type: none"> <li>○ Registered and in good standing with the Secretary of State</li> <li>○ Brooklyn Park organizations or organizations with proven track record of serving Brooklyn Park</li> </ul>

	<p>perspective for organizations. Many of the organizations that were awarded funding also found it challenging to scope, design, and implement the programs they were proposing without extensive staff oversight.</p> <p>The adjusted process is outlined below:</p> <ul style="list-style-type: none"> <li>○ A call for proposals to implement specific programs that serve Brooklyn Park residents and cultural groups in a variety of areas based on priorities established during the previous community engagement and based on feedback from our recent partner evaluation including (food, workforce training, support to young mothers, youth, and seniors,)</li> <li>○ A review and selection process for applications received.</li> <li>○ Following the review process, organizations that meet the criteria with proposals to serve Brooklyn Park residents will be awarded funding in various categories.</li> </ul>	<p>residents that have not previously been funded by the City.</p> <ul style="list-style-type: none"> <li>○ Organizations would have the option to implement one program per proposal.</li> </ul> <p>City staff is recommending reporting requirements that are more streamlined.</p> <ul style="list-style-type: none"> <li>○ The budget for each proposal would be developed around the overall program for a one-time payment after implementation. Partner organization staff compensation and other expenses will be included as part of total payment.</li> </ul>
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- **What are the funding considerations?**

This proposed program design and amounts allocated assumes no additional ARPA funds would be committed to community subcontracts.

To date, \$813,083 of \$1,407,200 (58%) in ARPA/CPP funding have been paid out under the current community partnership contracts. Most of these contracts end in August 2023.

The \$200K in EDA funds would be directed toward workforce development related contracts within both the contract extension and RFP categories.

Brooklyn Center has contracted with Brooklyn Park to utilize some of its ARPA funds within Brooklyn Center as part of our joint workforce development programming. Brooklyn Center's allocation of funds to the community partnership program is \$150,000. The below is the Community Partnership funds allocated by the Council:

Project	Description	2022 Expenditure	2023 Council Approved Allocation
Community response proposals	Support local organizations in pandemic response program delivery (i.e. emergency assistance, food, public health, housing, business services) (RFP)	\$ 420,170.70	\$ 944,700.00
Economic Inclusion - Sub-grants for workforce development	Community Partnership - Sub-grants for workforce organizations (RFP) (Partner with Brooklyn Center)	\$ 25,000.00	\$ 325,000.00

- **What was done and will be done to engage the community around community partnership funding?**

To date, community engagement has occurred as follows:

- Multiple engagement activities in 2021 including meetings with community leaders, youth, businesses, and various stakeholders.
- Ongoing discussions with partner organization representatives currently providing services and feedback from staff administering contracts.
- Survey/program evaluation with organizations and staff currently administering programs (*attachment 8.1A*)
- Informing community via social media, email, highlights of partner work through email and tabling at events and door knocking.

The proposed additional engagement in Round 2 is to solicit feedback on the draft RFP (Category 2 in the chart above) from community organizations, residents, and Council.

**Next Steps:**

Staff is seeking feedback from City Council on the proposed strategy to use two different funding categories for awards and the proposed allocations within each category. Based on this feedback, staff will prepare program guidelines/RFP for each and seek feedback from community members before bringing the information back to the City Council for action.

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

**Attachments:**

- 8.1A ARPA COMMUNITY PARTNERSHIP EVALUATION SUMMARY
- 8.1B COMMUNITY PARTNERSHIP PROGRAMS HIGHLIGHT

## American Rescue Plan Act (ARPA)/Community Partnership Program (CPP)

### 2023 Evaluation Results Summary

In 2022, the city awarded funding to 41 community-based organizations to partner with the city under the American Rescue Plan Act (ARPA)/Community Partnership Program (CPP) funded initiative. In early 2023, the city conducted an evaluation of the work to gather feedback from community partners implementing the programs and city staff managing the community contracts. The results have been summarized into two sections. Section I is the result of Community Partners' responses and Section II is a summary of the feedback from staff - City's Contract Managers.

### Section I: Community Partner Response

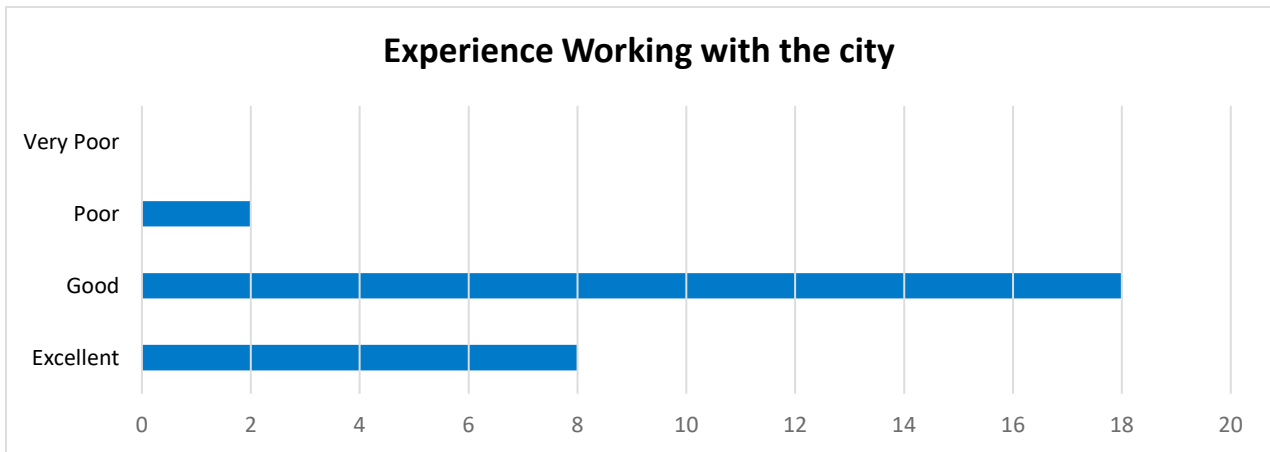
Community Partners	<b>40</b>
Respondents	<b>28</b>
Percentage of community partners that responded	<b>70%</b>

**Award experience and program work:** Community partners expressed appreciation for the funding and noted that the added funding enabled them to serve their communities. The below is a summary:

Experience implementing the program	Impact of the award	Unanticipated Challenges
The programs they provided were important for the community	Funds allowed respondents to do more work with outreach and resource assistance – like home stability and food	Reporting requirements have been challenging and unanticipated, verification of payments to staff feels invasive
Funding allowed respondents to do more work in the community and meet some of the needs they could not previously meet	Award allowed individuals and businesses to receive the support they need	Identified stigma in cultural communities related to mental health
Allowed more outreach to specific cultural groups that they had not previously been able to serve	Residents received career or technology training, career counseling, or developed a skill to contribute to the community	Challenges with participants providing their information
Provided opportunity to collaborate with other community and government organizations	Residents received resources and information related to COVID-19 and mental health exacerbated by the pandemic	Award administration has been time consuming- challenges in scoping and contracting, and reporting
Allowed organization to support the community by addressing public health issues increased by COVID-19	Funding allowed organizations to serve youth, seniors, and families	

Community Partners Lessons Learned	
	Need to develop strategies for effective outreach to residents, recruitment of specific groups, and collaboration with managers at apartments for access to residents
	Need for training for small businesses and for providing resources and access to those businesses
	Collaborating with the city at events has been helpful to reach residents, acknowledged importance of maintaining a presence in the city
	Community members like to be incentivized to participate in activities
	There is a need for resources around housing, mental health, health care, employment stabilization, financial assistance, and recognized that partners like nonprofits are integral in the community
	Need flexibility during contract period, implementation, and staff training around program implementation
	Need to do a better program design and budget, use funds as intended, track and report activities

- 1) **Partnership with the City** – overall, community partners’ response was positive on their experience working with the city. 93% of respondents said the city was good or excellent to work with.



**Partnership with the city: what has worked well?**

	Staff flexibility, good communication and updates, including email notifications, prompt responses to inquiries
	Staff engagement, technical support from city staff – including providing tools and systems to manage the awards, regular check-ins, and feedback
	Collaboration with the city in implementation and sharing resources, helping promote programs, networking with other partners, and working with the Health on the Go initiative

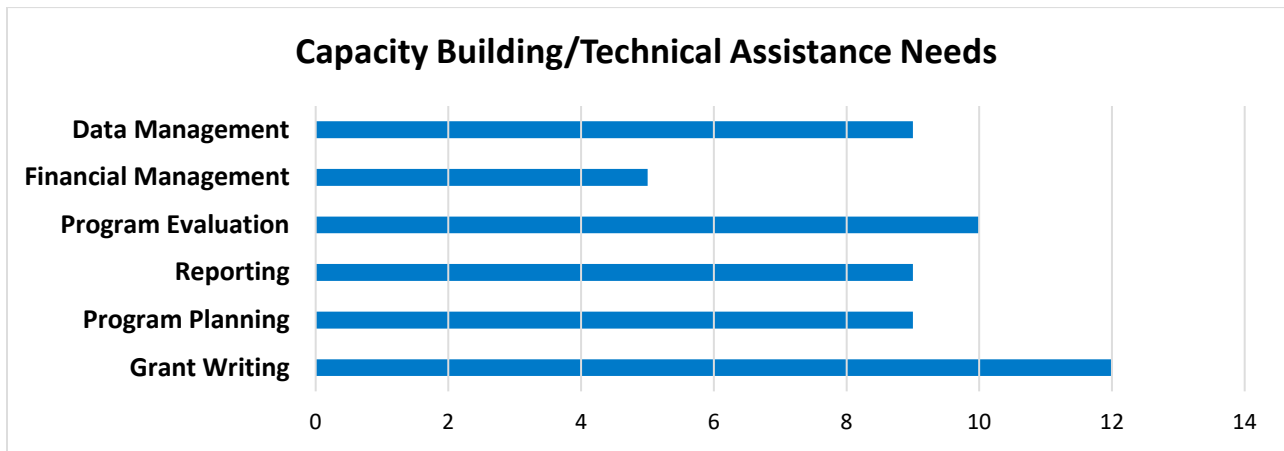
**Partnership with the city: what have been the challenges?**

	Award reporting and requirements – paperwork burdensome, requirement to host in the city, using award for BP residents only and tracking requirements
	Communications challenges with staff, responding to inquiries, request for information, no clearly define program expectations
	Reimbursement based funding is a challenge for small organizations, and reduced funding from original proposal created challenges to offer other services

**Partnership with the city: What is your suggestion(s) for the city?**

	Allow flexibility in program implementation – not one size fits all approach and be opened to work with organizations when there are changes
	Involve partner organization in the design of the award because of their experience with community and to align with need
	Look at other strategies for payments for work that is not the current process – smaller nonprofits do not have cash
	Dedicate more resources – funding like this for partner organizations’ work and encourage more collaborations
	Improve staff communication with community partners

**Capacity Building:** Respondents identified grant writing as a priority for technical assistance.



Other technical assistance needs included more Brooklyn Park resources to offer recipients, outreach assistance, QuickBooks training, and flexibility to adjust grant during grant cycle due to unexpected changes.

**Financial Consultants:** For partners who responded, seven of 28 (25%) respondents received services from a Financial Consultant. The work completed by the financial consultants included: *preliminary review of the organization’s finances, assistance with financial reporting, budgeting, and expense documentation.* The summary of organizations’ experience working with the financial consultants is below:

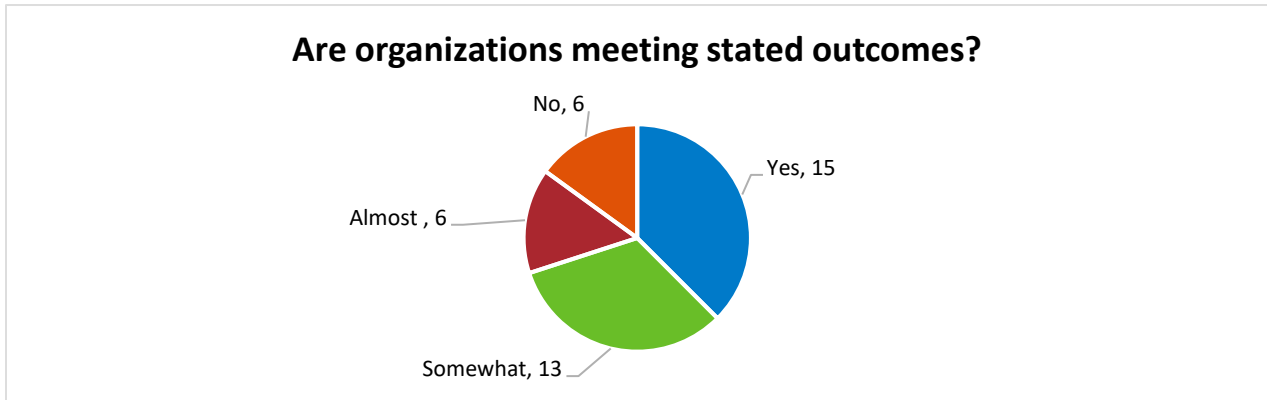
	Experience						Recommend FC?	
	Respondents	Excellent	Good	Poor	Very Poor	Fair	Yes	Maybe
Clifton Larson Allen	3	1	1	0	0	0	1	2
LightHouse	4	1	2	0	0	1	3	0

## Section II: Contract Managers Evaluation

Community Organizations evaluated	<b>40</b>
Staff that responded	<b>6</b>
Percentage of staff that responded	<b>100%</b>

City staff managing the community partnership contracts also provided feedback for 40 contracts. **Below are the results of their evaluation.**

**Organization performance and meeting outcomes proposed** – contract managers responded that to date, 15 community partners have met outcomes, 19 somewhat or almost met outcomes and 6 have not met outcomes.

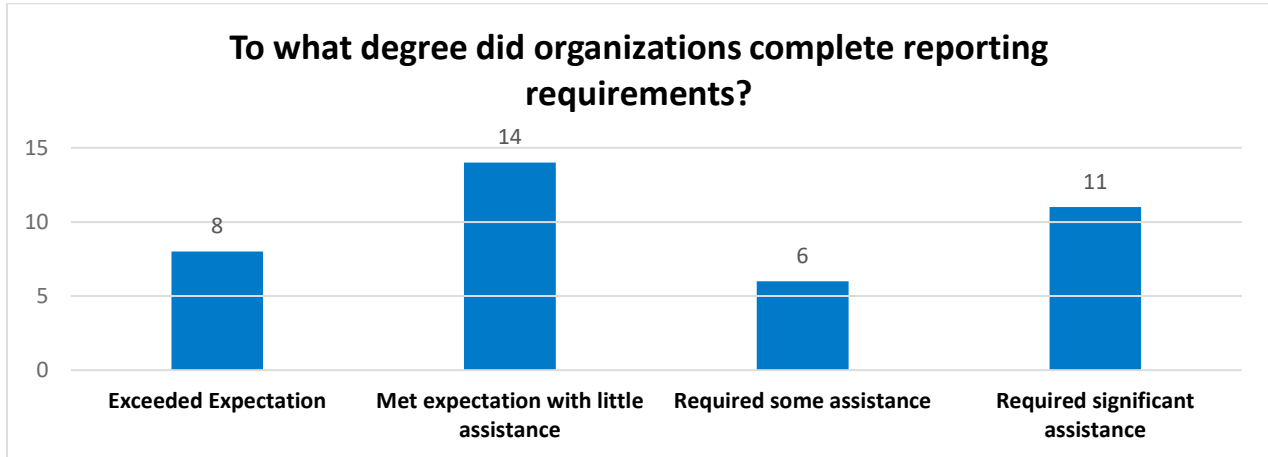


**Partner challenges** – The leading challenge observed by contract managers was organizations’ unresponsiveness followed by inability to submit accurate reimbursement request and provide proof of BP residents served. Staff also mentioned challenges with understanding contract expectations, the process, program implementation, and in one instance the proposed program plan being too large for funding approved.





**To what degree did the organization complete the reporting requirements?**



**Responsiveness to staff – were partner organizations responsive to staff?**

23 or 58% - Yes

11 or 28% - Usually

3 or 6%- Sometimes

3 or 6% - No

Would you recommend future work with community partners?		
	Percentage	Support for response regarding future partnership
Yes	53%	Responsive to staff, executing proposed program, show consistency in delivery, tangible evidence of the work they are doing. Majority of partners in this category required some assistance and met expectations or exceeded expectations.
No	15%	Not responsive to staff, all required significant staff support, launch late or have not started, had issues with program work, inadequate financial reporting.
Conditionally	40%	Organizations have potential but require assistance to get them on track with the work, reporting, and tracking of those served. Staff recommended focused funding.

**Contract Managers identified the below as key successes of partner organizations:**

Meeting program outcomes - completing contract work, submitting accurate report, learning from the process, highlighting one organization that has grown exponentially from this award by learning program management and developing a system working with the financial consultant,
Funding allowed one partner to launch a pilot of a new program serving seniors, a partner organization has successfully provided trained workers for a critical work area – CNAs
Tangible evidence of the work implemented, strong presence in the community, or creating those connections, and enhanced work with cultural groups or seniors and youths, notable growth of several organizations including cultural organizations serving specific groups
Extensive outreach to BP residents as partners in the community

# ARPA COMMUNITY PARTNERSHIP HIGHLIGHTS

In 2022, the Council awarded funding to **36** organizations under the American Rescue Plan Act (ARPA) Community Partnership Initiative. The Economic Development Authority (EDA) Community Partnership Program (CPP) Initiative awarded funding to five organizations for workforce development for a total of **41** organizations under the City's ARPA/CPP Community Partnership Opportunity. Overall, in 2022 our community partners served **5,797** underserved Brooklyn Park residents with intentional outreach to those most impacted by the COVID pandemic. Below are highlights of some community partners using ARPA funding to alleviate the negative impacts of the pandemic.



### MN Zej Zog

- MN Zej Zog's programs are focused on serving Hmong boys/men ages 10-21.
- ARPA funding supported various programs focused on culture, building relationships and mentoring of young Hmong men.
- **185** Brooklyn Park Hmong youth were served from August – December 2022.

### COPAL



- Comunidades Organizando el Poder y la Acción Latina (COPAL) located in St. Paul, have leveraged the ARPA funds to establish a presence in the city and expand their services to Brooklyn Park Latino/Latina residents.
- From July 2022 – March 2023, COPAL engaged **853** residents providing information to access social services – health care and coverage, COVID vaccination, rental programs, legal assistance, education, training/employment etc.
- **409** residents have benefited from COPAL's services as of March 2023.



### Organization of Liberians in Minnesota (OLM)

- OLM manages a Certified Nurse Assistant (CNA)/Trained Medication Aide (TMA) training program for residents to acquire the skills for entry level positions in a high-demand field.
- With the ARPA funds, **20** BP residents will complete CNA/TMA training.
- Those completing training as entry level professionals can earn around **\$22 – \$24/hour**.

### The Salvation Army



- Funding from the ARPA funds allowed the Salvation Army to expand its food shelf.
- The need for households to supplement their food budget has risen significantly.
- With the ARPA funding received, the organization has served an average of **375** residents monthly from October - December 2022.
- Funding received also allowed the organization to increase the number of youth at its Summer Camp.